

Migration Policies in Peru 2017-2019

Pedroza, Luicy; Palop-García, Pau; Chang, So Young

Veröffentlichungsversion / Published Version

Forschungsbericht / research report

Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:

GIGA German Institute of Global and Area Studies

Empfohlene Zitierung / Suggested Citation:

Pedroza, L., Palop-García, P., & Chang, S. Y. (2022). *Migration Policies in Peru 2017-2019*. (IMISEM Case Report). Hamburg: German Institute for Global and Area Studies (GIGA) - Leibniz-Institut für Globale und Regionale Studien. <https://doi.org/10.57671/imisem-22024>

Nutzungsbedingungen:

Dieser Text wird unter einer CC BY Lizenz (Namensnennung) zur Verfügung gestellt. Nähere Auskünfte zu den CC-Lizenzen finden Sie hier:

<https://creativecommons.org/licenses/by/4.0/deed.de>

Terms of use:

This document is made available under a CC BY Licence (Attribution). For more information see:

<https://creativecommons.org/licenses/by/4.0>



IMISEM

EVERY IMMIGRANT IS AN EMIGRANT
How Migration Policies Shape
the Paths to Integration

IMISEM CASE REPORT
Migration Policies in

Peru

2017-2019

Coordinated by:


Luicy Pedroza
Pau Palop-García
So Young Chang

January 2022

G I G A

German  Institute for Global and Area Studies
Leibniz-Institut für Globale und Regionale Studien

Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: www.imisem.info as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

How to cite this report:

Pedroza, Luicy; Pau Palop-García, and So Young Chang (2022), *Migration Policies in Peru 2017-2019*, IMISEM Case Report, German Institute for Global and Area Studies (GIGA), January, <https://doi.org/10.57671/imisem-22024>, (access date).

German Institute for Global and Area Studies (GIGA) / Leibniz-Institut für Globale und Regionale Studien
Neuer Jungfernstieg 21
20354 Hamburg
Phone: +49 (0)40 - 428 25-593
Fax: +49 (0)40 - 428 25-547
Email: info@giga-hamburg.de
<http://www.giga-hamburg.de>

About IMISEM

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” * two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

The IMISEM case sample

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *polities* that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

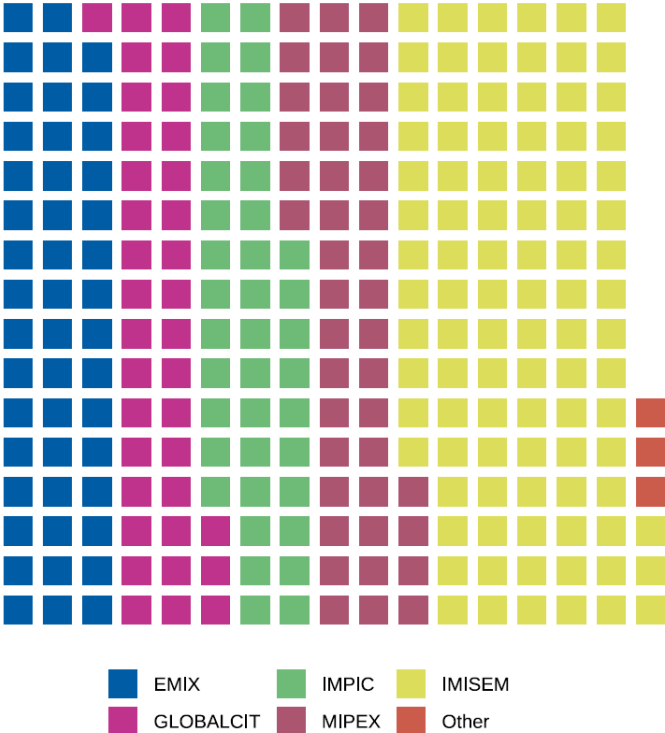
About the IMISEM Questionnaire

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.

Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

Answer: this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

Code: this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

Explanation: this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

Sources: this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

Varieties of Standard English

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

Contact

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: lpedroza@colmex.mx or find us through our ORCID numbers:

Luicy Pedroza: 0000-0003-1971-4399

Pau Palop-García: 0000-0003-3458-4211

So Young Chang: 0000-0001-9632-3485

Table of Contents

1.	Emigration policies.....	10
1.1.	General	10
1.2.	Documentation	12
1.2.1.	Passport.....	12
1.2.2.	Other requirements	13
1.3.	Quotas and restrictions	14
1.4.	Policy incentives.....	18
1.5.	Penalties	20
1.6.	Administration	22
2.	Emigrant policies	24
2.1.	Policies of representation	24
2.1.1.	Electoral rights	24
2.1.2.	Regulation of political competition abroad	30
2.1.3.	Consultative bodies	32
2.1.4.	Consultative bodies at the national level.....	32
2.1.5.	Funding of emigrant associations	36
2.2.	Economic Policies	36
2.2.1.	Remittances	37
2.2.2.	Investment	38
2.2.3.	Brain circulation networks	38
2.2.4.	Return policies	39
2.3.	Social Policies	40
2.3.1.	Retirement benefits	40
2.3.2.	Health care benefits	41
2.3.3.	Education	42
2.4.	Cultural policies.....	43
2.4.1.	Visits to country of origin	43
2.4.2.	Language courses for emigrants	43
2.5.	Obligations	43
2.5.1.	Military service	43
2.5.2.	Social service	44
2.5.3.	Taxes	44
2.6.	Administration	44
2.6.1.	Home country administration.....	44
2.6.2.	Consular network	45
2.6.3.	New consular functions	46
2.6.4.	Special offices.....	47

3.	Emigrant citizenship and nationality policies	49
3.1.	Emigrant nationality.....	49
3.1.1.	Dual nationality for emigrants.....	49
3.1.2.	Dual nationality only for some countries of residence.....	50
3.1.3.	Loss of nationality after residence abroad	51
3.1.4.	Jus sanguinis for emigrants.....	52
3.1.5.	Jus sanguinis across generations.....	52
3.1.6.	Renunciation of nationality is possible.....	53
3.1.7.	Reacquisition of nationality.....	54
3.2.	Emigrant citizenship	54
3.2.1.	Citizenship restrictions for dual nationals.....	54
3.2.2.	Different citizenship for emigrants	54
3.2.3.	Loss or suspension of citizen rights after residence abroad.....	55
4.	Immigration policies	56
4.1.	General	56
4.1.1.	Number of entry tracks	56
4.1.2.	Biometric information.....	57
4.1.3.	Visa waivers	57
4.2.	Documentation	57
4.3.	Quotas and restrictions	58
4.3.1.	General quota	58
4.3.2.	Specific quotas.....	59
4.3.3.	List of excluded persons.....	61
4.3.4.	List of excluded countries.....	61
4.4.	Policy incentives.....	62
4.4.1.	Recognized brokers	62
4.5.	Immigration control and penalties.....	62
4.5.1.	Irregular residence	63
4.5.2.	Forged documents	63
4.5.3.	Aiding undocumented migrants	66
4.5.4.	Employment obligations	66
4.5.5.	Landlord obligations	67
4.5.6.	Airline penalties.....	68
4.6.	Amnesty programs	69
4.7.	Administration	72
4.7.1.	Domestic workers.....	74
4.7.2.	Agricultural workers.....	79
4.7.3.	Medical doctors.....	85
4.8.	Proxy: Refugees.....	90

4.8.1.	Existence of track	90
4.8.2.	Restrictions	91
4.8.3.	Place of application	93
4.8.4.	Permit validity.....	94
4.8.5.	Maximum timeframe for application resolution.....	95
4.8.6.	Possibility to change migratory status	95
4.8.7.	Detention.....	96
4.8.8.	Status after rejection	97
4.8.9.	Translation and interpretation.....	97
4.9.	Proxy: Co-ethnics.....	98
4.9.1.	General	98
4.9.2.	Reasons for co-ethnicity.....	98
4.9.3.	Language test	100
4.9.4.	Place of residence.....	100
4.9.5.	Place of application	101
4.9.6.	Date of birth	101
4.9.7.	Permit validity.....	101
5.	Immigrant policies.....	103
5.1.	Permanent residence	103
5.1.1.	Eligibility.....	103
5.1.2.	Security of status.....	113
5.2.	Policies of representation	117
5.2.1.	Electoral rights	117
5.2.2.	Regulation of participation in parties.....	120
5.2.3.	Consultative bodies.....	120
5.3.	Economic policies	122
5.3.1.	Access to labor market.....	122
5.3.2.	Access to support.....	134
5.3.3.	Worker's rights	138
5.3.4.	Property rights.....	144
5.4.	Social policies	146
5.4.1.	Family reunification	146
5.4.2.	Education	186
5.4.3.	Health care.....	193
5.4.4.	Unemployment benefits.....	197
5.4.5.	Retirement benefits	199
5.5.	Cultural policies.....	201
5.6.	Mobility policies	202
5.6.1.	Identity documents	202

5.6.2.	Freedom of movement	204
5.6.3.	Obligations	209
5.6.4.	Military service	209
5.6.5.	Social service	211
5.6.6.	Taxes	213
5.7.	Administration	215
6.	Immigrant citizenship and nationality	217
6.1.	Immigrant nationality	217
6.1.1.	Immigrant dual nationality	217
6.1.2.	Emigrant dual nationality for immigrants who naturalized	218
6.1.3.	Loss of nationality after residence abroad for naturalized immigrants.....	218
6.1.4.	Unrestrictive jus soli	219
6.1.5.	Qualified jus soli	219
6.1.6.	Standard naturalization procedure for immigrants due to residence	219
6.1.7.	Socialization based acquisition of citizenship	222
6.1.8.	Special procedure for immigrants with very long residence in country	222
6.1.9.	Preferential naturalization for immigrants from specific countries	223
6.1.10.	Cultural affinity/Ethnic ties.....	223
6.1.11.	Spousal transfer	223
6.1.12.	Filial transfer	224
6.1.13.	Special naturalization for refugees	224
6.1.14.	Naturalization for special achievements/talents	224
6.1.15.	Naturalization due to investment/financial assets.....	225
6.1.16.	Transfer to other relatives	225
6.1.17.	Nationality for the stateless.....	225
6.1.18.	Nationality for regularized immigrants	226
6.1.19.	Naturalization possible even if applicant had irregular status before	226
6.2.	Immigrant citizenship.....	226
6.2.1.	Restrictions on citizenship for naturalized immigrants	226
6.2.2.	Loss or suspension of citizenship after residence abroad for immigrants who naturalized	228
6.2.3.	Restrictions on citizenship for naturalized immigrants who are dual nationals	
	228	

1. Emigration policies

1.1. General

EMIGRATION_1: The attempt to leave the country is punishable by law.

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

EMIGRATION_2: Exit fees.

Prospective emigrants need to pay a fee before emigrating.

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>.

Amount of the fee in country of origin currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the fee in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Prospective emigrants need to make a deposit before emigrating:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>.

Amount of the deposit in the currency of the country of origin:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the deposit in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_3: Citizens can only stay abroad for a given maximum of days.

Citizens can only stay abroad for a given maximum of days

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

Maximum number of days that citizens can stay abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.2. Documentation

1.2.1. Passport

EMIGRATION_4: Cost of ordinary passport.

Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 98.5

Code: 98.5

Explanation: The cost of the cheapest ordinary passport is 98.5 (29.26 USD).

Sources: MIGRACIONES. "Expedición de pasaporte electrónico [Issuance of Electronic Passport]". Accessed November 6, 2018. <https://www.migraciones.gob.pe/index.php/expedicion-de-pasaporte-electronico/>.

Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 29.26

Code: 29.26

Explanation: The cost of the cheapest ordinary passport is 98.5 (29.26 USD).

Sources: MIGRACIONES. "Expedición de pasaporte electrónico [Issuance of Electronic Passport]". Accessed November 6, 2018. <https://www.migraciones.gob.pe/index.php/expedicion-de-pasaporte-electronico/>.

EMIGRATION_5: Maximum length of procedure to process passport.

Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):

Answer: Yes

Code: 1

Explanation: The passport is issued within 1 day.

Sources: MIGRACIONES. "Expedición de pasaporte electrónico [Issuance of Electronic Passport]". Accessed November 6, 2018. <https://www.migraciones.gob.pe/index.php/expedicion-de-pasaporte-electronico/>.

Maximum length of procedure to process passport (in days):

Answer: 1

Code: 1

Explanation: The passport is issued within 1 day.

Sources: MIGRACIONES. "Expedición de pasaporte electrónico [Issuance of Electronic Passport]". Accessed November 6, 2018. <https://www.migraciones.gob.pe/index.php/expedicion-de-pasaporte-electronico/>.

Maximum length of procedure to process passport (by categories):

Answer: From 0 to 2 months

Code: 1

Explanation: The passport is issued within 1 day.

Sources: MIGRACIONES. "Expedición de pasaporte electrónico [Issuance of Electronic Passport]". Accessed November 6, 2018. <https://www.migraciones.gob.pe/index.php/expedicion-de-pasaporte-electronico/>.

EMIGRATION_6. Renewal of passport from abroad is possible:

Answer: Yes

Code: 1

Explanation: Renewal from abroad is possible.

Sources: MIGRACIONES. "Expedición de pasaporte electrónico [Issuance of Electronic Passport]". Accessed November 6, 2018. <https://www.migraciones.gob.pe/index.php/expedicion-de-pasaporte-electronico/>.

1.2.2. Other requirements

EMIGRATION_7. Local police certificate is necessary to emigrate:

Answer: No

Code: 1

Explanation: No. The only necessary documents are the passport, or DNI (National Identity Document) or the Tarjeta Andina de Migración (Andean Immigration Card) depending on the destination.

Sources: Gobierno de Perú. "Viajar fuera del Perú [Traveling Outside Peru]". Accessed November 6, 2018. <https://www.gob.pe/162-viajar-fuera-del-peru>.

EMIGRATION_8. Superior/employer's permission is necessary to emigrate:

Answer: No

Code: 1

Explanation: No. The only necessary documents are the passport, or DNI (National Identity Document) or the Tarjeta Andina de Migración (Andean Immigration Card) depending on the destination.

Sources: Gobierno de Perú. "Viajar fuera del Perú [Traveling Outside Peru]". Accessed November 6, 2018. <https://www.gob.pe/162-viajar-fuera-del-peru>.

EMIGRATION_9. Proof of income is necessary to emigrate:

Answer: No

Code: 1

Explanation: No. The only necessary documents are the passport, or DNI (National Identity Document) or the Tarjeta Andina de Migración (Andean Immigration Card) depending on the destination.

Sources: Gobierno de Perú. "Viajar fuera del Perú [Traveling Outside Peru]". Accessed November 6, 2018. <https://www.gob.pe/162-viajar-fuera-del-peru>.

EMIGRATION_10. Registration abroad is mandatory.

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

1.3. Quotas and restrictions

EMIGRATION_11. Quotas to emigrate based on ethnicity.

Quotas to emigrate based on ethnicity exist in the country:

Answer: No

Code: 1

Explanation: A quota to emigrate does not exist in Peru.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_12: Quotas to emigrate based on income.

Quotas to emigrate based on income exist in the country:

Answer: No

Code: 1

Explanation: A quota to emigrate does not exist in Peru.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_13. Those who are liable for military conscription are allowed to emigrate:

Answer: No

Code: 0

Explanation: No. In general terms, every Peruvian citizen – male or female (Art. 2) – must register at the “Registro Militar” after turning 17 and will be drafted in case of need. However, military service is not obligatory for individuals living abroad.

Sources: Decreto Legislativo N° 1146. 2012. Art. 2 and Art. 50.

EMIGRATION_14: Banned countries for emigration.

There are countries that are banned as destination for emigrants:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. “Superintendencia Nacional de Migraciones [National Superintendency of Migration]”. Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. “Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]”. Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

List of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_15. Higher education graduates must pay an education tax (or compensation) to be able to emigrate:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

EMIGRATION_16. Recipients of state scholarship are banned from emigrating:

Answer: Yes

Code: 0

Explanation: Recipients of PRONABEC scholarships are required to "pay back" through their activities after they end their studies, benefiting to Peru, although never without proper payment. The time they must serve depends on the scholarship and type of studies they studied abroad and this is stated in the contract they sign when they are offered the scholarship. In any case, their contribution to Peru ("compromiso del servicio al Perú) needs to be certified.

Sources: PRONABEC. "Beca Presidente de la República [President of the Republic Scholarship]". Accessed August 7, 2019. <https://www.pronabec.gob.pe/beca-presidente/> (video).

EMIGRATION_17: Ban for specific civil professional groups.

There is an emigration ban for specific professional group(s):

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

There is a ban for medical doctors:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

There is a ban for other professions:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_18. The ban can be overcome by a letter signed by a supervisor:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_19. The ban can be overcome by a letter signed by an official authority.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.4. Policy incentives

EMIGRATION_20. Existence during 2017 of campaigns to encourage emigration:

Answer: No

Code: 0

Explanation: No campaigns found.

Sources: Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs". Access date not available. <https://www.gob.pe/rree/>. / Websites of Peruvian consulates. / MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendence of Migration]". Access date not available. <https://www.migraciones.gob.pe/?csrt=2968502465583147086>. / Websites of TV and Radio Peru (Public Media).

EMIGRATION_21. Existence during 2017 of campaigns to discourage emigration:

Answer: No

Code: 0

Explanation: No campaigns found.

Sources: Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates. / MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendence of Migration]". Access date not available. <https://www.migraciones.gob.pe/?csrt=2968502465583147086>. / Websites of TV and Radio Peru (Public Media).

EMIGRATION_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):

Answer: No

Code: 0

Explanation: The only institution responsible for immigration process to emigrants is the Superintendencia Nacional de Migraciones (short Migraciones).

Sources: Consultation with expert, Consul of the Peruvian Embassy in Berlin. Consultation date not available. Decreto Legislativo N° 1130 [Legislative Decree No. 1130]. 2012.

EMIGRATION_23: Emigration lump sum.

State of origin pays a lump sum incentive to citizens willing to emigrate:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

Register the amount of the sum in country currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Register the amount of the sum in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.

Answer: No answer

Code: Not applicable

Explanation: There are not unemployment benefits in Peru. The Insurance for Unemployment (Seguro por desempleo) is still in process of discussion to be created and implemented by the Social Protection Commission.

Sources: Gobierno de Perú. "Ministerio de Trabajo y Promoción del Empleo [Ministry of Labor and Employment Promotion]". Access date not available, <https://www.gob.pe/mtpe>. / Perú21. "Esto es todo lo que debes saber sobre el pago de la CTS [Here is Everything You Need to Know About CTS Payment]". Access date not available. <https://peru21.pe/economia/cts-2018-pagan-me-corresponde-calculo-me-corresponde-beneficio-laboral-peru-74093>. / El Comercio Perú. "¿Por qué el seguro de desempleo es inviable en el Perú? [Why is Unemployment Insurance Unviable in Peru?]". Access date not available. <https://elcomercio.pe/economia/peru/seguro-desempleo-inviable-peru-noticia-475079>. / Websites Social Protection Commission and of Employment (Not available).

1.5. Penalties

EMIGRATION_25: Loss of private property.

Risk of losing real state in case of emigration:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

Risk of losing bank accounts in case of emigration:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

EMIGRATION_26: Re-entry ban.

Existence of a re-entry ban after residence abroad for nationals by naturalization:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

Re-entry ban applies after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals by birth:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

Re-entry ban after residence abroad for nationals by birth after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

Re-entry ban after residence abroad for nationals with dual or multiple nationality after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

1.6. Administration

EMIGRATION_28. Existence of institution/agency with competencies for exit and/or emigration:

Existence of institution/agency with competencies for exit and/or emigration:

Answer: Yes

Code: 1

Explanation: The Superintendencia Nacional de Migraciones (short Migraciones), which is subordinated to the Ministry of Interior is responsible for exit and emigration. Competent are also the Consulates and the Ministry of Foreign Affairs.

Sources: Portal del Estado Peruano. "Organigrama del Estado Peruano [Organization chart of the Peruvian State]". Access date not available. <http://www.peru.gob.pe/docs/estado.pdf>. / Decreto Legislativo N° 1130 [Legislative Decree 1130]. 2012.

Name of the institution with competencies for exit and/or emigration in original language:

Answer: Superintendencia Nacional de Migraciones

Name of the institution with competencies for exit and/or emigration in English:

Answer: National Superintendence of Migrations

Place in the administrative hierarchy:

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: Subordinated to the Ministry of Interior.

Sources: Portal del Estado Peruano. "Organigrama del Estado Peruano [Organization chart of the Peruvian State]". Access date not available. <http://www.peru.gob.pe/docs/estado.pdf>. / Decreto Legislativo N° 1130 [Legislative Decree 1130]. 2012.

2. Emigrant policies

2.1. Policies of representation

2.1.1. Electoral rights

EMIGRANT_1. Voting is mandatory for citizens residing abroad:

Answer: Yes

Code: 1

Explanation: The constitution of Peru establishes that voting is mandatory regardless place of residence.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 31.

Does the country have presidential elections?

Answer: Yes

Code: 1

Does the country have a bicameral system (e.g. composed of a lower house and an upper house, or an originating chamber and a reviewer chamber)?

Answer: No, the country only has a Lower House

Code: 2

Presidential elections

EMIGRANT_2. Can non-resident citizens vote in national presidential elections from abroad?

Answer: Generally enfranchised

Code: 1

Explanation: In the case of General Elections and popular consultations, Peruvian citizens living abroad have the right to vote. They are obliged to register in the National Registry of Identification and Civilian State.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 224. / Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

EMIGRANT_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?

Answer: Generally disenfranchise

Code: 0

Explanation: Peruvian citizens who are abroad on election day can vote only in national elections. They have no right to vote in regional and local elections and they have no right to be elected in any type of election. This provision restricts the political participation of Peruvian citizens abroad (Merino Acuña 2015: 7).

Sources: Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Legislative elections

Lower house (National Elections)

EMIGRANT_4. Can non-resident citizens vote in national legislative elections (lower house) from abroad?

Answer: Generally enfranchise

Code: 1

Explanation: In the case of General Elections and popular consultations, Peruvian citizens living abroad have the right to vote. They are obliged to register in the National Registry of Identification and Civilian State.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 224. / Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015.

EMIGRANT_5. Can non-resident citizens stand as candidates in national legislative elections (lower house) from abroad?

Answer: Generally disenfranchise

Code: 0

Explanation: Peruvian citizens who are abroad on election day can vote only in national elections. They have no right to vote in regional and local elections and they have no right to be elected in any type of election. This provision restricts the political participation of Peruvian citizens abroad (Merino Acuña 2015: 7).

Sources: Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015.

Upper house (National Elections)

EMIGRANT_6. Can non-resident citizens vote in national legislative elections (upper house) from abroad?

Answer: Non applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_7. Can non-resident citizens stand as candidates in national legislative elections (upper house) from abroad?

Answer: Non applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Registration

EMIGRANT_8. Registration in the electoral roll for non-resident citizens:

Answer: Active registration, frequent renewal (for every election)

Code: 0

Explanation: One-off ACTIVE registration, at the consulate of country of residence. Art. 224 of law 26859: In the case of General Elections and popular consultations, citizens have the right to vote. Peruvians residing abroad. They are obliged to register in the National Registry of Identification and Civilian State. Art. 228 of law 26859: The Register of Peruvian voters residing abroad is drawn up by the National Registry of Identification and Marital Status. On the basis of the Register received and approved by the National Jury of Elections, the National Office of Electoral Processes proceeds in accordance with Article 202 of this Organic Law of Elections and, in coordination with the Ministry of Foreign Affairs, is responsible for forwarding the Voters' Lists to the Consular Offices. Art. 229 of law 26859: Each list of electors must include, in addition to the data on them, the name of the country and the locality where those voters reside.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 202, 224, 228 and 229.

Remote voting

EMIGRANT_9. Voting methods from abroad:

Voting methods available to cast votes from abroad - Electronic voting:

Answer: No

Code: 0

Explanation: Voting shall take place in the premises of the Peruvian Consular Office in the corresponding country or where indicated by the consular officer in case of insufficiency of the premises. In countries where there is a large number of Peruvian citizens, the Ministry of Foreign Affairs shall carry out official formalities to obtain the authorization that allows the exercise of the suffrage in the mentioned premises in the previous article. Alternatively, in the case of Peruvian citizens residing abroad, the Postal Vote or Voting is established by correspondence, which consists of the emission of the vote by the citizen in a card that previously requests and then sends by mail to the consulate of reference. The postal vote is only applicable in Referendums or Elections of a general nature.

Sources Ley N° 26859 [Law 26859]. 1997. Art. 226, 227 and 239.

Voting methods available to cast votes from abroad - Proxy voting:

Answer: No

Code: 0

Explanation: Voting shall take place in the premises of the Peruvian Consular Office in the corresponding country or where indicated by the consular officer in case of insufficiency of the premises. In countries where there is a large number of Peruvian citizens, the Ministry of Foreign Affairs shall carry out official formalities to obtain the authorization that allows the exercise of the suffrage in the mentioned premises in the previous article. Alternatively, in the case of Peruvian citizens residing abroad, the Postal Vote or Voting is established by correspondence, which consists of the emission of the vote by the citizen in a card that previously requests and then sends by mail to the consulate of reference. The postal vote is only applicable in Referendums or Elections of a general nature.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 226, 227 and 239.

Voting methods available to cast votes from abroad - Postal voting:

Answer: Yes

Code: 1

Explanation: Voting shall take place in the premises of the Peruvian Consular Office in the corresponding country or where indicated by the consular officer in case of insufficiency of the premises. In countries where there is a large number of Peruvian citizens, the Ministry of Foreign Affairs shall carry out official formalities to obtain the authorization that allows the exercise of the suffrage in the mentioned premises in the previous article. Alternatively, in the case of Peruvian citizens residing abroad, the Postal Vote or Voting is established by correspondence, which consists of the emission of the vote by the citizen in a card that previously requests and then sends by mail to the consulate of reference. The postal vote is only applicable in Referendums or Elections of a general nature.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 226, 227 and 239.

Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:

Answer: Yes

Code: 1

Explanation: Voting shall take place in the premises of the Peruvian Consular Office in the corresponding country or where indicated by the consular officer in case of insufficiency of the premises. In countries where there is a large number of Peruvian citizens, the Ministry of Foreign Affairs shall carry out official formalities to obtain the authorization that allows the exercise of the suffrage in the mentioned premises in the previous article. Alternatively, in the case of Peruvian citizens residing abroad, the Postal Vote or Voting is established by correspondence, which consists of the emission of the vote by the citizen in a card that previously requests and then sends by mail to the consulate of reference. The postal vote is only applicable in Referendums or Elections of a general nature.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 226, 227 and 239.

Voting methods available to cast votes from abroad - Ad hoc polling stations:

Answer: Yes

Code: 1

Explanation: Voting shall take place in the premises of the Peruvian Consular Office in the corresponding country or where indicated by the consular officer in case of insufficiency of the premises. In countries where there is a large number of Peruvian citizens, the Ministry of Foreign Affairs shall carry out official formalities to obtain the authorization that allows the exercise of the suffrage in the mentioned premises in the previous article. Alternatively, in the case of Peruvian citizens residing abroad, the Postal Vote or Voting is established by correspondence, which consists of the emission of the vote by the citizen in a card that previously requests and then sends by mail to the consulate of reference. The postal vote is only applicable in Referendums or Elections of a general nature.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 226, 227 and 239.

Special representation

EMIGRANT_10: Emigrant special representation.

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's lower house?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special seats reserved for non-resident candidates in the lower house:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the lower house:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's upper house?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special seats reserved for non-resident candidates in the upper house:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the upper house:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remote voting implementation

EMIGRANT_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):

Answer: yes

Code:

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_12. In case external voting has not been implemented after its adoption, what are the main reasons?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.2. Regulation of political competition abroad

Party offices in the state of reception

EMIGRANT_13. Offices of political parties are legally allowed abroad:

Answer: No specific regulation of offices abroad

Code: 0.5

Explanation: The Law on Political Parties does not mention external party offices; given that such offices do exist, it is assumed that they are legally permitted.

Sources: Ley N° 28094 [Law 28094]. 2003.

EMIGRANT_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:

Answer: No

Code: 0

Explanation: There are no records of offices of home country parties abroad. However in the respectively party regulations it is recommended/encouraging to establish political committees abroad. In its statute, the governing Partido Nacionalista Peruano (part of the coalition Gana Perú) explicitly encourages the formation of political committees in foreign countries (Art. 15). Likewise, the main opposition party, Fuerza Popular (part of the coalition Fuerza 2011), states that so-called “locales partidarios” can be established anywhere in or outside Peru. Alianza para el Progreso (part of the

Alianza para el gran cambio coalition in 2011) also mentions political committees in foreign countries; its statute even lists “el retorno de los peruanos del extranjero” as one of the party’s goals. (Art. 8, 27, e). Perú Posible designates its Secretaría Nacional de Relaciones Internacionales as responsible for fostering the creation of foreign committees.

Sources: Estatuto Partido Nacionalista Peruano [Peruvian Nationalist Party Statute]. 2009. / Estatuto Fuerza Popular [Popular Force Statute]. 2011.

EMIGRANT_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_16. Could external party offices receive public funding from state of origin?

Answer: No specific regulation

Code: 0.5

Explanation: Yes. Every party represented in the Peruvian Congress is entitled to public funding. There is no specific mention to external party offices. The Law on Political Parties makes no mention to external offices, suggesting that the money may be distributed as the party decides.

Sources: Ley N° 28094 [Law 28094]. 2003. Art. 29.

Political campaigns

EMIGRANT_17. Electoral campaigns abroad for home elections are legally regulated:

Answer: No specific regulation of campaigns abroad

Code: 0.5

Explanation: Campaigns abroad are not regulated.

Sources: Ley N° 28094 [Law 28094]. 2003.

EMIGRANT_18. Actual existence of campaigns abroad for home elections:

Answer: Yes

Code: 1

Explanation: Yes. The last presidential elections were on 2016 and Pedro Pablo Kuczynski, Alianza para el Gran Cambio's presidential candidate and afterwards winner, addressed emigrant voters. The other strong political party Fuerza Popular did the last campaign abroad on 2011 with the slogan: "Do you live abroad? Do you miss your Peru? This is your soil, here we wait for you... On June 5, participate with your vote... A Peru awaits you with more security and opportunities for you and your family".

Sources: Pedro Pablo Kuczynski. "Mensaje a los peruanos en el exterior [Message to Peruvians Abroad]". Accessed November 6, 2018. <https://www.facebook.com/ppkoficial/videos/1171420116204275/>. / Keiko Fujimori. "¿Vives en el Extranjero? ¿Extrañas tu Perú? [Do you live abroad? Do you miss Peru?]". Accessed November 6, 2018. <https://www.facebook.com/KeikoSofiaFujimoriHiguchi/videos/10150266678295767/>.

EMIGRANT_19. Existence of public funding for electoral campaigns in state of residence:

Answer: No mention to public funding for campaigns abroad in main electoral regulations

Code: 0.5

Explanation: There is no provision in the regulation since campaigns abroad are not regulated.

Sources: Ley N° 28094 [Law 28094]. 2003.

Membership in political parties

EMIGRANT_20. Emigrant membership to home country political parties:

Answer: Legally allowed AND same status for emigrants as for residents

Code: 1

Explanation: Yes, the only condition to become a member of a political party is the right to vote.

Sources: Ley N° 30414 [Law 30414]. 2016. Art. 18. / Estatuto Partido Nacionalista Peruano [Peruvian Nationalist Party Statute]. 2009. / Estatuto Fuerza Popular [Popular Force Statute]. 2011.

2.1.3. Consultative bodies

2.1.4. Consultative bodies at the national level

EMIGRANT_21. Existence of a consultative body on emigrant issues:

Answer: No

Code: 0

Explanation: No, the Consejos de Consulta de las Comunidades Peruanas en el Exterior are placed at the consular level; they were created in 2010 to strengthen the dialogue between consulates and citizens.

Sources: Ley N° 29495 [Law 29495]. 2010.

EMIGRANT_22. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_23. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_24. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_27. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Consultative bodies at the consular level

EMIGRANT_28. Existence of a consultative body of emigrants at the consular level.

Answer: Yes

Code: 1

Explanation: The Consejos de Consulta de las Comunidades Peruanas en el Exterior are placed at the consular level; they were created in 2010 to strengthen the dialogue between consulates and citizens.

Sources: Ley N° 29495 [Law 29495]. 2010.

EMIGRANT_29. The consultation is structural or ad hoc:

Answer: Structural

Code: 1

Explanation: The consultation of such body is structural: its members must meet with the head of consular affairs at least once a month.

Sources: Ley N° 29495 [Law 29495]. 2010. Art. 26.

EMIGRANT_30. Composition of the consultative body:

Answer: Only emigrants

Code: 1

Explanation: Members are elected by emigrants, during elections organized every September by the head of consular affairs (Presidente de la República 2010 Art. 13).

Sources: Ley N° 29495 [Law 29495]. 2010. Art. 13.

EMIGRANT_31. Who chairs the consultative body?

Answer: Emigrant appointed by the emigrant community

Code: 1

Explanation: Though the consultative body works closely with the local head of consular affairs, it is effectively chaired by the participants themselves. The Council does not constitute an organ of the Peruvian State nor of the corresponding Consular Office.

Sources: Ley N° 29495 [Law 29495]. 2010.

EMIGRANT_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: No

Code: 0

Explanation: There is no provision in the regulation about this matter.

Sources: Ley N° 29495 [Law 29495]. 2010.

EMIGRANT_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: No

Code: 0

Explanation: There is no provision in the regulation about this matter.

Sources: Ley N° 29495 [Law 29495]. 2010.

EMIGRANT_34. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: No

Code: 0

Explanation: No mention of such criteria of selection. Every consular jurisdiction has one of its own, and no general meetings are envisioned. The number of members per council depends on how many Peruvians are registered under one particular jurisdiction. In case of jurisdictions with less than 5,000 registered Peruvians, the consultative body has 3 members; in jurisdictions with 5,000 to 20,000 registered citizens, the consultative body has 5 members; in jurisdictions with over 20,000 registered citizens, the consultative body is comprised of 9 representatives.

Sources: Ley N° 29495 [Law 29495]. 2010. Art. 18.

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: No

Code: 0

Explanation: The consultative bodies are decentralized. Since they are decentralized, the question of representative criteria for geographies is not further specified.

Sources: Ley N° 29495 [Law 29495]. 2010.

2.1.5. Funding of emigrant associations

EMIGRANT_35. Existence of consular support (in kind or financial) to independent emigrant associations

Answer: No

Code: 0

Explanation: No funding for emigrant associations found.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

2.2. Economic Policies

2.2.1. Remittances

EMIGRANT_36. Government program/strategy to attract remittances from emigrants.

Existence of a government program to attract remittances from emigrants:

Answer: No

Code: 0

Explanation: No, even though there are no government programs to attract remittances, in 2017 they increased 6%.

Sources: La República. "Remesas del exterior crecieron 6% en el 2017 [Remittances from Abroad Increased 6% in 2017]". Accessed November 7, 2018. <https://larepublica.pe/economia/1202850-remesas-del-externo-crecieron-6-en-el-2017>. / Banco de la Nación. "Banco de la Nación "el banco de todos" [Banco de la Nación "the Bank of All"]". Access date not available. <https://www.bn.com.pe/>. Gobierno del Perú. "Ministerio de Economía y Finanzas [Ministry of Economy and Finance]". Access date not available. <https://www.gob.pe/mef>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>.

Measures to improve banking channels for remittances:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of fee controls for remittances:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.2.2. Investment

EMIGRANT_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):

Answer: No

Code: 0

Explanation: No provision for investment programs to attract remittances.

Sources: Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree/>. / Gobierno de Perú. "Ministerio de Trabajo y Promoción del Empleo [Ministry of Labor and Employment Promotion]". Access date not available, <https://www.gob.pe/mtpe/>. / Website of National Direction of Migration.

2.2.3. Brain circulation networks

EMIGRANT_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?

Answer: Yes

Code: 1

Explanation: CONCYTEC, Científicos.pe and Sinapsis. Peruvian CONCYTEC Scientific and innovative network: All Peruvian scientists, researchers and innovators based abroad are invited to join the directory of the National Council of Science, Technology and Technological Innovation (CONCYTEC) to share useful information and promote joint initiatives for the benefit of the development of science and technology in Peru. For this purpose, CONCYTEC has a National Directory of Researchers and Innovators (DINA), and free registration, to which Peruvian researchers and innovators based in Peru or abroad can belong. Científicos.pe: Institutional support of CONCYTEC and other national universities. One of the objectives of the Científicos.pe community is to help create bridges between the community of Peruvian scientists living outside of Peru and the science students; teachers and researchers resident in Peru. The tool called "Share Science" generates a direct interaction between the main actors. Sinapsis- Perú Institutional support of Ministry of Foreign Affairs PERU: A group of young Peruvian researchers based in different parts of Europe has set out to create a space for meeting and discussion in science, technology and innovation, which will establish itself as a contact and support mechanism for the scientific community in Peru. A meeting created to discuss relevant topics of scientific research in Europe, in different areas and its direct relationship with our country. These Peruvian researchers are making SINAPIS, the meeting of Peruvian scientists in Europe, a reality. One of the main goals is to inform the Peruvian scientific community in Europe of the various programs and tools created by CONCYTEC and INNOVATE Peru.

Sources: Gobierno del Perú. "Consejo Nacional de Ciencia, Tecnología e Innovación Tecnológica [National Council of Science, Technology and Technological Innovation]". Accessed January 24, 2019. <http://portal.concytec.gob.pe/>. / Sinapsis. "Encuentro de científicos peruanos en Europa [Meeting of Peruvian Scientists in Europe]". Accessed January 24, 2019. <https://www.sinapsis-peru.org>.

2.2.4. Return policies

EMIGRANT_39. Recognition of academic and professional qualifications acquired in the state of residence:

Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:

Answer: Yes

Code: 1

Explanation: Recognition proceeds when there are Treaties signed and ratified by Peru and its counterparts that provide for a commitment to recognition in the area of university education. In that case the Recognition is made on the mention as it appears in the Diploma (Peru has signed the Hague Convention, abolishing the Requirement of legalization for Foreign Public Documents). Recognition also proceeds when studies have been completed in universities in countries with which Peru does not have agreements.

Sources: SUNEDU. "Procedimiento de reconocimiento de grados y títulos extranjeros [Procedure for Recognition of Foreign Degrees and Titles]". Accessed October 31, 2018. <https://www.sunedu.gob.pe/procedimiento-de-reconocimiento-de-grados-y-titulos-extranjeros/>.

Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the one with the lengthier timeframe:

Answer: 6 months or less

Code: 1

Explanation: The "Dirección General de Política Consular", dependent of the Ministry of Foreign Affairs, is competent to issue the certificate and the application for Recognition will be evaluated in thirty (30) business days.

Sources: SUNEDU. "Procedimiento de reconocimiento de grados y títulos extranjeros [Procedure for Recognition of Foreign Degrees and Titles]". Accessed October 31, 2018. <https://www.sunedu.gob.pe/procedimiento-de-reconocimiento-de-grados-y-titulos-extranjeros/>.

EMIGRANT_40. Communication campaigns aiming to convince emigrants to return to home country:

Answer: No

Code: 0

Explanation: No communication campaigns to foster return found.

Sources: Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree/>. / MIGRACIONES. "Superintendencia Nacional de

Migraciones [National Superintendence of Migration]”. Access date not available.
<https://www.migraciones.gob.pe/?csrt=2968502465583147086>. / Websites of TV and Radio Peru (Public Media).

EMIGRANT_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:

Answer: Yes

Code: 1

Explanation: Concurso para Becas de Repatriación de Investigadores Peruanos: the program is runned by the Fondo para la Innovación, la Ciencia y la Tecnología – FINCyT (Ministry of Production). FINCyT offers sporadic scholarships for Peruvian researchers interested in returning to their country. The objective of the Contest is to grant scholarships for the reinsertion of Peruvian researchers and their incorporation in the universities and research institutes of the country. The project finances 20 scholarships for the reinsertion of researchers. The contest is intended to grant scholarships for two (2) years for Peruvian researchers living abroad to return to the country and participate as principal investigators in carrying out at least one research project executed in the sponsoring entity.

Sources: Universidad Católica San Pablo. “Dirección de Investigación – Concurso para becas de reinsertión de investigadores peruanos [Directorate of Research - Competition for Peruvian Researchers Reinsertion Grants]. Accessed November 7, 2018. <http://ucsp.edu.pe/investigacion/concurso-para-becas-de-reinsercion-de-investigadores-peruanos/>. / Ministerio de la Producción. “PRODUCE autoriza otorgar S/ 627 mil en beneficio de científicos peruanos [PRODUCE Authorizes the Granting of S/ 627 thousand in Benefit of Peruvian Scientists]. Accessed November 7, 2018. <https://www.produce.gob.pe/index.php/k2/noticias/item/392-produce-autoriza-otorgar-s-627-mil-en-beneficio-de-cientificos-peruanos>.

EMIGRANT_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:

Answer: Yes

Code: 1

Explanation: Law on the Economic and Social Reintegration of Returning Migrants includes socio-economic benefits and tax benefits.

Sources: Ley N° 30001 [Law 30001]. 2012. Art. 5.

2.3. Social Policies

2.3.1. Retirement benefits

EMIGRANT_43. Retirement benefits after emigration (i.e. pensions):

Answer: Yes

Code: 1

Explanation: Yes. There is no a specific numbers of years abroad, and is not clear if a renovation/confirmation is needed by an authority.

Sources: AFP Integra. "Todos los países [All the countries]". Accessed June 11, 2019, <https://www.integra.com.pe/wps/portal/integra/personas/tramites-del-afiliado/transferecia-de-fondos-al-exterior/transferecia-de-fondos-al-exterior-a.html>. / Guía informativa - Potenciales Pensionistas - Pensión de Jubilación [Information Guide - Potential Pensioners - Retirement Pensions]. 2018.

2.3.2. Health care benefits

EMIGRANT_44. Health care benefits.

Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):

Answer: No

Code: 0

Explanation: Only if the country has bilateral agreements it is possible to have health care benefits abroad.

Sources: Consultation with expert, ESSALUD Lima. February 20, 2019.

Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Consultation with expert, ESSALUD Lima. February 20, 2019.

Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Consultation with expert, ESSALUD Lima. February 20, 2019.

2.3.3. Education

EMIGRANT_45. Education programs for emigrants.

Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:

Answer: No

Code: 0

Explanation: Scholarships recipients from the PRONABEC (National Program for Scholarships and educational loan) are not banned from emigrating, but there are some requirements that refrain emigrants to apply. For example in order to apply for scholarships in Switzerland, one condition is to have a previous BA or MA degree with excellent grades in Peru. For Scholarships in the US, it is required to live in Peru. The OEA (Organization of American States) Scholarships in Cooperation with the government do not disqualify emigrants from the application procedure.

Sources: PRONABEC. "Programa nacional de becas y crédito educativo [National Scholarship and Educational Credit Program]". Accessed November 12, 2018.
<https://www.pronabec.gob.pe/index.php>.

State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):

Answer: Yes

Code: 1

Explanation: Programa de Educación a Distancia (PEAD). Responsible for this program is the Ministry of Foreign Affairs and the Liceo Naval Almirante GUISE. This distance learning program offers primary and secondary education for Peruvian emigrants. The plan of study is designed in accordance with the guidelines of the Peruvian Ministry of Education.

Sources: Perú Educa. "Programas de educación a distancia (PEAD) de gestión no estatal autorizados por el Ministerio de Educación [Distance Education Programs (PEAD) of Non-State Management Authorized by The Ministry of Education]". Accessed June 1, 2015.
<http://www.perueduca.edu.pe/educacion-a-distancia/archivos/pdf/pead.pdf>.

State of origin offers language courses to emigrants to learn the language of the state of reception:

Answer: No

Code: 0

Explanation: No such programs found.

Sources: Not applicable

2.4. Cultural policies

2.4.1. Visits to country of origin

EMIGRANT_46. State of origin organizes visits to the origin country for emigrants on a regular basis:

Answer: No

Code: 0

Explanation: Peru does not organize emigrant visits.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

2.4.2. Language courses for emigrants

EMIGRANT_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):

Answer: No

Code: 0

Explanation: Peru does not finance or organizes this sort of courses.

Sources: Not applicable

2.5. Obligations

2.5.1. Military service

EMIGRANT_48. Emigrants have the obligation to comply with military service:

Answer: Military service mandatory for residents, but not for nonresidents

Code: 0

Explanation: In general terms, every Peruvian citizen – male or female (Art. 2) – must register at the "Registro Militar" after turning 17 and will be drafted in case of need. However, military service is not obligatory for individuals living abroad.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012. Art. 50.

2.5.2. Social service

EMIGRANT_49. Emigrants have the obligation to comply with social service:

Answer: No existence of social service

Code: Not applicable

Explanation: There is no “social service” per se, only a “voluntariado”.

Sources: Ley N° 28238 [Law 28238]. 2015.

2.5.3. Taxes

EMIGRANT_50. Obligation to pay taxes in state of origin

Emigrant must pay income taxes in state of origin:

Answer: No

Code: 0

Explanation: No. Just if the income (in whatever form) is from Peruvian source.

Sources: Decreto Legislativo N° 774 [Legislative Decree 774]. 2004. Art. 6.

There are special taxes for emigrants:

Answer: No

Code: 0

Explanation: No special taxes for emigrants.

Sources: Decreto Legislativo N° 774 [Legislative Decree 774]. 2004.

2.6. Administration

2.6.1. Home country administration

EMIGRANT_51. Existence of a home country administration agency/body for emigrants in state of origin.

Existence of institution/agency with competencies for emigrant policies:

Answer: Yes

Code: 1

Explanation: The Dirección General de Comunidades en el Exterior y Asuntos Consulares used to be in charge of emigrants and emigration issues. Currently there is a cooperation to coordinate emigrant policies across the Superintendencia Nacional de Migraciones (shortly Migraciones), the Ministry of Foreign Affairs and the Peruvian Consulates. National Superintendency of Migrations (Functions related with Emigration/Emigrant matters are listed): designs emigrant policy, and implements it. The Ministry of Immigration has jurisdiction over internal migration policy and participates in internal and border security policy. It coordinates the migratory control with the diverse entities of the State that have presence in the Posts of Migratory Control or Border of the country for its suitable operation. It has national jurisdiction.

Sources: Consultation with expert, consul of the Peruvian Embassy in Berlin. Consultation date not available. / Portal del Estado Peruano. "Organigrama del Estado Peruano [Organization chart of the Peruvian State]". Access date not available. <http://www.peru.gob.pe/docs/estado.pdf>. / Decreto Legislativo N° 1130 [Legislative Decree 1130]. 2012. / Ley N° 29357 [Law 29357]. 2018. / Reglamento Consular Decreto Supremo 076-2005-RE [Consular Regulations Supreme Decree 076-2005-RE]. 2018.

Name of the institution with competencies for emigrant policies in original language:

Answer: Dirección General de Comunidades en el Exterior y Asuntos Consulares

Name of the institution with competencies for emigrant policies in English:

Answer: Direction General of Peruvian Communities Abroad and Consular Affairs

EMIGRANT_52. Place in the administrative hierarchy:

Answer: 3rd Rank in the public administration

Code: 0.5

Explanation: it is in the 3rd rank, under the Ministry of Foreign Affairs, and under the Viceministerial Desk.

Sources: Gobierno del Perú. "Dirección General de Comunidades en el Exterior y Asuntos Consulares [Directorate General of Communities Abroad and Consular Affairs]". Access date not available. <http://www.rree.gob.pe/SitePages/comunidadesperuanas.aspx>.

2.6.2. Consular network

EMIGRANT_53: Number of consulates.

Number of consular missions deployed by the state of origin (including consular sections in embassies but excluding honorary consulates):

Answer: 79

Code: 79

Explanation: Based on official data provided by the Ministry of Foreign Affairs.

Sources: Circunscripción Consular Ministerio de Relaciones Exteriores [Consular District Ministry of Foreign Affairs]. 2018.

Number of countries in which the state of origin has a consular mission (including consular sections in embassies but excluding honorary consulates):

Answer: 40

Code: 40

Explanation: Based on official data provided by the Ministry of Foreign Affairs.

Sources: Circunscripción Consular Ministerio de Relaciones Exteriores [Consular District Ministry of Foreign Affairs]. 2018.

2.6.3. New consular functions

EMIGRANT_54: Extensions to the consular network services.

Existence of mobile consulates:

Answer: Yes

Code: 1

Explanation: Peru offers mobile consulates in some countries.

Sources: Pedroza, Luicy, Pau Palop-García, and Hoffmann, Bert. Emigrant Policies in Latin America and the Caribbean. Edición Especial FLACSO Chile. Santiago de Chile: FLACSO, 2016.

Consulates open on weekends on a regular basis (e.g. once monthly):

Answer: Yes

Code: 1

Explanation: Some consulates open on weekends on a regular basis.

Sources: Pedroza, Luicy, Pau Palop-García, and Hoffmann, Bert. Emigrant Policies in Latin America and the Caribbean. Edición Especial FLACSO Chile. Santiago de Chile: FLACSO, 2016.

Consulates offer some services online:

Answer: Yes

Code: 1

Explanation: Consulates offer some services online.

Sources: Pedroza, Luicy, Pau Palop-García, and Hoffmann, Bert. Emigrant Policies in Latin America and the Caribbean. Edición Especial FLACSO Chile. Santiago de Chile: FLACSO, 2016.

EMIGRANT_55: Adoption of new consular functions.

Consulates offer financial consultancy:

Answer: No

Code: 0

Explanation: No provisions found.

Sources: Pedroza, Luicy, Pau Palop-García, and Hoffmann, Bert. Emigrant Policies in Latin America and the Caribbean. Edición Especial FLACSO Chile. Santiago de Chile: FLACSO, 2016.

Consulates offer psychological consultancy:

Answer: No

Code: 0

Explanation: No provisions found.

Sources: Pedroza, Luicy, Pau Palop-García, and Hoffmann, Bert. Emigrant Policies in Latin America and the Caribbean. Edición Especial FLACSO Chile. Santiago de Chile: FLACSO, 2016.

Consulates offer health services:

Answer: No

Code: 0

Explanation: No provisions found.

Sources: Pedroza, Luicy, Pau Palop-García, and Hoffmann, Bert. Emigrant Policies in Latin America and the Caribbean. Edición Especial FLACSO Chile. Santiago de Chile: FLACSO, 2016.

2.6.4. Special offices

EMIGRANT_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):

Answer: No

Code: 0

Explanation: No such offices exist.

Sources: MIGRACIONES. "Superintendencia Nacional de Migraciones [National Superintendency of Migration]". Access date not available. <https://www.migraciones.gob.pe/>. / Gobierno del Perú. "Ministerio de Relaciones Exteriores [Ministry of Foreign Affairs]". Access date not available. <https://www.gob.pe/rree>. / Websites of Peruvian consulates.

3. Emigrant citizenship and nationality policies

CITNAT: Does the country make a distinction between citizenship and nationality?

Answer: Yes

Code: 1

Explanation: Citizenship is used as a political relation, as the possibility of exercise political rights at a national level/political community. Art.30/31/33 of the Constitution. Art. 30: All Peruvians over eighteen years of age are citizens. For the exercise of citizenship is required voter registration. Art. 31: Citizens have the right to participate in public affairs by referendum; legislative initiative; removal or revocation of authorities and demand for accountability. They also have the right to be elected and elected.

Nationality is used as a term of membership, of being an official member of the Peruvian Nation. Art. 52/53 of the Constitution. Art. 52: Those born in the territory of the Republic of Peru are Peruvian by birth (...). Art. 53 The law regulates the forms in which a person acquires or recovers the nationality Peruvian nationality is not lost, except by express resignation before a Peruvian authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 31 and 53.

3.1. Emigrant nationality

3.1.1. Dual nationality for emigrants

EMINAT_1. Deprivation of nationality for having acquired a foreign nationality.

Loss of nationality for acquisition of foreign citizenship (nationals by birth):

Answer: No provision

Code: 1

Explanation: Peruvian nationality is not lost, except by express resignation before a Peruvian authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993.

Nationality can be withdrawn only if person resides abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person was born abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Loss of nationality can be prevented:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.2. Dual nationality only for some countries of residence

EMINAT_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.

Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:

Answer: No

Code: 1

Explanation: Peruvian nationality is not lost, except by express resignation before a Peruvian authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993.

Which countries:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.3. Loss of nationality after residence abroad

EMINAT_3: Loss of nationality after residence abroad.

Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:

Answer: No provision

Code: 1

Explanation: Peruvian nationality is not lost, except by express resignation before a Peruvian authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 53.

Nationality can be withdrawn only if person resides abroad for 20 years or more:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable .

Sources: Not applicable

Nationality can be withdrawn only if person has another citizenship:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:

Answer: No provision

Code: 1

Explanation: Art. 7 of law 26574: Peruvian nationality is lost by express resignation before a competent authority. Art. 53 of the Constitution: The law regulates the forms in which a person acquires or recovers the nationality Peruvian nationality is not lost, except by express resignation before a Peruvian authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 53. / Ley N° 26574 [Law 26574]. 1995. Art. 7.

3.1.4. Jus sanguinis for emigrants

EMINAT_4: Transfer of nationality to children born abroad.

Country of origin permit parents to confer their nationality on their children who are born abroad:

Answer: Yes

Code: 1

Explanation: Yes, up to the third generation.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 52. / Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

Transfer of nationality is applicable to:

Answer: More than one generation

Code: 0.25

Explanation: Art. 4 of Decree 004-97-IN establishes that Peruvians by birth are: (...) c. The persons born in foreign territory, children of Peruvian father or mother of birth, that are registered during their minority in the respective Register of the Civil Status, Births Section, of the Consular Offices of Peru, when they are abroad and at the Directorate-General for Migration and Naturalization when such management is carried out in the territory of the Republic. This right is recognized only to descendants up to the third generation.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 4.

3.1.5. Jus sanguinis across generations

EMINAT_5: Transfer of nationality to children born abroad from former citizens.

Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. / Ley N° 26574 [Law 26574]. 1995.

Transfer of nationality is applicable to:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.6. Renunciation of nationality is possible

EMINAT_6: Voluntary renunciation of nationality abroad is possible.

Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:

Answer: Renunciation is possible

Code: 1

Explanation: yes, without conditions. Peruvian nationality is lost by express resignation before a competent authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 53. / Ley N° 26574 [Law 26574]. 1995. Art. 7.

Renunciation abroad is only possible if person has another nationality:

Answer: No, person renouncing does not have to show proof of another nationality

Code: 0

Explanation: Peruvian nationality is lost by express resignation before a competent authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 53. / Ley N° 26574 [Law 26574]. 1995. Art. 7.

Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:

Answer: No

Code: 0

Explanation: Peruvian nationality is lost by express resignation before a competent authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 53. / Ley N° 26574 [Law 26574]. 1995. Art. 7.

3.1.7. Reacquisition of nationality

EMINAT_7. Country of origin provides for reacquisition of nationality for former nationals:

Answer: Yes

Code: 1

Explanation: Yes. Peruvians by birth who have expressly renounced their Peruvian nationality, have the right to recover it, if they meet the following requirements: a. Proof of domicile in the Territory of the Republic, at least one year uninterrupted. b. Declare expressly his/her desire to recover Peruvian nationality. c. Exercise regularly profession, art, trade or business activity; or credit the next realization of these activities. d. Proof of good conduct and moral solvency.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.Art. 28.

3.2. Emigrant citizenship

3.2.1. Citizenship restrictions for dual nationals

EMICIT_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):

Answer: Restrictions if less than 5 years living abroad

Code: 0

Explanation: Yes. People who enjoy dual nationality, exercise the rights and obligations of nationality of the country where they domicile.

Sources: Ley N° 26574 [Law 26574]. 1995. Art. Art. 10.

3.2.2. Different citizenship for emigrants

EMICIT_2. Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?

Answer: No

Code: 0

Explanation: No. No, the only difference applies to individuals with dual citizenship, as they can only exercise the rights and duties valid in their country of residence.

Sources: Ley N° 26574 [Law 26574]. 1995. Art. Art. 10.

3.2.3. Loss or suspension of citizen rights after residence abroad

EMICIT_3: Country deprives their national citizens by birth who emigrated of their citizen rights.

Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: No

Code: 0

Explanation: There are no further restrictions other than suspended electoral rights.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available. / Ley N° 26859 [Law 26859]. 1997.

Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) *If it is not specified in the regulation, it is coded as restrictions not conditional to return:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4. Immigration policies

4.1. General

4.1.1. Number of entry tracks

IMMIGRATION_1. How many visa types does the country have?

Answer: 27

Code: 27

Explanation: Temporary: Allows the entry and permanence of a foreigner in the territory of the Republic, without the intention of settling down. Temporary migratory permits are the following: a. International agreements b. Artistic or Sports c. Special d. Training / Temporary Research e. Business f. Worker / Temporary Designee g. Journalism h. Tourist i. Crewman. Residence: Authorizes entry and / or residence in the territory of the Republic. Residence migratory permits are the following: a. Cooperating b. Appointed c. Training d. Religious e. Exchange f. Investment g. Investigation h. Employee i. Resident family member j. Suspended k. Humanitarian l. Rentier m. Permanent n. International agreement o. Consular p. Diplomatic q. Official r. Officer's Family.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRATION_2: Categorical organization of visas

Are the visas organized by overarching categories?

Answer: Yes

Code: 1

Explanation: Temporary: Allows the entry and permanence of a foreigner in the territory of the Republic, without the intention of settling down. Temporary migratory permits are the following: a. International agreements b. Artistic or Sports c. Special d. Training / Temporary Research e. Business f. Worker / Temporary Designee g. Journalism h. Tourist i. Crewman. Residence: Authorizes entry and / or residence in the territory of the Republic. Residence migratory permits are the following: a. Cooperating b. Appointed c. Training d. Religious e. Exchange f. Investment g. Investigation h. Employee i. Resident family member j. Suspended k. Humanitarian l. Rentier m. Permanent n. International agreement o. Consular p. Diplomatic q. Official r. Officer's Family.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.

How many categories?

Answer: 2

Code: 2

Explanation: Temporary and residence.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.

4.1.2. Biometric information

IMMIGRATION_3: Collection of biometric information.

Does the state collect biometric information from all citizens for example for passports?

Answer: Yes

Code: 1

Explanation: Fingerprints and photography of the passport holder and with the head uncovered.

Sources: Ley N° 26497 [Law 26497]. 1995.

Does the state collect biometric information from immigrants for example for passports?

Answer: Yes

Code: 1

Explanation: Art. 24 of the Decree 1350 establishes that the Immigration Information Registry will contain a centralized registry of information that will include biometric information of foreigners.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 24.

4.1.3. Visa waivers

IMMIGRATION_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spätaussiedler or Jewish immigrants in Germany)?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

4.2. Documentation

IMMIGRATION_5: Issue of legal compulsory identification documents.

Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?

Answer: Yes

Code: 1

Explanation: The Art. 31 of the Organic Law that regulates the RENIEC (Registro Nacional de Identificación y Estado Civil, the National Registry) establishes that the National Identity Document (DNI) is granted to all Peruvians born inside or outside the territory of the Republic from the date of their birth and to those who become national. The Art. 15 of the Decree 1350 establishes that foreigners with a Resident Immigration Permit is identified with the immigration card or with the document issued by the Ministry of Foreign Affairs, as corresponds. The foreigner with temporary immigration status would be identified with the travel document or with the document issued by MIGRATIONS, as appropriate. Identity cards of foreigners or analogous documents are also recognized as identity document in accordance with the standards or the international instruments to which Peru is a party. Art. 17 of the Decree 1350 establishes that the Alien Registration Card is the official identity document for foreigners.

Sources: Ley N° 26497 [Law 26497]. 1995. Art. 31. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 15 and 17. / Código Procesal Penal [Code of Criminal Procedure]. 2004.

Are they required to carry them at all times?

Answer: No

Code: 0

Explanation: There is no provision in the regulation about carrying the DNI (for citizens) or the Carné de Extranjería (for immigrants) as an obligation, however the police is empowered to verify the control of persons at any moment.

Sources: Ley N° 26497 [Law 26497]. 1995. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Código Procesal Penal [Code of Criminal Procedure]. 2004.

4.3. Quotas and restrictions

4.3.1. General quota

IMMIGRATION_6: General quota for immigration.

Is there a general quota (numerical limit) for immigration?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.2. Specific quotas

IMMIGRATION_7: Quota for high-skilled migrants.

Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_8: Quota for low-skilled migrants.

Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_9: Quota for refugees.

Is there a quota (numerical limit) on the number of refugees?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_10: Quota for co-ethnics.

Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?

Answer: Not applicable (no co-ethnic proxy)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.3. List of excluded persons

IMMIGRATION_11: Categories of excluded persons.

Are there categories of excluded persons from immigration?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

List of categories of excluded persons:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.4. List of excluded countries

IMMIGRATION_12: Countries excluded.

Is there a list of countries whose nationals are banned for immigration in this country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

List of countries excluded:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.4. Policy incentives

4.4.1. Recognized brokers

IMMIGRATION_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):

Answer: No

Code: 0

Explanation: No. The only entity in charge of the immigration process for immigrants is the National Superintendence of Migrations (Superintendencia Nacional de Migraciones) – MIGRACIONES.

Sources: Decreto Legislativo N° 1130 [Legislative Decree 1130]. 2012. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRATION_14. State offers pecuniary incentives to citizens willing to immigrate:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

4.5. Immigration control and penalties

4.5.1. Irregular residence

IMMIGRATION_15: Illegal residence.

Is illegal residence in the country considered a criminal offense?

Answer: No

Code: 1

Explanation: Art. VII of the Decree 1350 embraces the principle of non-criminalization of irregular migration.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. VII.

Is illegal residence considered an administrative offense?

Answer: Yes

Code: 0

Explanation: Art. 57 of the Decree 1350 establishes that irregular status is cause for deportation. The following situations are subject to the compulsory departure of foreigners from the country: a. Because they are in an irregular migratory situation due to entering the country without carrying out the migratory control and not having requested their regularization. b. Because they are in an irregular migratory situation due to exceeding the time of stay granted and not having requested their regularization within the term established by the regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 57.

4.5.2. Forged documents

IMMIGRATION_16: Penalties for immigrants with forged documents.

Are there penalties for immigrants for forged documents?

Answer: Yes

Code: 0

Explanation: Art. 58.1 of the Decree 1350 establishes that foreigners will be expelled if they have presented false documentation or have provided data or false information during the immigration process.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 58.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: Art. 58.1 of the Decree 1350 establishes that foreigners will be expelled if they have presented false documentation or have provided data or false information during the immigration process.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 58.

Penalty is a fine:

Answer: No

Code: 1

Explanation: Art. 58.1 of the Decree 1350 establishes that foreigners will be expelled if they have presented false documentation or have provided data or false information during the immigration process.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 58.

Penalty is detention:

Answer: No

Code: 1

Explanation: Art. 58.1 of the Decree 1350 establishes that foreigners will be expelled if they have presented false documentation or have provided data or false information during the immigration process.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 58.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: Art. 58.1 of the Decree 1350 establishes that foreigners will be expelled if they have presented false documentation or have provided data or false information during the immigration process.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 58.

IMMIGRATION_17: Penalties for immigrants with expired documents.

Are there penalties for immigrants with expired documents?

Answer: No

Code: 1

Explanation: There is no provision in the immigration regulation regarding penalties for expired documents.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Penalty is expulsion:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is a fine:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is detention:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is imprisonment:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.5.3. Aiding undocumented migrants

IMMIGRATION_18: Penalties for aiding undocumented migrants.

Are there penalties for aiding undocumented migrants?

Answer: No

Code: 1

Explanation: There is no provision in the immigration regulation regarding penalties for aiding undocumented migrants.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Penalty is a fine:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is imprisonment:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.5.4. Employment obligations

IMMIGRATION_19: Penalties for employers who hire migrant workers without a legal work permit.

Are there sanctions for employers hiring migrant workers without a legal work permit?

Answer: Yes

Code: 0

Explanation: Yes, they will be sanctioned with a fine. Art. 9 of the Decree 689 establishes that employers will be sanctioned with a fine without prejudice to the following other sanctions that would

be applicable by virtue of other legal rules, when they omit the procedure for approval of the contract for foreign personnel established by the regulations of labor and migration.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 9.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: Yes, they will be sanctioned with a fine. Art. 9 of the Decree 689 establishes that employers will be sanctioned with a fine without prejudice to the following other sanctions that would be applicable by virtue of other legal rules, when they omit the procedure for approval of the contract for foreign personnel established by the regulations of labor and migration.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 9.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: Yes, they will be sanctioned with a fine. Art. 9 of the Decree 689 establishes that employers will be sanctioned with a fine without prejudice to the following other sanctions that would be applicable by virtue of other legal rules, when they omit the procedure for approval of the contract for foreign personnel established by the regulations of labor and migration.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 9.

4.5.5. Landlord obligations

IMMIGRATION_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.

Are there penalties for landlords who rent shelter to migrants without a regular migrant status?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Decreto Ley N° 1177 [Decree Law 1177]. 2015.

Penalty is a fine:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is imprisonment:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.5.6. Airline penalties

IMMIGRATION_21: Penalties for airlines carrying immigrants without documentation.

Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?

Answer: Yes

Code: 0

Explanation: Art. 191 of the Decree 1350 establishes that international transport companies are liable for the penalty of fine for not making or keeping updated the registration and control of its crew and the passengers they transport. The fine shall be equal to one (1) UIT. For transporting passengers that do not have valid and valid travel and / or identity documents the fine will be equivalent to two UIT for each person transported without documents or documents that do not have validity and / or validity.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 191.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: Art. 191 of the Decree 1350 establishes that international transport companies are liable for the penalty of fine for not making or keeping updated the registration and control of its crew and the passengers they transport. The fine shall be equal to one (1) UIT. For transporting passengers that do not have valid and valid travel and / or identity documents the fine will be equivalent to two UIT for each person transported without documents or documents that do not have validity and / or validity.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 191.

Penalty is more than a fine:

Answer: No

Code: 1

Explanation: Art. 191 of the Decree 1350 establishes that international transport companies are liable for the penalty of fine for not making or keeping updated the registration and control of its crew and the passengers they transport. The fine shall be equal to one (1) UIT. For transporting passengers that do not have valid and valid travel and / or identity documents the fine will be equivalent to two UIT for each person transported without documents or documents that do not have validity and / or validity.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 191.

4.6. Amnesty programs

IMMIGRATION_22: Existence of amnesty program.

In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?

Answer: Yes

Code: 1

Explanation: Amnesty program in 2012.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 30103 [Law 30103]. 2013. / MIGRACIONES. "Solicitud de visas temporal-residente [Application for Visas Temporary-Resident]". Accessed October 16, 2018. <https://www.migraciones.gob.pe/solicitud-residente/solicitud-temporal/?csrt=850384600085188325>.

The amnesty program is/was:

Answer: Permanent (on a rolling basis)

Code: 3

Explanation: Peru implemented an amnesty program in 2012. Also, since 2017 there is a permanent regularization program. The amnesty program implanted in 2012 targeted immigrants that had entered the country before the 1st of January 2012 with a temporary or resident visa. Irregular migrants had 180 days in order to regularize their situation. Several documents were required such as criminal records. Applicants were obliged as well to pay the penalty for have been irregular in the country. Law 31013 established the procedure to regularize the residence of foreigners in irregular migratory situation who have legally entered Peru before January 1, 2012 and whose authorization of permanence or residence has expired. Those who took part in regularization were not subject to sanctions for infringement of the Migration Act, but they had to pay the fines for exceeding the periods of stay or legal residence in the country. Since 2017 in the new migration decree (Decree 1350) there is a permanent regularization process. There are different procedures concerning the regulation

depending on the case (Migratory regularization due to excess permanence, Migratory regularization by irregular entry, etc). The only one exception in this regularization process is applied to foreigners who are prevented from entering the territory. Art. 36 of the Decree 1350 defines the target of the regularization as foreigners who are in a irregular migratory situation.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. XII and 36. / Ley N° 30103 [Law 30103]. 2013. Art 4.

Being employed is/was a condition to qualify for the amnesty program:

Answer: No

Code: 0

Explanation: No such condition in main provisions.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. XII and 36. / Ley N° 30103 [Law 30103]. 2013. Art 4.

A given duration of stay is/was a condition to qualify for the amnesty program:

Answer: No

Code: 0

Explanation: No such condition in main provisions.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. XII and 36. / Ley N° 30103 [Law 30103]. 2013. Art 4.

Having a certain nationality is/was a condition to qualify for the amnesty program:

Answer: No

Code: 0

Explanation: No such condition in main provisions.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. XII and 36. / Ley N° 30103 [Law 30103]. 2013. Art 4.

Does a case by case regularization for irregular immigrants existed?

Answer: No

Code: 0

Explanation: No provision for case by case regularization.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 30103 [Law 30103]. 2013. / MIGRACIONES.

"Solicitud de visas temporal-residente [Application for Visas Temporary-Resident]". Accessed October 16, 2018. <https://www.migraciones.gob.pe/solicitud-residente/solicitud-temporal/?csrt=850384600085188325>.

Being employed is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

A given duration of stay is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Having a certain nationality is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is regularization through marriage possible:

Answer: No

Code: 0

Explanation: Regularization through marriage is not possible.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRATION_23. The amnesty defines the types of irregular migrants as:

Answer: Not specific. The amnesty program carried in 2012 considered to regularize the residence of foreigners in irregular migratory situation who have legally entered Peru before January 1, 2012 and

whose authorization of permanence or residence had expired. However, the principle of permanent regularization adopted later and which applies now is not reduced to that group of persons, but it is general.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

4.7. Administration

IMMIGRATION_24_1: Administration in charge of immigration regulation.

Which institution is in charge of immigration regulation (in original language)?

Answer: The National Superintendence of Migrations (Superintendencia Nacional de Migraciones).

Code: The National Superintendence of Migrations (Superintendencia Nacional de Migraciones)

Explanation: According to the Decree 1130 of 2012, the Superintendence of Migrations has as its very first function, to propose the sectorial policy regarding migration.

Sources: Decreto Legislativo N° 1130 [Legislative Decree 1130]. 2012.

Which institution is in charge of immigration regulation (in English language)?

Answer: The National Superintendence of Migrations (Superintendencia Nacional de Migraciones)

IMMIGRATION_24_2: Administration in charge of implementing immigration policies.

Which institution is in charge of the implementation of immigration policies (in original language)?

Answer: The National Superintendence of Migrations (Superintendencia Nacional de Migraciones).

Code: The National Superintendence of Migrations (Superintendencia Nacional de Migraciones).

Explanation: According to the Decree 1130 of 2012, the Superintendence of Migrations has as its very first function, to propose the sectorial policy regarding migration.

Sources: Decreto Legislativo N° 1130 [Legislative Decree 1130]. 2012.

Which institution is in charge of immigration regulation (in English language)?

Answer: The National Superintendence of Migrations (Superintendencia Nacional de Migraciones)

IMMIGRATION_24_3: Administration in charge of border control.

Which institution is in charge of border control (in original language)?

Answer: Superintendencia Nacional de Migraciones

Code: Superintendencia Nacional de Migraciones

Explanation: MIGRATIONS exercises migratory control for to regulate the entrance and exit of people to facilitate the international mobility; to protect populations and, to reduce risks internally, in the public order and national security.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 107. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Which institution is in charge of border control (in English language)?

Answer: The National Superintendency of Migrations - MIGRATIONS

IMMIGRATION_24_4: Administration in charge of detentions.

Which institution is in charge of detentions (in original language)?

Answer: Superintendencia Nacional de Migraciones

Code: Superintendencia Nacional de Migraciones

Explanation: MIGRATIONS exercises migratory control for to regulate the entrance and exit of people to facilitate the international mobility; to protect populations and, to reduce risks internally, in the public order and national security.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 107. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Which institution is in charge of detentions (in English language)?

Answer: Superintendencia de Migraciones as part of the National Security policy in matters related to migratory control and borders

IMMIGRATION_25: Visas applied to labor migration.

Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?

Answer: Yes

Code: 1

Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?

Answer: Yes

Code: 1

4.7.1. Domestic workers

Is there a visa scheme (entry track) for domestic workers?

Answer: Yes

Code: 1

Explanation: Domestic workers must apply for the permit “resident worker” as established in Art. 29.2.h of the Decree 1350. This permit allows the entry and permanence in the territory with the purpose of working. The permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / Superintendencia Nacional de Migraciones. “Solicitudes de Visa”. Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: Sponsorship is not a requisite to obtain the resident worker permit.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. “Solicitudes de Visa [Visa Applications]”. Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?

Answer: Yes, required

Code: 0.25

Explanation: Art. 88.3 of the Regulations of the Migration Decree (Decree 1350) establishes that a job contract is a requisite to apply for the resident worker permit.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 88.3.

IMMIGRATION_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: No

Code: 1

Explanation: No, however there is preference to hire national workers. Art. 4 of the Decree 689 establishes private companies may hire foreign personnel in a proportion of up to 20% of the total number of employees. Their salaries may not exceed 30% of the total salary and payroll (there are exceptions to this rule).

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 1-4.

IMMIGRATION_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in explanation).

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_30: Restrictions based on age.

Are there age limits for migrant domestic workers in order to be admitted to the country?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_31. Is having a certain gender a requisite to be admitted to the country under the do-mestic worker entry track?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_33. Do migrant domestic workers need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There is no provision in the immigration regulation about language skills

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 31.98

Code: 31.98

Explanation: Yes, the cost is of S/ 107,50 soles (27, 88 Euros / 31.98 USD as of 23.09.2019).

Sources: MIGRACIONES. "Solicitudes de Visa Temporales Residentes [Resident Temporary Visa Applications]". Accessed October 11, 2018. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_36. How long is the domestic work permit valid for? Indicate the period in months.

Answer: 12

Code: 12

Explanation: The resident worker permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_37. Is it possible to renew the work permit granted under the domestic worker entry track?

Answer: Yes

Code: 1

Explanation: The resident worker permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_38: Possibility of changing jobs.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?

Answer: Yes

Code: Yes

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?

Answer: Yes, unspecified

Code: 6

Explanation: Yes, since the residence worker permit is dependent on a job contract.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Yes. The main labor regulations regarding work conditions make no distinction between migrant and native workers in terms of minimum wage, working hours and benefits.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Constitución Política del Perú [Political Constitution of Peru]. 1993. / Ley General del Trabajo [General Labor Law]. 1942.

IMMIGRATION_41. Is a minimum level of education required to apply to the domestic entry track?

Answer: No

Code: 1

Explanation: No provision in main regulaitons.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_42. Is a test of good health required for migrant domestic worker?

Answer: No

Code: 1

Explanation: No provision in main regulations

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

4.7.2. Agricultural workers

Is there a visa scheme (entry track) for agricultural workers?

Answer: Yes

Code: 1

Explanation: Agricultural workers can apply for the permit “resident worker” as established in Art. 29.2.h of the Decree 1350. This permit allows the entry and permanence in the territory with the purpose of working. The permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. “Solicitudes de Visa [Visa Applications]”. Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: Sponsorship is not a requisite to obtain the resident worker permit.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?

Answer: Yes, required

Code: 0.25

Explanation: Art. 88.3 of the Regulations of the Migration Decree (Decree 1350) establishes that a job contract is a requisite to apply for the resident worker permit.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.3.

IMMIGRATION_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: No

Code: 1

Explanation: No, however there is preference to hire national workers. Art. 4 of the Decree 689 establishes private companies may hire foreign personnel in a proportion of up to 20% of the total number of employees. Their salaries may not exceed 30% of the total salary and payroll (there are exceptions to this rule).

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 1-4.

IMMIGRATION_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_47: Restrictions based on age.

Are age limits for migrant agricultural workers in order to be admitted to the country?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_48. Is having a certain gender a requisite to be admitted to the country under this entry track?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_49. Is having a certain marital status a requisite to be admitted to the country under the agricultural worker entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_50. Do migrant agricultural workers need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_51. Is knowledge of the host country's language considered beneficial or required for the decision on immigrating as an agricultural worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There is no provision in the immigration regulation about language skills.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 31.98

Code: 31.98

Explanation: Yes, the cost is of S/ 107,50 soles (27, 88 Euros / 31.98 USD as of 23.09.2019).

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 11, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

IMMIGRATION_53. How long is the work permit valid for? Indicate the period in months.

Answer: 12

Code: 12

Explanation: The resident worker permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_54. Is it possible to renew the work permit granted under the agricultural worker entry track?

Answer: Yes

Code: 1

Explanation: The resident worker permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_55: Possibility of changing jobs.

Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto

Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?

Answer: Yes, unspecified

Code: 6

Explanation: Yes, since the residence worker permit is dependent on a job contract.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Yes. The main labor regulations regarding work conditions make no distinction between migrant and native workers in terms of minimum wage, working hours and benefits.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Constitución Política del Perú [Political Constitution of Peru]. 1993. / Ley General del Trabajo [General Labor Law]. 1942.

IMMIGRATION_58. Is a minimum level of education required to apply to the agricultural worker entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_59. Is a test of good health required for migrant agricultural workers?

Answer: No

Code: 1

Explanation: No provision in main regulations

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

4.7.3. Medical doctors

Is there a visa scheme (entry track) for medical doctors?

Answer: Yes

Code: 1

Explanation: Medical doctors can apply for the permit “resident worker” as established in Art. 29.2.h of the Decree 1350. This permit allows the entry and permanence in the territory with the purpose of working. The permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. “Solicitudes de Visa [Visa Applications]”. Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_60. Do migrants trying to enter the country under the medical doctor entry track, needed to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: Sponsorship is not a requisite to obtain the resident worker permit.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. “Solicitudes de Visa [Visa Applications]”. Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?

Answer: Yes, required

Code: 0.25

Explanation: Art. 88.3 of the Regulations of the Migration Decree (Decree 1350) establishes that a job contract is a requisite to apply for the resident worker permit.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.3.

IMMIGRATION_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?

Answer: No

Code: 1

Explanation: No, however there is preference to hire national workers. Art. 4 of the Decree 689 establishes private companies may hire foreign personnel in a proportion of up to 20% of the total number of employees. Their salaries may not exceed 30% of the total salary and payroll (there are exceptions to this rule).

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 1-4.

IMMIGRATION_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_64: Restrictions based on age.

Are there age limits for migrant medical doctors to be admitted to the coun-try?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_65. Is having a certain gender a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_66. Is having a certain marital status a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_67. Do migrant medical doctors need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_68. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There is no provision in the immigration regulation about language skills

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 31.98

Code: 31.98

Explanation: Yes, the cost is of S/ 107,50 soles (27, 88 Euros / 31.98 USD as of 23.09.2019).

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 11, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

IMMIGRATION_70. How long is the medical doctor work permit valid for? Indicate the period in months.

Answer: 12

Code: 12

Explanation: The resident worker permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_71. Is it possible to renew the work permit granted under the medical doctor entry track?

Answer: Yes

Code: 1

Explanation: The resident worker permit allows multiple entries and it is granted for one year. The permit can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRATION_72: Possibility of changing jobs.

Is it possible for a migrant medical doctor to switch employers?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Is it possible for a migrant medical doctor to switch professional sectors?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

Is it possible for a migrant medical doctor to switch locations?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?

Answer: Yes, unspecified

Code: 6

Explanation: Yes, since the residence worker permit is dependent on a job contract.

Sources: Consultation with expert, Consulate of Peru in Berlin. Consultation date not available. / Consultation with expert, Consulate of Peru in Quito. Consultation date not available. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_75. Is a minimum level of education required to apply to the medical doctor entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

IMMIGRATION_76. Is a test of good health required for migrant medical doctors?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 88.

4.8. Proxy: Refugees

4.8.1. Existence of track

IMMIGRATION_77. Does the country grant refugee status?

Answer: Yes

Code: 1

Explanation: The refugee status is regulated by the Law 27891.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

IMMIGRATION_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

IMMIGRATION_79: Safe countries of origin.

Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

How many countries?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.8.2. Restrictions

IMMIGRATION_80: Refugee status restricted for certain nationalities.

Is refugee status restricted to certain nationalities?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Which nationalities?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_81: Restrictions based on age.

Are there age limits for potential refugees to be admitted to the country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Below which age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_82. Is having a certain gender a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

IMMIGRATION_83. Is having a certain marital status a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

4.8.3. Place of application

IMMIGRATION_84: Place of application

Can asylum seekers file an application for asylum from outside the destination country's territory?

Answer: No

Code: 0

Explanation: Art. 18 of Law 27891 establishes that the application must be presented at the borders or within the Peruvian territory.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 18.

Can asylum seekers file an application for asylum at the border/ports of entry of country's territory?

Answer: Yes

Code: 1

Explanation: Art. 18 of Law 27891 establishes that the application must be presented at the borders or within the Peruvian territory.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 18.

Can asylum seekers file an application for asylum on the destination country's territory?

Answer: Yes

Code: 1

Explanation: Art. 18 of Law 27891 establishes that the application must be presented at the borders or within the Peruvian territory.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 18.

4.8.4. Permit validity

IMMIGRATION_85. How long is the initial residence permit for recognized refugees valid for?

Answer: Temporary, between 12 and 24 months

Code: 5

Explanation: Art. 29 of the Decree 1350 establishes that the status of refugees is granted for one year and that it can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.

IMMIGRATION_86: Permit renewal.

Is it possible to renew a temporary residence permit?

Answer: Yes

Code: 1

Explanation: Art. 29 of the Decree 1350 establishes that the status of refugees is granted for one year and that it can be renewed.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Consultation with expert, Oficina de Relaciones Exteriores Lima. February 22, 2019.

Is it possible to apply for a permanent resident permit for recognized refugees?

Answer: Yes, possible to apply for permanent permit after 2-4 years

Code: 2

Explanation: Refugees can apply to permanent residence.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Consultation with expert, SER. February 2019. / MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>. / Expert consultation.

IMMIGRATION_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?

Answer: Yes

Code: 0

Explanation: Art. 33 of Law 27891 establishes that one of the potential causes of cessation of refugee status is the improvement of the situation in the state of origin.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

4.8.5. Maximum timeframe for application resolution

IMMIGRATION_88: Timeframe for resolution.

Is there a maximum of days to process the application of asylum seekers?

Answer: Yes

Code: 1

Explanation: Art. 15 of the Law 27891 establishes that the Special Commission for Refugees must process the applications within a maximum period of 60 days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 15.

What is the maximum of days?

Answer: 60

Code: 60

Explanation: Art. 15 of the Law 27891 establishes that the Special Commission for Refugees must process the applications within a maximum period of 60 days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 15.

4.8.6. Possibility to change migratory status

IMMIGRATION_89. If an application on refugee status is rejected, does the applicant have the right to appeal?

Answer: Yes

Code: 1

Explanation: Art. 17 of the Law 27891 establishes that if the resolution of the Special Commission for Refugees denies the refugee status, the petitioner can file a motion for reconsideration before the aforementioned Commission within 15 working days after the notification was issued.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 17.

IMMIGRATION_90. Is it possible for recognized refugees to change their migratory status?

Answer: Yes

Code: 1

Explanation: Although in the website of Migraciones refugee is not listed as a migratory status to be able to access permanent residence, expert consultation indicated that it is possible.

Sources: Consultation with expert, Oficina de Relaciones Exteriores Lima. February 22, 2019.

4.8.7. Detention

IMMIGRATION_91: Detention

Are asylum seekers detained while their claims are being processed?

Answer: No

Code: 4

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Are asylum seekers detained after their claims are processed?

Answer: No

Code: 2

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

4.8.8. Status after rejection

IMMIGRATION_92. What is the status of asylum seekers whose applications are rejected?

Answer: Issued a temporary certificate and then deportation

Code: 2

Explanation: The asylum seeker whose application was rejected must leave the country within a reasonable period that allows him to be admitted legally in another State, its form and terms are established in the Regulation.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 19.

IMMIGRATION_93. Do asylum seekers have the possibility to work during the process of application?

Answer: Yes

Code: 1

Explanation: Art. 41 of the Law 27891 establishes that at the time of receiving the request for refuge, the Special Commission will manage the issuance of a provisional document that proves that the case is in the process of qualification, in order to guarantee the applicant and be the case to their relatives, the temporary stay in the country until the pronouncement of a final decision regarding the requested protection. This provisional document will have a validity of 60 renewable working days and will contain a work authorization in order to facilitate the maintenance of the applicant.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 41.

4.8.9. Translation and interpretation

IMMIGRATION_94. Does the state provide official translation or interpretation for the process of asylum seekers?

Answer: Yes

Code: 1

Explanation: Yes, but just during the interview with the Secretary of the Committee as establishes by Arts. 22 and 23 of the Law 27891.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 22 and 23.

4.9. Proxy: Co-ethnics

4.9.1. General

IMMIGRATION_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access).

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Consultation with expert, Oficina de Relaciones Exteriores Lima. February 22, 2019.

IMMIGRATION_96. Register the name of the group(s).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.2. Reasons for co-ethnicity

IMMIGRATION_97. Reasons for co-ethnicity.

Shared language:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Shared religion:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Shared ancestry:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Citizen of former colony:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Ill treatment by country in the past:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Self-declaration: avowal to be of country's ethnicity:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Other:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_98. May converts apply?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_99. If ancestry is sufficient to claim entitlement to preferential immigration rights, what is the degree of ancestry required?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.3. Language test

IMMIGRATION_100. What is the required level of language skills?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.4. Place of residence

IMMIGRATION_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.5. Place of application

IMMIGRATION_102. Place of application.

Can applicants file an application from outside the territory of the host country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can applicants file an application on host country's territory?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.6. Date of birth

IMMIGRATION_103. Do applicants need to be born before or after a certain date to be eligible?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.7. Permit validity

IMMIGRATION_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_105. Permit renewal.

Is it possible to renew a temporary residence permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible to apply for a permanent resident permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5. Immigrant policies

5.1. Permanent residence

5.1.1. Eligibility

IMMIGRANT_1: General existence of a permanent residence scheme.

Answer: Yes

Code: 1

Explanation: Permanence residence is regulated by Art. 29 of the Decree 1350.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.

IMMIGRANT_2: Existence of a permanent residence scheme for different proxies. Do asylum seekers have access to permanent residence?

Answer: No

Code: 0

Explanation: Asylum seekers would only be able to remain in the country only temporarily until they are granted the refugee status.

Sources: Congreso de la República. 2002. Ley No. 27891. Ley Del Refugiado. [Refugee Law (2002)]. / Superintendencia Nacional de Migraciones. n.d. 'Cambio de Calidad Migratoria'. ['Change of Migratory Status']. Accessed 17 October 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Do refugees have access to permanent residence?

Answer: No

Code: 0

Explanation: Refugees are not included within the group of migration categories that can apply to permanence residence as established by Art. 65.4 of the Regulations of the Migration Law.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 65.4.

Do co-ethnics have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Art. 65 of the Regulations of the Decree1350 establish that resident workers can access permanent residence after three years of residence.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 65.

Do agricultural workers have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Art. 65 of the Regulations of the Decree1350 establish that resident workers can access permanent residence after three years of residence.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 65.

Do medical doctors have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Art. 65 of the Regulations of the Decree1350 establish that resident workers can access permanent residence after three years of residence.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 65.

IMMIGRANT_3: Required time of habitual residence.

How many months of habitual residence are required from asylum seekers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from refugees for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from co-ethnics for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from domestic workers for accessing permanent residence?

Answer: 36

Code: 36

Explanation: Art. 29 of the Decree 1350 establishes that resident workers can apply for permanent residence after three years.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.

How many months of habitual residence are required from agricultural workers for accessing permanent residence?

Answer: 36

Code: 36

Explanation: Art. 29 of the Decree 1350 establishes that resident workers can apply for permanent residence after three years.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.

How many months of habitual residence are required from medical doctors for accessing permanent residence?

Answer: 36

Code: 36

Explanation: Art. 29 of the Decree 1350 establishes that resident workers can apply for permanent residence after three years.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.

IMMIGRANT_4: Periods of absence allowed.

Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 6

Code: 6

Explanation: The requisites to apply for permanent residence are: at least three years of residence in the country and that during the last three years prior to the presentation of the application not being out of the country three months continuous or six months alternated in a year.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 6

Code: 6

Explanation: The requisites to apply for permanent residence are: at least three years of residence in the country and that during the last three years prior to the presentation of the application not being out of the country three months continuous or six months alternated in a year.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 6

Code: 6

Explanation: The requisites to apply for permanent residence are: at least three years of residence in the country and that during the last three years prior to the presentation of the application not being out of the country three months continuous or six months alternated in a year.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

IMMIGRANT_5. Result of a regularization process.

The regularization process leads to:

Answer: temporal residence permit

Code: 0.25

Explanation: Art. 219 of the Regulations of the Decree 1350 establishes that the migration authority can, in a motivated manner, issue temporary residence permits and make the change to Special status for the stay or residence in the national territory in favor of foreigners in a state of vulnerability; for family reunification; in the best interests of the child and adolescent; or in protection of other fundamental rights recognized in the Political Constitution and in the international treaties and conventions to which Peru is a party.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 219.

IMMIGRANT_6: Language test.

Is there a language requirement for asylum seekers to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for refugees to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for co-ethnics to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for domestic workers to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Is there a language requirement for co-ethnics to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Is there a language requirement for medical doctors to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRANT_7: Economic resources.

Is there an economic resources requirement for applying to permanent residence for asylum seekers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for refugees?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for co-ethnics?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for domestic workers?

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: According to the website of website of the migration authority: Accredited economic solvency of at least 10 UIT (UIT: Unidad Impositiva Tributaria –Tax Unit) of annual gross income according to their migratory quality.

Sources: MIGRACIONES. “Cambio de calidad migratoria [Change of Migratory Status]”. Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Is there an economic resources requirement for applying to permanent residence for agricultural workers?

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: According to the website of website of the migration authority: Accredited economic solvency of at least 10 UIT (UIT: Unidad Impositiva Tributaria –Tax Unit) of annual gross income according to their migratory quality.

Sources: MIGRACIONES. “Cambio de calidad migratoria [Change of Migratory Status]”. Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Is there an economic resources requirement for applying to permanent residence for medical doctors?

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: According to the website of website of the migration authority: Accredited economic solvency of at least 10 UIT (UIT: Unidad Impositiva Tributaria –Tax Unit) of annual gross income according to their migratory quality.

Sources: MIGRACIONES. “Cambio de calidad migratoria [Change of Migratory Status]”. Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

IMMIGRANT_8: Cost of application.

What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?

Answer: 117.6

Code: 117.6

Explanation: 117.6.

Sources: MIGRACIONES. “Cambio de calidad migratoria [Change of Migratory Status]”. Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?

Answer: 34.35

Code: 34.35

Explanation: 34.35 USD.

Sources: MIGRACIONES. “Cambio de calidad migratoria [Change of Migratory Status]”. Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

IMMIGRANT_9: Employer sponsorship.

Do asylum seekers have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Do agricultural workers have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Do medical doctors have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: No provision in main regulations.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

5.1.2. Security of status

IMMIGRANT_10: Maximum length of application procedure.

Maximum length of application procedure for asylum seekers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for asylum seekers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for refugees in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for refugees:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers in months:

Answer: 2

Code: 2

Explanation: Generally, applications should be resolved after two months.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Maximum length of application procedure for domestic workers:

Answer: less than six months

Code: 1

Explanation: Generally, applications should be resolved after two months.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Maximum length of application procedure for agricultural workers in months:

Answer: 2

Code: 2

Explanation: Generally, applications should be resolved after two months.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Maximum length of application procedure for agricultural workers:

Answer: less than six months

Code: 1

Explanation: Generally, applications should be resolved after two months.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Maximum length of application procedure for medical doctors in months:

Answer: 2

Code: 2

Explanation: Generally, applications should be resolved after two months.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

Maximum length of application procedure for medical doctors:

Answer: less than six months

Code: 1

Explanation: Generally, applications should be resolved after two months.

Sources: MIGRACIONES. "Cambio de calidad migratoria [Change of Migratory Status]". Accessed October 17, 2018. <https://www.migraciones.gob.pe/index.php/cambio-de-calidad-migratoria/>.

IMMIGRANT_11: Grounds for rejection.

Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRANT_12: Legal guarantees.

Rejection of applications must be reasoned:

Answer: no

Code: 0

Explanation: Art. 211 of the Regulation of the Decree 1350 recognizes the right to an administrative appeal, but does not include a provision regarding the reasoning of rejections.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 211.

Rejected applicants have the right to appeal:

Answer: yes

Code: 1

Explanation: Art. 211 of the Regulation of the Decree 1350 recognizes the right to an administrative appeal.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 211.

IMMIGRANT_13: Expulsion is precluded for victims of violence or crime.

Expulsion is precluded for immigrants of all categories who are victims of violence or crime:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 30361 [Law 30361]. 2015. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

5.2. Policies of representation

IMMIGRANT_14: Regulation of electoral rights.

Subnational electoral rights can be regulated at the subnational level:

Answer: no

Code: 0

Explanation: Electoral rights for both national and local levels are regulated at the national level by the Elections Act and the Organic Law of Municipalities.

Sources: Ley N° 26864 [Law 26864]. 1997. / Ley N° 26859 [Law 26859]. 1997.

5.2.1. Electoral rights

IMMIGRANT_15: Voting eligibility for non-citizens.

Does the country have presidential elections?

Answer: yes

Code: 1

Does the country have a bicameral system (composed of a lower house and an upper house)?

Answer: no, the country only has a lower house

Code: 2

Can non-citizen residents vote in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: Foreign residents have only the right to vote and be elected in local elections.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Ley N° 26864 [Law 26864]. 1997. / Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Can non-citizen residents vote in national legislative elections (lower house)? :

Answer: generally disenfranchised

Code: 0

Explanation: Foreign residents have only the right to vote and be elected in local elections.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Ley N° 26864 [Law 26864]. 1997. / Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Can non-citizen residents vote in national legislative elections (upper house)?

Answer: not applicable

Code: not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_16: Residence duration-based requirements for active electoral rights.

Previous residence required for being eligible to vote in presidential elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in lower house elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in upper house elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_17: Registration in the electoral roll for non-citizen residents.

Registration in the electoral roll for non-citizen residents:

Answer: not applicable

Code: not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_18: Passive electoral rights for non-citizen residents.

Can non-citizen residents stand as candidates in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: Foreign residents have only the right to vote and be elected in local elections.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Ley N° 26864 [Law 26864]. 1997. / Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Can non-citizen residents stand as candidates in national legislative elections (lower house)?

Answer: generally disenfranchised

Code: 0

Explanation: Foreign residents have only the right to vote and be elected in local elections.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Ley N° 26864 [Law 26864]. 1997. / Merino, Roger. Access to Electoral Rights Peru. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Can non-citizen residents stand as candidates in national legislative elections (upper house)?

Answer not applicable

Code: not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_19: Residence duration-based restrictions for passive electoral rights.

Previous residence required for being eligible to stand as candidate in presidential elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to stand as candidate in lower house elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.2.2. Regulation of participation in parties

IMMIGRANT_20: Emigrant membership to home country political parties.

Non-citizen resident membership to state or reception political parties:

Answer: legally allowed and same status for citizens and non-citizen residents

Code: 1

Explanation: Art. 18 of law number 30414: "Of the affiliation. All citizens with the right to vote may freely and voluntarily affiliate with a political party. They must present an affidavit of not belonging to another party political, in addition to complying with the requirements established by the Statute".

Sources: Ley N° 30414 [Law 30414]. 2015. Art. 18.

5.2.3. Consultative bodies

IMMIGRANT_21: Existence of a consultative body of immigrants acting at the national level.

Existence of a consultative body on immigrant issues:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRANT_22: Structural or ad hoc consultation.

The consultation is:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_23: Composition of the consultative body.

Composition of the consultative body:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_24: Leadership of the consultative body.

Who chairs the consultative body?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_25: Right of initiative to make its own reports or recommendations.

The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_26: Right to get a response from the government to recommendation.

Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_27: Selection criteria to ensure representativeness.

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographic-balanced consultative body:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.3. Economic policies

5.3.1. Access to labor market

IMMIGRANT_28: Migrant access to labor market.

Can asylum seekers access the labor market?

Answer: yes

Code: 1

Explanation: Art. 41 of the Law 27891 establishes that at the time of receiving the request for refuge, the Special Commission will manage the issuance of a provisional document that proves that the case is in the process of qualification, in order to guarantee the applicant and be the case to their relatives, the temporary stay in the country until the pronouncement of a final decision regarding the requested protection. This provisional document will have a validity of 60 renewable working days and will contain a work authorization in order to facilitate the maintenance of the applicant.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 41.

Can refugees access the labor market?

Answer: yes

Code: 1

Explanation: Art. 20 and 26 of the Refugee Law establish that refugees have the same rights as regular non-resident citizens and that restrictions regarding the hiring of foreign workers do not apply to refugees after two years of residence. Art. 91 of the Regulation of the Decree 1350 establishes that refugees and asylum seekers can carry out gainful activities in a subordinate, autonomous or independent manner.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 20 and 26. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. Art. 91. / Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001.

Can co-ethnics access the labor market?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: There is a preference to hire national workers over foreigners, and there is a limitation on private companies for hiring only 20% of foreign workers.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 1-4.

Can agricultural workers access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: There is a preference to hire national workers over foreigners, and there is a limitation on private companies for hiring only 20% of foreign workers.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 1-4.

Can medical doctors access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: There is a preference to hire national workers over foreigners, and there is a limitation on private companies for hiring only 20% of foreign workers.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 1-4.

Can permanent residents access the labor market?

Answer: no

Code: 0

Explanation: There is a preference to hire national workers over foreigners, and there is a limitation on private companies for hiring only 20% of foreign workers.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. Art. 1-4.

IMMIGRANT_29: Migrant access to self-employment.

Can asylum seekers access self-employment?

Answer: yes

Code: 1

Explanation: Art. 91 of the Regulation of the Decree 1350 establishes that refugees and asylum seekers can carry out gainful activities in a subordinate, autonomous or independent manner.

Sources: Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2017. Art. 91.

Can refugees access self-employment?

Answer: yes

Code: 1

Explanation: Art. 91 of the Regulation of the Decree 1350 establishes that refugees and asylum seekers can carry out gainful activities in a subordinate, autonomous or independent manner.

Sources: Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2017. Art. 91.

Can co-ethnics access self-employment?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access self-employment?

Answer: yes

Code: 1

Explanation: The resident worker permit allows the entry and permanence in the territory with the purpose of working in a subordinate, autonomous or independent manner.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021.
<https://www.migraciones.gob.pe/solicitud-residente/>.

Can agricultural workers access self-employment?

Answer: yes

Code: 1

Explanation: The resident worker permit allows the entry and permanence in the territory with the purpose of working in a subordinate, autonomous or independent manner.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021.
<https://www.migraciones.gob.pe/solicitud-residente/>.

Can medical doctors access self-employment?

Answer: yes

Code: 1

Explanation: The resident worker permit allows the entry and permanence in the territory with the purpose of working in a subordinate, autonomous or independent manner.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 29.2.h. / MIGRACIONES. "Solicitudes de Visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

Can permanent residents access self-employment?

Answer: yes

Code: 1

Explanation: Permanent residents can access self-employment. There are no provision in the regulations restricting access.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / MIGRACIONES. "Solicitudes de visa [Visa Applications]". Accessed June 3, 2021. <https://www.migraciones.gob.pe/solicitud-residente/>.

IMMIGRANT_30: Migrant access to civil service.

Can asylum seekers access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Art. 289 of the Regulation of the Law number 24029 establishes that foreigners may work in the Educational Centers and Programs of State and Non-State Management, in accordance with the pertinent legal and administrative provisions and in the positions that the Ministry of Education expressly authorizes. In no case may teachers who are not Peruvians by birth can work in border areas.

Sources: Reglamento de la Ley del Profesorado N° 24029 y su modificatoria Ley N° 25212 [Regulations to the Teachers' Law Number 24029 and its Amendment Law Number 25212]. 1990. Art. 289 and 290.

Can refugees access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Art. 289 of the Regulation of the Law number 24029 establishes that foreigners may work in the Educational Centers and Programs of State and Non-State Management, in accordance with the pertinent legal and administrative provisions and in the positions that the Ministry of Education expressly authorizes. In no case may teachers who are not Peruvians by birth can work in border areas.

Sources: Reglamento de la Ley del Profesorado N° 24029 y su modificatoria Ley N° 25212 [Regulations to the Teachers' Law Number 24029 and its Amendment Law Number 25212]. 1990. Art. 289 and 290.

Can co-ethnics access employment in schools (primary and secondary)?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Art. 289 of the Regulation of the Law number 24029 establishes that foreigners may work in the Educational Centers and Programs of State and Non-State Management, in accordance with the pertinent legal and administrative provisions and in the positions that the Ministry of Education expressly authorizes. In no case may teachers who are not Peruvians by birth can work in border areas.

Sources: Reglamento de la Ley del Profesorado N° 24029 y su modificatoria Ley N° 25212 [Regulations to the Teachers' Law Number 24029 and its Amendment Law Number 25212]. 1990. Art. 289 and 290.

Can agricultural workers access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Art. 289 of the Regulation of the Law number 24029 establishes that foreigners may work in the Educational Centers and Programs of State and Non-State Management, in accordance with the pertinent legal and administrative provisions and in the positions that the Ministry of Education expressly authorizes. In no case may teachers who are not Peruvians by birth can work in border areas.

Sources: Reglamento de la Ley del Profesorado N° 24029 y su modificatoria Ley N° 25212 [Regulations to the Teachers' Law Number 24029 and its Amendment Law Number 25212]. 1990. Art. 289 and 290.

Can medical doctors access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Art. 289 of the Regulation of the Law number 24029 establishes that foreigners may work in the Educational Centers and Programs of State and Non-State Management, in accordance with the pertinent legal and administrative provisions and in the positions that the Ministry of Education expressly authorizes. In no case may teachers who are not Peruvians by birth can work in border areas.

Sources: Reglamento de la Ley del Profesorado N° 24029 y su modificatoria Ley N° 25212 [Regulations to the Teachers' Law Number 24029 and its Amendment Law Number 25212]. 1990. Art. 289 and 290.

Can permanent residents access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Art. 289 of the Regulation of the Law number 24029 establishes that foreigners may work in the Educational Centers and Programs of State and Non-State Management, in accordance with the pertinent legal and administrative provisions and in the positions that the Ministry of Education expressly authorizes. In no case may teachers who are not Peruvians by birth can work in border areas.

Sources: Reglamento de la Ley del Profesorado N° 24029 y su modificatoria Ley N° 25212 [Regulations to the Teachers' Law Number 24029 and its Amendment Law Number 25212]. 1990. Art. 289 and 290.

Can asylum seekers access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: There is no provision in the law that regulates access to employment in public administrations regarding restrictions applied to non-citizen residents.

Sources: Ley N° 28175 [Law 28175]. 2004.

Can refugees access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: There is no provision in the law that regulates access to employment in public administrations regarding restrictions applied to non-citizen residents.

Sources: Ley N° 28175 [Law 28175]. 2004.

Can co-ethnics access employment in public administration?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: There is no provision in the law that regulates access to employment in public administrations regarding restrictions applied to non-citizen residents.

Sources: Ley N° 28175 [Law 28175]. 2004.

Can agricultural workers access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: There is no provision in the law that regulates access to employment in public administrations regarding restrictions applied to non-citizen residents.

Sources: Ley N° 28175 [Law 28175]. 2004.

Can medical doctors access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: There is no provision in the law that regulates access to employment in public administrations regarding restrictions applied to non-citizen residents.

Sources: Ley N° 28175 [Law 28175]. 2004.

Can permanent residents access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: There is no provision in the law that regulates access to employment in public administrations regarding restrictions applied to non-citizen residents.

Sources: Ley N° 28175 [Law 28175]. 2004.

Can asylum seekers access employment in the police?

Answer: no

Code: 0

Explanation: Art. 17 and 19 of the Decree 016-2013 establishes as condition to access employment in the police being a Peruvian by birth.

Sources: Decreto Supremo N° 016-2013-IN [Supreme Decree 016-2013-IN]. 2013. Art. 17 and 19.

Can refugees access employment in the police?

Answer: no

Code: 0

Explanation: Art. 17 and 19 of the Decree 016-2013 establishes as condition to access employment in the police being a Peruvian by birth.

Sources: Decreto Supremo N° 016-2013-IN [Supreme Decree 016-2013-IN]. 2013. Art. 17 and 19.

Can co-ethnics access employment in the police?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the police?

Answer: no

Code: 0

Explanation: Art. 17 and 19 of the Decree 016-2013 establishes as condition to access employment in the police being a Peruvian by birth.

Sources: Decreto Supremo N° 016-2013-IN [Supreme Decree 016-2013-IN]. 2013. Art. 17 and 19.

Can agricultural workers access employment in the police?

Answer: no

Code: 0

Explanation: Art. 17 and 19 of the Decree 016-2013 establishes as condition to access employment in the police being a Peruvian by birth.

Sources: Decreto Supremo N° 016-2013-IN [Supreme Decree 016-2013-IN]. 2013. Art. 17 and 19.

Can medical doctors access employment in the police?

Answer: no

Code: 0

Explanation: Art. 17 and 19 of the Decree 016-2013 establishes as condition to access employment in the police being a Peruvian by birth.

Sources: Decreto Supremo N° 016-2013-IN [Supreme Decree 016-2013-IN]. 2013. Art. 17 and 19.

Can permanent residents access employment in the police?

Answer: no

Code: 0

Explanation: Art. 17 and 19 of the Decree 016-2013 establishes as condition to access employment in the police being a Peruvian by birth.

Sources: Decreto Supremo N° 016-2013-IN [Supreme Decree 016-2013-IN]. 2013. Art. 17 and 19.

Quotas for preferential hiring of asylum seekers exist:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Quotas for preferential hiring of refugees exist:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Quotas for preferential hiring of co-ethnics exist:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of domestic workers exist:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Quotas for preferential hiring of agricultural workers exist:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Quotas for preferential hiring of medical doctors:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Quotas for preferential hiring of permanent residents:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Legislativo N° 689 [Legislative Decree 689]. 1992. / Decreto Supremo N° 023-2001-TR [Supreme Decree 023-2001-TR]. 2001. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Can asylum seekers access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 6 of the Decree 1146 of the Military Service establishes that only Peruvian citizens might access the military.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012. Art. 6.

Can refugees access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 6 of the Decree 1146 of the Military Service establishes that only Peruvian citizens might access the military.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012. Art. 6.

Can co-ethnics access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 6 of the Decree 1146 of the Military Service establishes that only Peruvian citizens might access the military.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012. Art. 6.

Can agricultural workers access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 6 of the Decree 1146 of the Military Service establishes that only Peruvian citizens might access the military.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012. Art. 6.

Can medical doctors access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 6 of the Decree 1146 of the Military Service establishes that only Peruvian citizens might access the military.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012. Art. 6.

Can permanent residents access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 6 of the Decree 1146 of the Military Service establishes that only Peruvian citizens might access the military.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012. Art. 6.

5.3.2. Access to support

IMMIGRANT_31: Public employment services.

Can asylum seekers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No provision restricting non-citizen residents access to employment services.

Sources: Consultation with expert, Trabaja Perú Oficina de Empleo [Laboral Orientation Office]. February 22, 2019.

Can refugees access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No provision restricting non-citizen residents access to employment services.

Sources: Consultation with expert, Trabaja Perú Oficina de Empleo [Laboral Orientation Office]. February 22, 2019.

Can co-ethnics access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No provision restricting non-citizen residents access to employment services.

Sources: Consultation with expert, Trabaja Perú Oficina de Empleo [Laboral Orientation Office]. February 22, 2019.

Can agricultural workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No provision restricting non-citizen residents access to employment services.

Sources: Consultation with expert, Trabaja Perú Oficina de Empleo [Laboral Orientation Office]. February 22, 2019.

Can medical doctors access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No provision restricting non-citizen residents access to employment services.

Sources: Consultation with expert, Trabaja Perú Oficina de Empleo [Laboral Orientation Office]. February 22, 2019.

Can permanent residents access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No provision restricting non-citizen residents access to employment services. Not applicable

Sources: Consultation with expert, Trabaja Perú Oficina de Empleo [Laboral Orientation Office]. February 22, 2019.

IMMIGRANT_32: Recognition of qualifications.

Recognition of qualifications acquired abroad by asylum seekers:

Answer: Yes, but different procedure than for nationals

Code: 0.5

Explanation: Higher fees than for nationals are required. Recognition proceeds when there are Treaties signed and ratified by Peru and its counterparts that provide for a commitment to recognition in the area of university education; in that case the Recognition is made on the mention as it appears in the Diploma. Recognition also proceeds when studies have been completed in universities in countries with which Peru does not have agreements. In this case, a payment of the corresponding processing fee of S/. 645.00 in the banks indicated by SUNEDU (Scotiabank, Interbank and Banco de La Nación) is required. The originals of the diploma and/or certificates are scanned and returned to the applicant at the time of presentation of the application for recognition. In the case of a Returned Migrant (prior accreditation granted by the Ministry of Foreign Affairs), the amount to be paid is S/. 322.50.

Sources: SUNEDU. "Procedimiento de reconocimiento de grados y títulos extranjeros [Procedure for the Recognition of Foreign Degrees and Titles]". Accessed October 31, 2018. <https://www.sunedu.gob.pe/procedimiento-de-reconocimiento-de-grados-y-titulos-extranjeros/>.

Recognition of qualifications acquired abroad by refugees:

Answer: Yes, but different procedure than for nationals

Code: 0.5

Explanation: Higher fees are required than for nationals. Recognition proceeds when there are Treaties signed and ratified by Peru and its counterparts that provide for a commitment to recognition in the area of university education; in that case the Recognition is made on the mention as it appears in the Diploma. Recognition also proceeds when studies have been completed in universities in countries with which Peru does not have agreements. In this case, a payment of the corresponding processing fee of S/. 645.00 in the banks indicated by SUNEDU (Scotiabank, Interbank and Banco de La Nación) is required. The originals of the diploma and/or certificates are scanned and returned to the applicant at the time of presentation of the application for recognition. In the case of a Returned Migrant (prior accreditation granted by the Ministry of Foreign Affairs), the amount to be paid is S/. 322.50.

Sources: SUNEDU. "Procedimiento de reconocimiento de grados y títulos extranjeros [Procedure for the Recognition of Foreign Degrees and Titles]". Accessed October 31, 2018.
<https://www.sunedu.gob.pe/procedimiento-de-reconocimiento-de-grados-y-titulos-extranjeros/>.

Recognition of qualifications acquired abroad by co-ethnics:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by domestic workers:

Answer: Yes, but different procedure than for nationals

Code: 0.5

Explanation: Higher fees are required than for nationals. Recognition proceeds when there are Treaties signed and ratified by Peru and its counterparts that provide for a commitment to recognition in the area of university education; in that case the Recognition is made on the mention as it appears in the Diploma. Recognition also proceeds when studies have been completed in universities in countries with which Peru does not have agreements. In this case, a payment of the corresponding processing fee of S/. 645.00 in the banks indicated by SUNEDU (Scotiabank, Interbank and Banco de La Nación) is required. The originals of the diploma and/or certificates are scanned and returned to the applicant at the time of presentation of the application for recognition. In the case of a Returned Migrant (prior accreditation granted by the Ministry of Foreign Affairs), the amount to be paid is S/. 322.50.

Sources: SUNEDU. "Procedimiento de reconocimiento de grados y títulos extranjeros [Procedure for the Recognition of Foreign Degrees and Titles]". Accessed October 31, 2018.
<https://www.sunedu.gob.pe/procedimiento-de-reconocimiento-de-grados-y-titulos-extranjeros/>.

Recognition of qualifications acquired abroad by agricultural workers:

Answer: Yes, but different procedure than for nationals

Code: 0.5

Explanation: Higher fees are required than for nationals. Recognition proceeds when there are Treaties signed and ratified by Peru and its counterparts that provide for a commitment to recognition in the area of university education; in that case the Recognition is made on the mention as it appears in the Diploma. Recognition also proceeds when studies have been completed in universities in countries with which Peru does not have agreements. In this case, a payment of the corresponding processing fee of S/. 645.00 in the banks indicated by SUNEDU (Scotiabank, Interbank and Banco de La Nación) is required. The originals of the diploma and/or certificates are scanned and returned to the applicant at the time of presentation of the application for recognition. In the case of a Returned Migrant (prior accreditation granted by the Ministry of Foreign Affairs), the amount to be paid is S/. 322.50.

Sources: SUNEDU. "Procedimiento de reconocimiento de grados y títulos extranjeros [Procedure for the Recognition of Foreign Degrees and Titles]". Accessed October 31, 2018. <https://www.sunedu.gob.pe/procedimiento-de-reconocimiento-de-grados-y-titulos-extranjeros/>.

Recognition of qualifications acquired abroad by medical doctors:

Answer: Yes, but different procedure than for nationals

Code: 0.5

Explanation: Higher fees are required than for nationals. Recognition proceeds when there are Treaties signed and ratified by Peru and its counterparts that provide for a commitment to recognition in the area of university education; in that case the Recognition is made on the mention as it appears in the Diploma. Recognition also proceeds when studies have been completed in universities in countries with which Peru does not have agreements. In this case, a payment of the corresponding processing fee of S/. 645.00 in the banks indicated by SUNEDU (Scotiabank, Interbank and Banco de La Nación) is required. The originals of the diploma and/or certificates are scanned and returned to the applicant at the time of presentation of the application for recognition. In the case of a Returned Migrant (prior accreditation granted by the Ministry of Foreign Affairs), the amount to be paid is S/. 322.50.

Sources: SUNEDU. "Procedimiento de reconocimiento de grados y títulos extranjeros [Procedure for the Recognition of Foreign Degrees and Titles]". Accessed October 31, 2018. <https://www.sunedu.gob.pe/procedimiento-de-reconocimiento-de-grados-y-titulos-extranjeros/>.

Recognition of qualifications acquired abroad by permanent residents:

Answer: Yes, but different procedure than for nationals

Code: 0.5

Explanation: Higher fees are required than for nationals. Recognition proceeds when there are Treaties signed and ratified by Peru and its counterparts that provide for a commitment to recognition in the area of university education; in that case the Recognition is made on the mention as it appears in the Diploma. Recognition also proceeds when studies have been completed in universities in countries with which Peru does not have agreements. In this case, a payment of the corresponding processing fee of S/. 645.00 in the banks indicated by SUNEDU (Scotiabank, Interbank and Banco de La Nación) is required. The originals of the diploma and/or certificates are scanned and returned to the applicant at the time of presentation of the application for recognition. In the case of a Returned Migrant (prior accreditation granted by the Ministry of Foreign Affairs), the amount to be paid is S/. 322.50.

Sources: SUNEDU. "Procedimiento de reconocimiento de grados y títulos extranjeros [Procedure for the Recognition of Foreign Degrees and Titles]". Accessed October 31, 2018. <https://www.sunedu.gob.pe/procedimiento-de-reconocimiento-de-grados-y-titulos-extranjeros/>.

5.3.3. Worker's rights

IMMIGRANT_33: Membership in trade unions.

Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: The Decree 010-2003, which regulates unions in Peru, does not include nationality requirements to be a member of a union (Art. 12).

Sources: Decreto Supremo 010-2003-TR [Supreme Decree 010-2003-TR]. 2003. Art. 12.

Can refugees be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: The Decree 010-2003, which regulates unions in Peru, does not include nationality requirements to be a member of a union (Art. 12).

Sources: Decreto Supremo 010-2003-TR [Supreme Decree 010-2003-TR]. 2003. Art. 12.

Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: The Decree 010-2003, which regulates unions in Peru, does not include nationality requirements to be a member of a union (Art. 12).

Sources: Decreto Supremo 010-2003-TR [Supreme Decree 010-2003-TR]. 2003. Art. 12.

Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: The Decree 010-2003, which regulates unions in Peru, does not include nationality requirements to be a member of a union (Art. 12).

Sources: Decreto Supremo 010-2003-TR [Supreme Decree 010-2003-TR]. 2003. Art. 12.

Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: The Decree 010-2003, which regulates unions in Peru, does not include nationality requirements to be a member of a union (Art. 12).

Sources: Decreto Supremo 010-2003-TR [Supreme Decree 010-2003-TR]. 2003. Art. 12.

Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: The Decree 010-2003, which regulates unions in Peru, does not include nationality requirements to be a member of a union (Art. 12).

Sources: Decreto Supremo 010-2003-TR [Supreme Decree 010-2003-TR]. 2003. Art. 12.

IMMIGRANT_34: Job transferability.

Can asylum seekers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Employer change has to be communicated to Migraciones.

Sources: Consultation with expert, Laboral Migraciones. February 22, 2019.

Can refugees change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Employer change has to be communicated to Migraciones.

Sources: Consultation with expert, Laboral Migraciones. February 22, 2019.

Can co-ethnics change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Employer change has to be communicated to Migraciones.

Sources: Consultation with expert, Laboral Migraciones. February 22, 2019.

Can agricultural workers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Employer change has to be communicated to Migraciones.

Sources: Consultation with expert, Laboral Migraciones. February 22, 2019.

Can medical doctors change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Employer change has to be communicated to Migraciones.

Sources: Consultation with expert, Laboral Migraciones. February 22, 2019.

Can permanent residents change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Employer change has to be communicated to Migraciones.

Sources: Consultation with expert, Laboral Migraciones. February 22, 2019.

IMMIGRANT_35: Right to redress.

Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 1428 of the Civil Code establishes that "In contracts with reciprocal benefits, when one of the parties lacks the compliance with its provision, the other party may request compliance or resolution of the contract and, in one or the other case, compensation for damages. From the date of the citation with the demand for resolution, the defendant remains prevented from fulfilling his benefit".

Sources: Decreto Legislativo N° 295 [Legislative Decree 295]. 1965. Art. 1426.

Do refugees have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 1428 of the Civil Code establishes that "In contracts with reciprocal benefits, when one of the parties lacks the compliance with its provision, the other party may request compliance or resolution of the contract and, in one or the other case, compensation for damages. From the date of the citation with the demand for resolution, the defendant remains prevented from fulfilling his benefit".

Sources: Decreto Legislativo N° 295 [Legislative Decree 295]. 1965. Art. 1426.

Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 1428 of the Civil Code establishes that "In contracts with reciprocal benefits, when one of the parties lacks the compliance with its provision, the other party may request compliance or resolution of the contract and, in one or the other case, compensation for damages. From the date of the citation with the demand for resolution, the defendant remains prevented from fulfilling his benefit."

Sources: Decreto Legislativo N° 295 [Legislative Decree 295]. 1965. Art. 1426.

Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 1428 of the Civil Code establishes that "In contracts with reciprocal benefits, when one of the parties lacks the compliance with its provision, the other party may request compliance or resolution of the contract and, in one or the other case, compensation for damages. From the date of the citation with the demand for resolution, the defendant remains prevented from fulfilling his benefit."

Sources: Decreto Legislativo N° 295 [Legislative Decree 295]. 1965. Art. 1426.

Do medical doctors have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 1428 of the Civil Code establishes that "In contracts with reciprocal benefits, when one of the parties lacks the compliance with its provision, the other party may request compliance or resolution of the contract and, in one or the other case, compensation for damages. From the date of the citation with the demand for resolution, the defendant remains prevented from fulfilling his benefit."

Sources: Decreto Legislativo N° 295 [Legislative Decree 295]. 1965. Art. 1426.

Do permanent residents have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 1428 of the Civil Code establishes that "In contracts with reciprocal benefits, when one of the parties lacks the compliance with its provision, the other party may request compliance or resolution of the contract and, in one or the other case, compensation for damages. From the date of the citation with the demand for resolution, the defendant remains prevented from fulfilling his benefit."

Sources: Decreto Legislativo N° 295 [Legislative Decree 295]. 1965. Art. 1426.

5.3.4. Property rights

IMMIGRANT_36: Property rights.

Can asylum seekers acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 71 of the Constitution establishes that: "Ownership by foreigners. As for property, foreigners, whether natural or legal persons, are in the same condition as Peruvians, without being able to invoke exception or diplomatic protection in any case. However, within fifty kilometres of the borders, foreigners may not acquire or possess by any title, mines, lands, forests, waters, fuels or sources of energy, directly or indirectly, individually or in society, under penalty of losing, for the benefit of the State, the right thus acquired".

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 71.

Can refugees acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 71 of the Constitution establishes that: "Ownership by foreigners. As for property, foreigners, whether natural or legal persons, are in the same condition as Peruvians, without being able to invoke exception or diplomatic protection in any case. However, within fifty kilometres of the borders, foreigners may not acquire or possess by any title, mines, lands, forests, waters, fuels or sources of energy, directly or indirectly, individually or in society, under penalty of losing, for the benefit of the State, the right thus acquired".

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 71.

Can co-ethnics acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 71 of the Constitution establishes that: "Ownership by foreigners. As for property, foreigners, whether natural or legal persons, are in the same condition as Peruvians, without being able to invoke exception or diplomatic protection in any case. However, within fifty kilometres of the

borders, foreigners may not acquire or possess by any title, mines, lands, forests, waters, fuels or sources of energy, directly or indirectly, individually or in society, under penalty of losing, for the benefit of the State, the right thus acquired”.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 71.

Can agricultural workers acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 71 of the Constitution establishes that: "Ownership by foreigners. As for property, foreigners, whether natural or legal persons, are in the same condition as Peruvians, without being able to invoke exception or diplomatic protection in any case. However, within fifty kilometres of the borders, foreigners may not acquire or possess by any title, mines, lands, forests, waters, fuels or sources of energy, directly or indirectly, individually or in society, under penalty of losing, for the benefit of the State, the right thus acquired”.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 71.

Can medical doctors acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 71 of the Constitution establishes that: "Ownership by foreigners. As for property, foreigners, whether natural or legal persons, are in the same condition as Peruvians, without being able to invoke exception or diplomatic protection in any case. However, within fifty kilometres of the borders, foreigners may not acquire or possess by any title, mines, lands, forests, waters, fuels or sources of energy, directly or indirectly, individually or in society, under penalty of losing, for the benefit of the State, the right thus acquired”.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 71.

Can permanent residents acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 71 of the Constitution establishes that: "Ownership by foreigners. As for property, foreigners, whether natural or legal persons, are in the same condition as Peruvians, without being able to invoke exception or diplomatic protection in any case. However, within fifty kilometres of the borders, foreigners may not acquire or possess by any title, mines, lands, forests, waters, fuels or sources of energy, directly or indirectly, individually or in society, under penalty of losing, for the benefit of the State, the right thus acquired”.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 71.

5.4. Social policies

5.4.1. Family reunification

Can asylum seekers bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 41 of the Regulation of the Refugee Law establishes that: "Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant".

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Can refugees bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 25 of the Refugee Law establishes that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited".

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Can co-ethnics bring their families to their country of residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 37.3 of the Migration Law regarding family reunification establishes that “(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives and may be different”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Can agricultural workers bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 37.3 of the Migration Law regarding family reunification establishes that “(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Can medical doctors bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 37.3 of the Migration Law regarding family reunification establishes that “(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Can permanent residents bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 37.3 of the Migration Law regarding family reunification establishes that “(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Eligibility

IMMIGRANT_37: Resident requirement for ordinary legal residents.

Residence requirement for ordinary legal residents (asylum seekers). In months:

Answer: 3

Code: 3

Explanation: No residence requirement, but permit duration matters. Art. 41 of the Regulation of the Refugee Law establishes that: "Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant".

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Residence requirement for ordinary legal residents (asylum seekers):

Answer: less or equal to a year

Code: 0.5

Explanation: No residence requirement, but permit duration matters. Art. 41 of the Regulation of the Refugee Law establishes that: "Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant".

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Residence requirement for ordinary legal residents (refugees). In months:

Answer: 0

Code: 0

Explanation: No residence requirement, but permit duration matters. Art. 25 of the Refugee Law establishes that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited".

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Residence requirement for ordinary legal residents (refugees):

Answer: less or equal to a year

Code: 0.5

Explanation: No residence requirement, but permit duration matters. Art. 25 of the Refugee Law establishes that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited".

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Residence requirement for ordinary legal residents (co-ethnics). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers). In months:

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Residence requirement for ordinary legal residents (domestic workers):

Answer: less or equal to a year

Code: 0.5

Explanation: No residence requirement. Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not

opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Residence requirement for ordinary legal residents (agricultural workers). In months:

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 37.3 of the Migration Law regarding family reunification establishes that “(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Residence requirement for ordinary legal residents (agricultural workers):

Answer: less or equal to a year

Code: 0.5

Explanation: No residence requirement. Art. 37.3 of the Migration Law regarding family reunification establishes that “(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Residence requirement for ordinary legal residents (medical doctors). In months:

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 37.3 of the Migration Law regarding family reunification establishes that “(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Residence requirement for ordinary legal residents (medical doctors):

Answer: less or equal to a year

Code: 0.5

Explanation: No residence requirement. Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Residence requirement for ordinary legal residents (permanent residents). In months:

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Residence requirement for ordinary legal residents (permanent residents):

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

IMMIGRANT_38: Family members considered for reunification.

Family member eligible for reunification (asylum seekers): Spouse.

Answer: yes

Code: 1

Explanation: Art. 41 of the Regulation of the Refugee Law establishes that: "Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant."

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Art. 41 of the Regulation of the Refugee Law establishes that: "Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant."

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Family member eligible for reunification (asylum seekers): Children.

Answer: yes

Code: 1

Explanation: Art. 41 of the Regulation of the Refugee Law establishes that: "Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant".

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Family member eligible for reunification (asylum seekers): Parents.

Answer: yes

Code: 1

Explanation: Art. 41 of the Regulation of the Refugee Law establishes that: "Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant".

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Family member eligible for reunification (asylum seekers): Grandparents.

Answer: no

Code: 0

Explanation: Art. 41 of the Regulation of the Refugee Law: " Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant".

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Family member eligible for reunification (refugees): Spouse.

Answer: yes

Code: 1

Explanation: Art. 25 of the Refugee Law establishes regarding family reunification that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited".

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Art. 25 of the Refugee Law establishes regarding family reunification that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited".

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Family member eligible for reunification (refugees): Children.

Answer: yes

Code: 1

Explanation: Art. 25 of the Refugee Law establishes regarding family reunification that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited".

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Family member eligible for reunification (refugees): Parents.

Answer: yes

Code: 1

Explanation: Art. 25 of the Refugee Law establishes regarding family reunification that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited."

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Family member eligible for reunification (refugees): Grandparents.

Answer: no

Code: 0

Explanation: Art. 25 of the Refugee Law establishes regarding family reunification that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited".

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Family member eligible for reunification (co-ethnics): Spouse.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Children.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Parents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Grandparents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Spouse.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (domestic workers): Children.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (domestic workers): Parents.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of

the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (domestic workers): Grandparents.

Answer: no

Code: 0

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (agricultural workers): Spouse.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (agricultural workers): Children.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (agricultural workers): Parents.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (agricultural workers): Grandparents.

Answer: no

Code: 0

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (medical doctors): Spouse.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit,

the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (medical doctors): Children.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (medical doctors): Parents.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (medical doctors): Grandparents.

Answer: no

Code: 0

Explanation: Art. 38 of the Migration Law: "Family Migration Unit. For the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (permanent residents): Spouse.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : "for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : "for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or

daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (permanent residents): Children.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (permanent residents): Parents.

Answer: yes

Code: 1

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Family member eligible for reunification (permanent residents): Grandparents.

Answer: no

Code: 0

Explanation: Art. 38 of the Migration Law establishes the definition of a family migration unit (applicable to family reunification). The article establishes that : “for the purposes of the migratory unit, the family nucleus of the national or foreigner applying for family reunification, is made up of the following people: a. The spouse or the partner (de facto union) in accordance with the provisions of the Civil Code; b. The minor son or daughter; c. An adult son or daughter up to the age of twenty-eight (28) years of age, single marital status following technical or higher studies; d. The unmarried son or daughter of legal age who does not in aptitude to take care of his subsistence by causes of physical or mental disability properly checked; e. The minor son or daughter of the spouse or of the member of the common-law union abroad; f. The unmarried adult son or daughter of the spouse or of the a member of the common-law union, who is not found in aptitude to take care of his subsistence by causes of physical or mental disability duly established; g. The ascendant in the first degree; h. The first-degree ascendant of the spouse or the member of the common-law union”.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 38.

Security of status

IMMIGRANT_39: Length of application procedure.

Length of application procedure in months (asylum seekers).

Answer: 97

Code: not established in the law

Explanation: No provision in main regulations.

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Length of application procedure (asylum seekers).

Answer: no regulation of maximum length

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Length of application procedure in months (refugees).

Answer: 97

Code: 97

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002.

Length of application procedure (refugees).

Answer: no regulation of maximum length

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 27891 [Law 27891]. 2002.

Length of application procedure in months (co-ethnics).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (co-ethnics).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (domestic workers).

Answer: 1.5

Code: 1.5

Explanation: The procedure takes 30 working days.

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 31, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

Length of application procedure (domestic workers).

Answer: less or equal six months defined by law

Code: 1

Explanation: The procedure takes 30 working days.

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 31, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

Length of application procedure in months (agricultural workers).

Answer: 1.5

Code: 1.5

Explanation: The procedure takes 30 working days.

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 31, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

Length of application procedure (agricultural workers).

Answer: less or equal six months defined by law

Code: 1

Explanation: The procedure takes 30 working days.

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 31, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

Length of application procedure in months (medical doctors).

Answer: 1.5

Code: 1.5

Explanation: The procedure takes 30 working days.

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 31, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

Length of application procedure (medical doctors).

Answer: less or equal six months defined by law

Code: 1

Explanation: The procedure takes 30 working days.

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 31, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

Length of application procedure in months (permanent residents).

Answer: 1.5

Code: 1.5

Explanation: The procedure takes 30 working days.

Sources: Not applicable

Length of application procedure (permanent residents).

Answer: less or equal six months defined by law

Code: 1

Explanation: The procedure takes 30 working days.

Sources: MIGRACIONES. "Solicitud de visas de residentes [Resident Visa Application]". Accessed October 31, 2018. <https://www.migraciones.gob.pe/index.php/solicitud-de-visas-de-residentes/>.

IMMIGRANT_40: Duration of permit.

Duration of validity of permit (asylum seekers):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Art. 41 of the Regulation of the Refugee Law establishes that: "Upon receipt of the application for refugee status, the Special Commission shall arrange for the issuance of a provisional document attesting that the case is in the process of qualification, in order to guarantee the applicant and, if appropriate, his family members, temporary permanence in the country until a final decision on the protection requested has been rendered. This provisional document shall be valid for 60 renewable working days and shall contain a work permit in order to facilitate the maintenance of the applicant."

Sources: Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 41.

Duration of validity of permit (refugees):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Art. 25 of the Refugee Law establishes that "refugee status may be extended to the spouse of the refugee, or to the person with whom he or she maintains a stable common-law relationship, to his or her children or to other persons economically dependent on him or her, when this has been requested and duly accredited."

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 25.

Duration of validity of permit (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (domestic workers):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Duration of validity of permit (agricultural workers):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Duration of validity of permit (medical doctors):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

Duration of validity of permit (permanent residents):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Art. 37.3 of the Migration Law regarding family reunification establishes that "(f)amily members of the foreigner with resident immigration status may or may not opt for the immigration status of resident or another of their choice, if they meet the requirements demanded by the regulations. The immigration status of the foreign holder does not extend to their relatives, and may be different".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 37.3.

IMMIGRANT_41: Grounds for rejection, withdrawing or refusing to renew status.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in the refugee or immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in the refugee or immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in the refugee or immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the refugee or immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the refugee or immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Break-up of family relationship is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the refugee or immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulations about grounds for rejection, withdrawing or refusing to renew status in matters of family reunification.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRANT_42: Special circumstances.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRANT_43: Legal guarantees and redress in case of refusal or withdrawal.

Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in this regard.

Sources: Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

IMMIGRANT_44: Right to autonomous permit.

Right to autonomous residence permit for partners and children at age of majority (asylum seekers):

Answer: no right

Code: 0

Explanation: No provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Right to autonomous residence permit for partners and children at age of majority (refugees):

Answer: no right

Code: 0

Explanation: No provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Right to autonomous residence permit for partners and children at age of majority (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (domestic workers):

Answer: no right

Code: 0

Explanation: No provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Right to autonomous residence permit for partners and children at age of majority (agricultural workers):

Answer: no right

Code: 0

Explanation: No provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Right to autonomous residence permit for partners and children at age of majority (medical doctors):

Answer: no right

Code: 0

Explanation: No provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

Right to autonomous residence permit for partners and children at age of majority (permanent residents):

Answer: no right

Code: 0

Explanation: No provision in this regard.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017.

5.4.2. Education

IMMIGRANT_45: Access to education.

Children of asylum seekers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Children of refugees have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 20 of Refugee Law (Refugee Rights and Obligations): "The refugee, as recognized by the Peruvian State, has the same rights and obligations that the Constitution and the laws grant to the resident alien, without prejudice to the provisions of the Convention on the Status of Refugees and the present Law." Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf. / Ley N° 27891 [Law 27891]. 2002. Art. 20. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Children of co-ethnics have access to compulsory education:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of domestic workers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Children of agricultural workers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Children of medical doctors have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru,

such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Children of permanent residents have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

IMMIGRANT_46: Access to higher education.

Asylum seekers and their children have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the

prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Refugees have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Co-ethnics have access to higher education:

Answer: Not applicable

Code: not applicable

Explanation: Not applicable

Sources: Not applicable

Domestic workers have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Agricultural workers have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Medical doctors have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

Permanent residents have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 9 of the Migration Law establishes that "(t)he State recognizes foreigners the enjoyment and exercise of the fundamental rights established in the Political Constitution of Peru, such as access to health, education and work in equal conditions than nationals, except the prohibitions and limitations established in the current regulations." Art. 3 of the Law 28044 establishes that "(e)ducation is a fundamental right of the individual and of society. The State guarantees the exercise of the right to a comprehensive and quality education for all and the universalization of Basic Education. Society has the responsibility to contribute to education and the right to participate in its development." According to the OIM: "All minor aliens and children of resident aliens, have the right and the duty to take part in the education proceedings under the same conditions as Peruvians, i.e. access to basic education, free of charge and compulsory, as well as the obtaining of the corresponding academic degree; access to the public scholarship system, among others. Basic training in Peru includes teaching and secondary education".

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9. / Ley N° 28044 [Law 28044]. 2003. Art. 3. / OIM. "Informe "Situación de los migrantes extranjeros en el Perú y su acceso a servicios sociales, servicios de salud y educación" [Report "Situation of Foreign Migrants in Peru and their Access to Social Services, Health Services and Education"]. Accessed October 31, 2018. http://www.oimperu.org/sites/default/files/Documentos/03112016Informe%20FinalExtranjerosPERU_OIM.pdf.

IMMIGRANT_47: Support for language instruction.

Provision of education support in language(s) of instruction for migrant pupils:

Answer: no

Code: 0

Explanation: The government does not have any education support Spanish programs for migrant pupils. One of the reasons is because mostly all the immigrants come from the region and are also Spanish speakers.

Sources: Gobierno del Perú. “Ministerio de Educación [Ministry of Education]”. Access date not available. <https://www.gob.pe/minedu>. / Gobierno del Perú. “Ministerio de Cultura [Ministry of Culture]”. Access date not available. <https://www.gob.pe/cultura>.

IMMIGRANT_48: Intercultural education.

Intercultural education is included in pre-service training in order to qualify as a teacher:

Answer: no

Code: 0

Explanation: The government has created the “Plan Nacional de Educación Bilingüe” (National Bilingual Education Plan)”, however the aim of this program is to improve children's learning, and adults belonging to indigenous peoples in the exercise of their right to self-determination. Teachers have been trained in this regard to close the gaps between demand and supply of bilingual teachers.

Sources: Gobierno del Perú. “Plan Nacional de Educación Intercultural Bilingüe. Matriz de Planificación Estratégica” [National Plan for Bilingual Intercultural Education. Strategic Planning Matrix]. Accessed November 1, 2018. http://www.minedu.gob.pe/campanias/pdf/eib-planes/plan_nacional_eib_castellano.pdf.

IMMIGRANT_49: Integration in teachers' syllabus.

Migration and integration are obligatory topics in professional development training:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Reglamento de la Ley del Profesorado N° 24029 y su modificatoria Ley N° 25212 [Regulations to the Teachers' Law Number 24029 and its Amendment Law Number 25212]. 1990. / Ministerio de Educación. 2017. “Una mirada a la profesión docente en el Perú: futuros docentes, docentes en servicio y formadores docentes [A Look at the Teaching Profession in Peru: Future Teachers, In-Service Teachers and Teacher Trainers]”. Accessed November 1, 2018. <http://unesdoc.unesco.org/images/0026/002609/260917s.pdf>.

5.4.3. Health care

IMMIGRANT_50: Conditions for inclusion in the health care system

Conditions for inclusion of asylum seekers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 9 of the Migration Law (Rights of foreigners) establishes that "(t)he State recognizes the foreigner's exercise of the fundamental rights laid down in the Political Constitution of Peru, such as access to public services like health, education and work on an equal footing that nationals, except for prohibitions and limitations laid down in the regulations in force." Additionally, Art. 1 of the General Health Law establishes that "(e)very person has the right to free access to health benefits, and to choose the pension system of your preference".

Sources: Ley N° 26842 [Law 26842]. 1997. Art. 1. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9.

Conditions for inclusion of refugees in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 9 of the Migration Law (Rights of foreigners) establishes that "(t)he State recognizes the foreigner's exercise of the fundamental rights laid down in the Political Constitution of Peru, such as access to public services like health, education and work on an equal footing that nationals, except for prohibitions and limitations laid down in the regulations in force." Additionally, Art. 1 of the General Health Law establishes that "(e)very person has the right to free access to health benefits, and to choose the pension system of your preference".

Sources: Ley N° 26842 [Law 26842]. 1997. Art. 1. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9.

Conditions for inclusion of co-ethnics in the health care system:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of domestic workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 9 of the Migration Law (Rights of foreigners) establishes that "(t)he State recognizes the foreigner's exercise of the fundamental rights laid down in the Political Constitution of Peru, such as access to public services like health, education and work on an equal footing that nationals, except for prohibitions and limitations laid down in the regulations in force." Additionally, Art. 1 of the General Health Law establishes that "(e)very person has the right to free access to health benefits, and to choose the pension system of your preference".

Sources: Ley N° 26842 [Law 26842]. 1997. Art. 1. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9.

Conditions for inclusion of agricultural workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 9 of the Migration Law (Rights of foreigners) establishes that "(t)he State recognizes the foreigner's exercise of the fundamental rights laid down in the Political Constitution of Peru, such as access to public services like health, education and work on an equal footing that nationals, except for prohibitions and limitations laid down in the regulations in force." Additionally, Art. 1 of the General Health Law establishes that "(e)very person has the right to free access to health benefits, and to choose the pension system of your preference".

Sources: Ley N° 26842 [Law 26842]. 1997. Art. 1. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9.

Conditions for inclusion of medical doctors in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 9 of the Migration Law (Rights of foreigners) establishes that "(t)he State recognizes the foreigner's exercise of the fundamental rights laid down in the Political Constitution of Peru, such as access to public services like health, education and work on an equal footing that nationals, except for prohibitions and limitations laid down in the regulations in force." Additionally, Art. 1 of the General Health Law establishes that "(e)very person has the right to free access to health benefits, and to choose the pension system of your preference".

Sources: Ley N° 26842 [Law 26842]. 1997. Art. 1. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9.

Conditions for inclusion of permanent residents in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 9 of the Migration Law (Rights of foreigners) establishes that "(t)he State recognizes the foreigner's exercise of the fundamental rights laid down in the Political Constitution of Peru, such as access to public services like health, education and work on an equal footing that nationals, except for prohibitions and limitations laid down in the regulations in force." Additionally, Art. 1 of the General Health Law establishes that "(e)very person has the right to free access to health benefits, and to choose the pension system of your preference".

Sources: Ley N° 26842 [Law 26842]. 1997. Art. 1. / Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. Art. 9.

IMMIGRANT_51: Coverage of health care services.

Health care coverage for asylum seekers.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals, no differentiation made in main regulations.

Sources: Consultation with expert, ESSalud Seguro Social Piura. February 22, 2019.

Health care coverage for refugees.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals, no differentiation made in main regulations.

Sources: Consultation with expert, ESSalud Seguro Social Piura. February 22, 2019.

Health care coverage for co-ethnics.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for domestic workers.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals, no differentiation made in main regulations.

Sources: Consultation with expert, ESSalud Seguro Social Piura. February 22, 2019.

Health care coverage for agricultural workers.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals, no differentiation made in main regulations.

Sources: Consultation with expert, ESSalud Seguro Social Piura. February 22, 2019.

Health care coverage for medical doctors.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals, no differentiation made in main regulations.

Sources: Consultation with expert, ESSalud Seguro Social Piura. February 22, 2019.

Health care coverage for permanent residents.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals, no differentiation made in main regulations.

Sources: Consultation with expert, ESSalud Seguro Social Piura. February 22, 2019.

5.4.4. Unemployment benefits

IMMIGRANT_52: Unemployment benefits.

Access of asylum seekers to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Peru. The Insurance for Unemployment (Seguro por desempleo) is still in process of discussion to be created and implemented by the Social Protection Commission.

Sources: Perú21. "Esto es todo lo que debes saber sobre el pago de la CTS [Here is Everything You Need to Know About CTS Payment]. Access date not available. <https://peru21.pe/economia/cts-2018-pagan-me-corresponde-calculo-me-corresponde-beneficio-laboral-peru-74093>. / El Comercio Perú. "¿Por qué el seguro de desempleo es inviable en el Perú? [Why is Unemployment Insurance Unviable in Peru?]". Access date not available. <https://elcomercio.pe/economia/peru/seguro-desempleo-inviable-peru-noticia-475079>. / Ley General del Trabajo [General Labor Law]. 1942. / Websites Social Protection Commission and of Employment (Not available).

Access of refugees to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Peru. The Insurance for Unemployment (Seguro por desempleo) is still in process of discussion to be created and implemented by the Social Protection Commission.

Sources: Perú21. "Esto es todo lo que debes saber sobre el pago de la CTS [Here is Everything You Need to Know About CTS Payment]. Access date not available. <https://peru21.pe/economia/cts-2018-pagan-me-corresponde-calculo-me-corresponde-beneficio-laboral-peru-74093>. / El Comercio Perú. "¿Por qué el seguro de desempleo es inviable en el Perú? [Why is Unemployment Insurance Unviable in Peru?]. Access date not available. <https://elcomercio.pe/economia/peru/seguro-desempleo-inviable-peru-noticia-475079>. / Ley General del Trabajo [General Labor Law]. 1942. / Websites Social Protection Commission and of Employment (Not available).

Access of co-ethnics to unemployment benefits as compared to citizen residents:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Peru. The Insurance for Unemployment (Seguro por desempleo) is still in process of discussion to be created and implemented by the Social Protection Commission.

Sources: Perú21. "Esto es todo lo que debes saber sobre el pago de la CTS [Here is Everything You Need to Know About CTS Payment]. Access date not available. <https://peru21.pe/economia/cts-2018-pagan-me-corresponde-calculo-me-corresponde-beneficio-laboral-peru-74093>. / El Comercio Perú. "¿Por qué el seguro de desempleo es inviable en el Perú? [Why is Unemployment Insurance Unviable in Peru?]. Access date not available. <https://elcomercio.pe/economia/peru/seguro-desempleo-inviable-peru-noticia-475079>. / Ley General del Trabajo [General Labor Law]. 1942. / Websites Social Protection Commission and of Employment (Not available).

Access of agricultural workers to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Peru. The Insurance for Unemployment (Seguro por desempleo) is still in process of discussion to be created and implemented by the Social Protection Commission.

Sources: Perú21. "Esto es todo lo que debes saber sobre el pago de la CTS [Here is Everything You Need to Know About CTS Payment]. Access date not available. <https://peru21.pe/economia/cts-2018-pagan-me-corresponde-calculo-me-corresponde-beneficio-laboral-peru-74093>. / El Comercio Perú.

“¿Por qué el seguro de desempleo es inviable en el Perú? [Why is Unemployment Insurance Unviable in Peru?]”. Access date not available. <https://elcomercio.pe/economia/peru/seguro-desempleo-inviable-peru-noticia-475079>. / Ley General del Trabajo [General Labor Law]. 1942. / Websites Social Protection Commission and of Employment (Not available).

Access of medical doctors to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Peru. The Insurance for Unemployment (Seguro por desempleo) is still in process of discussion to be created and implemented by the Social Protection Commission.

Sources: Perú21. “Esto es todo lo que debes saber sobre el pago de la CTS [Here is Everything You Need to Know About CTS Payment]. Access date not available. <https://peru21.pe/economia/cts-2018-pagan-me-corresponde-calculo-me-corresponde-beneficio-laboral-peru-74093>. / El Comercio Perú. “¿Por qué el seguro de desempleo es inviable en el Perú? [Why is Unemployment Insurance Unviable in Peru?]”. Access date not available. <https://elcomercio.pe/economia/peru/seguro-desempleo-inviable-peru-noticia-475079>. / Ley General del Trabajo [General Labor Law]. 1942. / Websites Social Protection Commission and of Employment (Not available).

Access of permanent residents to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Peru. The Insurance for Unemployment (Seguro por desempleo) is still in process of discussion to be created and implemented by the Social Protection Commission.

Sources: Perú21. “Esto es todo lo que debes saber sobre el pago de la CTS [Here is Everything You Need to Know About CTS Payment]. Access date not available. <https://peru21.pe/economia/cts-2018-pagan-me-corresponde-calculo-me-corresponde-beneficio-laboral-peru-74093>. / El Comercio Perú. “¿Por qué el seguro de desempleo es inviable en el Perú? [Why is Unemployment Insurance Unviable in Peru?]”. Access date not available. <https://elcomercio.pe/economia/peru/seguro-desempleo-inviable-peru-noticia-475079>. / Ley General del Trabajo [General Labor Law]. 1942. / Websites Social Protection Commission and of Employment (Not available).

5.4.5. Retirement benefits

IMMIGRANT_53: Retirement benefits.

Access of asylum seekers to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: All works regardless nationality and migratory status must contribute to the retirement system and can benefit from it (Art. 3 of the Decree 19990).

Sources: ONP. "Monto de aporte al SNP D.L. N° 19990 [Amount of Contribution to SNP D.L. N° 19990]". Accessed November 6, 2018.
https://www.onp.gob.pe/Servicios/estoy_aportando_snp/montos_aportes_trabajadores_tipo_regimen/nf/monto_aporte_19990. / Decreto-Ley N° 19990 [Decree-Law N° 19990]. 1973.

Access of refugees to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: All works regardless nationality and migratory status must contribute to the retirement system and can benefit from it (Art. 3 of the Decree 19990).

Sources: ONP. "Monto de aporte al SNP D.L. N° 19990 [Amount of Contribution to SNP D.L. N° 19990]". Accessed November 6, 2018.
https://www.onp.gob.pe/Servicios/estoy_aportando_snp/montos_aportes_trabajadores_tipo_regimen/nf/monto_aporte_19990. / Decreto-Ley N° 19990 [Decree-Law N° 19990]. 1973.

Access of co-ethnics to retirement benefits as compared to citizen residents:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: All works regardless nationality and migratory status must contribute to the retirement system and can benefit from it (Art. 3 of the Decree 19990).

Sources: ONP. "Monto de aporte al SNP D.L. N° 19990 [Amount of Contribution to SNP D.L. N° 19990]". Accessed November 6, 2018.
https://www.onp.gob.pe/Servicios/estoy_aportando_snp/montos_aportes_trabajadores_tipo_regimen/nf/monto_aporte_19990. / Decreto-Ley N° 19990 [Decree-Law N° 19990]. 1973.

Access of agricultural workers to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: All works regardless nationality and migratory status must contribute to the retirement system and can benefit from it (Art. 3 of the Decree 19990).

Sources: ONP. "Monto de aporte al SNP D.L. N° 19990 [Amount of Contribution to SNP D.L. N° 19990]". Accessed November 6, 2018.

https://www.onp.gob.pe/Servicios/estoy_aportando_snp/montos_aportes_trabajadores_tipo_regimen/inf/monto_aporte_19990. / Decreto-Ley N° 19990 [Decree-Law N° 19990]. 1973.

Access of medical doctors to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: All works regardless nationality and migratory status must contribute to the retirement system and can benefit from it (Art. 3 of the Decree 19990).

Sources: ONP. "Monto de aporte al SNP D.L. N° 19990 [Amount of Contribution to SNP D.L. N° 19990]". Accessed November 6, 2018.

https://www.onp.gob.pe/Servicios/estoy_aportando_snp/montos_aportes_trabajadores_tipo_regimen/inf/monto_aporte_19990. / Decreto-Ley N° 19990 [Decree-Law N° 19990]. 1973.

Access of permanent residents to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: All works regardless nationality and migratory status must contribute to the retirement system and can benefit from it (Art. 3 of the Decree 19990).

Sources: ONP. "Monto de aporte al SNP D.L. N° 19990 [Amount of Contribution to SNP D.L. N° 19990]". Accessed November 6, 2018.

https://www.onp.gob.pe/Servicios/estoy_aportando_snp/montos_aportes_trabajadores_tipo_regimen/inf/monto_aporte_19990. / Decreto-Ley N° 19990 [Decree-Law N° 19990]. 1973.

5.5. Cultural policies

IMMIGRANT_54: Funding for bilingual education.

Is there public funding for bilingual education in the language of majoritarian migrant groups?

Answer: no

Code: 0

Explanation: The government has in this respect mostly provided funding for the "Plan Nacional de Educación Bilingüe" (National Bilingual Education Plan). This program was created to improve the learning of children and adults belonging to indigenous peoples in the exercise of their right to self-determination.

Sources: Gobierno del Perú. "Plan Nacional de Educación Intercultural Bilingüe. Matriz de Planificación Estratégica" [National Plan for Bilingual Intercultural Education. Strategic Planning Matrix]. Accessed November 1, 2018. http://www.minedu.gob.pe/campanias/pdf/eib-planes/plan_nacional_eib_castellano.pdf.

IMMIGRANT_55: Funding for media on main migrant group's language.

Is there public funding for media in the language of the main migrant group?

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Gobierno del Perú. "Ministerio de Cultura [Ministry of Culture]". Access date not available. <https://www.gob.pe/cultura>. / Gobierno del Perú. "Ministerio de Desarrollo e Inclusión Social [Ministry of Development and Social Inclusion]". Access date not available. <https://www.gob.pe/midis>. / Website of MIGRACIONES.

5.6. Mobility policies

5.6.1. Identity documents

IMMIGRANT_56: Confiscation of identification documents.

Do asylum seekers have the right not to have their identity document confiscated by any-one (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right of not having identity documents confiscated.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 26497 [Law 26497]. 1995. / Decreto Legislativo N° 957 [Legislative Decree 957]. 2004. / Constitución Política del Perú [Political Constitution of Peru]. 1993.

Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right of not having identity documents confiscated.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 26497 [Law 26497]. 1995. / Decreto Legislativo N° 957 [Legislative Decree 957]. 2004. / Constitución Política del Perú [Political Constitution of Peru]. 1993.

Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right of not having identity documents confiscated.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 26497 [Law 26497]. 1995. / Decreto Legislativo N° 957 [Legislative Decree 957]. 2004. / Constitución Política del Perú [Political Constitution of Peru]. 1993.

Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right of not having identity documents confiscated.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 26497 [Law 26497]. 1995. / Decreto Legislativo N° 957 [Legislative Decree 957]. 2004. / Constitución Política del Perú [Political Constitution of Peru]. 1993.

Do medical doctors have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right of not having identity documents confiscated.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 26497 [Law 26497]. 1995. / Decreto Legislativo N° 957 [Legislative Decree 957]. 2004. / Constitución Política del Perú [Political Constitution of Peru]. 1993.

Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right of not having identity documents confiscated.

Sources: Decreto Legislativo N° 1350 [Legislative Decree 1350]. 2017. / Decreto Supremo 007-2017-IN [Supreme Decree 007-2017-IN]. 2017. / Ley N° 26497 [Law 26497]. 1995. / Decreto Legislativo N° 957 [Legislative Decree 957]. 2004. / Constitución Política del Perú [Political Constitution of Peru]. 1993.

5.6.2. Freedom of movement

IMMIGRANT_57: Freedom of movement within country.

Do asylum seekers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: No restrictions regarding mobility rights for asylum seekers. No provision in main regulations.

Sources: Consultation with expert, Migraciones Lima. February 22, 2019.

Do refugees have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: No restrictions regarding mobility rights for refugees. No provision in main regulations.

Sources: Consultation with expert, Migraciones Lima. February 22, 2019.

Do co-ethnics have the right to move freely within the country?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: No restrictions regarding mobility for resident workers.

Sources: Consultation with expert, Migraciones Lima. February 22, 2019.

Do agricultural workers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: No restrictions regarding mobility for resident workers.

Sources: Consultation with expert, Migraciones Lima. February 22, 2019.

Do medical doctors have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: No restrictions regarding mobility for resident workers.

Sources: Consultation with expert, Migraciones Lima. February 22, 2019.

Do permanent residents have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: No restrictions regarding mobility for permanent residents.

Sources: Consultation with expert, Migraciones Lima. February 22, 2019.

IMMIGRANT_58: Freedom to move outside the country.

Do asylum seekers have the right to leave the country?

Answer: no

Code: 0

Explanation: The only provision regarding the right to leave the country refers strictly to refugees, who have to apply for a travelling authorization in order to do so. Art. 24 of the Refugee Law: "A refugee who justifies the need to travel abroad and who has received express authorization from the Special Commission for Refugees shall be issued with a travel document".

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 24.

Number of months of absence allowed per year (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to leave the country?

Answer: yes

Code: 1

Explanation: Art. 24 of the Refugee Law: "A refugee who justifies the need to travel abroad and who has received express authorization from the Special Commission for Refugees shall be issued with a travel document." Article 43 of the Regulation of the Migration Law: "Refugees who do not have a passport or who have one that has expired without the possibility of renewal, shall be entitled to delivery, if they so request, a travel document allowing them to travel outside the territory, in accordance with article 28 of the Refugee Convention. Refugees shall apply to the Special Commission for the granting of express authorization to travel abroad when necessary." Moreover, there is no provision regarding the number of months of absence allowed per year.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 24. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003. Art. 43. / Convention Relating to the Status of Refugees. 1951.

Number of months of absence allowed per year (refugees):

Answer: 12

Code: 12

Explanation: There is no provision regarding the number of months of absence allowed per year for refugees.

Sources: Ley N° 27891 [Law 27891]. 2002. / Decreto Supremo 119-2003-RE [Supreme Decree 119-2003-RE]. 2003.

Do co-ethnics have the right to leave the country?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to leave the country?

Answer: yes

Code: 1

Explanation: Article 33 of the Migration Law establishes that resident migrants lose their permit if the period of absence from the national territory is more than one hundred and eighty three (183) consecutive days, in a period of three hundred and sixty-five (365) days. Additionally, foreigners with Migratory Status of Residence Permanent lose their category if the period of absence from the territory is greater than three hundred and sixty-five (365) consecutive days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

Number of months of absence allowed per year (domestic workers):

Answer: 6

Code: 6

Explanation: Article 33 of the Migration Law establishes that resident migrants lose their permit if the period of absence from the national territory is more than one hundred and eighty three (183) consecutive days, in a period of three hundred and sixty-five (365) days. Additionally, foreigners with

Migratory Status of Residence Permanent lose their category if the period of absence from the territory is greater than three hundred and sixty-five (365) consecutive days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

Do agricultural workers have the right to leave the country?

Answer: yes

Code: 1

Explanation: Article 33 of the Migration Law establishes that resident migrants lose their permit if the period of absence from the national territory is more than one hundred and eighty three (183) consecutive days, in a period of three hundred and sixty-five (365) days. Additionally, foreigners with Migratory Status of Residence Permanent lose their category if the period of absence from the territory is greater than three hundred and sixty-five (365) consecutive days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

Number of months of absence allowed per year (agricultural workers):

Answer: 6

Code: 6

Explanation: Article 33 of the Migration Law establishes that resident migrants lose their permit if the period of absence from the national territory is more than one hundred and eighty three (183) consecutive days, in a period of three hundred and sixty-five (365) days. Additionally, foreigners with Migratory Status of Residence Permanent lose their category if the period of absence from the territory is greater than three hundred and sixty-five (365) consecutive days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

Do medical doctors have the right to leave the country?

Answer: yes

Code: 1

Explanation: Article 33 of the Migration Law establishes that resident migrants lose their permit if the period of absence from the national territory is more than one hundred and eighty three (183) consecutive days, in a period of three hundred and sixty-five (365) days. Additionally, foreigners with Migratory Status of Residence Permanent lose their category if the period of absence from the territory is greater than three hundred and sixty-five (365) consecutive days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

Number of months of absence allowed per year (medical doctors):

Answer: 6

Code: 6

Explanation: Article 33 of the Migration Law establishes that resident migrants lose their permit if the period of absence from the national territory is more than one hundred and eighty three (183) consecutive days, in a period of three hundred and sixty-five (365) days. Additionally, foreigners with Migratory Status of Residence Permanent lose their category if the period of absence from the territory is greater than three hundred and sixty-five (365) consecutive days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

Do permanent residents have the right to leave the country?

Answer: yes

Code: 1

Explanation: Article 33 of the Migration Law establishes that resident migrants lose their permit if the period of absence from the national territory is more than one hundred and eighty three (183) consecutive days, in a period of three hundred and sixty-five (365) days. Additionally, foreigners with Migratory Status of Residence Permanent lose their category if the period of absence from the territory is greater than three hundred and sixty-five (365) consecutive days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

Number of months of absence allowed per year (permanent residents):

Answer: 12

Code: 12

Explanation: Article 33 of the Migration Law establishes that resident migrants lose their permit if the period of absence from the national territory is more than one hundred and eighty three (183) consecutive days, in a period of three hundred and sixty-five (365) days. Additionally, foreigners with Migratory Status of Residence Permanent lose their category if the period of absence from the territory is greater than three hundred and sixty-five (365) consecutive days.

Sources: Ley N° 27891 [Law 27891]. 2002. Art. 33.

5.6.3. Obligations

5.6.4. Military service

IMMIGRANT_59: Military service.

Do asylum seekers have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: While there is a military service for Peruvians from the age of 18, it is of a voluntary nature.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012.

Do refugees have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: While there is a military service for Peruvians from the age of 18, it is of a voluntary nature.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012.

Do co-ethnics have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: While there is a military service for Peruvians from the age of 18, it is of a voluntary nature.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012.

Do agricultural workers have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: While there is a military service for Peruvians from the age of 18, it is of a voluntary nature.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012.

Do medical doctors have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: While there is a military service for Peruvians from the age of 18, it is of a voluntary nature.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012.

Do permanent residents have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: While there is a military service for Peruvians from the age of 18, it is of a voluntary nature.

Sources: Decreto Legislativo N° 1146 [Legislative Decree 1146]. 2012.

5.6.5. Social service

IMMIGRANT_60: Social service.

Do asylum seekers have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: There is no “social service”, only a “voluntariado”.

Sources: Ley N° 28238 [Law 28238]. 2015.

Do refugees have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: There is no “social service”, only a “voluntariado”.

Sources: Ley N° 28238 [Law 28238]. 2015.

Do co-ethnics have the obligation to comply with social service?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: There is no “social service”, only a “voluntariado”.

Sources: Ley N° 28238 [Law 28238]. 2015.

Do agricultural workers have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: There is no “social service”, only a “voluntariado”.

Sources: Ley N° 28238 [Law 28238]. 2015.

Do medical doctors have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: There is no “social service”, only a “voluntariado”.

Sources: Ley N° 28238 [Law 28238]. 2015.

Do permanent residents have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: There is no “social service”, only a “voluntariado”.

Sources: Ley N° 28238 [Law 28238]. 2015.

5.6.6. Taxes

IMMIGRANT_61: Income taxes.

Do asylum seekers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 6 of Income Tax Law establishes that all taxable income obtained by the owners of the property shall be subject to the tax. Additionally, it establishes that taxpayers are all those who are deemed to be domiciled in the country regardless nationality. Art. 7 of the Income Tax Law establishes that "(t)hey are considered domiciled in the country: a) Natural persons of Peruvian nationality who have domicile in the country, of in accordance with the rules of common law. (b) Foreign natural persons who have resided or remained in the country more than one hundred and eighty-three (183) calendar days during any period of twelve (12) months calendar days."

Sources: Decreto Legislativo N° 774 [Legislative Decree 774]. 1993. Art. 6 and 7.

Do refugees have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 6 of Income Tax Law establishes that all taxable income obtained by the owners of the property shall be subject to the tax. Additionally, it establishes that taxpayers are all those who are deemed to be domiciled in the country regardless nationality. Art. 7 of the Income Tax Law establishes that "(t)hey are considered domiciled in the country: a) Natural persons of Peruvian nationality who have domicile in the country, of in accordance with the rules of common law. (b) Foreign natural persons who have resided or remained in the country more than one hundred and eighty-three (183) calendar days during any period of twelve (12) months calendar days."

Sources: Decreto Legislativo N° 774 [Legislative Decree 774]. 1993. Art. 6 and 7.

Do co-ethnics have to pay income taxes in state of reception?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 6 of Income Tax Law establishes that all taxable income obtained by the owners of the property shall be subject to the tax. Additionally, it establishes that taxpayers are all those who are deemed to be domiciled in the country regardless nationality. Art. 7 of the Income Tax Law establishes that "(t)hey are considered domiciled in the country: a) Natural persons of Peruvian nationality who have domicile in the country, of in accordance with the rules of common law. (b) Foreign natural persons who have resided or remained in the country more than one hundred and eighty-three (183) calendar days during any period of twelve (12) months calendar days."

Sources: Decreto Legislativo N° 774 [Legislative Decree 774]. 1993. Art. 6 and 7.

Do agricultural workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 6 of Income Tax Law establishes that all taxable income obtained by the owners of the property shall be subject to the tax. Additionally, it establishes that taxpayers are all those who are deemed to be domiciled in the country regardless nationality. Art. 7 of the Income Tax Law establishes that "(t)hey are considered domiciled in the country: a) Natural persons of Peruvian nationality who have domicile in the country, of in accordance with the rules of common law. (b) Foreign natural persons who have resided or remained in the country more than one hundred and eighty-three (183) calendar days during any period of twelve (12) months calendar days."

Sources: Decreto Legislativo N° 774 [Legislative Decree 774]. 1993. Art. 6 and 7.

Do medical doctors have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 6 of Income Tax Law establishes that all taxable income obtained by the owners of the property shall be subject to the tax. Additionally, it establishes that taxpayers are all those who are deemed to be domiciled in the country regardless nationality. Art. 7 of the Income Tax Law establishes that "(t)hey are considered domiciled in the country: a) Natural persons of Peruvian nationality who have domicile in the country, of in accordance with the rules of common law. (b) Foreign natural persons who have resided or remained in the country more than one hundred and eighty-three (183) calendar days during any period of twelve (12) months calendar days."

Sources: Decreto Legislativo N° 774 [Legislative Decree 774]. 1993. Art. 6 and 7.

Do permanent residents have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 6 of Income Tax Law establishes that all taxable income obtained by the owners of the property shall be subject to the tax. Additionally, it establishes that taxpayers are all those who are deemed to be domiciled in the country regardless nationality. Art. 7 of the Income Tax Law establishes that "(t)hey are considered domiciled in the country: a) Natural persons of Peruvian nationality who have domicile in the country, of in accordance with the rules of common law. (b) Foreign natural

persons who have resided or remained in the country more than one hundred and eighty-three (183) calendar days during any period of twelve (12) months calendar days."

Sources: Decreto Legislativo N° 774 [Legislative Decree 774]. 1993. Art. 6 and 7.

5.7. Administration

IMMIGRANT_62: Existence of immigrant integration agency in state of reception.

Existence of institution/agency with competencies for immigrant policies:

Answer: yes

Code: 1

Explanation: The Superintendencia Nacional de Migraciones (short "Migraciones"), which is subordinated to the Ministry of Interior, is in charge of implementing migration policies.

Sources: Portal del Estado Peruano. "Organigrama del Estado Peruano [Organigram of the Peruvian State]". Access date not available. <http://www.peru.gob.pe/docs/estado.pdf>. / Decreto Legislativo N° 1130 [Legislative Decree 1130]. 2012. / Consultation with expert, Consul of the Peruvian Embassy in Berlin.

Name of the institution with competencies for immigrant policies in original language:

Answer: Superintendencia Nacional de Migraciones

Name of the institution with competencies for immigrant policies in English:

Answer: National Superintendence of Migration

Access to antidiscrimination body.

Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):

Answer: Yes

Code: 1

Explanation: Yes. Migrants can recur in this case to the Ombudsperson in the category of "special protection groups".

Sources: Ley N° 26520 [Law 26520]. 1995. / Defensoría del Pueblo del Perú. "Población migrante [Migrant Population]". https://www.defensoria.gob.pe/grupos_de_proteccion/poblacion-migrante/.

6. Immigrant citizenship and nationality

6.1. Immigrant nationality

6.1.1. Immigrant dual nationality

IMNAT_1: Renunciation of previous nationality.

Does the country require applicants to naturalization by residence to renounce their previous nationality?

Answer: Yes

Code: 0

Explanation: Any foreign person wishing to acquire Peruvian Nationality by Naturalization must renounce their previous nationality.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 14.

Citizenship can be withdrawn only if person resides outside the country:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

Are there exceptions?

Answer: No exceptions

Code: 4

Explanation: No exceptions in main regulations.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

IMNAT_1_1: Sanctions.

Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?

Answer: No

Code: 0

Explanation: There is no provision in the nationality regulation about sanctions.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. / Ley N° 26574 [Law 26574]. 1995.

6.1.2. Emigrant dual nationality for immigrants who naturalized

IMNAT_2: Emigrant dual nationality for naturalized immigrants.

Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?

Answer: No provision

Code: 1

Explanation: No. Peruvian nationality is not lost, except by express resignation before a Peruvian authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 53. / Ley N° 26574 [Law 26574]. 1995.

6.1.3. Loss of nationality after residence abroad for naturalized immigrants

IMNAT_3: Loss after residence abroad for naturalized immigrants

For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad

Answer: No provision

Code: 1

Explanation: No. Peruvian nationality is not lost, except by express resignation before a Peruvian authority.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 53. / Ley N° 26574 [Law 26574]. 1995.

After how many years abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.1.4. Unrestrictive jus soli

IMNAT_4: Unrestrictive jus soli.

Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?

Answer: Yes

Code: 1

Explanation: As established by Art. 52 of the Constitution, those born in the territory of the Republic of Peru are Peruvian by birth.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 52.

6.1.5. Qualified jus soli

IMNAT_5: Qualified jus soli.

Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?

Answer: No

Code: 0

Explanation: No. No provision for qualified jus soli.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.6. Standard naturalization procedure for immigrants due to residence

IMNAT_6: Ordinary naturalization.

Does the country provide for standard naturalization procedure for immigrants due to residence in it?

Answer: Yes, provision for standard naturalization based on residence

Code: 1

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

Number of years of residence required for naturalization:

Answer: 2

Code: 2

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

Number of continuous years of residence required for naturalization:

Answer: 2

Code: 2

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

Permanent residence status is required for naturalization:

Answer: No

Code: 0

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

Renunciation of previous nationality is required:

Answer: No exceptions to renunciation requirement specified in law

Code: 1

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

Language condition for naturalization:

Answer: No language condition in the law

Code: 0

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

Civil knowledge is a requisite for naturalization:

Answer: No naturalization test or cultural assimilation condition

Code: 0

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

Clean criminal record is a requisite:

Answer: Absence of criminal sentences or misdemeanors punishable with 3 months or less (or equivalent penalty)

Code: 1

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

Economic resources as requisite for naturalization:

Answer: Includes employment condition or no welfare dependency ONLY at time of application

Code: 0.75

Explanation: The requisites for ordinary naturalization are: 1. Be over 18 years of age and enjoy full civil capacity. 2. To reside legally in the territory of the Republic for at least two consecutive years. 3. To regularly exercise profession, art, trade, business activity and/or be a rentier. 4. Have no criminal or judicial record, good conduct and moral solvency. 5. Demonstrate economic solvency that allows to live independently, without affecting the public order.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

6.1.7. Socialization based acquisition of citizenship

IMNAT_7: Naturalization by socialization.

Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?

Answer: Yes

Code: 1

Explanation: Yes. Art. 16 of decree 004-97-IN establishes that persons born outside the territory of the Republic, children of foreign parents, who reside in Peru since the age of five, which at the time of reaching the majority of age, according to the laws in force manifest their will to be Peruvians before the Direction of Naturalization can naturalize.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 16.

6.1.8. Special procedure for immigrants with very long residence in country

IMNAT_8: Long residence.

Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?

Answer: No

Code: 0

Explanation: No. No provision in main regulations.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.9. Preferential naturalization for immigrants from specific countries

IMNAT_9: Preferential naturalization by country.

Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific country?

Answer: No

Code: 0

Explanation: No. No provision in main regulations.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.10. Cultural affinity/Ethnic ties

IMNAT_10: Preferential naturalization due to cultural or ethnic ties.

Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?

Answer: No

Code: 0

Explanation: No. No provision in main regulations.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.11. Spousal transfer

IMNAT_11: Spousal transfer.

Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?

Answer: Yes

Code: 1

Explanation: Yes. The condition is that a person has to be married with a Peruvian citizen and has been living in the country for two years under this circumstance (Art. 16 Decreto Supremo No 004-97-IN).

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.12. Filial transfer

IMNAT_12: Filial transfer.

Does the country provide for acquisition of nationality by the child of a person who is already a national citizen?

Answer: No

Code: 0

Explanation: There is no provision in the nationality regulation about this matter.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. / Ley N° 26574 [Law 26574]. 1995.

6.1.13. Special naturalization for refugees

IMNAT_13: Refugees.

Does the country facilitate the acquisition of nationality by a refugee in its territory?

Answer: No

Code: 0

Explanation: No. No provision in main regulations.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.14. Naturalization for special achievements/talents

IMNAT_14: Special talents.

Does the country provide for the acquisition of nationality by a person in account of special achievements/talents?

Answer: Yes

Code: 1

Explanation: Yes. Art. 8 of decree 004-97-IN establishes that Peruvians by naturalization are: "(...) b. Foreign persons residing in the territory of the Republic who offered distinguished services to the

Peruvian Nation, at the proposal of the Executive Branch, the Congress of the Republic confers this honor on them by means of a Legislative Resolution”.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. Art. 8.

6.1.15. Naturalization due to investment/financial assets

IMNAT_15: Special talents.

Does the country provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?

Answer: No

Code: 0

Explanation: No provisions in main regulation.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.16. Transfer to other relatives

IMNAT_16: Transfer to other relatives.

Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.17. Nationality for the stateless

IMNAT_17: Stateless.

Does the country facilitate the naturalization of a stateless person in its territory?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.1.18. Nationality for regularized immigrants

IMNAT_18: Regularization.

Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?

Answer: No differentiation

Code: 0.5

Explanation: No differentiation in main regulations.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997. / Ley N° 26574 [Law 26574]. 1995.

6.1.19. Naturalization possible even if applicant had irregular status before

IMNAT_19: Irregular status.

Does the country provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization (i. e. is ever having been an irregular migrant an impediment to regularize)?

Answer: No

Code: 0

Explanation: There is no provision in the regulation about a possible naturalization if applicant had irregular status before.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. / Decreto Supremo N° 004-97-IN [Supreme Decree 004-97-IN]. 1997.

6.2. Immigrant citizenship

6.2.1. Restrictions on citizenship for naturalized immigrants

IMCIT_1: Restrictions for naturalized immigrants.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?

Answer: Yes

Code: 1

Explanation: Yes. To be elected President of the Republic it is required to be Peruvian by birth, be more than thirty-five years of age at the time of birth, and enjoy the right to vote.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 110.

For how long are the restrictions applied?

Answer: Indefinitely

Code: 0

Explanation: To be elected President of the Republic it is required to be Peruvian by birth, be more than thirty-five years of age at the time of birth, and enjoy the right to vote.

Sources: Ley N° 26859 [Law 26859]. 1997.

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 1

Explanation: Art. 110. To be elected President of the Republic it is required to be Peruvian by birth, be more than thirty-five years of age at the time of birth, and enjoy the right to vote.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 110.

Do the restrictions apply to public office posts?

Answer: Yes

Code: 1

Explanation: To be elected President of the Republic it is required to be Peruvian by birth, be more than thirty-five years of age at the time of birth, and enjoy the right to vote.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993. Art. 110.

Other type of restrictions

Answer: No

Code: 0

Explanation: No other restrictions in main provisions.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993.

6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized

IMCIT_2. Loss or suspension of citizenship.

Does the country deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: Yes

Code: 1

Explanation: Yes, i.e. they can only vote in national and general elections, but not in regional and local. They also cannot stand as candidates in any level.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 224.

Are these rights recovered upon return?

Answer: yes

Code: 1

Explanation: Yes, i.e. they can only vote in national and general elections, but not in regional and local. They also cannot stand as candidates in any level.

Sources: Ley N° 26859 [Law 26859]. 1997. Art. 224.

6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals

IMCIT_3: Restrictions for naturalized immigrants who are dual nationals.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?

Answer: Yes

Code: 1

Explanation: Yes, Article 11 of Nationality law states that dual nationality does not confer upon naturalized foreigners the exclusive rights of Peruvians by birth.

Sources: Ley N° 26574 [Law 26574]. 1995. Art. 11.

How long do the restrictions apply?

Answer: 0

Code: Indefinetly

Explanation: Article 11 of Nationality law states that dual nationality does not confer upon naturalized foreigners the exclusive rights of Peruvians by birth.

Sources: Ley N° 26574 [Law 26574]. 1995. Art. 11.

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 0

Explanation: To be elected President of the Republic it is required to be Peruvian by birth, be more than thirty-five years of age at the time of birth, and enjoy the right to vote.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993.

Do the restrictions apply to public office post?

Answer: Yes

Code: 0

Explanation: To be elected President of the Republic it is required to be Peruvian by birth, be more than thirty-five years of age at the time of birth, and enjoy the right to vote.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993.

Other type of restrictions (beyond electoral and public office posts).

Answer: No

Code: 0

Explanation: To be elected President of the Republic it is required to be Peruvian by birth, be more than thirty-five years of age at the time of birth, and enjoy the right to vote.

Sources: Constitución Política del Perú [Political Constitution of Peru]. 1993.