

Factsheet: Trump's deportations of Venezuelans and other Latin Americans



President Trump has begun a process of mass deportations of Latin Americans whom he terms “criminal illegal aliens” or “terrorists” and “gang members.” As part of this policy, Trump is taking steps to end birthright citizenship, a move that would disproportionately affect nearly 70 million Latinos in the US. Arbitrary arrests, deportations, and the revocation of documentation are escalating.

To conduct deportations, the Trump administration has invoked the 1798 Alien and Enemies Act as a thinly veiled legal pretext to justify the mass expulsion of Venezuelans, Nicaraguans, and other Latin Americans without legal process.

These moves are in contravention of the US constitution’s 5th Amendment guarantee that “no person shall ... be deprived of life, liberty or property, without due process of law.” The word “person,” courts have noted, makes no distinction between citizens or non-citizens, while the Supreme Court has long held that this fundamental principle extends to immigrants in deportation proceedings.

A total of 252 Venezuelans branded by the Trump administration as “foreign terrorists” have been deported to El Salvador under a deal worth US\$6 million struck with the ultra-reactionary Salvadoran President Nayib Bukele. The Trump administration has labelled these individuals as members of a gang originating in Venezuela and known as ‘Tren de Aragua’, without providing notice, evidence, or a chance to contest the allegations.

Among those deported is a Venezuelan migrant called Maiker Escalona, who was sent first to the US detention facility in Guantanamo Bay, Cuba, on 29th March 2025 and the following day moved to the notorious high security Terrorism Confinement Center (CECOT) in El Salvador, housing alleged “terrorists”.

Maiker had originally arrived in Texas in May 2024 with his wife, Yorely Bernal Inciarte, and their daughter, Maikelys Antonella Espinoza Bernal, requesting asylum, a right protected under US and international law. The family was separated by officials, their baby daughter put into foster care and the parents held in different detention facilities, with limited opportunities to communicate with one another.

Seeing no progress in their asylum request Maikelys’ parents eventually requested deportation, to be reunited with their daughter. But Maiker Escalona was deported to El Salvador while Yorely Inciarte was deported to Venezuela in April 2025 without her daughter, despite apparently being told she would be released with her.

The US Department of Homeland Security (DHS) alleges, without providing any evidence, that both parents have links to the criminal gang Tren de Aragua.

In response, the Venezuelan Supreme Tribunal of Justice (TSJ) ordered the “immediate return” of Maikelys Espinoza, stating that the child is being illegally held in the United States and kept away from her family. President Maduro made Maikelys’s detention the focus of the country’s International Workers Day rally and

called for her to be released and returned to Venezuela to be cared for by her mother and grandmother. A fortnight later, following high-level talks with Trump's Special Envoy Richard Grenell, Maikelys was returned to Venezuela and welcomed at the airport by government representatives celebrating her return and a diplomatic victory for Venezuela.

Trump's actions and his partnership with Bukele have prompted strong criticism in the region. Amnesty International has condemned the Venezuelans' expulsion, which happened despite a court order explicitly barring their removal. The degrading treatment of detainees has also been deplored.

The non-governmental organization American Association of Jurists, which brings together jurists from all countries of the Americas, has accused the Trump and Bukele governments of crimes against humanity for the detention and forced transfer of Venezuelan immigrants to El Salvador's CECOT mega-prison.

Human rights groups have extensively documented that those held in the El Salvador prison system, including the CECOT mega-prison, face torture and cruel, inhumane, and degrading treatment. This includes physical violence and unsafe conditions linked to deaths in custody, extreme restrictions on food, water, medicine, and toilet access, denial of fresh air, and widespread abuse.

In a statement, Amanda Strayer, Senior Counsel for Accountability at Human Rights First, a nonpartisan human rights organisation with headquarters in New York, said:

"Under President Bukele, human rights, democratic norms, and the rule of law have all but disappeared in El Salvador.... the Trump administration is cosyng up to and copying Bukele's authoritarian playbook – rounding up people with no evidence, denying them any due process, and disappearing them in abusive Salvadoran prisons indefinitely."

The Bolivarian Alliance for the Peoples of Our America (ALBA-TCP) has also condemned the US government's use of the 1798 Alien and Enemies Act to justify what it calls "systematic persecution against the Venezuelan migrant community."

In ALBA-TCP's view, this "constitutes a serious attack on the principles of international law and human rights", with the deportations without trial or due process constituting "a mass kidnapping, with the complicity of the president of El Salvador, Nayib Bukele, led by the U.S. Secretary of State, Marco Rubio."

In Venezuela, the families of the deported migrants have demanded the immediate release of their loved ones. Gathered in front of the United Nations quarter in Caracas, they handed in a letter requesting the UN to lead the way for justice to be done and asking the international organisation to mediate with the government of Nayib Bukele for the deportees' repatriation

At a government level, Attorney General Tarek Williams Saab has petitioned El Salvador's Supreme Court for habeas corpus relief for the detained Venezuelans, while President Maduro has condemned the deportations as kidnappings and also sought intervention from the UN's Secretary General and the UN High Commissioner for Human Rights.