

Enhancing refugees' integration: new initiatives in Brazil

Liliana Lyra Jubilut

Recent initiatives in Brazil have strengthened protection and enhanced integration opportunities for refugees.

Brazil's commitment to refugee law and protection since the mid-1950s resulted in the passing of a bill on refugees in 1997 (Law 9474). This not only broadened protection for refugees by including gross violation of human rights as a criterion for refugee status but also created an administrative procedure for refugee status determination (RSD) and established the basis for refugee protection and integration in Brazil. This third task is undertaken by the Brazilian government, UNHCR and civil society together. Bringing social actors other than the government into the fold is regarded as a positive aspect of refugee protection and integration in Brazil, providing for a more holistic commitment to the cause of refugees. The government is, however, the most relevant actor in refugee protection, given that the National Committee on Refugees (CONARE), which has responsibility for RSD, votes by simple majority and is composed of six representatives of government and only one representative of civil society.

Civil society, on the other hand, has led the way in supporting the integration of refugees in Brazil, providing, through direct work or partnership, up to

60% of the total budget for refugee integration in the country. This highlights the fact that in the first 10 years of modern refugee protection in the country, the focus of the government seems to have been on eligibility rather than on integration. This trend, however, has started to change since the 10th anniversary of the 1997 law.

Since 2007 the Brazilian government has begun to devote attention both to refugee protection (through maintaining procedures on RSD that uphold international standards) and refugee integration, and has started to establish public policies on refugees. The federal government is looking into the insertion of refugees in existing public policies in Brazil; where this is not possible, it is considering the creation of specific public policies for refugees.

Concern for the economic and social rights of refugees has now extended to the local government level where there have been new initiatives to improve refugee protection through integration.

State Committees on Refugees

One of these initiatives has been the creation of State Committees on Refugees, in the states of São Paulo and Rio de Janeiro. These two states have the two

most relevant centres for refugee protection in the country, given that the two UNHCR implementing partners for local integration are in these cities and assist over 90% of the refugees in Brazil.¹

The first State Committee on Refugees was established in São Paulo in April 2008, presided over by the Secretary of Justice and the Defence of Citizenship. It brings together representatives from several other ministries – Economy and Planning, Housing, Assistance and Social Development, Employment and Work Relations, Education, Health, Institutional Relations, Culture, and Public Security – and from UNHCR, local UNHCR implementing partners and State defence attorneys. At the end of 2009 Rio de Janeiro established its State Committee with similarly wide representation.²

So far, the State Committee in São Paulo has acted in three different situations: on an issue of public security involving resettled refugees in the countryside, on a health issue concerning a hospital and resettled refugees, and by including 102 refugees and asylum seekers in its State work programme. It is clear from the Committee's actions to date – i.e. involving groups of refugees but not the whole refugee population – that the Committee does not want to micro-manage individual cases but has yet to adopt public policies that will benefit the whole refugee population in the State. It is important that the Committee has started to act in specific cases that were brought to its attention but it is essential that broader public policy issues be its main concern in future actions.

At the municipal level, a committee was set up in the city of São Paulo involving organs of the City hall, under the coordination of the Municipal Commission on Human Rights, and civil society to debate public policies for

refugees and immigrants there. This is an important example of local government acting to protect refugees.

These initiatives on refugee integration and on public policies for refugees in Brazil appear to be rooted in three factors. Firstly, in recent years Brazil has begun to be concerned with development and economic and social rights for its native population and this focus seems to have spread to refugees as well.

Secondly, in light of the growing urbanisation of the world's refugee population, UNHCR has started to work towards securing the rights of refugees in urban settings and is therefore highlighting the need for a more comprehensive integration and protection of refugees in urban settings such as in Brazil.

Lastly, the focus on refugee integration has been one of the main axes of the Mexico Plan of Action under the Cities of Solidarity initiative.³ The main goal of this initiative is to promote access to basic services in health, education, employment and housing – all best achieved through public policies.

It is important to highlight, however, that the State Committees for Refugees should not be seen as an end in themselves. Rather, they work as a catalyst for the creation of public policies to help ensure full protection of refugees in Brazil, guaranteeing both their civil and political rights and their economic and social rights.

Liliana Lyra Jubilut (ljubilut@gmail.com) has been working as a lawyer, consultant and researcher with refugees in Brazil for 11 years.

1. UNHCR also has implementing partners for resettlement and for protection.

2. For information regarding the representation in Rio de Janeiro's Committee, see Decreto 42182 of December 2009.

3. <http://www.acnur.org/biblioteca/pdf/3453.pdf>