

Amnesty for clandestine refugees in Brazil

Alex André Vargem

Alongside the more than 3,800 refugees recognised by the Brazilian government, others arrive in the holds of cargo ships and slip unregistered into Brazil. “After my village was attacked, I ran away through the forest and walked to the port where I found a ship ... I had no idea where I was but finally I ended up here in Brazil.”

Between 1998 and 2005 nearly half of those refused refugee status in Brazil were Africans. If their asylum application is rejected, a refugee has 15 days to lodge an appeal with the Ministry of Justice. Between 1998 and the end of 2006 there were 1,040 appeals, of which only 10 were successful. The government claims that many of those appealing do not fall under the refugee law but are economic migrants. With no prospect of getting refugee status elsewhere, these people stay illegally in Brazil.

In mid-2009 the Brazilian government offered an amnesty. ‘Irregular’ foreigners who had arrived before February that year had 180 days to claim amnesty. Many of these people live

illegally because they have been refused recognised status but being ‘without papers’ makes them reluctant to expose themselves to the government. They fear expulsion since it is the federal police who have the authority to grant amnesty.

Among the obstacles for obtaining an amnesty is the price: R\$64 (US\$32). Since many of those who might be eligible are unemployed or work illegally, they are unable to pay. The Public Defender has begun a process to lift the charge.

Some organisations of African refugees and of the black movement in Brazil are trying to gather information about African refugees and submit it to the government.

Some African refugees see the amnesty as a chance to be regularised, to be recognised by the Brazilian state – a way to a brighter future.

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