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 these initiatives on refugee integration 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.

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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.

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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