



**MONITORING THE EVOLUTION OF THE NORMATIVE FRAMEWORK AND  
PUBLIC DEBATE CONCERNING INTERNATIONAL MIGRATION**

in

**SÃO PAULO**

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## **REPORT**

### **The emergence of a new approach towards immigrants in the city**

Media monitoring on international migration in São Paulo, focussed mainly on Latin American population, in particular the Bolivian community that represents the largest foreign group in the city. Moreover, several local officers and politicians were interviewed. Some important changes appear to be under way as to how the *Prefeitura* deals with the issue. The once invisible subject of Latin American migrants is receiving increasing attention by the public opinion and, though not yet a priority issue, international migration begins to be looked at in a light somewhat different from the past.

### **Interview with Floriano Pesaro, director, Municipal Social Welfare Department**

Since the *Prefeitura* Social Welfare Department main attention is on the already very large population in extremely poor conditions, the migrants needs and demands are not considered a priority task by the Department. However the Secretary believes that the concern of undocumented migrants to show up at public services is a problem: in fact, would the migrants express their needs, the Municipality could not deny some support.

### **Secretaria de Participação e Parceria**

Within the framework of the EU URBAL 10 programme, the Department for Participation and Partnership is implementing a quite innovative initiative. The “Integração dos imigrantes na cidade como forma de combate à pobreza” project was initiated in the first semester of 2006, as a partnership between the Department and the FAMSI (Andalucia Foundation). Granada (Spain) coordinates the network, composed by Nanterre (France); Quito (Ecuador); San Salvador (El Salvador) and Junin (Argentina). The project aims to assess the conditions of the migrant groups as well as the perception the local populations shows towards the migrants, looking primarily at:

- the historical evolution of the phenomenon;
- the recent trends, with regard in particular to undocumented immigrants, segregation and social exclusion;
- the migrants location within the city and the possible emerging of spatial segregation patterns;
- the socio-economic conditions, with specific reference to education, income, working situation, living conditions, family composition, sociability, leisure, culture, sport, vulnerability, relations with their countries of origin as well as with Brazil, the local population perception of migrants and, in turn, the migrants’ perception of the local population.

The assessments also focuses on the Brazilian national and local governments approach to international migration, by looking at:

- the migration regulatory framework: the 1988 Constitution; the “Foreigners Statute”; the ongoing debate on the revision of the current national migration law; visa and permits issuing requirements; attitudes towards undocumented immigrants; amnesties and bilateral agreements; the role of the Ministry of Labor and of the Federal Police;
- the recent policies and practices adopted by the federal and regional governments;
- the identification of the social services delivered to international migrants by NGOs, immigrant's associations and other organizations of the civil society.

The results of the assessment will be available by December, and MiURb-AL has been asked to contribute to the debate.

### **City of São Paulo Human Rights Commission**

The Human Rights Commission is a governmental but independent body entrusted with controlling the government compliance with international human rights treaty obligations, particularly by reporting on abuses and conducting advocacy campaigns. Initiated in 2002, the project has only recently initiated focusing explicitly on the issue of migrants' rights, promoting a series of seminars on the migrants' conditions in São Paulo. This represents a clear shift from the past and a clear evidence that the subject is assuming a growing importance for the city.

### **Training Program on Food Processing**

The *Prefeitura* set up a training program for the food vendors in "Kantuta Market", the Sunday market and main gathering point for the Bolivian community. Attendance to the free training program, which included courses on hygienic rules and norms, was a precondition for receiving the permit to sell food in the market.

### **Media**

International migration is slowly emerging in the city press. Most articles highlight Bolivian migrants hazardous working conditions and some, attention is being given to the regularization issue. Yet, most articles describing the city as a multicultural and cosmopolitan melting pot do not mention the Bolivian or Latin American communities. On the other hand, many articles appeared on Brazilian migration to rich countries, especially the US.

### **"Comissão Parlamentar de Inquérito" on migrants working conditions**

Brazilian City Councils can set up Parliamentary Investigation Commissions, composed of elected councillors and experts, to deal with issues emerging from specific allegations. At the beginning of 2005 a special Investigation Commission was set up for investigating the seemingly widespread phenomenon of migrants "slavery" in the city sweatshops. It was the first time that migrants' rights were considered as a priority by the City Council. The Commission collected testimonies from the federal police, lawyers, public attorneys as well as migrants.

After examining the living and working conditions of mainly Bolivians migrants employed in the sweatshops, the Commission harshly criticised the Brazilian regularization campaign comparing it with the evidently more successful campaign implemented in Argentina, through a much simpler and less expensive approach. The Commission also proposed some regulatory measures in order to prevent the hiring of illegal labour, such as the control of the working conditions in the garments factories and a training program for city officers dealing with migrants.

### **Bilateral Agreement Brazil-Bolivia**

A bilateral agreement was set up between Brazil and Bolivia in order to regularize the undocumented Bolivian migrants. However, according to *O Estado de São Paulo* (August 7th 2006), only 30% of undocumented migrants have regularized their situation so far, due mainly to the high application costs (US\$ 400), the complex documentation required such as a statement of "lawfulness" issued to the applicant by the Bolivian police, the lack of adequate information about the initiative, and the lack of support from Bolivian consulate in São Paulo.