

Somos todas/os

MIGRANTES

ACCESS TO RIGHTS FOR MIGRANTS AND PUBLIC SERVANTS







WE ARE ALL MIGRANTS

Access to rights for migrants and public servants

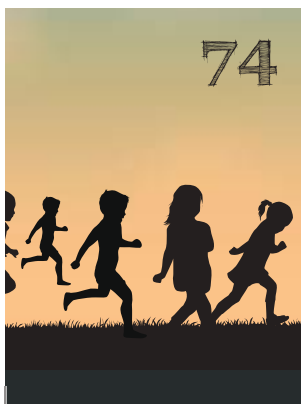
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INTRODUCTION

Welcome to São Paulo! The state capital has been historically built and rebuilt by migrants of different nationalities, ethnicities, cultures and languages, which contributed to the economic and cultural richness of the city. However, we are still working towards being a city fully and humanely prepared to accept the

many migrants and refugees who pass through, live and work here. It is notoriously difficult to meet the basic public service needs of migrants in the city, be it due to the language barrier, lack of knowledge about legislation or the lack of specialized technical support. These factors add to the other difficulties in daily life.

Despite the many migrant rights already guaranteed by law, there is still great ignorance and a lack of information on the subject in the Brazilian population. The creation of a municipal policy for migrants begun in 2013 and is guided by the principle that all public facilities must be prepared to serve the migrant population, avoiding segregation and guaranteeing rights. The Reference and Reception Center for Immigrants (CRAI) was created for the more complex cases involving specific issues. Several actions have also been carried out in order to bring the public, social organizations, public facilities and migrants together.

This practical guide, the result of these actions, was put together to

try and ease existing problems and better advise not only the migrant population about their rights, but also the public servants from the different existing services in the capital. Basic information can be found in these pages about how to access the rights already guaranteed for migrants. There are also telephone numbers and addresses for public facilities, as well as organizations and agencies working in the defense of migrants and refugees. More than just informative material, this guide should serve as an instrument so all migrants can gain access to fundamental public services.

The objective is to reinforce that, independent of nationality or documentation, migrants should not be impeded from having access to health, education or decent work conditions.

This was established in the 1988 Federal Constitution under article 5:

"All are equal under the law, without

distinction of any nature, guaranteeing to Brazilians and foreign residents in the Country, the inviolability of the right to life, liberty, equality, security and property"

We hope that this guide will be useful, especially for those who have just arrived and need basic information. Happy reading!



NOTE

To simplify the reading of the Guide, we use the term "migrant" to encompass the different types of immigrants and people in a refugee situation, regardless of their basis in Brazilian legislation or their documentation.

→ GLOSSARY



ACNUR / UNHCR – United Nations High Commissioner for Refugees
Coordinates international actions for the protection of asylum seekers and refugees, seeking solutions for the issues in question. It has the support of the public organizations: Caritas SP, Caritas RJ and the IMDH.

CIC do Imigrante / Immigrant CIC – Immigrant Citizenship and Integration Center A Center that welcomes and serves migrants in the



city of São Paulo and focuses on services such as orientation and State and Federal Public Defense, to name but a few.

COETRAE – State Commission for the Eradication of Slave Labor

The Commission responsible for monitoring and evaluating programs and projects related to preventing and combatting slave labor in the State of São Paulo.

COMTRAÉ – Municipal Commission for the Eradication of Slave Labor

Under the jurisdiction of the MSHRC, the aim of the commission is to prevent and combat slave labor in the city of São Paulo.

CNIg – National Immigration Council

The body responsible for the formulation and coordination of policies and actions relating to immigration. It judges some cases relating to the solicitation of residency.

CONARE – National Committee for Refugees

The body linked to the Ministry of Justice, which analyzes and judges claims for refugee status. It is formed by representatives of various ministries, Federal Police and the public.

CPMig – Migrant Policy Coordination

Linked to the MSHRC, its aim is to articulate and create public policies on migration in the city of São Paulo.

CRAI - The Reference and Reception Center for Immigrants

Center linked to MSHRC and MSSA, which receives and welcomes migrants in the city of São Paulo and offers assistance and orientation and directs them to other services.

DEAM – Special Police for Assistance to Women

Linked to the State of São Paulo Secretariat of Public Security and offers police and psychosocial assistance to victims of domestic and sexual violence.

DECRADI – Racial Crimes and Crimes of Intolerance Police Station

Linked to the State of São Paulo Secretariat of Public Security, it works on investigating complaints relating to cases of homophobia, racism and religious intolerance.

**DENATRAM – National Transit Department**

Responsible for the creation of rules and rights for the National Transit Policy.

DPE – State Public Defense

Provides free legal advice for Brazilians and migrants on a low family income. It deals with cases involving the family rights, defense for state criminal processes, human rights, fights discrimination, and women, child and youth rights to but a few.

DPU – Public Defender of the Union

Provides free legal advice for Brazilians and migrants on a low family income. It deals with cases involving difficulty with migration regularization, migrant documentation, defense for federal criminal processes, welfare or benefits assistance, and health, among other issues.

GCM – Metropolitan Civil Guard

Institution responsible for security in the city. They should be called in emergencies.

IML – Legal Medical Institute

Subordinate to the Technical and Scientific Police Superintendent, and provides technical benchmarks in Legal Medicine for the prosecution of criminal cases.

MERCOSUR – Southern Common Market

A regional block formed by Argentina, Brazil, Uruguay and other associated States. It creates policies on economic, social and migratory integration between the signatory countries and those linked to it.

MJ – Ministry of Justice

Federal Government Ministry responsible for the drafting and creation of



public policies, which promote justice and respect for human rights. DEEST (Department of Migration) is found within the Ministry and is responsible for structuring, implementing and monitoring the national migration and refugee policy, to promote the dissemination and consolidation of guarantees and rights of migrants and refugees.

OAB – Order of Brazilian Lawyers

Institution that unites and represents the professional class of lawyers in Brazil.

ONU – United Nations

International organization whose aim is the cooperation between countries concerning different themes, such as social and economic development, human rights and world peace.

PC – Civil Police

Institution responsible for investigating state crimes. They should be called if a migrant is a victim of a crime.

PF – Federal Police

Institution responsible for the investigation of federal crimes. It receives and processes many applications related to migration issues.

PM – Military Police

Institution responsible for maintaining security in the city. They should be called in emergencies if a migrant is a victim of crime.

MS – Ministry of Health

Responsible for drafting and implementing public policies for the promotion, prevention and health assistance in the country.

SEE – State Education Secretariat

State Secretariat of São Paulo, responsible for the state education system and for the coordination, maintenance and execution of public policies for the promotion of education.

SEC – State Secretariat of Culture

State Secretariat of São Paulo, responsible for the coordination, maintenance and execution of public policies for the promotion of culture in the state.

SINCRe – National System for the Registration of Foreigners

System where the records of regularized foreigners in Brazil are kept.

SJ – Secretariat of Justice and the Defense of Citizenship

Governing body of the State of São Paulo that coordinates measures concerning access to justice and the promotion of citizenship.

SMADS – Municipal Secretariat for Social Assistance

Secretariat of the City Hall of São Paulo, responsible for drafting, coordination and execution of social assistance public policies.

SMC – Municipal Secretariat of Culture

Secretariat of the City Hall of São Paulo, responsible for drafting, coordination and execution of public policies for the promotion of culture in the city.

SMDHC – Municipal Secretariat of Human Rights and Citizenship

Secretariat of the City Hall of São Paulo, responsible for drafting, coordination and execution of public policies for the promotion of human rights.

SME – Municipal Education Secretariat

Secretariat of the City Hall of São Paulo, responsible for the municipal education system, drafting, coordination and execution of public policies for the promotion of public education policies.



SMS – Municipal Secretariat of Health

Secretariat of the City Hall of São Paulo, responsible for drafting, coordination and execution of public health policies.

SPTRANS – Municipal Secretariat of Transport

Secretariat of the City Hall of São Paulo, responsible for the administration of public transport in the city.

SSP – Secretariat of Public Security

Secretariat of the State of São Paulo, responsible for the administration of policies in the state of São Paulo.

STM – Metropolitan Transport Secretariat

Secretariat of the State of São Paulo, responsible for the administration of metropolitan transport in the state.



Associação

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→ CHAPTER 1

RIGHT TO REGULARIZATION

→ When a migrant arrives in Brazil, it is recommended to regularize their stay in Brazil with the appropriate authorities. Through the means of regularization, it is possible easily to access a series of rights and services, such as health, education and work. With regularization, the migrant has access to the following documents: RNE, Protocol, CPF, and CTPS.

Depending on the country of origin and reason for migration, the migration regularization process is different.

See the different regularization processes possible under current Brazilian legislation in this chapter.





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DOCUMENTATION

RNE – Registro Nacional de Estrangeiros (National Foreigner Registry)

The RNE, also known as the *Cédula de Identidade de Estrangeiro (CIE)* (Foreigner Identity Card), is the identity document for foreigners in Brazil. The document is applied for and renewed by the PF. In case of loss/theft, it is necessary to make a police report (*boletim de ocorrência*) and request a replacement from the PF.

Asylum Application Protocol

Document that regularizes the stay of the migrant seeking asylum in Bra-

zil while the decision is considered by CONARE. According to CONARE Ruling Resolution 18/2014, the protocol is a legal document and acts as an identity document for migrants. With the protocol, the migrant becomes a beneficiary of rights and can obtain a CPF and CTPS, open a bank account, access public health and education services (including vocational training). Any denial of these rights is understood to be a violation of migrant's rights.

It is important to confirm its validity and renew it before the due date!

CPF – Cadastro de Pessoa Fisi-

ca (Physical Person Registry)

The CPF is a registry of the physical person in Brazil. The application is made at any Federal Tax Office (Receita Federal), upon payment of the fee. It is also possible to apply for the CPF from any Caixa Econômica Federal or Banco do Brasil agency. The CPF number can be collected from the Receita Federal Agency at Shopping Light. You must be a regularized migrant to apply for the CPF. Minors of 16 years of age or under should show the documents from one of their parents or legal guardians.

(original and copy);

MIGRANTS FROM MERCOSUR AND ASSOCIATE MEMBER STATES

CTPS - Carteira de Trabalho e Previdência Social (Work Card and Social Security)

This is the work document in Brazil. It can be applied for by any regularized migrant older than 14 years of age. The CTPS can be collected from the Superintendência Regional do Trabalho e Emprego (SRTE) or the closest Regional Manager.

Documents for the CTPS

- Two recent and identical 3cm x 4cm black and white or colored photos with a white background;
- National Foreigner Registry (RNE) original and copy (front and back) or RNE Application Protocol

The Residency Agreement for Nationals of MERCOSUR and Associate Member States guarantees to all Brazilian, Argentinian, Paraguayans, Uruguayans, Bolivians, Chileans, Colombians, Ecuadorians and Peruvian nationals the right to establish residence in any of the aforementioned States.

What do you need to do to regularize your stay in Brazil?

You need to apply for a temporary RNE valid for two years. For this, you can go to any Federal Police Station where migrants go to register on the SINCRE – Sistema Nacional

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RIGHT TO REGULARIZATION



TIPS

- You need to apply for renewal of the RNE 90 days before it expires.

WHAT DOCUMENTS DO I PRESENT AT THE FEDERAL POLICE?

1- Completed registration form, available on the Federal Police website: www.dpf.gov.br. You should also make an appointment to take your documents on the website as well;

2- Original passport and an authenticated copy and the pages used or a valid identity document from the country of origin or a Consular Registration Certificate (with the name of the country) issued by the Consulate of the migrant's country of origin;

3- Authenticated Copy of Birth Certificate, Marriage Certificate, or naturalization or Consular Registration Certificate (with the name of the country);

4- A Certification that you have no criminal record in your country of origin or the country of residence for the five years prior to entry into Brazil. These certificates can be requested from the Consulate in the migrant's country of origin;

TIP!

To make an authenticated copy, you need to go to a cartório. However, the Federal Police are obliged to authenticate a document upon presentation of the original.



- After the first two years of temporary residency, it is possible to apply for permanent residency in Brazil. It will be necessary to prove employment and income, for example, by way of a signed CTPS and pay slips.

TIP!

Those born before 1964 must attend the Barra Funda Criminal Forum.

5- Federal Justice Distribution Certificate (www.jfsp.jus.br) or certificate of criminal record in Brazil, expedited throughout the Federal Police website (www.dpf.gov.br);

6- State Justice Distribution Certificate (www.tjsp.jus.br) or criminal record issued by the Civil Police (Save Time);

7- Declaration under penalty of law, of the absence of a criminal or police record. The Federal Police provides a template for such Declaration;

8- Receipt for payment of the Union Collection Guide (GRU) fee Code 140120 (R\$ 204.77 in 2015) and the Code 140082 (R\$ 106.65 in 2015). Print from the Federal Police website (www.dpf.gov.br);

9- 2 3x4 recent, undated color photos with a white background;

10- A plain copy of proof of current residence.

TIP!

After applying for the RNE, the Federal Police will send the application Protocol and NSRA. The progress of the process can be checked on the Federal Police Web site: <https://servicos.dpf.gov.br/sincWeb/pesquisaAndamentoProcesso.jsp>

Seu nome aqui



ver, regularization is still possible at any time with exemption for fines or other administrative sanctions.

ASYLUM SEEKERS

de Cadastramento de Estrangeiros – National System for the Registration of Foreigners.

It is important to know that minors under 18 years of age must be accompanied by the parents to make the application. If this is not possible, a legal guardian for the child will be judicially appointed.

When should the migrant regularize their situation?

To avoid inconvenience and vulnerable situations, the ideal time is soon after arrival in Brazil. Howe-

Brazilian Asylum law (Law 9.474/1997) considers as a refugee all individuals who leave their country of origin due to a grounded fear of being persecuted for reasons of race, religion, nationality, social group or imputed political opinion, or because of a severe and widespread violation of human rights in their country of origin.

The right to seek asylum is universal.

What do asylum seekers do to regularize themselves?

You should go to any Federal Police Station or migration autho-





ATTENTION TO RIGHTS!

The application for asylum is totally free and confidential. It can be made directly by the interested party and/or through family groups. The presence of a lawyer is not compulsory.

rity at the border and apply for asylum to gain protection by the Brazilian Government. A legal guardian will be judicially appointed for minors under 18 years of age who are unaccompanied or separated from their families. The guardian may be a rela-

tive, someone from the reception center, or social assistance. According to Paragraph 1, article 7 of Law 9.474/1997, who seeks asylum in Brazil cannot be deported to the border of a territory where their life or liberty may be threatened.

How to apply for asylum?

To apply for asylum:

- 1) Complete Asylum Application Term at the Federal Police (with residence address, contact telephone number and email address);
- 2) After registering with the Federal Police, the applicant will receive the Provisory Protocol, valid for one year and renewable until the final decision of the application. It is important to always renew the provisory protocol or the process may be archived;
- 3) The migrant has the right to be personally interviewed by a CONARE employee or a member of the Public Defense of the Union of the sex of their choosing. The interview will be conducted in a language the migrant understands and, if necessary will have the right to an interpreter.



Assessoria



TIP!

It is important to keep contact details current with the Federal Police and CONARE to receive all updates. In case of change of address, you need to contact CONARE by email: conare@mj.gov.br.

When to apply for asylum?

To avoid vulnerability, it is best to make the application soon after arriving in Brazilian territory. However, the application may be made at any

time after arrival in Brazil without the imposition of fines.

When is it possible to receive a response to the asylum application?

The asylum application will be analyzed and decided by CONARE. The decision will be communicated to the Federal Police. The migrant has the right to receive a complete copy of the result to understand the decision of this body. It is possible to track this process on this website - www.mj.gov.br or directly with the Federal Police.

What happens if the application for asylum is accepted?



IMPORTANT

All applicants who miss the interview without justification will be subject to the archiving of their application. It is important to give prior notification of any impediment in regard to the interview so it can be rescheduled. It is possible to follow the asylum application at any Federal Police station or with civil society organization partners of ACNUR.

HOW DO THEY ISSUE RNE TO ASYLUM SEEKERS?

You should go to any Federal Police Station with the following documents:

Two 3x4 photos (recent, in color, frontal, with a white background, undated);

Completed application printed from the Federal Police website (www.dpf.gov.br);

Asylum application Protocol

Declaration from CONARE recognizing refugee status, which may be applied for from the Federal Police or by email conare@mj.gov.br, or with the support of organizations that assist refugees;

Important: According to Ordinance No.1.956/2015 refugees recognized by CONARE are exempt from paying the RNE issuing fee.

Tip!

Minors under 18 must be accompanied by parents or a legal guardian.

Tip!

In case of theft/loss of the RNE, firstly a police report must be made (Boletim de Ocorrência - B.O.) with the Civil Police. The B.O. must then be taken to the Federal Police to request a replacement RNE.

Tip!

Renewal of the RNE is also done at the Federal Police. It will be necessary to present the original RNE

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If the response is positive, the migrant has the right to remain in Brazil as a refugee and obtain a definitive RNE and CTPS. After publication of the deferment of the application in the *Diário Oficial da União* (Official Gazette), the interested party should apply for the RNE.

What happens if the appli-

cation for asylum is rejected?

If the application for asylum is not conceded, it is possible to lodge an appeal with the Justice Minister within 15 DAYS from receipt of the notification. It is possible to be assisted by Public Defense or DPU or by ACNUR partner organizations at the time of the appeal.

Do refugees or asylum seekers have rights?

Besides the specific rights, they have the same rights as foreigners in Brazil (Law No. 6.815/1980), as for example:

- Access to the legal proceedings of the asylum application, freely and without the need for a lawyer;
- Not to be returned to their country of origin or to where they may become victims of human rights violations;
- To apply for, by way of family reunions, the extension of refugee status to include relatives (spouses, ascendants and descendants) that are found in the national territory;
- To receive all the documentation assured by legislation – Provisory Protocol, RNE, CPF, CTPS and passport for foreigners (in the case of travel previously authorized by CONARE);
- To apply for permanent residency after four years from the date of recognition of refugee status, or by marriage, stable union or a Brazilian offspring.





ATTENTION TO RIGHTS

It is important to know that, according to Law No. 9.474/1997, Article 32, the migrant must not be transferred to their country of nationality or habitual residence whilst the circumstances that put at risk their physical integrity, liberty and life still persist.

Asylum seeker appeals are analyzed and decided by the Justice Minister. The appeal decision should be communicated to CONARE and the department of Federal Police so the applicant is made aware of the decision. During the evaluation of the appeal, the applicant and their family have the right to remain in Brazilian territory.

What to do if the appeal is not successful?

If the decision of the Justice Minister is also negative, it means that the asylum administrative process has ended. The migrant will then be accountable to the law for foreigners in Brazil (Law No. 6.815/1980). It is possible to seek organizations

and public services who offer legal advice in these cases.

Is it possible to travel abroad with a refugee visa?

According to Art. 13 of CONARE Normative Resolution No. 18/2014, refugees that want to travel to other countries should apply for Travel Authorization from CONARE. Refugees recognized by CONARE have refugee status only in Brazil; they will be treated according to the usual migration law of the country where they want to travel. This authorization should be requested from the following email address, conare@mj.gov.br at least 60 days prior to the travel date.

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HUMANITARIAN VISA FOR HAITIAN NATIONALS

The humanitarian visa, created by the National Council of Immigration (CNIg) Normative resolution No. 97/2012, is a type of permanent visa especially for Haitian National migrants.

How do I apply for the humanitarian visa?

The humanitarian visa must be applied for from a Brazilian Consu-

lar office abroad. If a Haitian National migrant is already in Brazil and seeks asylum or requests the analyses of cases omitted by CNIg, the authorities might, as an exception, grant residency on humanitarian grounds.

Important: In 2015, CNIg conceded permanent residency to 43 thousand Haitian nationals who were in Brazil. The complete list was published on 12/11/2015 in the Diário Oficial da União, and can be accessed at <http://acesso.mte.gov.br/cni/conselho-nacional-de-imigracao-cnig.htm> and www.justica.gov.br/estrangeiros/lista1

If a migrant's name was published in the list, what is the next step?

To complete the migration regularization process, it will be necessary to register at the Federal Police by



ATTENTION TO RIGHTS

The concession of permanent residency may be extended to spouses or partners, ascendants, descendants and dependents who have proven their habitual residence with the migrant.



submitting the following documents:

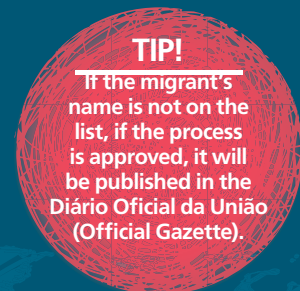
1) **Completed application** (form 154, from the FP website: <https://servicos.dpf.gov.br/sincro-Web>). It is necessary to make an appointment to bring the documentation;

2) **Birth or marriage certificate** (these certificates must be regularized by the Brazilian Consulate in Haiti and translated by an accredited public translator) or **Consular Certificate** (issued by the Haiti Embassy in Brazil);

3) **Certificate attesting to no criminal record** issued in Brazil (may be obtained from the internet on the State of São Paulo Justice Tribunal website);

4) **Personal statement** declaring that you have not answered to criminal charges in your country of origin.

5) **Receipt for payment of fees.** To issue and pay these Guides, access the FP website (www.dpf.gov.br) select GRU, then select “Estrangeiros/Imigração”, click on “Pessoas e entida-



des estrangeiras” and then insert the following guide codes:

a. **Registration fee, Code 140082: R\$ 106.45.**

b. **Fee for expediting Foreigner Identity Card (CIE/RNE), Code 140120: R\$204.77.**

The Guides can be paid in any branch of Banco do Brasil;

6) **Two 3x4 photos;**

7) **It is essential to bring all these documents to your appointment at the FP**

Can migrants from other nationalities also apply for the humanitarian visa?

Yes. Other nationality migrants may apply for a humanitarian visa based on CNIG Normative Reso-



lution No. 27/1998, which deals with omitted cases. The application should be made directly to CNIG with the necessary justification.

VICTIMS OF HUMAN TRAFFICKING

The people who are victims of human trafficking or have been rescued from slave labor may apply for a permanent visa or permanent residency according to Normative Resolution No. 93/2010 (CNIG). The resolution defines human trafficking according to the Palermo Protocol (2003), and refers to recruitment, transport, hosting, abuse and work analogous to slave labor.

What should the migrant do if they are or know of a victim of human trafficking?

They should seek help and advice from the DPU. As well, it is also possible to make a direct request to the Federal Police.

WHAT DOCUMENTS ARE NECESSARY TO APPLY FOR PERMANENT RESIDENCY?

- 1) Passport or valid travel documents, which may be substituted for identity documents in the case of nationals of MERCOSUR or associate member states;
- 2) Declaration under penalty of law that the migrant has not been arrested or have criminal convictions in Brazil or abroad;
- 3) Declaration of dependents (if applicable).

MIGRANTS SERVING A SENTENCE

According to CNIG Normative Resolution No. 110/2014, to apply for provisory Permanence whilst a migrant is serving a sentence or only has provisory freedom, the application needs



WHAT DOCUMENTS DO I PRESENT TO THE FEDERAL POLICE?

1. Identification document (passport or consular certificate);

2. Judicial decision that proves that a person is serving a sentence (decision which concedes provisional freedom, alternative measures, progressive regime or conditional freedom);



3. Proof of address;

4. Two 3x4 photos.

to be made to the Federal Police.

With the protocol expedited after the application for Provisory Permanence, it is possible to access all public services and obtain all additional documentation (CTPS and CPF among other documents).

ded for in CNlg Normative Resolution No. 36/1999 in the following cases:

- Family Reunion;
- Brazilian offspring;
- Marriage or stable union

with a Brazilian or foreigner who is a permanent resident;

If the migrant is in one of the above situations, the application for permanent residency should be made to the Federal Police. To check the documentation necessary for each case go to <http://www.pf.gov.br/servicos/estrangeiro>.

OTHER CASES

It is possible to document by means of permanent residency provi-

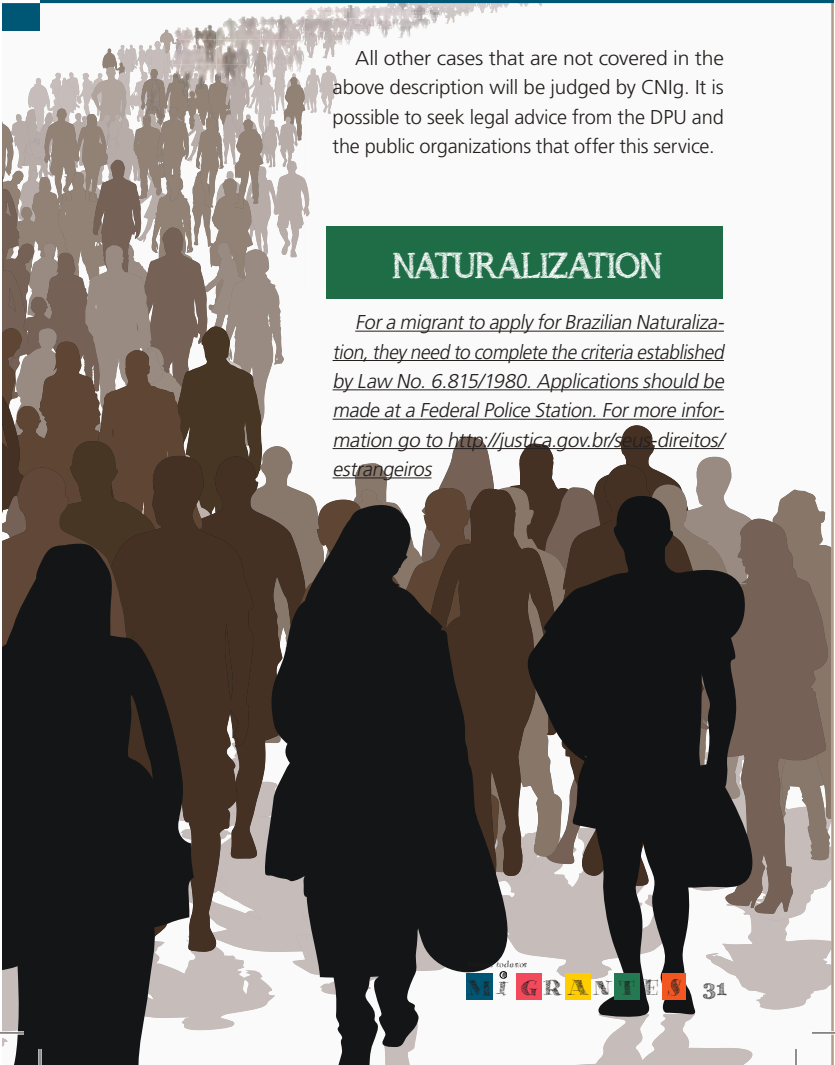
Sumar e ilustrar



TIP

Besides the specific documentation cases cited above, all foreigners, be it with temporary or permanent visas, must register with the Federal Police and apply for the RNE. This may be the case for some students or workers to name but a few.

All applications for and renewals of the RNE are done through the Federal Police. It is important to keep the document up to date!



All other cases that are not covered in the above description will be judged by CNIg. It is possible to seek legal advice from the DPU and the public organizations that offer this service.

NATURALIZATION

For a migrant to apply for Brazilian Naturalization, they need to complete the criteria established by Law No. 6.815/1980. Applications should be made at a Federal Police Station. For more information go to <http://justica.gov.br/sus-direitos/estrangeiros>

→ CHAPTER 2



RIGHT TO JUSTICE




According to the Foreigner Statute (Law 6.815/1980), foreigners who reside in Brazil are part of the Brazilian population under the same national legal system. Below are some of the migrant rights and guarantees:

- Not to be discriminated against by governmental authorities and society;
- Not to be criminally punished for irregular entry into the country;
- Guarantee of civil rights;
- Access to social rights (education, health and free social security)
- The right to freely choose a place of residence in Brazil;
- To require residency due to a Brazilian spouse or child;

There are some restrictions for migrants, such as limit to the acquisition of rural property, transfer of funds abroad, ownership of media or broadcasting companies. Be aware of your rights!

EXTRADITION, EXPULSION AND DEPORTATION



According to Law No. 6.815/1980, a migrant may be requested to leave the country under specific situations. Do not forget, it is possible to appeal to the Public Defender for advice. It is also possible to contact the organizations who provide legal access for migrants.

SOME SITUATIONS

- 1) **Extradition:** consists of sending someone accused of or condemned for one or more crimes to the country requesting extradition.
- 2) **Expulsion:** occurs when a foreigner commits a crime in Brazil and is condemned for it. Once expelled from the country, a person may only return if the Decree has been revoked.
- 3) **Deportation:** deportation occurs when a foreigner is in the national territory unlawfully. Deportation does not impede the foreigner's return to Brazil as the migrant reimburses the National Treasury for all expenses incurred in the process and, depending on the case, may have to pay a fine.

Migrants serving a sentence and leaving the penal system.

In Brazil, everyone who has been incarcerated, independent of their migration status, has the right to dignified treatment and access to and respect of basic rights.

What should be done if the migrant cannot pay for their defense?

All migrants who are unable to pay for legal advice have the right to apply to the Public Defender. All prisons have lawyers from organizations linked to the Public Defender who provide assistance for prisoners.

If the lawyer does not call the prisoner, they can send a message to talk with him/her or even send a letter to the Public Defender to request a visit. .

Is it possible to practice religion in prison?

The right to religion is guaranteed by the Federal Constitution of 1988. The prisoner and the defender must be advised of any restrictions. In case of special needs arising from religious practice, prison administration must be informed and, if access is denied, the public defender should be advised.



ATTENTION TO RIGHTS

- The migrant has the right to the translation of the entire process and execution of the punishment into whatever language they prefer;
- The migrant has the right to receive aid and visits from their consulate. It is necessary to request contact with the consulate from Brazilian authorities.



What can I do if I have a specific health condition in prison?

Medical attention, medications and continued treatment, are guaranteed by law (Law 7.210/1984). If you have any special health needs, you need to give prior notice to the prison authorities and the Public Defender.

What are the rights of LGBT people in prison?

According to Joint Resolution No. 01/2014 of the National Council for Combating Discrimination and the National Council of Criminal and Penitentiary Policy, the following rights are guaranteed: the right to wear the clothes and hairstyle according to gender identity, intimate visits and specific living space if requested.

What are the rights of migrant women prisoners?

Besides the regular rights afforded to those deprived of their liberty, women have the right to a prison environment suitable for the dignity of an imprisoned woman (Resolution No. 09/2011 of the

National Council of Criminal and Penitentiary Policy – CNPCP). They also have the right to security procedures, disciplinary rules and differentiated escort for elderly, disabled, pregnant, and lactating women and those with children, including those with babes in arms.

In addition, about women's health in prison?

The National Policy for Integral Attention to Women's Health offers directives with specific attention to maternity and children inside prison facilities. The right to regular examinations such as Pap smears, for the prevention of cervical cancer, and mammograms, for the prevention of breast cancer, is guaranteed.

What do I do after I am released from prison?

Once released from prison, the migrant is sent to the Federal Police where they should state where they would reside until the formalities of their expulsion process take effect (if that is the case). To be referred to a public Reception Center, it is neces-





What happens if a woman is pregnant in prison?

If a woman is pregnant or becomes pregnant while she is imprisoned, all the assistance necessary for monitoring the pregnancy must be guaranteed. This includes assuring a healthy pregnancy and a safe birth, which should take place free of any shackles or other means of containment. If she wishes, a woman may have a companion present.



WHAT ARE THE RIGHTS OF A WOMAN WITH CHILDREN IN PRISON?

Law 7.210/1984 guarantees that after birth, the child stays with the mother for a minimum of 6 months, with a possible extension upon approval of the application. The prison space should be suitable for the mother and child. When this time is up, the child can be sent to family members or someone trustworthy.

Attention to rights!

If you cannot leave the child with a trusted person, it is necessary to contact the public defender to take appropriate action.

be found in the chapter “Rights to Social Security”. Migrants should also apply for their provisory residence while they wait on the outcome of the expulsion process. For more information, consult the section “Migration Regularization – Migrants serving a sentence”.

sary to seek out a CREAS. More information on the Reception Centers can



XENOPHOBIA AND RACISM

Xenophobia is a form of social discrimination marked by aversion to people of different nationalities and cultures. Xenophobia may be expressed in different ways, not just by way of physical violence, but also humiliation, moral harassment and embarrassment

In Brazil, xenophobia is conside-

red a hate crime and punishment is provided for in Law No. 7.716/1989. Thus, a person who discriminates or practices acts of discrimination against migrants is subject to punishment under law.

It is important to know that many times xenophobia is associated with other forms of discrimination like, racism, prejudice against gender, sexual orientation or social class.

If the migrant experiences any form of discrimination on grounds of migratory origin, they have the

EXAMPLES OF VIOLATIONS:

- Disparage the origin of a migrant or their cultural habits;
- Intellectually exclude the migrant due to their origin;
- Disrespect the people, culture or land of the migrant;
- Accusing the migrant to undermine their life in local society;
- To impede or try to impede migrant's access to a public place;
- To deny access to services due to a migrant's culture or origin;
- To pay a lower salary to others in the position due to a migrant's origin;
- To practice acts of violence against a migrant;
- To charge a migrant nonexistent fees or sums for a specific service or goods;



right and legal support to report their situation. All police stations can confirm cases of racism and xenophobia, and there are stations for cases of racism and religious intolerance, like DECRADI. It is also possible call on the advice of SOS Racism.

RIGHT TO SOCIAL AND POLITICAL PARTICIPATION

The Federal Constitution of 1988 and Law 6.815/1980 established limits as to migrant rights, for example, to prohibit them from being a political party member and to vote. Nevertheless, the public is mobilized to fight for the political rights of migrants.

Participative Councils

The Municipal Participative Council is an independent civil organization recognized by the Municipal Public Power as a consultative space and a representation of the public in the city of São Paulo.

The objective of the participative councils is to suggest actions and public policies for the council sub districts and participate in the planning and monitoring of government actions and spending.

The council will be composed of, at the minimum, 50% women, to guarantee a greater female presence and public participation. Furthermore, from 2015, each one of the 32 sub districts has at least one Extraordinary Seat for Immigrants in Participative Councils.

All migrants in the city of São Paulo can be candidates and vote in a migrant candidate in the sub district.

More information is available at:
<http://conselhoparticipativo.pre-feitura.sp.gov.br/>






→ CHAPTER 3

RIGHT TO HEALTH



In Brazil, access to public health is a right for everyone and a duty of the State stated by the Federal Constitution of 1988. The right to a free health service is provided for by Law No. 8.080/1990. There is also a private health system in Brazil in which it is necessary to pay for the services or for a health insurance

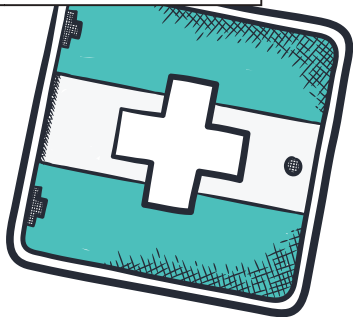




WHAT IS AND WHO CAN USE SUS?

Unified Health System (Sistema Único de Saúde - SUS) is the name of the public health system in Brazil. Everyone has access to SUS, without distinction irrespective of nationality or migratory condition.

The Municipal Secretariat of Health, responsible for managing SUS in the municipality of São Paulo, is responsible for drafting and implementing policies, programs and projects



aimed at promoting, protecting and recovering the health of the population. More information is available at: <http://www.prefeitura.sp.gov.br/cidade/secretarias/saude/>



TIP

Migrants also have the right to a free and quality health service. Visits cannot be denied, even if the migrant doesn't show all documents.

How do I access the health services in the city of São Paulo?

The Basic Health Unit (Unidade Básica de Saúde UBS) is the primary service to

Tip

The UBS is open Monday to Friday from 7 am to 7 pm.




SUS' PROGRAMS

- National Policy for Integral Attention to Women's Health;
- Humanization of SUS;
- Worker Health;
- Vaccination programs;
- Free treatment for AIDS and STDs;
- Vaccination;
- Family Planning;
- Transplants through the public health system.

According to Decree 2.600/GM/MS/2009, transplants are possible if the migrant is a resident in the country. Decree 201/2013 regulates the cases for non-resident foreigners. It can be accessed at the following site: http://bvms.saude.gov.br/bvs/saudelegis/gm/2012/prt0201_07_02_2012.html

begin visit with SUS. They are places where you go for pediatrics, gynecology, general clinic, nursing and odontology. In addition to making a



SUS card, the main services the UBS offers are medical consultations for all ages, inhalers, injections, cures, vaccines, collection of exam material, referrals to specialist doctors and the supply of basic medication. To make an appointment, it is necessary to go to the UBS nearest your home.

What is and how do I get a SUS Card?

The SUS card is free and a right for all. It stores all your personal data and information about consultations. It makes it easier to make an appointment to see the doctor and for medical examinations and guarantees access to free medications. It can be made directly at your nearest UBS with personal documents like the RNE or other

Ministerio da Saúde

M G R A N T E S

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TIP!

To see a specialist doctor, you need first go for a consultation at a UBS to get a referral should you need one.

in the municipal health service pharmacies with a prescription. To find the one nearest you, you can check the website “Aqui tem remédio”: <http://aquitemremedio.prefeitura.sp.gov.br/#/>

How do I participate in Health policy discussions?

In Brazil, there are Health Councils in the national, state

tity documents.

If the migrant has difficulty getting a SUS card, it's possible to ask to speak with the person responsible by the health service, through Central 156, or even the Central Health Ombudsman, as access to health is a right for all guaranteed in the Federal Constitution of 1988. It is also possible to seek advice from CRAI.

Where do I get free medicine?

Many medicines can be freely had

TIP

It is also possible to get free medication from the “Farmácia Dose Certa” units. Some medications with up to 80% discount are available in the pharmacies of the Farmácia Popular program. To check the addresses:

Farmácias Dose Certa

<http://www.saude.sp.gov.br/ses/perfil/gestor/assistencia-farmaceutica/farmacia-dose-certa/farmacia-dose-certa>

Farmácia Popular

<http://www.saude.sp.gov.br/ses/perfil/gestor/assistencia-farmaceutica/farmacia-dose-certa/farmacia-dose-certa/>



and municipal spheres whereby the public can participate in SUS activities. These are joint bodies and boards, that is, they are made up of equal numbers of representatives from each category, with equal power and should operate and regularly make decisions, tracking, controlling and monitoring health policies and proposing changes when necessary. To learn more about the Health

Psychological Assistance

SUS offers free psychological assistance. It is possible to seek professional help from your local UBS.

To assist people who suffer from mental disorders, especially severe and persistent disorders, there are infant and adult Psychosocial Attention Centers (CAPS). There are also CAPS ad, for people with alcohol and other drug dependency issues. The service is undertaken by a multidisciplinary team.

There are many units in the city of São Paulo and it is possible to access the services directly or with a referral from UBS.



STDs AND AIDS

Brazil offers free tests and treatment for STDs (sexually transmitted diseases) and AIDS. The city of São Paulo has a Municipal Network Specialized in STDs/Aids, with specialized units for advice, prevention, HIV diagnostic test, condom distribution, post-exposure prophylactics, consultations and treatment for HIV and AIDS, as well as other STDs and viral hepatitis.

The Testing and Counseling Centers (CTA), Specialized Attention Service (SAE) and Reference Center (CR) are health services that offer free diagnosis, treatment and prevention of sexually transmitted diseases where you can even receive advice and monitoring.

Councils, it is possible to seek information from the UBS! All can participate!

WHAT DO I DO IN CASE OF URGENCY OR EMERGENCY IN THE CITY OF SÃO PAULO?

Health Care Clinic (AMA - Assistência Médica Ambulatorial)

Treats the less serious cases that do not need appointments or hospital stays, like flu, headache, fever, small cuts, etc. It also offers general clinic, pediatric and gynecological treatment and performs minor surgery.

Hospital and Accident and Emergency

They treat the more complex cases and urgent treatment, which at times require some hospital stay or surgery. Most of the services operate 24 hours. It is recommended to seek these services only when it is not possible to wait to make an appointment for a consultation. .

Emergency Care Units (UPA – Unidade de Pronto Atendimento)

At these units, it is possible to have rapid service for urgent medical cases, like fractures, cuts, heart attacks, strokes, etc. These units operate 24 hours.

Tip

To find all public health center locations:
<http://buscasaude.pre-feitura.sp.gov.br/>



TIP

The São Paulo Municipal SUS ombudsman is the place where the general public and the health service administration interact. You can make suggestions, complaints, requests, reports and praise. The address and contact details of the ombudsman are in the useful contacts list.

Site: <http://www.prefeitura.sp.gov.br/cidade/secretarias/saude/ouvidoria/index.php?p=5422>

It is also possible to speak with the Municipal Technical Supervisors. Their addresses can be found at

<http://www.prefeitura.sp.gov.br/cidade/secretarias/saude/organizacao/>

Emergency Mobile Service (SAMU - Serviço de Atenção Móvel de Urgência)

Ambulance Service. In case of emergency, call: 192.

ARE THERE OTHER HEALTH ESTABLISHMENT?

Yes, the municipal network still relies on some other services, like:

Specialty Clinic

These are specialized polyclinic type establishments. Service is only offered by way of a referral from UBS. They offer orthopedic, general surgery, psychiatry, neurology, ophthalmology, cardiology, to name but some. For access, you have to be referred by an UBS doctor.

Odontology Specialty Center (CEO - Centro de Especialidades Odontológicas)

Specialist treatment like periodontics, minor oral surgery, semiotics, patients with special needs, endodontics, prosthodontics and orthodontic functional jaws. For service at these centers, patients are referred by UBS.



→ CHAPTER 4

RIGHT TO EDUCATION



In the 1988 Federal Constitution, education is considered a universal right, a duty of the family and of the State. In São Paulo, the principle of universality guarantees that migrant children and adolescents can be enrolled in school, even if they do not have legal documentation. This is a decision of the Municipal Council of Education – Resolution No. 17/2004 – and the State Secretariat of Education – Resolution No. 10/1995.

The right of migrant child and adolescent education is a right for all migrants!







The Brazilian Education System is divided into six levels. Within this system, there are private and public school institutions. The public teaching institutions are the responsibility of the State and access is free.

We present, below, the teaching divisions in Brazil. You can find the addresses of the public schools and

the Teaching Directories on the State and Municipal Education Secretariat websites. Please enquire!

Infant, Elementary and Secondary Education

The first three levels of education, infant, elementary and secondary are for children and adolescents aged between 0 and 17 years of age.

Infant Education (0-5 years) covers creches and municipal pre-schools (CEIS and EMEIS). Elementary Education (6-14 years) covers State and Municipal schools, divided into years 1-9. Secondary Education (15-17 years) also has State and Municipal schools, and is divided into 1st - 3rd year.

Youth and Adult Education (EJA - Educação de Jovens e Adultos)

What is it and how do I enroll?

EJA is for youths and adults from 18 years of age who did not go to Elementary or Secondary school. The

student can enroll directly. Go to the following website for more information about EJA:

<http://portal.sme.prefeitura.sp.gov.br/Main/Page/PortalSMESP/Educacao-de-Jovens-e-Adultos>

Technical Education

What is it and how do I enroll?

Technical Education provides qualifications for various economic sectors. It is offered by municipal, state and federal institutions and may be undertaken after Secondary Education or at the same time. To start technical education, you need to show your RNE or RNE application Proto-



INFORMATION ABOUT ENROLLMENT:

To enroll in Infant, Elementary or Secondary Education, you need to go the school closest to your home. Enrollment should be done by either the parents or legal guardian with personal identification like RG, CPF, passport or RNE (Registro Nacional de Estrangeiros). If the migrant does not have these documents, they should seek advice on how to get them. Enrollment of a child may not be denied even if documentation is incomplete.

col and do the “vestibulinho” (entry exam). It is also available the Program for National Access to Technical Education and Employment (PRONATEC) that offers free professional courses in many areas. For more advice you should go to CRAS or CREAS or access the website <http://prona-tec.mec.gov.br>

Higher education

What is it and how do I enroll?

Higher Education is divided into undergraduate and post-graduate. You need to have finished Secondary Education to enroll in Higher Education. Entry to Brazilian universities and faculties is done by way of

a selection process specific to each institution. This selection process is called the vestibular. You need to check the requirements and documentation for each institution.

How do I study for the selection processes?

There are pre-vestibular courses, either free or private, in the city of São Paulo. For more information consult the bodies that help migrants, found at the end of this guide.

What is ENEM?

ENEM – National Secondary Education Exam (Exame Nacional do Ensino Médio) – is a test given in the last year of Secondary School. ENEM

TIP!

Some universities in Brazil, such as UNILA, UFMG, UNB, UFPR and UFSCAR offer places exclusively to refugees and those with a humanitarian visa. You can get more information from the institution websites.

In some cases, in addition to passing the selection process, you need to prove proficiency in the Portuguese language, through the Celp-Bras exam:
<http://www.brasil.gov.br/educacao/2012/04/regras>



is carried out annually by the National Institute of Studies and Research (INEP - Instituto Nacional de Estudos e Pesquisas). ENEM results act like a selection process for entry to some Brazilian Universities. Youths and adults who have still not finished regular school or do not have their exam results can get a Certificate via ENEM.

Certificate of Portuguese Language Proficiency for Foreigners – Celpe-Bras

Celpe-Bras is the Portuguese language proficiency certificate officially recognized in Brazil. The registration fee is R\$150.00 (2015). For more information go to the following link, <http://portal.inep.gov.br/celpebras/>

Tip!

Access the Ministry of Education website for more information:
<http://portal.mec.gov.br/>

RECOGNITION AND REVALIDATION OF DIPLOMAS

Recognition of normal education diplomas

To get your diplomas recognized, you need to take a copy of your school record and certificate of study to one of the Directors of the State Secretary of Education. In many cases, it is necessary to show a translation of the documents.

Revalidation of University or Technical Diplomas

According to article 48 of Law No. 9.394/1996, higher education diplomas from foreign institutions should be revalidated by public Brazilian universities that offer an equal or similar duly recognized course. Access the site below for more information.

<http://portal.mec.gov.br/revalidacao-de-diplomas/apresentacao>

→ CHAPTER 5

RIGHT TO SOCIAL ASSISTANCE





In Brazil, Social Assistance is a right provided for in the Federal Constitution of 1988. The Social

Assistance policy is regulated by law 8.742/1993. Its main objective is to guarantee the rights of citizenship, meeting the basic needs of people in vulnerable situations.

Migrants are also supported by the social assistance system and have the right to access its different services.



WHAT IS CRAS AND HOW DO I ACCESS IT?

CRAS (Social Assistance Reference Center) is a center that offers basic protection for people in a vulnerable social situation. At CRAS, you can register for the One Record (CadÚnico), which is a government system where you should be enrolled to access the benefits of some social programs, such as:

Bolsa Família (Family Grant) and Renda Mínima (Minimum Income): programs that transfer income for the benefit of families

in poverty. With the Bolsa Família, the benefit can vary from R\$35.00 to R\$335.00 depending on the family situation;

Minha Casa Minha Vida (My House, My Life): a program that seeks to make owning their own home more accessible for low-income groups:

Tarifa Social de Energia Elétrica (Electrical Energy Social Tariff): benefit that enables discounts on electricity bills for low-income families.

Besides the CadÚnico programs,

TIP!

In the case of families, to receive the Bolsa Família and other benefits, school age children need to be enrolled in school.

it is still possible to access municipal social assistance, like Autonomia em Foco, which offers shelter for families or single people.

What is CREAS and how do I access it?

CREAS (Centros de Referência Especializados de Assistência Social – Specialized Social Assistance Reference Centers) offer services in the area of Special Social Protection for people in a situation of greater personal and social vulnerability and/or violations of their rights. CREAS offers specialized monitoring, such as home attendance, temporary housing (Reception Centers) for adults and the elderly and activity centers. Places at the Reception Centers are subject to availability. The CREAS only operate from Monday to Friday from 8 am to 6 pm. After these hours, if you find yourself on the street, you can call CAPE (Central de Atendimento Permanente e de Emergência - tel.: 156) and ask

for help. You can also go to one of the “Espaços de Convivência para Adultos” – Living Spaces for Adults (Tendas). The addresses are in the Useful Contacts list.

Are there any reception centers specifically for migrants?

Yes. The city of São Paulo has 3 reception centers specifically (or with exclusive wings) for migrants, implemented by way of partnerships with the Municipal Council and Social Organizations and an exclusive dormitory for migrants in a reception center:

- Reception Center for Migrants – SEFRAS – Serviço Franciscano de Solidariedade –Franciscan Solidarity Service;
- Reception Center for Immigrant Women– Associação

donor indicator

Palotina;

- Pari immigrant Reception Center – Missão Scalabrini;


- Arsenal da Esperança Dom Luciano Mendes de Almeida Reception Center – SERMIG – Brotherhood of Hope (has a dormitory just for migrants)

The State Secretariat of Assistance and Development also has a Reception Center for migrants:

- Terra Nova – Transitory home for migrants and immigrants – CROPH.

To arrange a place in one of these centers, you need to apply directly to a CREAS or an organization that is in contact with CREAS.





Are there any low cost restaurants?

Yes, the state low-income restaurant chain, Bom Prato.

It is possible to have breakfast in these restaurants for \$R0.50 (fifty centavos) and lunch for R\$1.00 (one real). There are some addresses in the chapter “Useful Contacts”.

Are there some benefits for the elderly and disabled?

Yes. There is the Continuous Social Assistance Benefit provided by LOAS (Law 8.742/1993), which can now be sought by regularized migrants without needing to go via the legal route, in accordance with the Joint Circular Memorandum No.9 /DIRBEN/PFE/INSS of January 27 2016. For further information, consult a CRAS unit or call 135.

→ CHAPTER 6

RIGHT TO HOUSING

↪ In Brazil, the rental or purchase of housing is usually done through an estate agent or right with the owner. However, many times citizens do not have sufficient income to pay for rent or arrange financing for a property. For these people, the government offers housing programs and access to housing.



The Minha Casa Minha Vida (My House, My Life) program seeks to make owning a home more accessible to people on low income by means of housing finance programs. For this, according to the CAIXA Econômica Federal regulation (which arranges finance), it is necessary to prove you have lived in the municipality for two years and show your RNE and permanent visa. Applications can be made through the CRAS.

Independently of the program, migrants have the right to rent property in Brazil. See below:

HOW DOES RENTING PROPERTY WORK IN BRAZIL?

Each owner and estate agent has their own specifications as to the documents needed. Generally, you will be asked for at least:

- RNE or Protocol;
- CPF;
- Proof of income (Employment certificate, pay slips);
- Guarantor (someone who, by way of contract, is obligated to pay the debt if the tenant doesn't pay the rent); OR
- Insurance-guarantee (amount paid to an insurance company that will guarantee the payment if the tenant does not pay the rent).

Can migrants buy property in Brazil?

According to Brazilian legislation, migrants have the right to acquire property in urban environments. A migrant should follow the same administrative procedure to which Brazilians are subject. If you are interested in buying a property, you need to check with the owner or estate agent what documents you will need. There are, however, specific rules that regulate the acquisition of rural properties by migrants.

→ CHAPTER 7

RIGHT TO DECENT WORK





The Brazilian labor legislation (CLT – Consolidation of Labor Laws No. 5.452) guarantees equal rights and decent working conditions for all. This law is applicable to any worker irrespective of nationality.

To exercise formal professional activities, a migrant has to apply for a Work and Social Assistance Card (CTPS - Carteira de Trabalho e Previdência Social). All individuals older than 14 years of age and regularized in Brazil have the right to CTPS. There is also informal work, not linked to CTPS. Read below about the particularities and rules for work in Brazil and learn the rights of migrants. Irrespective of the formalization of work, the right to decent work is a right for all.





FORMAL WORK



Can a migrant work? How long can they be contracted?

Yes, a migrant can work. After getting a CTPS, a migrant, like any worker, can be contracted for up to 90 days for a probationary contract. After this period, the contract can be extended or renewed for an indefinite time. This contract should be recorded in the CTPS.

What are the work hours?

In Brazil, the maximum workday is 8 hours, being 44 hours per week and 220 hours per month. It is possible to increase

this up to a maximum of 2 extra hours per day (paid at 1.5 times the normal hourly rate)

There is also a working day of 12

WORK BREAKS

Breaks during the work day are allowed.

See the following:

8 hours of work =

1 hour break

6 hours of work =

15 minute break

4 hours of work = no break



hrs./36 hrs., which implies 12 hours of work and 36 hours of rest. All workers have the right to one rest day per week, preferably Sunday.

Does anything change for night work?

Work is considered as night work when performed between 10 pm and 5 am. The maximum working day for night work is 7 hours. You should receive an increase of 20% of the daytime hourly rate for hours worked at night.

What should the salary be?

All work should be paid in cash.

In Brazil, no one should be paid less than the national minimum wage (R\$880.00 per month in 2016). Some professional categories have a specific base salary, and there is also a regional base salary delimited by the States.

In the State of São Paulo, this base is R\$905.00 (for some categories) and R\$920.00 (for others).

The worker should receive the most favorable salary between the base salary, regional base and minimum wage.

Work and Health

In jobs that need protective equipment, it is important to request suitable

TIP



- **Family Salary:** When a worker's salary is low and they have dependents, they may receive benefits to help with child expenses. Be informed and pay attention to your rights!
- **13th salary:** All workers have the right to a 13th salary, normally paid in December and proportional to the number of months worked during the year;
- **Unemployment Insurance** is an amount paid by the Government in case of redundant termination. A worker needs to be 18 and have its job recorded in the CTPS (work card).



DEDUCTIONS AND TAXES



In Brazil, some obligatory amounts are deducted directly from the salary, by the employer, prior to payment.

- **INSS (National Institute of Social Security):** 8% to 11% of the salary of each worker is deducted. This deduction goes towards the workers' pension for when they retire, or in case of accident or impediment to work.
- **Union Fees:** the fee deducted corresponds to the value for one day of work. This fee goes towards maintaining the union so they can defend the interests of that particular job category.
- **Income Tax:** is a progressive tax; i.e. those that receive a higher salary pay more and those that earn less pay less or, at times, are exempt from paying. In some cases, income tax is deducted directly from the worker's salary.
- **Vale Transporte (Transport Subsidy):** According to Law No. 7.418/1985, the employer must contribute to pay the costs of the worker's transportation to their place of work. If the worker requires the benefit, employer has the right to deduct a maximum of 6% of the total salary.
- **Accommodation and meals:** if the company offers accommodation and meals, they have the right to deduct a maximum of 25% of the salary for accommodation and 20% for meals.
- **Medical and Dental Insurance:** some companies also offer a health and dental plan. The medical insurance is not compulsory.

Attention to rights!

There is a Fundo de Garantia por Tempo de Serviço (FGTS) (Fund for Worked Time Guarantee) to which each worker, including migrants, have a right. The FGTS is a means of protection for the worker for when they find themselves in a position of need. The employer must deposit 8% of the worker's salary into a specific FGTS bank account. This amount CAN-NOT be deducted from the salary.



ble material (PPE – Personal Protective Equipment) from employers, to avoid work accidents. It is the employer's responsibility to seek medical attention for work accidents. They also need to complete a CAT (Work Accident Communication) form. If the employer refuses to complete this, you should go to INSS.

Are there any rights in case of pregnancy?

Women and men have the right to paid Maternity/Paternity Leave. Maternity Leave give women the right to 4 months (120 days) absence from work and may be extended up to 6 months (180 days). A woman may not be arbitrarily dismissed until the 5th month after the birth of the child. Men have the right to 5 days leave after the birth of the child.

What is MEI?

Individual micro entrepreneur (MicroEmpreendedor Individual) is the regularization of individual entrepreneurs who work for themselves. According to Complimentary Law No. 128/2008, a person registered as a MEI can become registered in the National Register of Legal Enti-

IMPORTANT!

Some jobs are considered risky (hazardous) and for these, workers have the right to special treatment guaranteed by law.

ties (CNPJ), which helps in opening bank accounts, applications for bank loans and issuing invoices. Regularization as a MEI guarantees access to benefits like maternity and sick assistance and retirement.

Can Migrants become Individual Micro-entrepreneurs?

If a migrant has a permanent RNE and performs the activity allowed to MEI, they can become one. For more information, go to the following website: <http://www.portaldoeempreendedor.gov.br/mei-microempreendedor-individual>

Furthermore, you may also seek legal advice from the appropriate organizations.

INFORMAL WORK

What is informal work?

Informal work is that in which the

fontes: todar.com



RIGHT TO DECENT WORK

employment relationship has not been registered with CTPS. This is the case, for example, of itinerants and autonomous workers who are not formally regularized.

Right to Brazilian Social Security (INSS)

INSS contribution guarantees

income for the worker and their family in case of disease, work accident, pregnancy, imprisonment, aging and death. Each worker that performs a paid activity must contribute. The contribution is automatically deducted from the salary of formal workers. For autonomous workers, this contribution must be made



TIP

According to Normative Instruction No. 111/2010, of the Ministry of Development, Industry and Commerce, citizens from MERCOSUR and Associated States may perform a business activity as an entrepreneur, owner, partner or administrator of a Brazilian society or cooperative.

Tip!

For more information on domestic work legislation, visit http://www.planalto.gov.br/ccivil_03/leis/LCP/Lcp150.htm

Domestic Work

Due to the legislation, including the recent Complementary Law No. 150/2015, domestic workers in Brazil are protected by specific regulations that guarantees a series of rights.

What is considered a domestic worker in Brazil?

All workers in Brazil who provide continuous service in a residence, which pursues no personal or family profit, is considered a domestic worker. The following are but some of jobs considered domestic work: maids, gardeners, nannies, cooks, kitchen maids, cleaners and housekeeper.





TIP

The period of contributions made to other institutions and in different territories will be added to the total minimum grace period required for each benefit. However, it is necessary to check the countries with which Brazil has agreements.

More information about Brazilian social security and international agreements are available on the Social Security website. In São Paulo, you can also contact the Social Security Agency that is responsible for international procedures.

by the worker themselves.

What are the rights of the domestic worker?

Domestic workers have various rights: signed CTPS, access to INSS, holidays, FGTS, work breaks etc.

What is a domestic workers working day?

The working day should be 8 hrs. maximum or 44 hrs. per week. It is possible to set a shorter working day. The domestic worker has the right to overtime, which must be paid at a minimum of 1.5 times the hourly rate. The domestic worker also has the right to an increase of 20% for night work.



Seu nome todo(a) em

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Labor Guidance

The Centre for Work and Entrepreneurship (CATE) is a network of offices aimed at helping citizens who want to enter the job market. There are many offices in São Paulo. CATE Luz has the support of employees who speak Portuguese, Brazilian Sign Language, English, French, Creole, Lingala, Kikongo, Luba-Kasai, Swahili and Kiyombe.

RESPECT AND RIGHT TO DECENT WORK

Every worker in Brazil has the right to decent work guaranteed by law. It is important to stress that all worker rights must be respected and no form of abuse, exploitation, and violation will be tolerated.

Pay attention to your rights and report any form of exploitation!

Work analogous to slave labor

The definition of work analogous to slave labor is found in the Brazilian Penal Code, and is characterized by submitting the worker to:



Services Offered at CATe

- Labor mediation;
- Enabling unemployment insurance;
- Qualification training;
 - Labor advice;
 - Issue of CTPS;
- 'Developing Talents' Program;
 - Efficient Inclusion;
 - Young Citizen;
- Worker's Advanced Post for Ex-
-Procedural Conciliation.

What do I do in case of work violation?

You are advised to always report violations of decent work. The report is important because it allows visibility of the cases and provides for punishment of those involved in work condition violations. A list of the bodies to go to in case of violation of labor rights can be found in the Useful Contacts.

- Forced labor and exhaustive Working day;
- Degrading work conditions;
- Restriction of worker movement by any means;
- Overt surveillance in the work environment, retention of documents or personal objects from the worker;

Human Trafficking

In Brazil, the guidelines for human trafficking are in accordance with the UN convention. It is considered an aggravated case when the victim is a minor under 18 years of age. Every victim of crime is protected under law. More information can be found in the Chapter "Migration Regularization".

Child Labor


In Brazil, to ensure the protection and full development of children and adolescents, child labor (under 16 years, except apprentices, from the age of 14) is prohibited by law. The National Plan for Prevention and Eradication of Child Labor and Protection of Adolescent Workers (2011-2015).

→ CHAPTER 8

RIGHT TO BANKING

→ The city of São Paulo signed Cooperation Agreements with the public banks Caixa Econômica Federal and Banco do Brasil. These agreements make banking easier for migrants/refugees. The cooperation Agreement with Caixa Econômica Federal (2013) includes migrants under the Residency Agreements for Nationals of MERCOSUR Member and Associated States. The Cooperation Agreement with Banco do Brasil (2014), on the other hand, includes migrants from other countries. Independent of these agreements, migrants can still open bank accounts with other banks.





WHAT DOCUMENTS DO I NEED TO OPEN A BANK ACCOUNT?

TIP!

Every agency of Caixa Econômica Federal or Banco do Brasil are able to perform these procedures. Addresses can be found on the following website:

Banco do Brasil:

<http://www.bb.com.br>

[Caixa Econômica Federal](http://www.caixa.gov.br)

<http://www.caixa.gov.br/>

Caixa Econômica Federal (migrants from MERCOSUR Member and Associates States)

- An identity Document: RNE/CIE; Application for Asylum Protocol;
- Original Identity Document, issued in the country of origin and which was presented to the FP/MJ;
- CPF;
- Proof of Residence;
- Proof of Income, except for 'CAIXA Fácil' and 'Poupança CAIXA' accounts.

Banco do Brasil (migrants from other countries)

- An identity Document: RNE/CIE; Application for Asylum Protocol; Passport; CNH (Carteira Nacional de Habilitação – Driving License); CTPS;
- CPF;
- Proof of residence such as water, electricity, telephone or gas bill or cable TV subscription (issued up to 90 days from opening the account and gives the name of the migrant or third party who is accompanying the declaration and with which the migrant lives at the same address). Proof may also be correspondence via mail (payment booklet, billing records, counter checks, bank statements, etc.) if their authenticity is proven. Personal correspondence will not be accepted.
- 02 References (Telephone numbers and names).



Seu nome e endereço

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→ CHAPTER 9

RIGHTS OF ADOLESCENT AND MIGRANT CHILDREN

▶ The Brazilian Children and Adolescent Statute (ECA - Estatuto da Criança e do Adolescente) aims to protect the rights of children and adolescents (Law No. 8.069/1990). According to the statute, children and adolescents have special protection as they are still growing individuals and, therefore, more vulnerable. People under 18 years of age are considered as children and adolescents. In some exceptional cases, the law is also applicable to individuals between 18 and 21 years of age. The complete statute is available at http://www.unicef.org/brazil/pt/resources_10079.htm

Highlighted below are some of the principle rights. Pay attention and demand that are respected!

Important!

It is important to keep vaccinations up to date and monitor pregnancies and the baby.



Health

Children and adolescents are guaranteed the right to life and health. They must have access to health and to the entire free health system in Brazil, without any discrimination. Children, irrespective of their origin, must be respected and treated with dignity, so they can develop in a healthy way.

Education

Every child and adolescent, regardless of the migration position, has the right to education. Schools cannot refuse enrolment, even without documentation. If you face difficulties, seek advice.

Sexual Violence

The CAS (Law 8.069/1990) as well sets forth guidelines in relation to exposure to abuse and sexual violence against children and adolescents.

Work

As explained in the “Decent Work” chapter, it is prohibited for children and adolescents less than 16 years of age to work, except for apprenticeships from the age of 14. Domestic work is strictly prohibited for children and adolescents under 18 years of age.

IMPORTANT!

It is important to know that children in Brazil under 16 years of age cannot be left alone at home. Adult supervision must be provided for children/adolescents.

→ CHAPTER 10

WOMEN'S RIGHTS

↪ Historically, women face greater difficulty in accessing their rights than men. To eliminate and minimize unequal treatment between women and men, women are guaranteed special rights in Brazilian legislation, agreements and international declarations.

Migrant women often find themselves in highly vulnerable situations. It is important that everyone knows the rights of women. Migrant women have rights and guarantees. Pay attention to them!



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MIGRANTES

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WHAT ARE THE RIGHTS OF WOMEN?



The 1988 Federal Constitution considers female as citizens that have the same rights than men. Women must not be discriminated against because of their gender. Migrant women have equal right to access to health, work, education, housing, transport, etc.

WOMEN'S HEALTH

Brazil has some free programs specifically to guarantee women's health to which migrant women also have access: Prevention of Cervical Cancer; Prevention of Breast Cancer; Pre-natal and humane childbirth;

How do I access prenatal care and humane childbirth?

At SUS, every woman, irrespective of migration position, has access to prenatal care and quality humane childbirth. At the time of birth, a woman has the right to a companion and the right to choose the pre-birth, birth and postpartum procedures.

What is the Paulistana Mother (Mãe Paulistana) Program? How do I access this right?

It is the program to monitor pregnant women during gestation and up to the baby's second year. It gives the right to pregnancy monitoring, free transport for consultations and necessary medical exams, and a baby outfit. To access this

Tip

Child Support: people in Brazil who care for children have the right to seek child support. This payment must be paid by the other parent when they can contribute to the child's upbringing. For advice on the legal process consult the DPE.



What are the rights of women?

The 1988 Federal Constitution considers female as citizens that have the same rights than men. Women must not be discriminated against because of their gender. Migrant women have equal right to access to health, work, education, housing, transport, etc.

Are there any rights in case of pregnancy?

service, you first need to confirm the pregnancy at a UBS. The woman will receive all instructions and be automatically enrolled in the Program.

When does a woman have the right to an abortion?

Women only have the right to a legal abortion in Brazil when there is risk to the mother's life due to physical or mental health, after rape/violation and/or serious problems with the fetus. According to CLT, in cases of abortion a woman has the right to two weeks paid rest.

ATTENTION TO RIGHTS!

Any privation of these choices, denial of service, humiliation or bullying constitutes violence and can be reported to the Public Defender through Disk 180 (Violence against women) or through Disk 136 (Health).





ATTENTION TO RIGHTS

A breast feeding woman has the right to two special rest periods each half hour during the Working Day, to breast a baby up to six months of age. This period can be extended with a doctor's certificate.

A pregnant woman may not be dismissed after confirmation of pregnancy until 5 months after birth. The employee has the right to maternity leave (120 days). All women who contribute to INSS must receive a maternity salary. It is possible to apply for this at the company, at any of Social Security

offices or even with the union.

Gender Violence

Women are still the primary victims of gender violence – a form of violence resulting from social inequalities between men and women. This violence can occur anywhere: at home, on the street, hospitals, etc. The mechanisms for protection and prevention to guarantee safety and a dignified life also apply to migrant women.

What is domestic violence?

Domestic violence happens in a family environment and/or is perpetrated by somebody close. This violence takes many forms: physical, psychological (verbal aggression, threats), moral (humi-

TIP

More information
on women's health
programs can be
requested at a UBS
or found at
[http://www.prefeitura.
sp.gov.br/cidade/
secretarias/saude/
saude_da_mulher/](http://www.prefeitura.sp.gov.br/cidade/secretarias/saude/saude_da_mulher/)



HOW DO I IDENTIFY GENDER VIOLENCE?

Gender violence occurs every time in which a woman has her rights violated, for example:

- Restriction of freedom of movement;
- Restriction of freedom of expression;
- Physical, sexual or psychological violence;
- Cursing.

liation, ridicule), sexual or even property (destruction of objects or belongings).

What is the Maria da Penha law?

The Maria da Penha law (Law 11.340/2006) was created to protect and cover victims of domestic violence. The name of the law is a tribute to a survivor, Maria da Penha, who fought for years against domestic violence. The law has protection measures for the victim, possibility of shelter, restriction measures against the aggressor, child support, etc.

How and when can I use the Maria da Penha Law?

Any victim who suffers or has suffered domestic violence can



invoke the Maria da Penha Law. You need to file a complaint at a police station (preferably a Police Station for women). You can also go to the Public Defender and press charges against the aggressor. You can also seek help at a UBS, CRAS or CREAS.

What is sexual violence?

ASexual violence occurs when

Antes de tudo

a person is forced to have sexual relations or perform sexual acts against their will, being coerced by physical force, threats, or psychological pressure.

What do I do if I am a victim of sexual violence?

In cases of sexual violence, orient yourself and do not wash and keep the clothes you were wearing, taking them to be examined. You must go to a police station (preferably DEAM) to make a complaint. A physical examination will be necessary, conducted at the Instituto Médico Legal (IML).

What is sexual harassment?

Sexual harassment is coercing someone with the intention of obtaining sexual advantage or favor. According to Law No. 10.224/2001, sexual harassment is a crime. You can report sexual harassment at police stations.

BE ALERT

In the majority of cases, the woman is the victim and her companion/boyfriend usually responsible for the aggression. Even though violence sometimes occurs while someone is under the effect of alcohol and/or psychoactive substances, this is no justification for violence. The victim still remains covered by law and has rights.



Guidelines

The Centre for Assistance for Women in Vulnerable Situations in Brazil receives reports and offers guidelines to women as to their rights. The city of São Paulo also has Centers for Assistance to Female Victims of Violence. The centers provide shelter, psychological and social monitoring and legal advice to women in violent situations.

CONTACTS

CENTER FOR ASSISTANCE TO WOMEN IN VIOLENT SITUATIONS – 24 HRS.

THE CALL IS FREE AND IS OPERATED 24 HRS, CALL 180

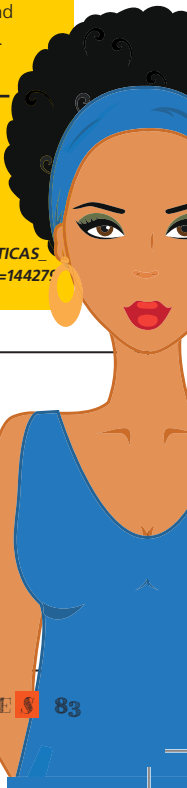
CENTERS FOR ASSISTANCE TO FEMALE VICTIMS OF VIOLENCE

YOU CAN FIND THE ADDRESSES ON THE FOLLOWING WEBSITE:

[HTTP://WWW.PREFEITURA.SP.GOV.BR/CIDADE/SECRETARIAS/POLITICAS_PARA_AS_MULHERES/CENTROS_DE_ATENDIMENTO/INDEX.PHP?P=14427](http://WWW.PREFEITURA.SP.GOV.BR/CIDADE/SECRETARIAS/POLITICAS_PARA_AS_MULHERES/CENTROS_DE_ATENDIMENTO/INDEX.PHP?P=14427)

BE ALERT

- Sexual violence can even occur in a stable relationship like marriage, when one of the parties forces the other to practice sexual acts or have sexual relations against their will. Stay alert and do anything against your will.
- A sex professional can also suffer sexual violence. All women have the right to choose who they have sexual relations with and how.





CHAPTER 11

RIGHTS OF THE LBGT POPULATION

According to the 1988 Federal Constitution, each individual can identify and express their gender and sexuality, even having the right to be recognized and respected for their orientations. However, the LGBT population is still subjected to different forms of violence and inequality in their social rights. It is important to know that besides the rights provided for in the Constitution, the LGBT population has some specific rights. Pay attention to the rights, respect them and demand they are respected!



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M G R A N T E 85



WHAT ARE THE RIGHTS OF AN LGBT PERSON?



GBT people have the same rights as any other citizen, but as well have other specific rights. This means equal access to education, culture, health, work, social assistance, etc.

Discrimination for Sexual Orientation

According to Law 10.948/2001 and the State Decree 55.589/2010, any type of discrimination due to sexual orientation or gender iden-

tity is a crime. This type of discrimination may take many forms, like:

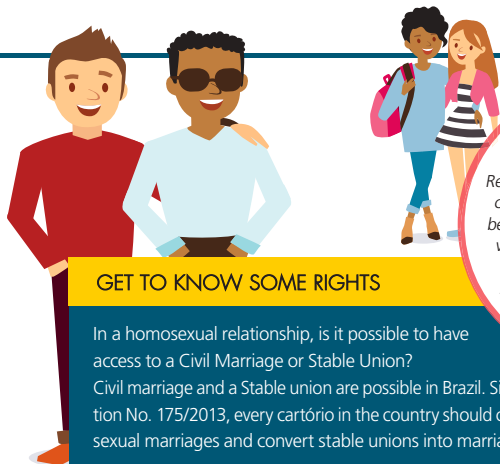
- Embarrass an individual due to their sexual orientation;
- Intimidate, threaten or act in a violent manner;
- Impede the expression of affection;
- Deny the access to or performance of services.



WHAT DOES THE ACRONYM "LGBT" MEAN?

The acronym "LGBT" means Lesbians, Gays, Bisexuals, Transvestites and Transsexuals. Despite this does not cover everything, it refers to different possible sexual expressions and gender identities.





GET TO KNOW SOME RIGHTS

In a homosexual relationship, is it possible to have access to a Civil Marriage or Stable Union?

Civil marriage and a Stable union are possible in Brazil. Since the CJN Resolution No. 175/2013, every cartório in the country should celebrate civil homosexual marriages and convert stable unions into marriages.

What is the Transsexual Process? How do I access it?

The Transsexual Process is a medical treatment that enables the body to assume the characteristics of the gender identity of the person. It is offered free of charge by SUS for transsexuals and transvestites who wish to undergo this process. Consult a UBS for more information.

Where and how can a social name be used?

According to State Decree 55.588/2010 and Municipal Decree No. 51.180/2010, transsexuals and transvestites have the right to choose the first name they will use in the public bodies in the State of São Paulo. Just indicate what first name you wish to use when you complete the registration. Furthermore, Deliberation No. 125/2014 permits the use of a social name in school records.



Attention to Rights!

According to Resolution No. 12/2015 of the National Council for Combatting Discrimination and the Promotion of the Rights of the LGBT Population, the use of bathrooms, clothing and places segregated by gender, in educational institutions, is guaranteed in accordance to people's gender identify.

Attention!
Regardless of the transsexual process, every LGBT person should be treated normally in all SUS services without suffering any discrimination because of their sexual orientation or identity..

→ CHAPTER 12

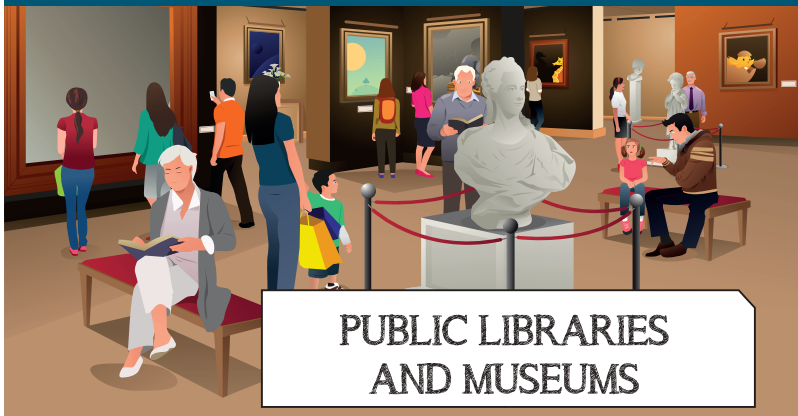
RIGHT TO CULTURE



Cultural rights are provided for in the 1988 Federal Constitution. In the city of São Paulo, the Municipal and State Secretaries of Culture are responsible for the coordination of cultural policy. Some information relating to cultural services and programs can be found below.







PUBLIC LIBRARIES AND MUSEUMS

The public libraries have different collections of books in diverse languages. Entry to these places is free and you can register to borrow books. The addresses of libraries can be found on the City Hall's website; <http://www.prefeitura.sp.gov.br/cidade/secretarias/cultura/bibliotecas/>

The city also has many museums. To check their addresses simply access the following website: <http://www.cidade-desapaulo.com/sp/br/museus>

Free Internet

The city of São Paulo has some areas with free internet access •
Praça da Sé ;

- Praça da República;
- Parque da Luz;

Secretaria Municipal de Cultura

www.prefeitura.sp.gov.br/cidade/secretarias/cultura/

Secretaria Estadual de Cultura

www.cultura.sp.gov.br/portal/site/SEC/menuitem.07db94ea1e7d7825e1628fc7a8638ca0/?vgnextoid=990b30b51025c410VgnVCM1000008936c80aRCRD



- Parque Dom Pedro II;
- Largo do Santa Cecília;
- Largo do Cambuci;
- Praça Kantuta;
- Praça Silvio Romero.



Find more address at the website: <http://wifilivre.sp.gov.br/index>.

Cultural education

Many courses and workshops are held in the city of São Paulo. These courses are carried out at different cultural sites. There are also cultural exhibitions that contribute to the development of culture. For more information, visit the websites or search directly at cultural sites.

Workshops and Public Notices

Workshops of the State of São Paulo and Municipal Council of São Paulo
All information on cultural workshops and courses offered by the SEC and SMC are available on these websites: <http://www.oficinas culturais.org.br/> and http://www.prefeitura.sp.gov.br/cidade/secretarias/cultura/programacao_cultural/index.php?p=4575

What are Cultural Public Notices?

The public notices serve as competitions in which the person concerned registers their cultural project. The selected projects receive a grant to fund them. There are many types of public notices in different cultural areas with specific demands. You need to check the rules.

Are the public notices, offered by the SMC and SEC to encourage culture, open to migrants?

To check the feasibility of participation in SMC and SEC's public exhibitions, you need to inquire the committees responsible for the exhibitions. One of the SMC public exhibitions is VAI (Cultural Initiatives Enhancement Program) which guarantees migrant participation. Registration of projects takes place in January/February. More information can be found at the website: <http://programavai.blogspot.com.br/>

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→ CHAPTER 13

RIGHT TO TRANSPORT





Access to public transport is a right guaranteed in the 1988 Federal Constitution. The São Paulo metropolitan region is served by buses, subways and trains. Transport is the responsibility of the Municipal Secretariat of Transport and the Metropolitan Secretariat of Transport.



HOW MUCH IS THE FARE?



single fare on bus, subway or train costs R\$3.80 (price in 2016).

There are also the Bilhete Único and Cartão BOM, which enable you to save on the cost of the fare. It is important to know that each municipality in Greater São Paulo has its own specific transport tariff.

Bilhete Único (One Ticket) **What is and how do I get a Bilhete Único Anônimo (without registering)?**

The Bilhete Único Anônimo is a type of pre-paid card with a balance value that can be purchased without the need to register at SPTrans' Bus Counters and Terminals, at the Bilhete Único ticket offices in the Subway and Train





stations. Anyone can get one for the cost of R\$7.60 (2016 price).

What is and how do I get the Novo Bilhete Único (New One Ticket), with registration?

The Novo Bilhete Único allows access to credit for either Common, Vale Transporte and Student credits. You need to register nominally. To get the Novo Bilhete Único free, you need to complete the form on the internet.

Cartão BOM (BOM Card)

What is and how do I get the Cartão BOM?

The Cartão BOM is a fare card for people who live and work in the São Paulo metropolitan region (Guarulhos, ABC, etc.). To

TIP!

Besides the bilhete único, there are also other specific types of cards available, like:

- Student Bilhete Único
- Paulistana Mother Bilhete Único
- Special Bilhete Único

To know more, access:
<http://bilheteunico.sptrans.com.br/>

get the Cartão BOM, the migrant must go to one of the service counters bringing identity documents and CPF.

sempre todos os



DRIVING LICENSE FOR FOREIGNERS

The National Driving License (CNH - Carteira Nacional de Habilitação) – is a compulsory document for driving a vehicle in Brazil.

Can a migrant with a license in their country drive in Brazil?

According to Resolution No. 360/2010 of the National Transit Council (CONTRAM), the foreign licensed motorists can only drive in Brazil when there are conventions or international agreements, or by adopting the Principle of Reciprocity for a period of 180 (one hundred and eighty) days from the date of entry into Brazil. If you are not covered by agreements or conventions, a migrant must exchange their foreign license for a CNH.

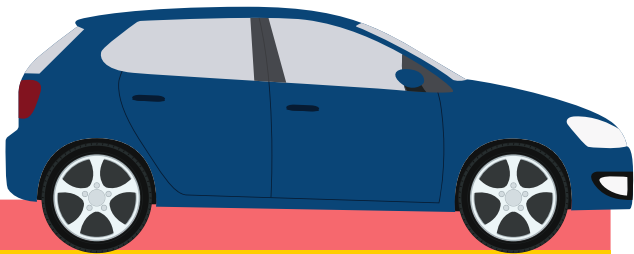
Tip!

To drive for a period greater than 180 days, you need to apply for a CNH for foreigners.



Dica!

➔ A solicitação deve ser feita no Detran.SP do município de endereço da/o motorista (unidade ou circunscrição regional de trânsito/Ciretran).



What are the conditions to get a foreigner's CNH?

You need to:

- 1) Have a foreign valid driving license;
- 2) Be criminally liable;
- 3) Have the RNE.

Migrants who have yet to receive their RNE, can present their application Protocol issued by the Federal Police, which must contain the definitive qualifying number and the validity of the document. They also need a completed printed form from Sistema Nacional de Cadastro de Registro de Estrangeiros (Sincre), which can be obtained from <https://servicos.dpf.gov.br/sincretWeb/>.

Depending on the agreement Brazil has with the migrant's country of origin, it may be necessary to undergo a practical test. A fee is also payable. If a migrant does not hold a CNH, is still possible to follow the same procedure as for Brazilians to get one. Only literate adults with identity documents (RNE) and a CPF can apply for a CNH. The process can only be done by the interested party as it involves psychological and medical exams, classes and theory and practical tests.

→ CHAPTER 14



ASSOCIATIONS AND SUPPORT SERVICES FOR MIGRANTS AND REFUGEES



The city of São Paulo relies on some services and Non-Governmental Organizations that assist the migrant population. Some of these organizations offer free Portuguese language courses for migrants. For more information about the courses and times, contact the organizations.

Note: this list is not exhaustive. Some other organizations also work with migration.

→ LIST OF ASSOCIATIONS

ADUS - Instituto de Reintegração do Refugiado

Offers service, advice and assistance for refugees and asylum seekers. Offers Portuguese courses.

Address: Avenida São João, 313, 11th floor, São Paulo – SP CEP: 01035-000

Tel.: (11) 3225-0439

Site: <http://www.adus.org.br/>

Associação Compassiva

Provides social assistance services and information, advice for applying for documents and assistance in looking for work for refugees. Offers Portuguese courses.

Address: Rua da Glória, 900, Liberdade, São Paulo – SP CEP: 01510-000

Telephone: (11) 237-3449

E-mail: lar@compassiva

Associação Palotina

Offers Portuguese classes.

Address: Rua Eneas de Barros, 147, Vila Santana, São Paulo – SP, CEP: 03613-000

Tel.: (11) 2681-5158

E-mail: casadeacolhida@palotinas.com.br

BibliASPA

Offers Portuguese classes.

Address: Rua Baronesa de Itu, 639, Santa Cecília, São Paulo – SP, CEP: 01231-001

Site: <http://bibliaspa.org/>

Email: direcao@bibliaspa.org

CAMI - Centro de Apoio e Pastoral do Migrante

Provides advisory services for migration regularization, legal and miscellaneous

Information for migrants and refugees. Offers Portuguese courses.
Address: Alameda Nothmann, 485, Campos Elísios, CEP: 01216-000
Telephone: (11) 2694-5428
Site: <http://www.camimigrantes.com.br/>
E-mail: camipastoraldomigrante@gmail.com

Cáritas Arquidiocesana de São Paulo:

Provides social assistance services, legal information and referrals. Service exclusively for refugees and asylum seekers. Offers Portuguese courses.
Address: Rua José Bonifácio, no. 107, 2nd floor, Sé, São Paulo – SP, CEP: 01003-001
Tel.: (11) 4873-6363 or (11) 2062-7766
E-mail: refugiados@caritassp.org.br

CESPROM – Centro Scalabriniano de Promoção do Migrante

Offers Portuguese courses and professional training for migrants.
Address: Rua Teresa Francisca Martin, 201, Pari, São Paulo – CEP: 03030-040
Site: <http://www.msccs.org.br/>

CDHIC - Centro de Direitos Humanos e Cidadania do Imigrante

Provides advisory services for migration regularization, information and political training courses for migrants and refugees. Offers Portuguese courses.
Address: Rua Bernardo Magalhães, 203, Tatuapé, São Paulo – SP CEP: 03067-060
Telephone: (11) 2384-2274 / (11) 2384-2275
Site: <http://www.cdhic.org.br/>
E-mail: secretaria.cdhic@gmail.com

CRAI - Centro de Referência e Acolhida para Imigrantes

(Sefras/SMDHC)

Provides reception services, advice and legal

information for migrants and refugees. Offers Portuguese courses.

Address: Rua Japurá, 234, Bela Vista, São Paulo – SP CEP: 01319-030

Telephone: (11) 3112-0074

E-mail: recepção.crai@sefras.org.br

Espaço Cultural e assistencial Juan Gajardo

Offers Portuguese courses.

Address: Rua Cerro Cora, 645, Alto de Pinheiros, São Paulo – SP CEP: 05061-150

Tel.: (11) 3807 9407

E-mail: juangajardo@hotmail.com

Inti Wasi

Offers Portuguese courses.

Address: Rua Bartolomeu Zunega, 44, Pinheiros, São Paulo – SP CEP: 05426-020

Telephone: (11) 3242-1698

E-mail: inti.wasi@yahoo.com.br

ITTC – Instituto Terra, Trabalho e cidadania

Has a project for women migrants on restriction of freedom measures (“Foreign women”). Offers visits, advice and referrals

Address: Rua Marquês de Itu, 298, São Paulo - SP CEP 01223-000

Telephone: (11) 3331-3355

Site: <http://ittc.org.br/>

E-mail: estrangeiras@ittc.org.br

Missão Paz

Provides reception services and advice for migrants and refugees. Offers Portuguese course. Missão Paz is also responsible for Casa do Migrante, which offers temporary accommodation for migrants and refugees in the city of São Paulo.

Address: Rua Glicério, 225, Liberdade, São Paulo – SP CEP: 08230-090

Tel.: (11) 3340-6950

Site: <http://www.missaonspaz.org/>
E-mail: comunica@missaonspaz.org

Oásis Solidário

Offers information and advice for migrants and refugees. Offers Portuguese courses.

Address: Rua Barão do Ladário, 922 3rd floor, Pari, São Paulo – SP CEP 03010-000

Site: <http://www.oasis-solidario.com.br/>
E-mail: contato@oasis-solidario.com.br

Projeto Sí! Yo Puedo

Address 1: Praça Kantuta s/n – Canindé, São Paulo – SP CEP: 01109-010

Address 2: Rua Barra Funda, 1020, Barra Funda, São Paulo – SP CEP: 01152-000

Tel.: (11) 3104-2733

E-mail: siyopuedo_sp@yahoo.com.br

Warmis - Equipe de Base Warmis-Convergência das Culturas

Offers advice on rights and workshops for migrant women and refugees.

Address: Rua Vergueiro, 819, sala 01, Liberdade, São Paulo - SP, CEP: 01504-001

E-mail: contato@warmis.org

Site: www.warmis.org

USEFUL CONTACTS

GENERAL SUPPORT

CRAI - Centro de Referência e Acolhida para Imigrantes (Sefras/SMDHC)

Provides reception services, advice and legal information for migrants and refugees. Offers Portuguese courses.

Endereço: Rua Japurá, 234, Bela Vista, São Paulo – SP CEP: 01319-030

Telefone: (11) 3112-0074

E-mail: recepcao.crai@sefras.org.br

MIGRATION REGULARIZATION AND DOCUMENTATION

Receita Federal Agency at Shopping Light

Address: Rua Cel. Xavier de Tolêdo, 23, 2nd floor Centro, São Paulo – SP,
CEP 01048-100

Times: Mon – Fri., 8 am to 8 pm

Ticket numbers are issued from the triage until 7.30 pm

Fórum Criminal Barra Funda

Address: Avenida Dr. Abrahão Ribeiro, 313, Barra Funda, São Paulo – SP

CEP: 01133-020

Tel.: (11) 2127-9000

Superintendência Regional em São Paulo

Address: Rua Hugo D'Antola, 95, Lapa de Baixo, São Paulo – SP

CEP: 05038-090

Tel.: (11) 3538-5000

Site: www.dpf.gov.br

DIREITO À JUSTIÇA

Address: Rua Líbero Badaró, 600, Centro, São Paulo – SP

CEP: 01008-000

Tel.: (11) 3101-7708

DECRADI - Delegacia de Crimes Raciais e Delitos de Intolerância

Address: Rua Brigadeiro Tobias, 527, 3º andar, Luz, São Paulo – SP
CEP: 01032-090

Tel.: (11) 3311-3556/ (11) 3315-0151 – Ramal 248

Núcleo de Combate à Discriminação, Racismo e Preconceito

Group for Combatting Discrimination, Racism and Prejudice
Public Defender for the State of São Paulo

Address: Rua Boa Vista, 103, 10th floor, Centro, São Paulo – SP CEP:
01014001

Tel.: (11) 3101-0155 (ext. 137 and 249)

Site: www.defensoria.sp.gov.br

E-mail: nucleo.discriminacao@defensoria.sp.gov.br

SOS RACISMO

Legislative Assembly of the State of São Paulo

Address: Av. Pedro Álvares Cabral, 201, Ibirapuera, São Paulo – SP
CEP: 04094-050

Times: Mon – Fri 9 am to 7 pm

Tel.: 0800-77-33-886

E-mail: sosracismo@al.sp.gov.br

DIREITO À SAÚDE

**CRATOD – Centro de Referência de Álcool, Tabaco e
outras Drogas**

Address: Rua Prates, 165, São Paulo, Bom Retiro, São
Paulo – SP

CEP: 01121-000

Tel.: (11) 3329-4455

Site: www.saude.sp.gov.br/cratod-centro-de-referencia-de-alcool-tabaco-e-outras-drogas/

Disk Saúde

Calls to Disk Saúde are free and operates 24 hours

Tel.: 136

Times: Mon to Fri 7 am to 10 pm

Central Health Ombudsman

Receives questions and demands in relation to problems faced in the SUS..

Address: Rua General Jardim, 36, 4th floor, República, São Paulo – SP

CEP: 01223-011

Times: Mon to Fri 9 am to 5 pm. or at Technical Health Supervisions .

Site: www.prefeitura.sp.gov.br/cidade/secretarias/saude/ouvidoria/index.php?p=5422

RIGHT TO EDUCATION

State Education Secretariat of São Paulo:

Address: Praça da República, 53, Centro, São Paulo – SP **CEP:** 01045-903

Tel.: 0800-7700012

Times: Mon to Fri 7 am to 5 pm

Site: <http://www.educacao.sp.gov.br/>

Municipal Education Secretariat of São Paulo:

Address: Rua Borges Lagoa, 1230, Vila Clementino, São Paulo–SP

CEP: 04038-003

Tel.: (11) 3396-0600

Site: portal.sme.prefeitura.sp.gov.br/Main/Home/Index/

RIGHT TO SOCIAL ASSISTANCE

CRAS – Social Assistance Reference Center

More addresses can be found on the following



site: www.prefeitura.sp.gov.br/cidade/secretarias/assistencia_social/cras/index.php?p=1906

CRAS SÉ

Address: Avenida Tiradentes, 749, São Paulo – SP CEP: 01101-010

Tel.: (11) 3313-1014

CRAS SANTANA

Address: Rua Voluntários da Pátria, 4649, São Paulo – SP CEP: 02402-700

Tel.: (11) 2283-1198

CRAS ITAQUERA

Address: Rua Fontoura Xavier, 695, São Paulo – SP CEP: 08295-300

Tel.: (11) 2056-4412

CREAS – Specialized Social Assistance Reference Center

More addresses at the following link

www.prefeitura.sp.gov.br/cidade/secretarias/assistencia_social/creas/index.php?p=2003

CREAS SÉ

Address: Av. Tiradentes, 749, Sé, São Paulo – SP CEP: 01101-010

Tel.: (11) 3313-4560

Espaço de Convivência Barra Funda

Address: Rua Norma Pieruccini Gianotti, 77, Barra Funda,

São Paulo – SP CEP 01137-010

Tel.: (11) 3392-2002

Espaço de Convivência Bela Vista

Address: Rua Santo Antonio, 800, Bela Vista São Paulo - SP

CEP 01314-000

Tel.: (11) 3129-9216 / 3129-9235

Espaço de Convivência Mooca

Address: Rua da Mooca, 26, Mooca, São Paulo – SP CEP: 03103-003

Tel.: (11) 3209-2670

RECEPTION CENTERS

Address: Rua Prates, 1101, Bom Retiro, São Paulo – SP CEP: 01121-000

Tel.: (11) 96862-6602

RECEPTION CENTERS

Below are some of the reception centers in São Paulo.

For more addresses, call: 156.

Reception Center for Immigrants – SEFRAS

Endereço: Rua Japurá, 234, Bela Vista, São Paulo – SP CEP: 01319-030

Tel.: (11) 3112-0074

Reception Center Especially for Immigrant Women –

Associação Palotina

Address: Rua Enéas de Barros, 147, Penha, São Paulo – SP CEP 03613-000

Tel.: (11) 2681-5158

E-mail: casadeacolhida@palotinas.com.br

Site: www.palotinas.com.br

Reception Center for Immigrants Pari – Missão Scalabriniana

Address: Rua Teresa Francisca Martim, 201

(entrada pela Rua das Olarias, altura do nº 110, Canindé, São Paulo – SP
CEP: 03030-020)

Reception Center Arsenal da Esperança – SERMIG –

Fraternidade da Esperança

Address: Rua Dr. Almeida Lima, 900 Brás, São Paulo – SP CEP: 03164-000

Tel.: (11) 2292-0977

Terra Nova – Transitory Home for Migrants and Immigrants – CROPH

Address: Rua da Abolição, 145, República, São Paulo – SP CEP: 01319-010

Tel.: (11) 3132-0074

Reception Center Barra Funda I

Address: Rua Norma Pieruccini Giannotti, 77ª, Barra Funda CEP: 01137-010

Tel.: (11) 3392-4527

Reception Center Zaki Narchi I

Address: Av. Zaki Narchi, 600, Carandiru, CEP: 02029-000
Tel.: (11) 2089-1829

Reception Center Pousada da Esperança – Southern Region

Address: Rua Isabel Schimidt, 489, Santo Amaro, CEP: 04743-030
Tel.: (11) 5548-2672

Reception Center São Mateus – Western Region

Address: Av. Mateo Bei, 1409, São Mateus, CEP: 03949-011
Tel.: 2013-9693

BOM PRATO Restaurant Chain

Tel.: 0800-055-45-66

Site: www.saopaulo.sp.gov.br/spnoticias/lenoticia.php?id=225288

Address: Rua 25 de Março, 166, Centro, CEP: 01021-000

Address: Av. Rangel Pestana, 2.327, Brás, CEP: 03001-000

RIGHT TO DECENT WORK

APSAISP - Social Security Agency Service International Agreements
São Paulo

Address: Rua Santa Cruz, 747, 1º Subsolo, Vila Mariana, São Paulo – SP
CEP: 04121-000

Tel.: (11) 3503-3607/ (11) 3503-3617/ (11) 3503-3618

Fax: (11) 5084-4786

E-mail: apsai21004120@inss.gov.br

CATe – Center for Labor and Entrepreneurship
Support

Information about the location of service centers

can be obtained by calling 158, the 'Alô Trabalho' call center. You can also consult the following website: http://www.prefeitura.sp.gov.br/cidade/secretarias/trabalho/espaco_do_trabalhador/centro_de_apoio_trabalho/index.php?p=601CATELUZ

Address: Av. Prestes Maia, 919, Luz, São Paulo - SP, CEP: 01031-001

Tel.: (11) 3397-1500

Times: De Seg. a Sex., 08h00 –17h00

Public Ministry of Labor

Address: Rua Cubatão, 322, Paraíso, São Paulo – SP CEP: 04013-001

Tel.: (11) 3246-7000

Site: www.prt2.mpt.gov.br/servicos/denuncias

SEBRAE

Sebrae offers free courses and advice for the formalization of employment and MEI.

Site: www.sebrae.com.br/sites/PortalSebrae/

Labor and Employment Regional Superintendence

Address: Rua Martins Fontes, 109, Centro, São Paulo – SP CEP: 01050-000

Tel.: (11) 3150-8199

Site: portal.mte.gov.br/delegacias/sp/srte-sp-sao-paulo.htm

WOMEN'S RIGHTS

Women's Citizenship Centers – CCMs

Endereço: Rua Ibiajara, 495, Itaquera, São Paulo – SP CEP: 08246-101

Tel.: (11) 2073-5706 / (11) 2073-4863

Women's Reference Center

Address: Rua 25 de Março, 205, Centro, São Paulo – SP CEP: 01021-000

Tel.: (11) 3106-1100

DEAM – Specialized Service to Women Police Station

There are 9 women's stations spread throughout the city. Below is the address for the one in the central region. You can find the address of the

others at its website.

Tel.: 197

Site: www.cidadao.sp.gov.br/servico.php?serv=1715

1st Women's Police Station

Address: Rua Dr. Bittencourt Rodriguez, 200, Sé, São Paulo – SP

CEP 01017-010

Tel.: (11) 3241-3328

Center Specializing in the Promotion and Defense of Women's Rights

Address: Rua Boa Visita, 103, 10º andar, Bela Vista, São Paulo – SP

CEP: 01014-001

Tel.: (11) 3101-0155

E-mail: nucleo.mulher@defensoria.sp.gov.br

RIGHTS OF THE LGBT POPULATION

LGBT Citizenship Center

Address: Rua do Arouche, 23, 4º andar, República, São Paulo – SP

CEP: 01219-001

Tel.: (11) 3106-8780

E-mail: centrodecidadania-lgbt@prefeitura.sp.gov.br

Reference and Defense of Diversity Center

Address: Rua Major Sertório, 194, República, São Paulo – SP

CEP: 01222-000

Tel.: (11) 3151-5786

E-mail: centrodereferencia@prefeitura.sp.gov.br

RIGHT TO TRANSPORT

State Transit Department of São Paulo

Address: Avenida do Estado, 900, Bom Retiro, São Paulo – SP

CEP: 01107-000

Times: Mon to Fri 7 am to 5 pm Saturday 7 am to 1 pm

Tel.: (11) 3322-3333

Site: www.detran.sp.gov.br

BOM Service Post

Address: Rua Domingos de Morais, 1.297, Vila Mariana,
São Paulo – SP

CEP: 04036-100

Times: Mon to Fri 9 am to 4.30 pm / Saturday 9 am to Midday
Tel.: 0800 77 11 800 ou (11) 3888-2200

Site: www.cartaobom.net

Site: www.cartaobom.net

SPTrans Service Post

Address: Rua Boa Vista, 128, Sé, São Paulo – SP CEP: 01014-970

Times: Mon to Fri 8 am to 4 pm

Tel.: 156

Site: www.sptrans.com.br

OTHERS

CECAPdh – Popular Training Center – Human Rights

Offers free training course on Introduction to Development of Social Projects and consultancy for assistance in development projects.

Address: Incubadora de Projetos da Prefeitura de São Paulo, Rua Otto de Alencar, 270, Cambuci, São Paulo – SP CEP: 01517-000

Tel.: (11) 3208-2020, ext. 219

Immigrant CIC– Secretariat of Justice and Defense of Citizenship

Issues documents and legal services for immigrants and refugees.

Address: Rua Barra Funda, 1020, Santa Cecília, São Paulo – SP

CEP: 01152-000

CONARE – National Committee for Refugees

Tel.: (61) 2025-9225

Site: www.mj.gov.br/conare

E-mail: conare@mj.gov.br

DPE - State of São Paulo Public Defender

Os atendimentos devem ser agendados pelo telefone.



Tel.: 0800-773-4340

Horário para ligações: Seg. a Sex., 7h-19h.

Address: Rua Fernando de Albuquerque, 155, Consolação,
São Paulo – SP CEP: 01309-030

Times: Monday to Fri 9 am to 2 pm

Tel.: (11) 3627-3400

Site: www.defensoria.sp.gov.br

DPU - Defensoria Pública da União

Endereço: Rua Fernando de Albuquerque, 155, Consolação,
São Paulo – SP CEP: 01309-030

Horário: Seg. a Sex., 09h00-14h00 **Telefone:** (11) 3627-3400

Site: www.dpu.gov.br

Metropolitan Civil Guard

Many offices spread throughout the city **Tel.:** 153

INCA/Brazil Patronage

Inca Brazil offers free information and advice matters about social security for workers.

Address: Rua Dr. Alfredo Ellis, 68, Bela Vista,
São Paulo – SP CEP: 01322-050

Tel.: (11) 3284.6065 / (11) 3171.0236 / Fax (11) 2891.820

Site: www.incabrazil.org.br/

Civil Police

Many stations spread throughout the city.

Tel.: 197 - **Site:** www.ssp.sp.gov.br

Military Police

Many stations dotted throughout the city.

Tel.: 190 - **Site:** www.policiamilitar.sp.gov.br

This guide is the result of a partnership between the Municipal Secretariat of Human Rights and Citizenship of São Paulo, through its Coordination of Migrant Policy, and the Reference and Reception Center for Immigrants (CRAI), managed by the Franciscan Solidarity Service (SEFRAS). The Guide was made possible with funds from the National Secretariat of Justice, of the Ministry of Justice of the Federal Government.

An open Working Group was formed for its preparation, in 2015. The content was built collaboratively, seeking to enrich the information contained herein and to provide a better support for migrants and for public servants that serve migrants in São Paulo and the surrounding region. The content may and should be adapted and updated according to need, as long as freely distributed and the authors acknowledged.

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SÃO PAULO METROPOLITAN TRAIN AND SUBWAY MAP





CITY OF SÃO PAULO MAP

 Subprefeituras

 Distritos

Subprefeituras

- | | |
|---|--------------------------------|
|  | 01 - Perus |
|  | 02 - Pirituba |
|  | 03 - Freguesia/Brasilândia |
|  | 04 - Casa Verde/Cachoeirinha |
|  | 05 - Santana/Tucuruvi |
|  | 06 - Jaçanã/Tremembé |
|  | 07 - Vila Maria/Vila Guilherme |
|  | 08 - Lapa |
|  | 09 - Sé |
|  | 10 - Butantã |
|  | 11 - Pinheiros |
|  | 12 - Vila Mariana |
|  | 13 - Ipiranga |
|  | 14 - Santo Amaro |
|  | 15 - Jabaquara |
|  | 16 - Cidade Ademar |
|  | 17 - Campo Limpo |
|  | 18 - M'Boi Mirim |
|  | 19 - Capela do Socorro |
|  | 20 - Parelheiros |
|  | 21 - Penha |
|  | 22 - Ermelino Matarazzo |
|  | 23 - São Miguel |
|  | 24 - Itaim Paulista |
|  | 25 - Mooca |
|  | 26 - Aricanduva/Formosa/Carrão |
|  | 27 - Itaquera |
|  | 28 - Guaianases |
|  | 29 - Vila Prudente/Sapopemba |
|  | 30 - São Mateus |
|  | 31 - Cidade Tiradentes |



sempre todos os





EXECUTION



SUPPORT

Secretaria
Nacional de Justiça

