Response to migratory flows and the social inclusion of Haitian immigrants in Brazil\(^1\)

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Executive summary

This case study examines the first-ever program implemented in Brazil to receive migrants from a humanitarian crisis. The humanitarian crisis in question worsened in 2010, in the wake of an earthquake that hit Haiti’s capital city, Port-au-Prince. Until 2007, Brazil had been responsible for the peacekeeping troops deployed to stabilize the Caribbean country. In 2011, the number of Haitian people crossing the border into Brazil started to rise. Traditionally very low, the inflow numbers quickly escalated to dozens, then hundreds, and finally thousands of incoming migrants.

Prior to the incidents discussed in this case study, there was no public policy in place to receive and assist massive waves of immigrants coming into Brazil. For decades, the legislation had been restrictive and focused on compulsory removal of individuals from the country who were deemed undesirable by the authoritarian regime that governed Brazil until the mid-1980s. This issue garnered little visibility after the country returned to democracy, resulting in a legal framework that fell short of providing the Government with the proper tools to promote social inclusion, thus curbing migratory flows to one of the lowest immigrant ratios (as compared to the total population) in the world—approximately 0.5 percent.

As immigration from Haiti intensified, the issue gained visibility and laid bare the institutional limitations of the national and local governments in providing a swift and efficient response, both in terms of migration documentation and in specific inclusion policies, such as Portuguese language instruction and assistance. The policies and discourses arising from the arrival of Haitian nationals have taken the discussion on how to update migratory laws and institutions in new directions within governmental, non-governmental, and international organizations.

The process required public policy solutions to be developed concurrently; these solutions can be subdivided into two axes: (1) public policies on migration documentation, access to documentation, citizenship and justice, and (2) social protection and inclusion policies.

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One of the primary implementation challenges was the absence of a central body with technical expertise and unequivocal normative jurisdiction over the issue. As such, all the actions were supported by newly-created working groups working in tandem and bringing together different Federal Government sectors, under a federative scheme involving the governments of arrival states and municipalities.

In addition to overcoming coordination challenges, efforts were needed to design new approaches to monitor migration rates, assess the impact of government actions, and consider swift course-correction mechanisms. Each ministry and agency was required to contend with its own challenges when adapting its strategies and actions to accommodate the needed development of new tools and repertoires, and constantly evaluate their progress, as new aspects of complex migratory phenomena came to light and became more widely understood.

The period between 2013 and 2016 proved to be a steep learning curve. Policies on documentation and access to rights were discussed, fine-tuned, and executed. Social assistance programs and practices were adapted and developed; coordination mechanisms were instituted; new solutions were tested and subsequently put in place or adjusted, based on the demands and characteristics of migratory flows. In 2016, Brazil deemed successful the efforts of multiple governmental and social entities in encouraging formal, planned, and structured migration strategies and discouraging informal and precarious routes; this is evidenced by the increase in the number of Haitian immigrants hired in Brazil between 2010 and 2015. The number of new Haitian migrants skyrocketed from practically zero to almost 100,000 residents in 2011. Most were regular migrants with feasible pathways to autonomy and social insertion, and supported by various strategies to issue documentation, intermediate labor, provide social protection and shelter for the vulnerable, and provide Portuguese language instruction and reintegration into education systems, among other work fronts.

In this case, the implementation of actions on the issue correlates directly with the maturation of a matrix of responsibilities assigned to federal and local government officials, to ensure the inclusion of large groups of migrants, improve existing policies and innovate in terms of public policy design and execution. The implementation process and the lessons learned from this experience have also influenced the direction of the most comprehensive reform of migratory laws ever undertaken in Brazilian history (da Silva 2017), with an empirical view of the application of policies for migrants that defined the legal provisions included in the so-called “New Migration Law” (Law no. 13,445 / 2017), in effect in Brazil as of November 2017.

Introduction

“We face a serious social problem in Acre, and Governor Tião Viana is literally pleading for help. The Federal Government cannot afford to ignore this situation. As of Wednesday (January 4, 2012), there were a total of 1,225 Haitians, with more arriving each day.” (AGÊNCIA SENADO, 2012)

On January 10, 2012, the Government of Acre sent a letter to the Ministry of Social Development and Fight against Hunger (MDS) requesting food donations and financial support to provide shelter for 1,400 Haitian immigrants “retained” in the neighboring cities of Brasileia and Epitaciolândia.

The MDS initially sent R$ 990,000.00 to help the state receive immigrants in 2012, but despite those efforts, little changed in the overcrowded shelter in Brasileia, as there were no clear guidelines for the municipal government to follow, and the problem of granting immigrants regular status had not yet been solved.

Seeing that the situation had worsened, Tião Viana (PT), Governor of Acre, declared a state of humanitarian emergency on Wednesday (10), to get the attention of federal support agencies. Viana’s advisors stated that the Ministry of Foreign Affairs (Itamaraty) had been ignoring the Haitian migration problem and leaving the State to address the problem on its own. The governor’s initiative paid off. A federal task force, composed of several federal agencies and ministries, arrived in Brasileia late Friday afternoon to try and ease the pressure on the city, with approximately 25,000 inhabitants. (ÚLTIMO SEGUNDO, 2013)

This case study addresses Brazil’s humanitarian efforts to receive immigrants, more specifically, Haitian nationals who entered the country between 2012 and 2015. Several public policies needed to be coordinated within the country to provide an effective response. Many adjustments were also made during that period to overcome new problems that emerged as the policy was implemented.

On January 12, 2010, Haiti faced the single most devastating disaster in the country’s history, with estimates of over 220,000 fatalities and large-scale destruction of
the country’s infrastructure and governance structure (Oim 2014). The United Nations Stabilization Mission in Haiti (MINUSTAH), led by Brazil, had been in the country since 2004 to maintain political stability.

In the wake of the 2012 earthquake, Dilma Rousseff, then president of Brazil, stated: “We are open to receiving Haitian citizens who choose to seek opportunities in Brazil” (The New Yorker 2014). That gesture signaled Brazil’s political intent to open its doors to Haitian immigrants.

Haitian immigration to Brazil was slow at first, with groups of dozens of Haitians arriving at the country’s northern border in 2011. From 2012 to 2016, the number of Haitian immigrants registered in the National Registry of Foreigners (a database operated by the Federal Police) soared from 4,278 to 42,026 (Milesi 2016).

The first challenge for Brazil was its border regions, which are vast and riddled with passageways. In view of Brazil’s extremely restrictive immigration laws, immigrants faced the risk of being in the country irregularly. As such, they would likely be marginalized by society and exposed to precarious working conditions and crime. On the other hand, investments in legal registration and access to rights for this population could improve their chances of inclusion in Brazilian society. The decision to receive Haitian immigrants was made at the highest echelons of government—the Presidential Staff Office and the Presidency of the Republic itself. A two-pillar strategy was designed to try and accomplish this objective.

As of January 2012, the Ministry of Justice, in conjunction with the Ministry of Labor and Employment, would start registering the migrant population already in the country, and the Ministry of Foreign Affairs would issue permanent visas for humanitarian reasons, to ensure safe and planned transit from Port-au-Prince. Immigrants would therefore be guaranteed access to their rights, to public services, and to the formal labor market. It was not only about designing normative mechanisms to document immigrants; the intention was that they must also have access to their rights.

Secondly, these groups would be inserted into public social assistance systems—under the coordination of the Ministry of Social Development and Fight against Hunger and the state and municipal agencies in the Unified Social Assistance System (SUAS)—based on their demands and characteristics. This would be achieved in the form of a partnership involving the Federal Government, states, municipalities, and civil society to provide shelter to those who could not afford their own housing. The operations under the second pillar would be directly connected to those under the first, including access to labor intermediation systems, guidance on their rights and duties offered in their mother tongue, and the adaptation of social programs.

The actions described herein refer to how federal agencies—especially the Ministry of Justice and Social Development—coordinated with other entities (governmental and nongovernmental) to design policies to enable Haitian immigrants to access the country and be included, by encouraging planned arrivals, documentation, labor and educational insertion, and other aspects of local integration. More specifically, this study focuses on the period from 2012 to 2015 and the challenges faced therein.

**Development challenge**

The Brazilian government and society faced the challenge of integrating a growing contingent of immigrants into
the country, which required a strategy to receive and socially include immigrants, while respecting human rights and promoting the well-being of immigrants and Brazilians alike. The goals were:

1. to guarantee access to the country in a planned and safe manner, and in such a way that migrants are documented from the outset, at the point of origin;
2. to increase the number of public agencies and services capable of serving immigrants in their native tongues; and
3. to improve access to Portuguese language courses for immigrants.

Delivery challenges
The legal framework at the time was based on laws that were highly restrictive in terms of documentation and access to rights (Law no. 6815/1980, a.k.a. the Foreigners Statute). In essence, it viewed immigrants as threats to national security and did not provide for the means to document a large inflow of immigrants as part of a humanitarian effort. The process of issuing immigrant documentation was bureaucratic, complex, and difficult to extend to large groups of people.

The grave humanitarian crisis in Haiti drove large swathes of people out of the country. Faced with the complexities of obtaining a regular visa in Brazil, Haitians took to informal routes and used mixed transport modalities, first flying to Ecuador and then making their way to Brazil’s northern border by land. Upon arriving in Brazil, they sought asylum as refugees, one of the few channels of humanitarian protection and immigration documentation allowed under Brazilian Law.

This situation posed a new challenge. According to the National Committee for Refugees (CONARE), the Haitian migrants did not technically fit into Brazil’s legal definition of refugees. The high volume of migrant requests was also well above CONARE’s processing capacity, leading to a significant backlog of cases. This was compounded by the possibility that Haitian immigrants may not be granted refugee status at the end of the process and, as a result, would remain undocumented and unable to engage in formal labor and make a living in Brazil.

States and municipalities that received large numbers of immigrants lacked the funds to pay for public shelters, and the Federal Government had no funding schemes at the national level to handle the scale of the situation.

Many of the Haitian nationals spoke only Haitian Creole, while others also spoke French. French and Creole are not languages used by professionals and civil servants in Brazil. Language and cultural barriers became additional obstacles to public policy access, as well as significant delivery challenges when it came to implementing national policies aimed at this population.

The case and guiding questions
What is the best way to ensure access to rights and citizenship for vulnerable foreign populations entering the country in an undocumented fashion?

What are the best ways to fund local immigrant shelters, given the financial constraints of small cities and the potential for political friction when delivering services to foreign populations, especially at the municipal level?

What are potential strategies to overcome language and cultural barriers inherent to a new group of immigrants with no historical presence in Brazil?

Tracing the implementation process
Migrant documentation, access to rights, justice and citizenship
The level of access to migratory documentation and the challenges faced therein determine the level (and quality) of access to rights, services, and even public goods in Brazil. The Foreigners Statute, in effect in Brazil until 2017, stated that the only way to enter the country with regular status was by requesting a visa at a consular representation, mainly for work or family reunification purposes. For new migratory flows—especially those originating from humanitarian emergencies—the only alternative in Brazil was the refugee route, which is protection afforded to persons with a substantiated fear of persecution or who are escaping from serious and widespread human rights violations, in accordance with a specific law (Law No. 9,474 / 1997 – Refugee Law).

The arrival of groups of Haitians in Brazil after the 2010 earthquake presented a new scenario to Brazilian authorities. On the one hand, the displacement of Haitian nationals was motivated by the earthquake in January 2010, as well as by the country’s worsening socioeconomic conditions over several years prior to the earthquake. On the other hand, Brazil became a new
destination for the Haitian diaspora. The first groups of Haitians arrived in the northern Brazil by land.

Aware of the growing number of Haitian nationals seeking refugee status at border posts in small cities in the north of the country, the Federal Government started mobilizing to work on a response in the second half of 2011. In principle, representatives from CONARE believed that the refugee option was not the best response to document incoming migrants.

As such, in January 2012 the Presidential Staff Office held a series of meetings with the various ministries involved. These meetings culminated in Normative Resolution (RN) no. 97, adopted by the National Immigration Council, which authorized the granting of permanent visas for humanitarian reasons to Haitian immigrants at the Brazilian diplomatic mission in Port-au-Prince. This measure was initially conceived as a counterpart to other measures meant to restrict access at the border (a position defended by certain sectors of government), which were later rejected. The original version of the normative resolution also set the maximum number of visas of this nature at 1,200 per year, at the rate of 100 visas issued per month.

This initial response was unable to cover the number of visa requests by Haitian nationals. In addition to the low number of visas issued, the local infrastructure in Port-au-Prince was insufficient to adequately manage those services. Together, these factors resulted in long queues and months-long waiting lists at the Brazilian Diplomatic Mission. This scenario caused unwanted effects, such as the conversion of long queues into recruitment points for informal migration strategies, which ultimately increased the number of immigrants arriving in Brazil by land to thousands of people per month in 2014. As these individuals inevitably sought refugee status, the number of refugee requests by Haitian nationals in Brazil during that period can be used as a proxy to track the arrival behavior of immigrants at Brazil’s northern border (Xavier da Silva 2017), as follows:

The graph illustrates the curve prior to 2012—a period relevant to this case study—and shows that, historically, immigrants of Haitian nationality had been largely absent from Brazil. The number of arrivals begins to rise in 2011, and the upward migratory trend consolidates in late 2011 and for the entire period covered by this case study.

The persistent increase in the number of refugee requests in the first year after Normative Resolution 97 (authorizing the issuance of visas) went into effect shows that the Resolution—and the documentation policy as a whole—needed adjustment in view of the increasing number of people at the National Immigration Council (Xavier da Silva 2017). Initial adjustments were made, albeit with limited results: the amendment to Normative Resolution 97 in April 2013, which abolished the 100-visa monthly quota and authorized the Ministry of Foreign Affairs (MRE) of Brazil to issue visas “to the extent of its capacity to do so.” The number of issued visas gradually increased between 2013 and 2015 by means of occasional staff increases and adapted equipment, and ultimately exceeded 700 visas issued per month.

The mechanism used to document immigrants arriving in Brazil by land was built gradually, based on a growing understanding the behavior of migratory flows, and with constant debates involving the Ministry of Justice (MJ), which houses CONARE, and the Ministry of Labor and Employment (MTE), which is in charge of coordinating the National Immigration Council (CNIG).

Upon arriving in the country, migrants would make their way to the nearest Federal Police station and apply for refugee status, thus entering the refugee system; this would automatically grant them regular immigration status and access to the basic documentation for citizenship and work purposes (i.e., the Work and Social Security Card). The actual mechanism to be implemented was a topic of discussion at CONARE, CNIG and other forums, with leading roles played by the MJ, the MTE and the Ministry of Foreign Affairs.

In 2010, CONARE stated that, in principle, Haitian nationals were not eligible for refugee status under Brazilian Law. This prompted the MJ and the MTE to establish a process by which refugee requests made by Haitian immigrants were routed from CONARE to the CNIG, for further authorization by the MJ itself, which would grant residence for humanitarian reasons. Pursuant to the legislation still in effect at the time, this highly bureaucratic process would conclude when an act of concession was published in the Official Gazette of the Federal Government; from that point forward, an immigrant would be eligible to request a Foreigner’s Identification Card at the nearest Federal Police office.

In addition to this mechanism, a Federal Government task force was dispatched to the Northern Region of the country on multiple occasions to help organize local services and provide the necessary infrastructure to issue documents. This initiative by the Federal Government was prompted by an overload of local services, which resulted in increased public (and political) pressure
for the Federal Government to take over all migration services. The Federal Government, in turn, argued that the existing jurisdictions vis-à-vis education, health, and social assistance were already sufficiently clear about non-discrimination between Brazilians and non-Brazilians in terms of fundamental rights and guarantees, and that existing services were responsible for immigrants as well; as such, there was no need to create—or duplicate—parallel and segregated service structures.

Starting in April 2013, mobile Labor and Employment units were deployed to the capital and to the western border of the state of Acre to issue Work and Social Security Cards and assist with the enormous demand from new groups of migrants. The Federal Police sent reinforcements to help with the initial registration of refugee status requests, and the Federal Government authorized Banco do Brasil, the country’s primary commercial public bank, to support the issuance of Individual Taxpayer Registration (CPF) numbers to immigrants. At the same time, they were also registered in the National Labor Intermediation System (SINE), to help them find jobs at different locations in the country.

As shown in Figure 1, the number of requests tended to fluctuate, especially throughout 2014, and never stabilized; request peaks are tied to seasonal variations in the region and the intermittent transportation options available for migrants to make their way from the North Region to cities where they wish to settle (for example, due to rainy seasons and interruptions in transportation services offered by the state government in the region). (pain point).\(^4\)

In 2015, two opposing views prevailed at the councils and other government agencies:

On the one hand, there was a certain degree of “compassion fatigue” (Fassin 2013; Xavier da Silva 2017), a growing and almost palpable abrasion in the discourse of public and social players, who viewed the situation as “insoluble” and investments in documentation, access to rights, and social inclusion as insufficient to handle the migratory flow. Ambiguously, the gradual use of tools and discourses to restrict access was considered a way to address the continuous flow of migrants, especially by land. There was quite a bit of divergence in the debate at the National Immigration Council and at federal agencies more closely involved with national security.

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\(^4\) Pain point: a situation that imposes adverse conditions, dissatisfactions, bottlenecks or restrictions to policy change, implementation, etc., according to the GDI Delivery Case Study methodology.
According to local authorities, the North Region, which is more isolated and less economically developed, could no longer bear the “burden of receiving” migrants. This position was supported by those who pushed for making the country’s land border less receptive; they considered making it more difficult to go from a refugee request to permanent resident status, also granted by the Ministry of Justice for humanitarian reasons, and launching a campaign to deny requests for refugee status.

This position was opposed by another viewpoint, which advocated strengthening and expanding the visa issuing policy, along with a policy of information and cooperation with neighboring countries that serve as conduits for migrants, under the coordination of departments at the Ministry Foreign Affairs and the Ministry of Justice. The objective of the increase in the number of visas was to prioritize formal migratory strategies, by expanding planned and formal migration routes, as opposed to merely reinforcing mechanisms that restricted access to documentation and to the country itself.

More rhetorical than technical, this debate was portrayed superficially by the media, with a penchant for polarizing terms like “opening the border” vs. “closing the border.” Instead of “bursting the borders wide open,” the expansion of visas sought to alleviate artificial pressure at the land border by lowering costs, disseminating information, and reducing red tape, thus making the waiting time for visas more predictable. The idea was to raise awareness among migrants about the preferred migration strategy, that is, arrival by air, at lower costs, and with the option to fly directly to airports in destination cities, rather than taking treacherous routes to isolated points along the country’s land border.

After a period of internal debate and close monitoring of media coverage, the Federal Government reiterated its intent to provide all possible pathways to document and include Haitian migrants in Brazilian society. As such, the government was inclined to reconcile the expansion of the visa program with international cooperation efforts and internal policies. This was implemented at three different points along the migratory circuits. (Adaptation).5

1. In Port-au-Prince, consular work was reinforced through assistance by the International Organization for Migration (IOM), which culminated in a cooperation project to set up a Visa Center to better manage waiting times and to provide support to visa candidates wishing to go to Brazil. The visa issuance capacity of the Brazilian embassy in Port-au-Prince was also increased, from 800 visas issued per month (thus far) to peaks of up to 2,500 visas on certain months.

2. The second stage involved neighboring countries traversed by migrants in transit to Brazil; the MRE convinced countries in Central and South America often crossed by Haitian migrants en route to Brazil to instruct border agents to step up surveillance measures to curb informal networks attempting to profit from these routes.

3. The third stage was a deep structuring of reception services and programs in Brazil, not just for Haitians, but for all groups of migrants and refugees. This joint structure was useful in preparing Brazilian services for other migratory flows and in making sure the same treatment is dispensed to all migrant groups; the National Committee for Refugees was also reinforced.

The effects of this policy can be summarized by the graph below:

The graph shows an increase, as of April 2015, in the number of Brazilian visas issued to Haitian nationals. This increase corresponds to the set of actions put in place to strengthen Brazil’s consular capacity and the signing of an agreement with the IOM to open a Visa Center set up by the IOM itself, to expedite the so-called “pre-consular” stage of the visa process, thereby facilitating the work of the Brazilian diplomatic mission and the services provided to migrants. The increase in the number of issued visas in the graph is accompanied by two distinct behaviors. The first, more immediate movement is the increase in the number of Haitian migrants arriving by air, a process which requires a visa and ultimately drives up the total number of issued visas. The second, more contrasting movement is the inversion of the line depicting arrivals by land. This trend reversal is even more pronounced when compared to the curve depicting air arrivals. As the graph shows, the number of Haitian migrants arriving by land at the border, represented by the increase in refugee status applications, finally enters its first consistent cycle of decline in mid-2015, and remains stable over the next 12 months.

As such, the initial mobility circuit, characterized by high risks, precariousness and temporary immigration documents (refugee status requests), is replaced by

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5 Adaptation: how the initial implementation patterns improve and how problems were overcome, according to the GDI Delivery Case Study methodology.
a different mobility circuit, affording migrants more concrete options to plan a more structured, safer, and (according to reports) cheaper and faster way to arrive in Brazil. The documentation process gained stronger footing in November 2015, with the publication of a joint administrative act by the Ministry of Justice and the Ministry of Labor and Employment, finally (and definitively) formalizing the status of over 44,000 Haitian immigrants who had entered the country by land over the previous years, then requested refugee status, and, for that very reason, remained under provisional status in the country.

Finally, the issuance of migration and citizenship documentation, a key step for accessing one’s rights, was fine-tuned by means of successive measures and course corrections.

Reception and social protection

As discussed at the beginning of this case, some of the local governments in the state of Acre, in northern Brazil, had to contend with the unexpected arrival of migratory flows from abroad as of late 2011.
By early 2013, the situation had become unsustainable. The governor of Acre, the media and civil society put pressure on the Federal Government to do something about the situation involving the Haitian citizens in Brasileia (pain point).

Prompted by this pressure, in April 2013 the Federal Government organized a task force to document immigrants and improve shelter conditions. This task force was an opportunity for Brazil to rethink its way of handling the situation and create a mechanism to fund emergency shelters for immigrants, with clear rules and pre-set roles, through the Ministry of Social Development and Fight against Hunger (MDS). (adaptation)

This initiative led to MDS Ordinance No. 90/2013, which regulated the Protection Service for Public Disasters and Emergency Situations. It was intended to finance and provide support and protection to families and individuals affected by emergencies and public calamities, and who are homeless and displaced. (BRASIL 2013)

Under this ordinance, the MDS began monthly transfers to the state of Acre in 2013 and 2014, under the fund-by-fund modality (a simplified type of transfer). The transferred amount was proportional to the number of Haitian citizens in shelters each month, a measure which increased efficiency and control over spending. Under this ordinance, the Ministry transferred approximately R$ 4 million to the State of Acre in 2013 and 2014.

In 2014, with the consolidation of Haitian immigration to Brazil, immigrants started making their way to various cities in the country looking for employment. The growing presence of Haitians in small, low-budget Brazilian cities that needed to shelter homeless immigrants became a national problem. The municipalities turned to the Federal Government for financial assistance to shelter immigrants, and guidelines on how to implement social policies for this population (pain point).

Having improved its methods of sheltering and integrating Haitian immigrants in the state of Acre, the government expanded the approaches that proved successful and turned them into nationwide initiatives. The first change was in the way immigration flows were handled. Immigration flows should not be treated as an emergency or disaster, but as a permanent phenomenon that requires permanent solutions. The Ministry of Social Development conducted a national diagnosis to determine which cities needed immigrant shelters and offered a mechanism for continuously funding them. (adaptation)

The Ministry of Social Development and Fight against Hunger published Ordinance No. 70 (dated June 11, 2014) under this new approach. The ordinance addressed the expansion of federal co-financing for the Institutional Reception Service for Adults and Families, “considering the immigration flow to Brazil, composed primarily of vulnerable individuals, and the higher risk of rights violations in the absence of a strategy to receive them.” (BRASIL 2014)

In this expansion effort, 35 municipalities with high demand for services to immigrants agreed, with co-financing from MDS, to provide institutional shelter for 3,375 adults with families in several regions across the country. The Ministry transfers approximately R$ 8 million reais per year to these entities to co-finance the services.

Another important step by the MDS was the inclusion of new rules for immigrants in the country’s income transfer program, the Bolsa Família Program (BFP). The legislation had no restrictions vis-à-vis granting the BFP benefit to foreigners, but since this was a relatively recent development in many municipalities, foreigners were often denied registration in the program because of the mistaken assumption that they were not covered by the program. To try and overcome this challenge, the Ministry issued SENARC / SNAS circular memo no. 2/2014, dated February 11, 2014. The memo stated that there was no impediment to including foreign nationals in programs under Bolsa Familia. (MDS 2014)

The measures put in place in 2015 significantly reduced the number of Haitians arriving in Brazil by land in subsequent years. Land arrivals accounted for most of the demand for assistance services. The Haitian community had become more closely integrated with Brazilian society. Immigrant agglomerations in the streets—a common sight in 2013 and 2014—had largely disappeared, according to local Social Assistance secretariats; the mechanisms designed to integrate immigrants were working and were monitored by the Ministry of Labor and Employment (MTE). For 2014 and 2015, the MTE found that the employability levels of Haitian citizens in Brazil were very similar to those of Brazilian nationals. This is a decisive achievement as far as migration is concerned; usually, these indicators show large gaps in the employability of migrant populations relative to the national population.

With a view to institutionalize the experience with the Haitian immigrants for the benefit of migratory waves in
the future, and to avoid having to “reinvent the wheel,” the MDS held discussions within the Unified Social Assistance System, culminating in a document entitled “The role of social assistance in receiving migrants,” with systematic information about social assistance delivered to migrants (MDS 2016).

**Language and cultural barriers**

Efforts were made on two fronts:

1. to increase the number of public agencies and services capable of serving immigrants in their native tongues; and
2. to improve access to Portuguese language courses for immigrants.

Looking to improve the services offered in the native languages of immigrants, governmental and non-governmental institutions prepared brochures in Creole and French with information on the rights of immigrants and on Brazilian laws. Portuguese-speaking immigrants were hired to assist with translations and cultural adaptations at offices serving large numbers of migrants.

In order to improve access to Portuguese language courses, the Ministry of Education adjusted the rules of a comprehensive and pre-existing program focused on technical, technological and professional education in Brazil: the National Program for Access to Technical Education and Employment (Pronatec). After these adjustments, the program was able to finance new vacancies in Portuguese language courses offered to immigrants in different cities. Alongside this centralized initiative, federal universities and civil society organizations launched local projects to teach Portuguese to migrants.

**Lessons learned**

Migration must be seen as a permanent and natural social phenomenon and, as such, should not be addressed in a single dimension. Especially during emergencies / calamities, solutions must lead to a sustainable and broad offer of services and rights and must expedite the process of achieving social autonomy for migrants. This case study has shown that immigrants can, indeed, be integrated into the social protection network and into society as a whole, rather than be marginalized by it. This requires policies and discourses capable of fostering inclusion and discouraging xenophobia and restrictive discourses.

There are initial levels of inequalities (Jaccoud 2015), even among the poorest, that act as poverty traps, with groups so vulnerable that they are unable to tap into the social protection network designed by the government specifically for them.

The issue of migrant vulnerability, especially in the case of immigrants living in poverty, is the object of extensive analysis and debate in literature. Factors inherent to each migrant’s life trajectory and concrete elements from their new surroundings may limit or increase their likelihood of achieving social inclusion and autonomy.

The case study underscores the importance of striking a balance between different sets of actions with distinct scopes. Investments in specific initiatives for this population are important because they help migrants acquire new skills and overcome personal, social and labor inequalities. The country must also strive to remove barriers to universal public services, stimulate the use of existing infrastructure and actively prevent any type of segregation between migrants and the local population; everyone should feel equally included in public spaces and services, and in terms of citizenship.
## Annexes

### Annex I: Timeline of events

<table>
<thead>
<tr>
<th>Year</th>
<th>Month</th>
<th>Subject</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>January</td>
<td>Earthquake in Port-au-Prince.</td>
<td>Context</td>
</tr>
<tr>
<td>2012</td>
<td>January</td>
<td>Memo/GG no. 20, dated 10/01/2012, requesting food donations to Haitian immigrants who had entered the country through Acre, in addition to financial support.</td>
<td>Reception and social protection</td>
</tr>
<tr>
<td></td>
<td>January</td>
<td>Normative Resolution (RN) no. 97, issued by the National Immigration Council, through which the government granted humanitarian visas to Haitian immigrants.</td>
<td>Documentation and Justice</td>
</tr>
<tr>
<td></td>
<td>January</td>
<td>GM Ordinance no. 8, of January 25, 2012, on the transfer of federal funds in support of social assistance actions aimed at Haitian immigrants.</td>
<td>Reception and social protection</td>
</tr>
<tr>
<td></td>
<td>February</td>
<td>Statement by President Dilma Rousseff “We are open to receiving Haitian citizens who choose to seek opportunities in Brazil.”</td>
<td>Context</td>
</tr>
<tr>
<td>2013</td>
<td>April</td>
<td>CNIG edits Resolution no. 102, abolishes the maximum number of visas issued per month, previously set at 100, and mandates that the number of visas be limited only by issuance capacity.</td>
<td>Documentation and Justice</td>
</tr>
<tr>
<td></td>
<td>April</td>
<td>Between April 12 and 16, 2013, a joint taskforce was set up by federal agencies, with 25 employees devoted to issuing migrant documents and setting up procedures to expedite the documentation of immigrants.</td>
<td>Reception and social protection</td>
</tr>
<tr>
<td></td>
<td>September</td>
<td>The Protection Service for Public Disasters and Emergency Situations is regulated by Ordinance No. 90, dated September 3, 2013.</td>
<td>Reception and social protection</td>
</tr>
<tr>
<td>2014</td>
<td>February</td>
<td>SENARC / SNAS circular memo on the <em>Bolsa Família</em> Program for immigrants.</td>
<td>Reception and social protection</td>
</tr>
<tr>
<td></td>
<td>June</td>
<td>Ordinance No. 70, dated June 11, 2014, published to regulate the expansion of institutional reception initiatives for adults and families.</td>
<td>Reception and social protection</td>
</tr>
<tr>
<td></td>
<td>September</td>
<td>The Commission of Experts publicly delivers a report and proposed Draft Bill on Migration to the Ministry of Justice, which submits it to the Ministries of Foreign Affairs and Labor and Employment for discussion.</td>
<td>Context</td>
</tr>
<tr>
<td>2015</td>
<td>September</td>
<td>The Ministry of Foreign Affairs hires OIM to support pre-consular activities and supplement the capacity to issue visas.</td>
<td>Documentation and Justice</td>
</tr>
<tr>
<td></td>
<td>September</td>
<td>Creation of the technical chamber on migration and social assistance.</td>
<td>Reception and social protection</td>
</tr>
<tr>
<td></td>
<td>November</td>
<td>CNIG-CONARE-DEEST: signing and publication of the order to grant regular immigrant status to approximately 44 thousand Haitian nationals.</td>
<td>Documentation and Justice</td>
</tr>
<tr>
<td>2017</td>
<td>April</td>
<td>Publication of a document with guidance on services provided to immigrants by the SUAS.</td>
<td>Reception and social protection</td>
</tr>
<tr>
<td></td>
<td>May</td>
<td>Sanction, with vetoes, of the new migration law, Law no. 13.445 / 2017, to go into effect after 180 days. Motions for National Congress to begin discussions on the vetoes.</td>
<td>Context</td>
</tr>
</tbody>
</table>
Annex II: Service flowchart in Acre

Receiving Haitians in Brazil

### Entry into Brazil

- **Enters Brazil through Assis Beto**
- **Arrives in Brasilia or Epitaciolândia**
- **Seeks out reception services**

### Services offered

1. **Travels by their own means**
2. **Formally seeks refuge and can be issued a CPF**
3. **Wishes to be issued a CPF or CTPS?**

#### CPF issued

1. **PF creates outpost**
   - **Refers Haitians to Service Offices run by the MTE, RFB and PF**
   - **Has already been issued a CPF?**
     - **Yes**
       - **Checks where the Haitian wishes to move to**
       - **Travels to the Municipality of destination**
       - **State Gov. maintains Assisted Mobility through an agreement with MTE, SEDH & MDS**
     - **No**
       - **Maintains Assisted Mobility**

2. **Has already filed a refuge request?**
   - **Yes**
     - **Enters Brazil through Assis Beto**
     - **Transfers funds to maintain Reception Services**
     - **Controls epidemiological conditions and medicines needed**
   - **No**
     - **Maintains Assisted Mobility**

3. **Files refuge request**
   - **No**
     - **Referred to SINE office**
     - **Checks the labor opportunity**

4. **PF creates outpost**
   - **Carried out by the Reception Service**
   - **Refers Haitians to Service Offices run by the MTE, RFB and PF**
   - **Has a CTPS?**
     - **Yes**
       - **Refers Haitians to Service Offices run by the MTE, RFB and PF**
     - **No**
       - **Maintains Assisted Mobility**

5. **Wishes to be issued a CPF**
   - **Yes**
     - **Carried out by the Reception Service**
   - **No**
     - **Maintains Assisted Mobility**

6. **Transfer funds to maintain Reception Services**

7. **Maintains Assisted Mobility**

8. **Maintains Assisted Mobility**

### Source

Annex III: References


The National School of Public Administration (Enap) is an institution of the Federal Government of Brazil, which offers post-graduation, courses and programs of technical and managerial development, training and improvement of public careers. The courses are carried out by the classroom, e-learning and blended classes. It also develops international cooperation activities associated with the teaching and research areas of the School.

Enap encourages the production and dissemination of knowledge about management and public policies, such as the case studies of *Casoteca of Public Management*, available in the Institutional Repository with free access.