

PACARAIMA MISSION

5th Action Report:

1st Semester of 2022

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GABDPGF/DPGU Ordinance No. 10 (January 7, 2021)

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1. The Strengthening of the Work of the Federal Public Defenders' Office in the Monitoring and Promotion of Human Rights at the Border

As of May 2, 2022, the Federal Public Defenders' Office established the coordinating role of the Pacaraima Mission, with the main objective of carrying out the monitoring and promotion of human rights in the border region. In this context, periodic monitoring visits are carried out at BV-8, the Janokoida shelter, Casa Lar, among other sensitive facilities and temporary shelters in the border region.

In the first half of 2022, the following activities of monitoring and promotion of rights stand out:

- i) Monitoring and request of measures due to the existence of children in a situation of malnutrition in the shelters of Operation Acolhida¹.
- ii) Monitoring of the staffing and attendance of the Guardianship Council in Pacaraima².
- iii) Request for information regarding the re-victimization and refusal to perform a body examination in an adolescent victim of rape³.
- iv) Judicialization of the denial of air boarding of migrant children and adolescents⁴.
- v) Request for information about the absence of issuance of a certificate of course completion by the Bento Loureiro da Silva State School⁵.
- vi) Request for information to FUNAI and SESAI on the assistance to national and migrant indigenous communities in the São Marcos Indigenous Territory⁶.
- vii) Monitoring of drinking water supply to spontaneous occupations in Boa Vista/RR⁷.

¹SEI Case No. 08038.005277/2022-27.

²SEI Case No. 08038.005114/2022-44.

³SEI Case No. 08038.006930/2022-75.

⁴Public Civil Action No. 1003241-38.2022.4.01.4200.

⁵SEI Case No. 08038.007326/2022-66.

⁶SEI Case No. 08038.007326/2022-66.

⁷SEI Case No. 08038.006301/2022-45

- viii) Request for information to the Registry Office of Pacaraima/RR about the refusal to issue a birth certificate due to the absence of proof of address⁸.
- ix) Request for information and measures to the Court of Justice of Roraima about the risk of stoppage of the services of the Citizenship Center for Refugees and Indigenous People of the District of Pacaraima – CIVES⁹.
- x) Request for information about the legal nature of the shelters of Operation Acolhida in Boa Vista/RR and Pacaraima/RR¹⁰.
- xi) Investigation of the absence of attendance by FUNAI, DSEI and school transportation to the Janokoida Shelter in Pacaraima/RR¹¹.
- xii) Monitoring the supply of condoms, contraceptives and pregnancy tests to BV8 and Janokoida Shelter¹².
- xiii) Monitoring of indigenous migrants who remained in the Pintolândia shelter in Boa Vista/RR¹³.
- xiv) Request for information to the Federal Police about the lack of recognition of cross-border residents in Pacaraima/RR¹⁴.
- xv) Request for information to the Federal Police to standardize the acceptance of documents in relation to the application for a residence permit, based on Interministerial Ordinance MJSP/MRE No. 19, of March 23, 2021.
- xvi) Request for information due to the absence of school transportation in the Tarau Paru community¹⁵.

The work of the DPU focuses on the promotion of human rights, in the context of structural deficiencies in the border region, through extrajudicial action, in network with other

⁸SEI Case No. 08038.004983/2022-51.

⁹SEI Case No. 08038.008958/2022-47.

¹⁰SEI Case No. 08038.005890/2022-44.

¹¹SEI Case No. 08038.005738/2022-61.

¹²SEI Case No. 08038.005337/2022-10.

¹³SEI Case No. 08038.007811/2022-30.

¹⁴SEI Case No. 08038.005709/2022-08.

¹⁵SEI Case No. 08038.005890/2022-44.

partner institutions, or, in cases of lack of progress in negotiations, through the provocation of the Judiciary to intervene.

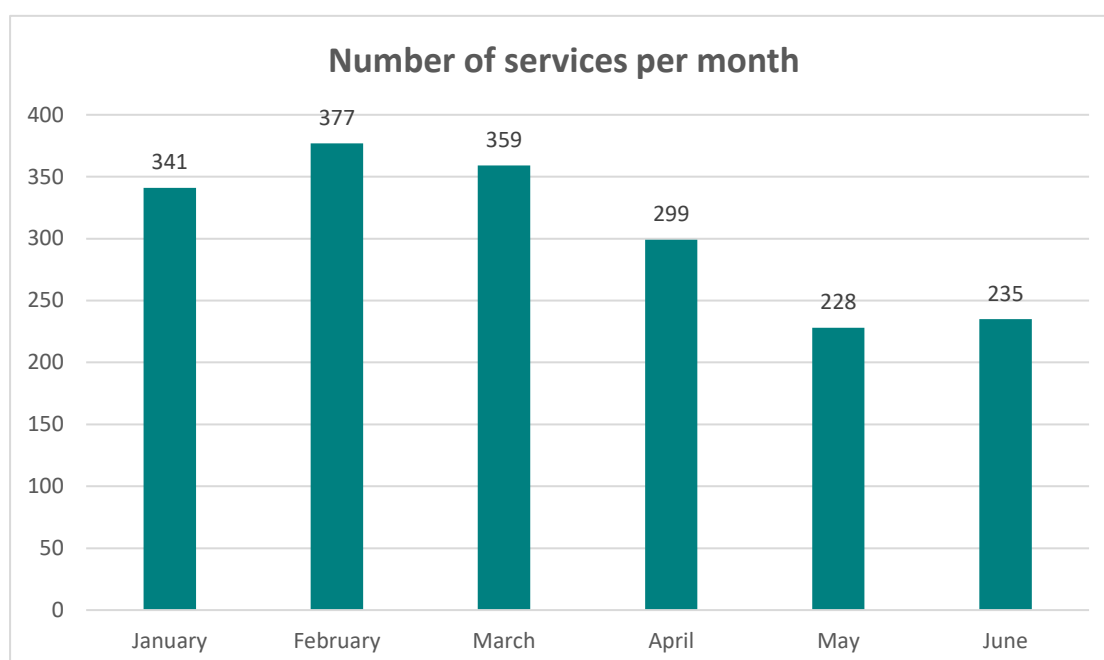
Therefore, the processes reported above sought to concretely effect the rights of the needy, through quick, effective solutions and, for the most part, in consensus with the local Executive Branch, in order to realize the public service of full and free legal aid, as enshrined in art. 134 of the Federal Constitution.



2. Data Relating to the Care of Unaccompanied, Separated and/or Undocumented Children and Adolescents

In Pacaraima/RR, the Public Defenders' Office applies the form attached to the **Joint Resolution No. 1, of August 9, 2017**, proceeding with individual interviews and protection analysis, alongside the special support from the team of the Ministry of Citizenship and UNICEF. Depending on the complexity of the case and the degree of vulnerability, all bodies of the Child and Adolescent Rights Guarantee System are triggered, such as the Guardianship Council of Pacaraima, the Public Defenders' Office of the State of Roraima, the Public Prosecutor's Office of the State of Roraima and the Court of Childhood and Youth, among others.

Between **January** and **June 2022**, the Pacaraima Mission provided legal aid to 1,839 **children and adolescents** in particular migratory difficulties.



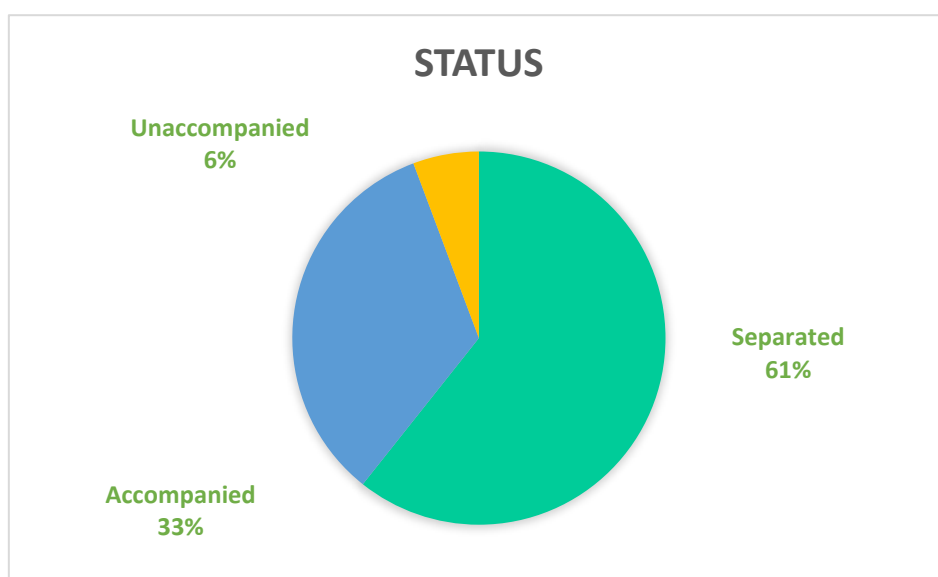
Children and adolescents in serious migratory difficulties are considered to be those who find themselves:

- i) **Undocumented** – those who, despite being accompanied by their parents, do not have an identification document capable of proving the parental bond, or have only a copy of the original document.
- ii) **Separated** – those who are accompanied by an adult who is not the legal guardian holding the legal parenting capacity, upon their entry into Brazilian territory.

iii) **Unaccompanied** - those who do not have any adult person accompanying them on their entry into national territory.

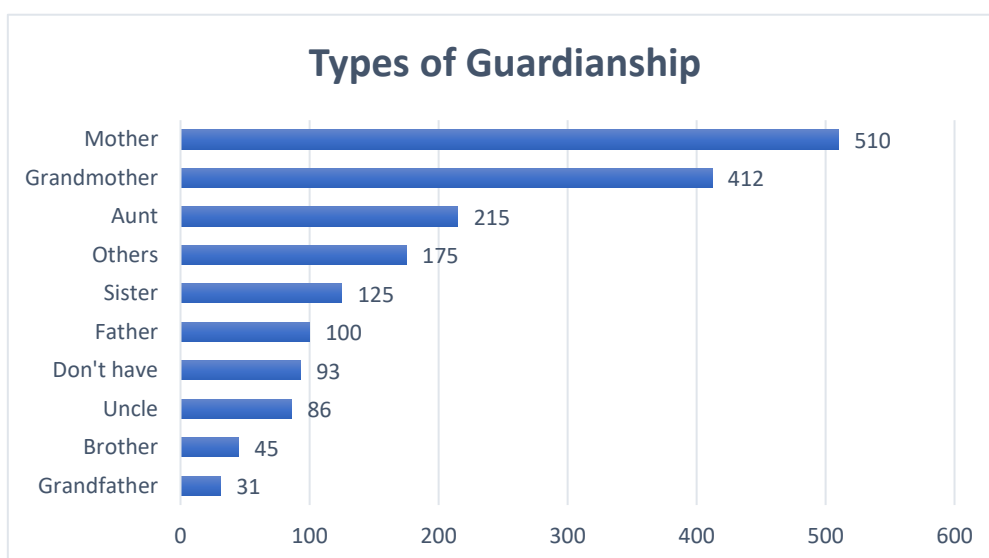
Between **January** and **June 2022**, the Pacaraima Mission provided legal aid to **1,839 children and adolescents** in particular migratory difficulties.

Of the total number of children and adolescents assisted by the DPU in Pacaraima in the first half of 2022, **1.116 (61%)** were separated, **105 (6%)** were unaccompanied and **618 (33%)** were accompanied by a legal guardian.

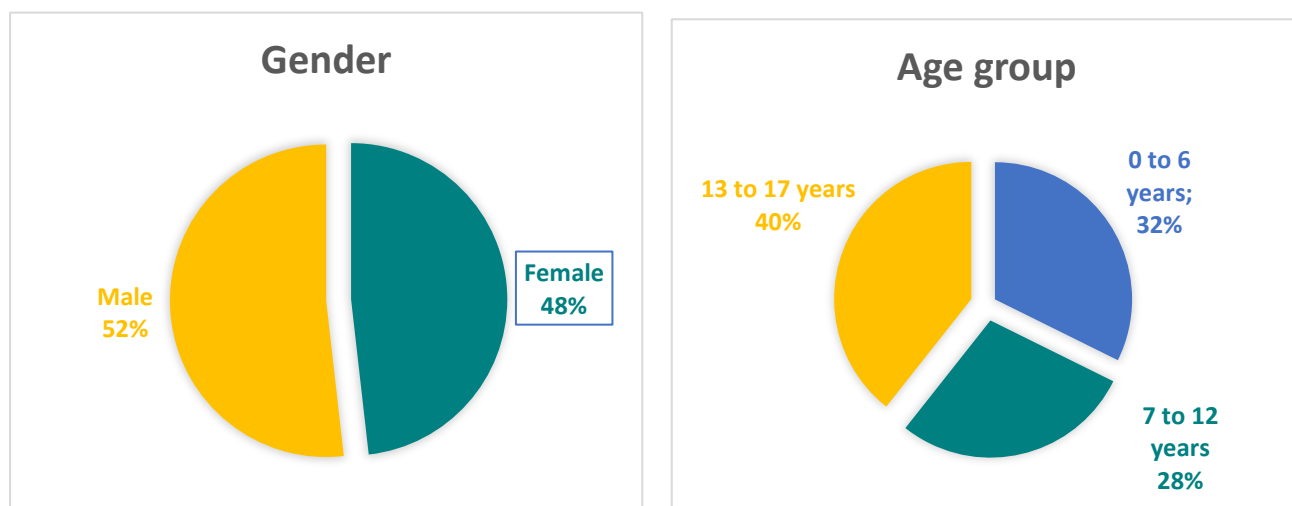


It is important to emphasize that a child or adolescent may be undocumented and separated or unaccompanied, so that the number of consultations does not necessarily coincide with the total number of people identified as undocumented, separated or unaccompanied.

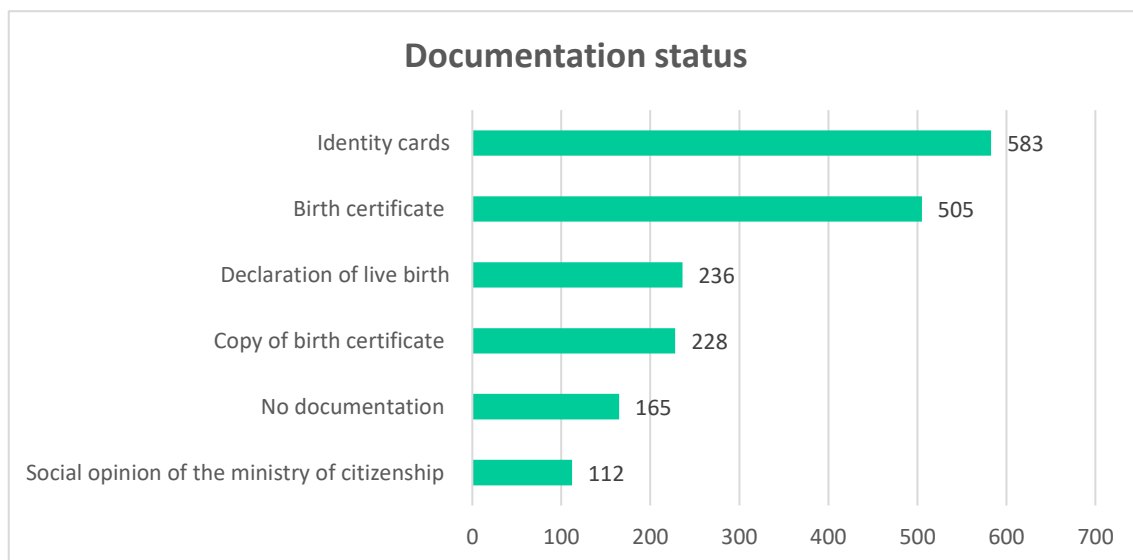
Among **separated children and adolescents**, the tendency for **grandmothers to accompany them (412)** has been maintained.



A total of **883 (48%)** female children and adolescents and **949 (52%)** male children and adolescents were attended. As for the age group, **592 (32%)** were in the 0 to 6 age group, **519 (28%)** in the 7 to 12 age group and **721 (40%)** in the 13 to 17 age group, as can be seen in the graphs below:



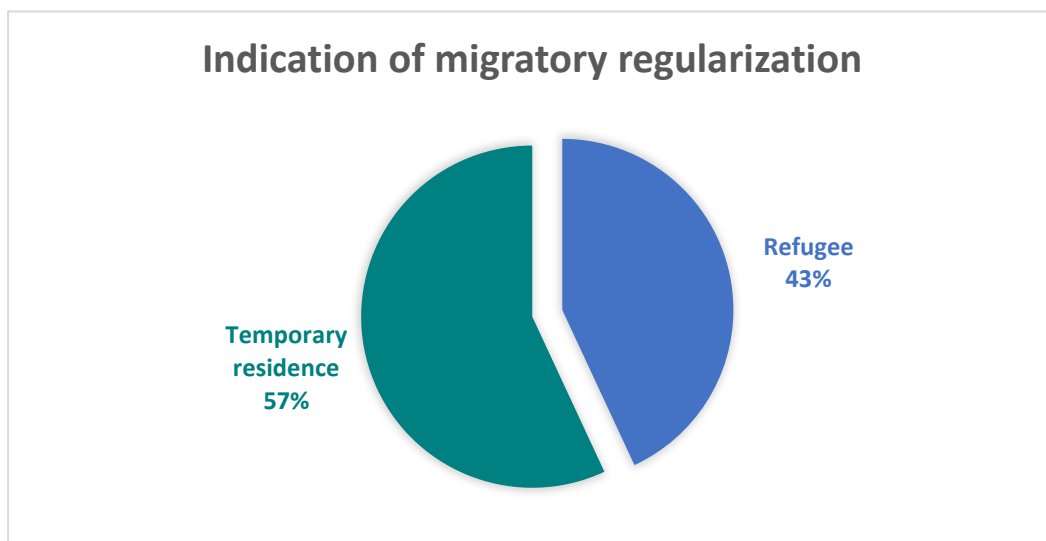
Regarding the assistance to the **indigenous** migrant population, it can be seen that **6%** of the assistance was aimed at this population, which corresponds to a total of **101** children and adolescents.



Among the most diverse demands, reports about the difficulty of issuing documents in Venezuela remain frequent, especially due to the fact that identity cards are not issued to children under 9 years of age. In this context, **583** children and adolescents presented identity cards and **505** presented birth certificates. **165** children and adolescents did not submit any documents.

The diversity of documents presented when the child or adolescent arrives in Brazilian territory generates countless doubts regarding the acceptance and validity of documents. Seeking to resolve this issue, the DPU, through the Pacaraima Committee, maintains constant contact with the Federal Police for clarification and dissemination of information about the documents accepted to the migrant population.

Regarding the modalities of migratory regularization, the data from the first semester of 2022 showed that around **786 (43%)** of the children and adolescents assisted requested protection through the refugee institute and **1.039 (57%)** requested migratory regularization through the request for a temporary residence permit.



3. Access to rights of indigenous migrants and refugees

Brazil is the fifth country that received the largest number of Venezuelans in forced displacement, due to the humanitarian emergency in Venezuela, totalling more than 670,000 Venezuelans who passed through Brazil, of these, 351,958 remain in Brazil, according to data from the Interagency Coordination Platform for Refugees and Migrants from Venezuela - R4V Platform, updated until June 2022.

It is estimated that, of the total number of Venezuelan migrants and refugees in Brazil, approximately **8,241 are indigenous**, divided into five ethnic groups, Warao (68.5%), Pemon (27.5%), E'ñepa (2.5%), Kariña (1.5%) and Wayúu (0.5%). Of these, about 1,600 are in federalized shelters of Operation Acolhida and 1,470 in indigenous communities in the state of Roraima.

There were six Venezuelan indigenous communities mapped and being monitored by the DPU. Four rural indigenous communities in the Municipality of Pacaraima became hosts when they received approximately 1,100 Venezuelan indigenous people of the Pemon-Taurepang ethnicity, they are: Tarau Paru; Sakau Mota; Bananal; and Sorocaima.

The DPU began working with the Reference Centre for Social Assistance (CRAS) in the municipality of Pacaraima, so that indigenous women could apply for their benefits with a certificate of rural activity (CEAR) issued by the indigenous leadership of the community where they live.

Initially, about 89 Venezuelan indigenous people were mapped in Pacaraima, who would be entitled to the benefit: 45 in Tarau Paru; 27 in Sakau Mota; 13 in Sorocaima 1; and 4 in Bananal. However, it is assumed that this number is even higher.

It can be observed that, due to FUNAI's refusal to issue the CEAR to migrant indigenous people and the absence of information, the local population was unaware that they had the right to social benefits, as long as rural activity complied with the time limit requirements set out in the social security legislation.

Regarding the rural maternity salary, the DPU in liaison with the SEMAS/CRAS of Pacaraima assured its commitment to carry out the applications for the benefit of Venezuelan natives with respect to the declaration of rural activity exercised by the community leader.

Still, regarding indigenous health, the DPU monitors the situation of malnourished and underweight migrant children. With due measures, Official Letters were sent to the Municipal

Health Secretariat of Pacaraima (SEMAS), the State Secretariat of Health of Roraima (SESAU) and the Ministry of Health. After the action of DPU, medicines and vitamins needed were provided to care for all.

Regarding the right to education, due to the fact that there is specific legislation which provides the right of the indigenous population to differentiated, specific and intercultural education, which respects their specificities and ensures the promotion of their mother tongue and culture, the DPU met the Secretary of Education of Pacaraima and provoked the competent bodies so that there is an expansion of vacancies in public schools.



4. Federal Public Defenders who participated in the action in the first half of 2022

Period 1st Semester of 2022	Name of the Federal Public Defender	Unit
10/01/2022 to 19/01/2022	Marina Mignot Rocha	Santos and São Vicente/SP
19/01/2022 to 28/01/2022	Daniela Correa Jacques Brauner	Porto Alegre/RS
28/01/2022 to 07/02/2022	André Gustavo Bevilacqua Piccolo	São Paulo/SP
07/02/2022 to 16/02/2022	Quezia Jemima Custódio Neto da Silva Reis	São Luís/MA
16/02/2022 to 25/02/2022	Lidiane da Penha Segal	Vitória/ES
25/02/2022 to 07/03/2022	Pedro Paulo Raveli Chiavini	Brasília/DF
07/03/2022 to 16/03/2022	Rogena Ximenes Viana	Maceió - AL
16/03/2022 to 25/03/2022	André George Freire da Silva	Porto Alegre/RS
25/03/2022 to 04/04/2022	Daniel Arrais	Campina Grande - PB
04/04/2022 to 19/04/2022	Eraldo Silva Júnior	Rio de Janeiro/RJ
19/04/2022 to 03/05/2022	Sérgio Luiz da Silveira Marques	Brasília/DF
03/05/2022 to 17/05/2022	Célio Alexandre John	Joinville/SC
02/05/2022 to 12/05/2022	Marina Mignot Rocha	Santos and São Vicente/SP
17/05/2022 to 31/05/2022	Matheus Alves do Nascimento	Rio Branco/AC
31/05/2022 to 14/06/2022	Bruno Marco Zanetti	Santos and São Vicente/SP
14/06/2022 to 28/06/2022	Carolina Lopes Magnus	Joinville/SC
12/05/2022 to 26/05/2022	Rafael Martins Liberato de Oliveira	Boa Vista/RR
26/05/2022 to 09/06/2022	Elisângela Machado Côrtes	Belém/PA
09/06/2022 to 23/06/2022	Francisco de Assis Nascimento Nóbrega	Recife/PE
23/06/23/2022 to 07/07/2022	Luís Felipe Ferreira Cavalcante	Manaus/AM
28/06/2022 to 12/07/2022	Adriano Cristian Souza Carneiro	Brasília/DF
12/07/2022 to 26/07/2022	Renato Tavares de Paula	Ribeirão Preto/SP
06/07/2022 to 21/07/2022	Daniela Corrêa Jacques Brauner	Porto Alegre/RS
25/07/2022 to 04/08/2022	Pedro Paulo Raveli Chiavini	Brasília/DF
26.07.2022 to 09.08.2022	Viviane Ceolin Dallasta Del Grossi	São Paulo/SP

