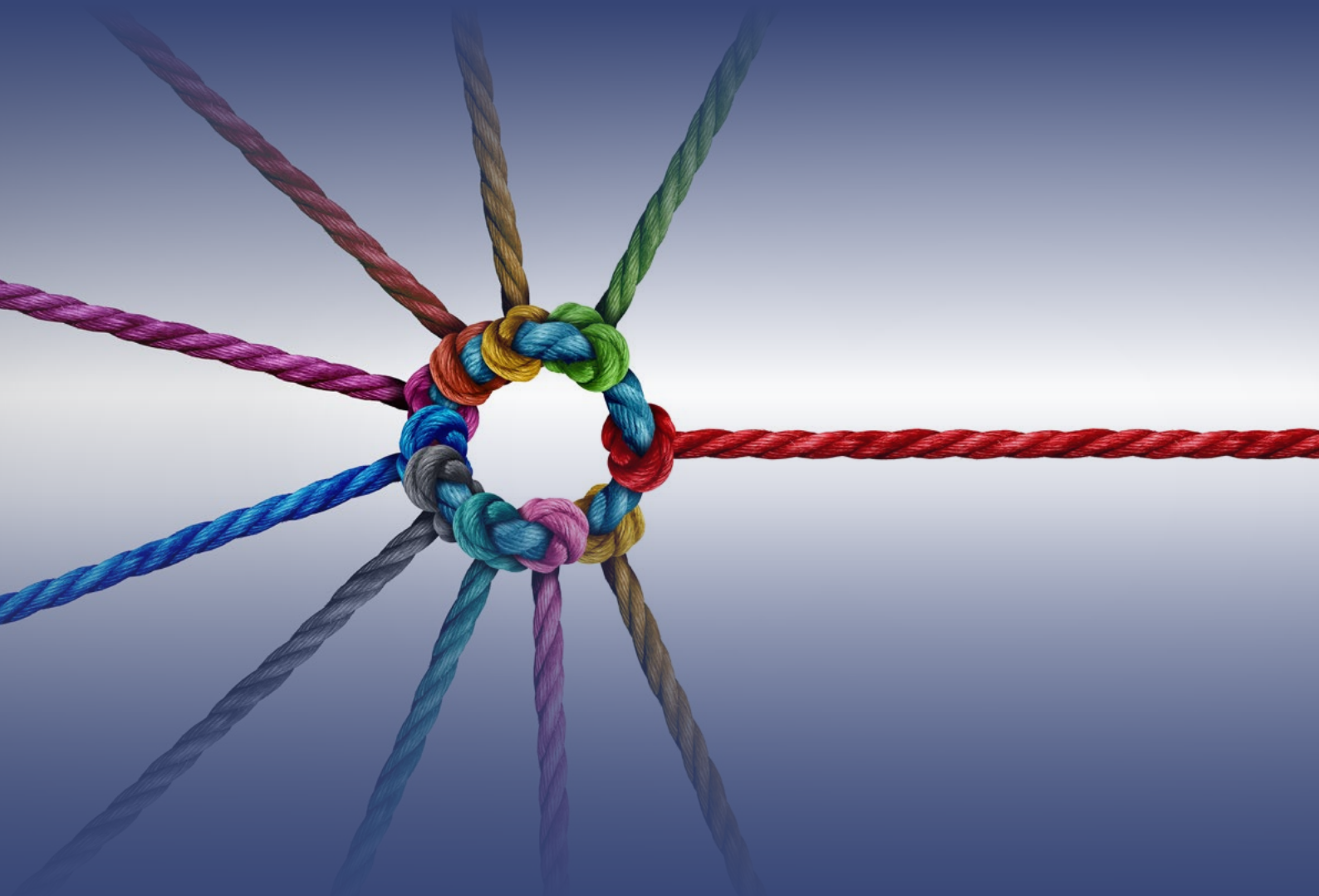




Queen Mary
University of London
Global Policy Institute



Migration, Pandemic and Responses from the Third Sector: Lessons from Brazil and India

Authors: Parvati Nair, Marcia Vera Espinoza, Gisela P. Zapata, Smita Tiwary, Flavia R. Castro, Arsala Nizami, Nuni Jorgensen, Abhishek Yadav, Ekta Oza, Feroz Khan, Rakesh Ranjan, Benedetta Zocchi, Suyash Barve and Maria Barraco.

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The project has been led and conducted by researchers from Queen Mary University of London, Universidade Federal de Minas Gerais (UFMG, Brazil) and Global Research Forum on Diaspora and Transnationalism (GRFDT, India).

Authors and Research Team

Professor Parvati Nair, Project Co-Principal Investigator, Queen Mary
Dr Marcia Vera Espinoza, Project Co-Principal Investigator, Queen Mary
Dr Gisela P. Zapata, Project Co-Investigator, UFMG
Dr Smita Tiwary, Project Co-Investigator, GRFDT
Dr Flavia R. Castro, Research Associate, UFMG
Dr Arsala Nizami, Research Associate, GRFDT
Nuni Jorgensen, Research Assistant, Queen Mary
Abhishek Yadav, Research Associate, GRFDT
Ekta Oza, Research Assistant, Queen Mary
Dr Feroz Khan, Researcher, GRFDT
Dr Rakesh Ranjan, Researcher, GRFDT
Benedetta Zocchi, Research Assistant, Queen Mary
Suyash Barve, GPI Research Associate, Queen Mary
Maria Barraco, GPI Research Associate, Queen Mary

Advisory Board: Cyntia Sampaio, Prof Kavita Datta, Prof Binod Khadria, and Dr Didar Singh

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Executive Summary

This report provides a comprehensive review and cross-regional analysis of the role of Civil Society Organisations (CSOs), including NGOs, faith-based and migrant-led organisations, in assisting migrants and refugees in Brazil and India, in the context of the COVID-19 pandemic.

Through semi-structured interviews with representatives of fifty-two CSOs across both countries, we identify the challenges and good practices that emerged during this period of crisis between March 2020 and February 2021. By focusing on front-line actors, the study provides insights on the context, needs and risks on the ground for migrant populations, identifies forms of assistance made available to them by CSOs and the ways in which governments can support CSOs' humanitarian work to promote safety, solidarity, integration and social cohesion in the long-term.

Key Findings:

- COVID-19 has widely impacted internal and international migrants in Brazil and India. The effects of border closures (in Brazil) and internal mobility restrictions (in India), as well as various mitigation measures in both countries, have provoked a steep decline in migrants' personal wellbeing and living standards.
- Migrants and refugees have developed, individually and collectively, strategies and actions to respond to the pandemic.
- CSOs have quickly responded to the new challenges, assuming new activities in order to cover basic needs and provide emergency assistance.
- The pandemic led to an increase in the digitalisation and technologisation of the work of CSOs and encouraged hybrid modes of working. In some cases, the digitalisation of services expanded their geographical reach, while in others, it diminished their capabilities due to lack of equipment and knowledge on new technologies.
- CSOs have increased collaboration with one another, as well as with International Organisations, some local governments and private actors. However, not all partnerships have translated into additional sources of funding.

Key Recommendations:

- Develop coherence between policies and practices that allow for a better execution of policies on the ground. This may assist in addressing some of the gaps in the national and local governance of migration that limit migrants' integration.
- Expand and create spaces for interaction between the state and CSOs, both at the local and national levels, as well as strengthen existing spaces.
- Increase migrant representation and participation in decision-making.
- Promote migrants' regularisation. In the case of Brazil, the call is to regularise all migrants in order to ensure their access to state-guaranteed social protection and facilitate integration. In the case of India, CSOs call for labour informality to be regularised or documented, in order to protect migrant workers.
- Further recognise the depth and breadth of CSOs' knowledge and experience to engage them as partners, together with the government, other non-state actors and private sector, in strategic planning to support migrants and refugees.

Introduction

The COVID-19 pandemic offers proof of the intensively mobile and interconnected nature of the world that we live in (Guadagno 2020). It has spread across continents where numerous groups of mobile people were already long experiencing severe vulnerabilities (UNHCR 2017; IOM 2019).

The exacerbation of migrant fragilities and the varying quality of regional, national and local responses have also deeply affected the ways in which the pandemic has unfolded within states (World Bank 2020). In Brazil and India, two emerging regional powers already suffering from high levels of structural inequality (Couto Soares & Scerri 2014), many migrant groups have found themselves particularly at risk during the pandemic. In both countries, national and local governments have not been fully able to address the needs of vulnerable groups, revealing gaps in policies and/or implementation (Lotta et al. 2020; Sircar 2020). In both countries, a rapid response from civil society has provided many migrants with an important source of much-needed aid (Vera Espinoza et al. forthcoming; Bengochea et al. 2021; Ramachandran 2020).

This report offers a cross-regional analysis of the role of civil society, including NGOs, faith-based and migrant-led organisations, in offering support on the ground for both, internal and international migrants, in Brazil and India in the context of the COVID-19 pandemic.

Brazil and India position themselves as developing countries, with pluralistic and multi-ethnic democracies (IBSA 2020). Grouped together under the BRICS rubric, they are widely acknowledged as two economic giants of the developing world, sharing an international agenda of commercial and financial cooperation (Formici 2019), and substantial regional influence in their respective continents. The concentration of industries and infrastructures in the central urban agglomerates of the two countries create socio-economic incentives, attracting migrants both internally and internationally (Korobkov 2015).

Brazil is an important destination for regional and extra-regional migrants in Latin America, including Bolivians, Venezuelans fleeing from economic and socio-political crisis, and Haitians migrating for economic and humanitarian reasons, among others (Lesser et al. 2018). India is marked by internal migration, its global diaspora and also immigration. Internal migration forms a key part of the Indian urban fabric and 'the backbone of the Indian economy' (Bhagat 2020;

Suresh & James 2020). The country also receives groups of undocumented migrants, arriving predominantly from neighbouring Bangladesh and Nepal (Upadhyay 2008).

In both countries, the pandemic, and especially the combination of lockdowns and border closures implemented to respond to the health crisis, introduced new challenges for what were already vulnerable migrant groups. In Brazil, physical distancing measures left thousands of precarious migrant workers unemployed. Unprecedented international travel restrictions have also led to new forms of involuntary/forced immobility for Venezuelans trapped in border states such as Roraima and for Paraguayans stranded on the bridge that connects the two countries (Vera Espinoza et al. 2020). In India, the announcement of lockdown, on 23rd March 2020, triggered a mass movement of migrant labour from urban agglomerates to smaller towns and rural areas and, the mass return of Indian workers abroad, left jobless and without recourse. In the north-east, undocumented migrants found themselves trapped, without income or support and also unable to return home (Nair & Vera Espinoza 2021).

In addition to the challenges posed by the pandemic, governments in both countries have found themselves highly unprepared to address vulnerable migrants' fragilities (Lotta et al. 2020; Sircar 2020). In both cases, a strong civil society sector has stepped in, often in coordination with local governments and international organisations, developing practical measures to mitigate the impact of the pandemic and provide immediate support to migrants on the ground.

What specific challenges have vulnerable migrants faced in India and Brazil since the outbreak of the COVID-19 pandemic? What forms of assistance have been available to them from the third sector? In what ways has civil society had to adapt their work in order to address migrants' needs during the pandemic? What can policymakers learn from the good practices of the third sector that are unfolding across the diverse social spectra of Brazil and India? How can governments engage with the third sector to support and extend their humanitarian work? This study addresses these questions.

2.Context

2.1 Brazil

Brazil was the first country in Latin America to report a COVID-19 case on February 26th, 2020. Within a year, the country has recorded almost 10 million cases and more than 290.000 deaths according to the World Health Organisation (WHO 2021).

Brazil is the only country in the world with a population of over 212 million (IBGE 2021) with a free, universal and comprehensive health system (PAHO 2017). This fact, together with a recent history of fighting epidemics, placed Brazil in a privileged position to start the fight against the virus with significant advantages in comparison to other Latin American countries. However, Brazil's president, Jair Bolsonaro, implemented what has been labelled an "institutional strategy for the dissemination of the virus" (Brum 2021), which contributed to placing the country in the top rank for rates of contagion and deaths. In this context, migrant and refugee populations were among the most affected by the pandemic given their precarious socio-economic incorporation in society (Zapata & Prieto Rosas 2020).

Migration trends and patterns in Brazil have undergone important changes since the 2008 global economic crisis. Whilst the country has been generally recognised as a source rather than destination of international migrants since the 1980s, the last decade has been marked by an increase in international immigration rates (Fernandes 2015; de Oliveira 2013). Data from the 2010 Census suggests that 22,14% of foreign-born nationals living in Brazil were from other South American countries: mostly Bolivians and Paraguayans, followed by Argentinians and Uruguayans (Fernandes 2015). The 2010 Census, however, did not capture some of the most important migration trends taking place in Brazil in the last few years: the arrival of Haitian nationals from 2010 onwards, and of Venezuelans, especially since late 2016.

Between 2010 and 2015, an estimated 85.079 Haitian nationals entered the country, mainly through humanitarian residence visas or as asylum seekers. This population was predominantly male and young - 73,9% were men and belonged to the 20-34 age group (Baeninger & Peres 2017). When it comes to Venezuelans, at least 223.163 had formally entered the country by 2019 and another 66.956 did so in 2020. By August 2020, Brazil had been internationally praised for extending international protection to 46.000 Venezuelans, making it the country with the largest number of Venezuelan refugees in Latin America (ACNUR 2020a). Most Venezuelan nationals in Brazil are young adults, and the flow is fairly balanced in terms

of gender (Cavalcanti & de Oliveira 2020). Besides Haitians, Venezuelans, and Mercosur immigrants, Brazil has also received extra-regional migrants and asylum seekers in the past ten years – partly as a result of solidarity resettlement initiatives – from countries such as Syria, Palestine, Senegal and the Democratic Republic of Congo (Vera Espinoza 2018).

In 1997, Brazil passed the Refugee Act (Law 9.474), incorporating into the national legislation the 1951 Refugee Convention and some elements of the Cartagena Declaration, and establishing the National Committee for Refugees (CONARE). Article 196 of the Brazilian Constitution provides universal access to health, irrespective of migration status, and Brazil's New Migration Law, 13.445/2017, is centred on the protection of migrants' rights. It guarantees "equal and free access to migrants to services, programmes and social benefits, public goods, education, comprehensive public legal assistance, work, housing, banking and social security" (Brazil 2017: Article 3 Section XI). Furthermore, Brazil recently signed commitments at the international level towards the protection and respect of migrants' rights. Among them are the UN Global Compact for Refugees and the 2030 Sustainable Development Goals. Brazil also played an active role in the negotiations of the Global Compact for Safe, Orderly and Regular Migration (GCM) which the country signed (Waltrick 2019), but President Bolsonaro withdrew from upon assuming power in 2019.

In 2018, Brazil also implemented a particular response to manage the flow of Venezuelan migrants and refugees: Operation Shelter (Operação Acolhida). The operation is coordinated by the military and supported by the UN and civil society organisations. It is the first mission of a humanitarian nature undertaken by the Armed Forces in Brazilian territory. The operation is structured around three fronts: 'ordering of the border' – orderly admission and regularisation of Venezuelans; 'welcoming/sheltering' – provision of shelter, food and health services; and 'interiorisation' – a programme to voluntarily relocate Venezuelans from border to other Brazilian states (Zapata & Tapia forthcoming). Thus, Operation Shelter has implied the construction of a complex normative and material humanitarian infrastructure in the country (Moulin & Magalhaes 2020).



With the outbreak of the pandemic in March 2020, the government implemented a series of ordinances (portarias) to restrict the entry of foreigners into the country. In March, it sealed the country's borders, suspending the entry of non-nationals by sea, land and air (Governo do Brasil 2020). However, concerns have been raised about the precedents set by these instruments and their potential long-term consequences for the country's management of mobility. On the one hand, these portarias made it easier to deny entry, repatriate and summarily deport people seeking refuge and/or in need of humanitarian protection, and for leveling 'infractors' with civil, administrative and penal charges. On the other hand, the language of these new instruments revives the security-oriented ethos of the old laws while not making any exceptions to honour Brazil's international protection commitments.

The closure of borders, together with other measures designed to stop the virus, had a disproportionate impact on the migrant population in Brazil, given that a significant portion of them work in the informal sector (Bengochea et al. 2021; Zapata & Prieto Rosas 2020). In addition, the state has not implemented any targeted measures to help migrants and refugees mitigate the effects of the pandemic and many have experienced difficulties accessing social protection schemes because they lack the required documentation (Vera Espinoza et al. forthcoming).

Nevertheless, some entities have worked with international actors and civil society to assist migrants since the start of the pandemic. For example, São Paulo's municipal government distributed 200 parcels of food, disinfectant and masks (Governo do Estado de São Paulo 2020), and civil society donated food to help refugees in the Amazon region (Governo do Estado do Amazonas 2020). Another positive measure put forward by Brazil was the automatic extension of migratory documents (ACNUR 2020b), determining that expired documentation issued by the Federal Police would be considered valid until March 16 2021 (BAL Global 2020). However, one of the main problems in Brazil relates to irregular migrants, who although protected by law, face a series of bureaucratic hurdles to exercise their rights and are forced to rely on the assistance provided by CSOs (Cornali 2020). The United Nations High Commissioner for Refugees (UNHCR) has also helped Brazil to set up migrant shelters in Roraima and other key places, provided hygiene kits and undertaken COVID-19 prevention campaigns in Spanish and indigenous languages through social media (Hugueney & Godinho 2020). Furthermore, the International Organisation for Migration (IOM) has continued to assist and relocate Venezuelans residing in Brazil during the pandemic (OIM 2020), and has also established Mobile Health Units in the state of Roraima (EEAS 2020).

2.Context

2.2 India

A year after reporting its first COVID-19 case in January 2020 (Reid 2020), there have been 160,692 COVID related deaths in India (as on 25th March 2021) (WHO 2021). As various studies had predicted, the confirmed COVID-19 cases in India remained very high (just next to the US).

However, reported COVID-19 related death cases in India have been lower than in other countries (Chatterjee 2020).

Migration features large in the social history of India (Tumbe 2018). Broadly speaking, at present, three types of migration feature in the Indian context: internal migration to the major urban and manufacturing centres, as well as from rural to rural areas; the labour migration of skilled and unskilled Indians to various parts of the world, especially the Gulf; and the presence of international migrants and refugees in India from neighbouring countries. CSOs all confirm that the sudden announcement of lockdown to curb the spread of COVID-19 on March 23rd, 2020 had an immediate impact on all three groups, unleashing the largest migration in the subcontinent since Partition.

Migrant labour that remains relegated to informality has long been a key, if very under-recognised, facet of modern India. According to a report by ILO (2019), "...with over 90% of the entire workforce being informal (defined as those without any social insurance), and 85% of the non-agricultural workforce being informal, India is an outlier among low-middle income countries in this regard. Although India is one of the fastest growing large economies in the world, the informality incidence has remained at this level for decades' (Mehrotra 2019). A key factor here is the lack of documentation for workers from other states in the country, combined with informal hiring practices by contractors, so that large gaps in data exist as a result. Nevertheless, rough estimates, as per the census of 2011, indicate that 450 million of India's population of approximately 1.3 billion people, are internal migrants (Statista 2020). Indeed, it is notable that the country's economic transition from agrarian to industrial is a process that has not as yet regulated labour, so that most of these migrants remain invisible and untraceable (Bremner 2008).

This workforce of internal migrants in informal sectors is a major contributor to the economy. Factory workers, domestic help, rickshaw pullers and street side vendors, among others, form a big part of the country's low-skilled labour force. Notwithstanding long hours, some precarious work conditions

and poorly remunerated occupations, the contributions by this informal sector to the economic growth of the country are very significant, but also greatly un-recognised. The major cities of India, together with the country's industrial sector, depend greatly on this labour force that originates in rural areas of the country and often in states that are in other, less developed parts of the country. The lockdown unleashed a crisis among migrant labour that exposed the long-standing structural inequalities that well predate pandemic.

Indian workers in the Gulf form a substantial part of emigration flows from India. Largely semi-skilled or unskilled, their numbers stand at approximately 8.5 million (Pethiyagoda 2017). The challenges posed by the pandemic were exacerbated by laws in the Gulf States that restricted their return, whilst employers left them jobless. These workers may already have been facing many challenges, but their remittances have long contributed to development in their home regions in India (Sahoo 2015). The pandemic has radically changed their prospects and those of their families. Indian migrants in the Gulf faced additional challenges for repatriation.

On 23rd March 2020, India joined the growing list of countries in announcing a nationwide lockdown (BBC News 2020). The containment measures resorted to by the government were unprecedented in terms of restrictions on human mobility, the closure of domestic transport routes (including long distance trains) and the sealing of state and national borders (Press Information Bureau of India 2020). Additionally, the central government, followed by regional state governments, deployed the colonial era Epidemic Disease Act (1897) in the absence of legislation to deal specifically with public health emergencies (Goyal, 2020).

This act gave law enforcement authorities the power to carry out search operations for suspected carriers, quarantine the infected in state facilities and penalise those found breaking quarantine. The lockdown and closure of businesses made thousands of workers in cities, such as New Delhi, Bangalore and Mumbai, jobless and destitute overnight.



Labour contracted to work on state infrastructural projects, for instance, were left to fend for themselves by the private contracting companies who had hired them (Maraa Collective 2020). Many workers simply had no means to continue living in cities. With regular services on interstate buses and long-distance trains indefinitely suspended, many started walking back home (Khadria 2020). This mass migration over thousands of kilometres took place in the unforgiving height of summer (Nair, 2020). Stringent lockdown measures were exacerbated with law authorities often inflicting corporal punishment (BBC News 2020b) on those found breaking quarantine rules, with low caste workers walking back home often targeted (Ganguly 2020). The absence of clear and effective communication on quarantine measures hindered law enforcement authorities, who at times could not differentiate between those irresponsibly breaking the law and those who simply had no other option (Kikon 2020).

In Assam, a state bordering Bangladesh in the north east of the country, a controversial law granting citizenship to refugees based on religion had come into play just weeks before the lockdown, amidst raging protests (Sharma 2020). While the lockdown provoked a decline in protests, returning migrant

workers (Leivon et al. 2020) to Assam and reverse migration trends in neighbouring states precipitated a spike in COVID-19 cases. Public health infrastructure and even testing facilities were abysmally underdeveloped in states such as Nagaland which had to send samples to labs in the neighbouring state of Assam for analysis. Frontline workers also faced an acute shortage of Personal Protective Equipment (PPE). Meanwhile, migrant workers from north-east India working in mainland cities were targets of racist threats and abuse because of their appearance (Haokip 2021). Workers from the north-east as well as those returning to states such as Bihar and Orissa (Kikon 2020), who could not sustain life in the city, faced formidable challenges going back home (Salle 2020). India's north-eastern states have an unusually high number of migrants and a vast diaspora scattered across the world with many living on working permits in countries like the United Arab Emirates (UAE), being stranded because of the lockdown (Sithou 2020).

The first phase of evacuating Indian nationals and expatriates back home under the 'Vande Bharat Mission' (Government of India 2020) began in May 2020, nearly two months after the national lockdown. For many north-east migrant workers in the UAE, these options were not viable, as the flights mostly

2.2 India

connected to cities in southern India. Many migrant workers had lost their jobs with their visas also being cancelled, thus finding themselves liable for heavy fines and possible imprisonment for staying without appropriate documentation (Karasapan 2020).

No official records were kept of migrant workers who had died or experienced unemployment due to the pandemic (The wire, 2020), but it is estimated that a total of 10 million internal migrant workers returned to their native states, with 3.2 million returning to Uttar Pradesh and 1.5 million to Bihar (Rao et al. 2020), with an estimated 122 million Indians unemployed by April 2020 (Inamdar, 2020). Civil society organisations filled the data gap by gathering and recording essential information on the living and working conditions of migrant workers stranded in cities. Independent reports affirmed that a majority of migrant workers were informal labourers and worked without a written contract (Patel 2020).

It is clear that the lockdown increased the social, economic and psychological vulnerabilities of migrants and left many of them destitute: unemployed and without access to remuneration (Rajan et al. 2020). From the outset of the crisis, an essential part of civil society's work was distribution of aid and coordinating with migrant-led groups as well as other humanitarian organisations, religious groups, and concerned government departments (Youngs 2020). Civil society organisations had to negotiate numerous challenges, such as raising funds or donations for their relief programs at short notice and procuring permissions for relief workers to distribute aid. Donations from private sources and voluntary aid became indispensable. A new network was formed at the All India Institute for Medical Sciences (AIIMS) of doctors who donated funds and food-grains, as well as auto-rickshaw drivers who transported relief workers free of charge. Such remarkable alliances sometimes brokered by multilateral development agencies (Ramachandran 2020) across the socioeconomic spectrum assisted in a range of relief work from distributing food rations, to assisting the destitute in accessing financial aid from banks and post-offices, arranging conveyance and transport with the help of government officials to repatriate workers.



3. Methodology

This report builds on 52 semi-structured qualitative interviews with Civil Society Organisations (CSOs) working with migrants and refugees in Brazil (25 interviews) and India (27 interviews), conducted in February and March 2021.

We included three main groups of Civil Society actors in both countries, based on a purposive sampling: 1) Non-Governmental Organisations (NGOs); 2) faith-based organisations and 3) migrant-led organisations.

For the sampling, we divided the countries into their regional geographical-political divisions and then mapped all the CSOs working with migrants and refugees across each country (see Annex 1). We aimed to maintain some balance between the number of organisations interviewed for each group in each region, despite the constraints imposed by the concentration of some organisations in particular areas. However, in India the sample was limited by the fact that entities based in the North East of the country chose not to partake in this study.

We employed a common instrument for data collection in both countries. The interviews aimed to understand: i) the challenges faced by migrants in Brazil and India since the

outbreak of the COVID-19 Pandemic; ii) the assistance available to them from CSOs; iii) good practices and remaining gaps; iv) the new partnerships that emerged during the pandemic and v) perceptions in how governments can engage with the third sector to support their work (see Annex 2).

All interviews were conducted online or over the phone. Interview data was analysed and systematised through a common instrument. Interview material has been anonymised, to protect our sources' confidentiality, although we specify the type of organisation and geographical location, as this information is relevant to understand actors' different issues and perspectives across both countries.

The research received approval by the Ethics Committees of Queen Mary University of London (QMERC20.154) and the Federal University of Minas Gerais (CAAE: 44923521.5.0000.5149).

4. Civil society and migration in Brazil and India

4.1 A Brief History of Civil Society in Brazil

Although scholars and activists have questioned its truly participatory character, the Citizen Constitution (Constituição Cidadã), Brazil's set of political principles, was enacted in 1988.

After more than two decades of military dictatorship characterised by the fierce repression of social movements and political dissent, the population could actively and formally contribute to the design of democratic institutions. Two parallel developments are key to understanding the role of Brazilian civil society thereafter. Firstly, the new constitution was partly built through popular amendments, which allowed various sectors of society to support the crafting of the new national, regional, and municipal legislation. Secondly, the constitution established a series of mechanisms through which civil society could directly partake in public management (Rocha 2008). Through the creation of popular councils, today most areas of public administration have institutionalised spaces for social participation (Avritzer 2007; Rocha 2008). As will be discussed below, the reception and integration of migrants and refugees in Brazil is no exception to this pattern.

This is not to say that popular political participation began in Brazil only after 1988, nor that the active role of civil society in the process of re-democratisation emerged without struggles. From the end of the 1960s through to the 1980s, at the height of the repression carried out by the military regime, several social movements emerged in the country, including the Landless Worker's Movement (MST), the National Union of Students (UNE), the National Trade Union Centre (CUT), and a number of organisations linked to a progressive strand of the Catholic Church, called Theology of Liberation (Rocha 2008). It was also during this time, in 1966, when the Catholic organisation *Cáritas Arquidiocesana*, became independent of its international sister organisation and established itself as an autonomous national entity based in several cities in Brazil.

By the end of the 1970s, amidst the intensification of violence engendered by military dictatorships in Chile and Uruguay, political exiles started to flee to Brazil, particularly to Rio de Janeiro. Either autonomously or through the help of a network of Catholic institutions in Latin America, these groups contacted the office of *Cáritas* in Rio de Janeiro for protection.

The organisation, thus, slowly became a safe haven for those who had escaped from political persecution in the region, even if that meant risking reprisals from the Brazilian military regime. Pressed by these new demands, and with the support of the National Confederation of Bishops in Brazil (CNBB), *Cáritas* initiated a movement to bring a representation of the United Nations High Commissioner for Refugees (UNHCR) to the country (Campanholo 2019). As scholars have rightly argued, it was precisely the absence of the state at that time, coupled with the work already undertaken by Brazilian CSOs with Latin American exiles, which fostered the strong connection between NGOs and the newly opened UNHCR office in Rio de Janeiro in 1977 (Fischel & Marcolini 2002; Jatobá & Martuscelli 2018; Moreira 2010). In fact, it could be said that the establishment of the UN agency in Brazil occurred largely through the action of non-governmental organisations.

Thus, since the 1970s, Brazilian civil society has been engaged in the defence of migrant and refugee populations' rights in the country on at least three fronts: through advocacy for the modernisation of the national migration/mobility regime; by directly supporting migrants' and refugees' reception and relocation; and by assisting the process of local integration, either autonomously, or in partnership with the government and UNHCR.

In Brazil, the current regulatory framework guiding partnerships between CSOs and the State was implemented in 2014 (Law 13.019). This law established more clear rules of collaboration between the public and third sectors - with a focus on transparency of public expenditures, and also created tax incentives for private companies to finance CSOs working in specific sectors such as cultural and artistic activities, sports, and children and adolescents, among others (Pannunzio 2013). In contrast to India, the Brazilian law does not regulate international funding (See Section 4.2).



Civil Society's Advocacy for Refugee Rights-Based Legislation

During most of Brazil's recent history, from 1980 to 2017, the Law that regulated mobility in the country had largely been designed from a securitarian standpoint. Crafted during the dictatorship, the Foreigners' Statute embodied the military's fear of dissident influences from abroad, particularly those stemming from neighbouring Latin American states (Machado 2020; Milesi & de Andrade 2017; Moreira 2010). The 1970s and 1980s were a period of relatively little immigration to Brazil, although this era also marked the start of the outmigration of Brazilians, mainly towards the United States (Acosta 2018; Zapata & Fazito 2018; Margolis 2013). Beyond its restrictive migration policy, the country did not have a national refugee protection framework, and the political exiles who arrived during this period encountered little legal protection.

Early on in the newly instituted Republic, a number of civil society organisations started to mobilise for the implementation of the 1951 Refugee Convention and its Protocol and the removal of its geographical clauses – although Brazil had signed the agreements, in 1960 and 1967 respectively, it granted special protection only to those fleeing from Europe (Jatobá & Martuscelli 2018; Milesi & de Andrade 2017). By 1996, civil society had managed to assume an active role in the draft bill of what would become the National Refugee Act. The strategies used to that end included open letters to the Ministry of Justice; intense participation in public hearings; and the close monitoring of legal proceedings in the national Parliament (Milesi & de Andrade 2017). This was also aided by dialoguing with other organisations in Latin America, through regional seminars and meetings, in a period characterised by the intense displacement of Colombians throughout the continent.

The signs of that influence on the law approved in 1997 are numerous and help to explain the singular features of the protection framework, often considered to be one of the most

progressive in the region (Jatobá & Martuscelli 2018; Jubilut 2006). Most importantly, the 1997 Refugee Act created the National Committee for Refugees (CONARE), a tripartite body responsible for refugee-status determination and also for promoting refugees' integration (Jatobá & Martuscelli 2018; Moreira 2010). This institution is composed of representatives of several Ministries, the Federal Police Department, and one representative of a civil society organisation (two national NGOs take turns in this chair). As highlighted by Jubilut and Apolinário (2008), this design, which is not often seen in other countries, helps to balance the state's concerns about national security with a human rights-based approach.

Civil Society's Advocacy for Migrant Rights-Based Legislation and the Humanitarian Visa

Over time the scope of action of civil society in mobility matters grew significantly, as did its geographic reach. In 2004, the Instituto de Migrações e Direitos Humanos (IMDH) propelled the creation of the Solidarity Network for Migrants and Refugees (RedeMir), which would become one of the main national platforms for the advocacy, mobilisation, and coordination of actions among CSOs (Milesi et al. 2018)

Whilst the early 2000s were characterised by intra-regional immigration, 2010 saw the rapid arrival of large numbers of Haitian nationals through the northern borders of Brazil, following the earthquake that hit this already impoverished country. Yet, unlike Mercosur and other South American nationals, this group had no favourable paths of entry and residence in Brazil, neither did they fit into the classical definition of refugees. In part because they had accessed the country through portions of territory where the state had historically been absent, Haitians initially received very little support from public authorities. Instead, Catholic organisations in the states of Acre and Amazonas were the first bodies to set up a structure of reception (Mamed 2016; da Silva 2013).

Largely through RedeMir, these NGOs were able to gain the backing of other organisations and to speak out against the state's omission. Along with this mobilisation, the presence of civil society in CONARE, as voting members, and in the National Immigration Council (*Conselho Nacional de Imigração - CNIG*)¹, as observer members, was of fundamental importance in the approval of humanitarian visas for Haitian nationals in 2012, allowing them to reside and work in Brazil for up to five years (de Oliveira & Sampaio 2020; Fernandes & de Faria 2017).

These advances, which took place while the draconian Foreigners' Statute was still in place, foreshadowed the design and approval of the Migration Law of 2017, after decades of political struggle. Among the underpinnings of the new law were the various discussion forums which had taken place over the previous ten years, which had brought together social movements and civil society organisations at the local, national, regional, and global levels. In this sense, the 1st National Conference on Migration and Refuge (Comigrar) deserves special attention. Designed as a space for collective reflection on the national mobility plan, it assembled more than 800 people representing social movements and NGOs, including migrant-led organisations, through a series of meetings in 2014. Various recommendations made by Comigrar were effectively incorporated into the draft of the 2017 Migration Law. As de Oliveira and Sampaio (2020) recently observed, this happened both via public hearings and informally through the influence of actors active in civil society and the Commission of Experts responsible for the design of the bill in Congress. During the draft bill's discussions in Brazil's Parliament, in order to push for its approval, a number of NGOs organised public awareness campaigns about the rights of migrants, and to counter common misconceptions about human mobility (de Oliveira & Sampaio 2020).

Similar to the Refugee Act, the 2017 Migration Law also brought a number of advances. Most importantly, it conceived

the migrant (not the foreigner) as a human rights subject, thereby supplanting the old legislation's exclusive focus on national security (de Oliveira & Sampaio 2020; Jarochinski et al. 2020; Zapata & Fazito 2018). Nevertheless, the approval of the law was concomitant with a new political scenario in Brazil, in which conservative actors were progressively gaining power and relevance (Acosta et al. 2018). This changing context was immediately reflected not only in a number of presidential vetoes to the approved legislation, but also in the decree that regulated the bill. The latter conceded substantially more power to state security forces – such as the Federal Police – than had originally been envisioned. It has therefore been argued that the decree does not respect the spirit of the law itself and contravenes the country's constitution (de Oliveira & Sampaio 2020; Machado 2020).

The beginning of the massive displacement of Venezuelans across Latin America took place amidst these debates, following the worsening of the humanitarian crisis in that country in late 2016. In a context of growing securitisation within Brazil, NGOs were prominent in speaking out against the deportation of Venezuelan nationals in 2016, and against border closures in the northern state of Roraima in 2018 (Alvim 2018; Milesi et al. 2018). In addition, these organisations have actively pressed administrative bodies on the correct interpretation of the new law, and the Brazilian constitution, which guarantees equality between nationals and immigrants residing in the country. This has been done in close alliance with the Public Defender's Office (DPU), through the filing of public civil actions. As a result of several of these actions, migrant and refugee populations have been able to access a number of social benefits such as the Mercosur Residence fee exemption for Venezuelans; the Continuous Cash Benefit Program (BPC), which guarantees a minimum wage to low-income families; and, more recently, the COVID-19 emergency financial allowance (Milesi & Coury 2018; Zortea 2017; Bengochea et al. 2020).

¹CNIG was created in 1980 through Federal Law 6.815. It is responsible for four main areas: the formulation of migration policies; the coordination of labour migration activities; the evaluation of the national demands for skilled labour; and the promotion of studies related to labour migration. It is composed of representatives from various instances of government, industry associations, trade unions, and civil society.

Reception, Interiorisation and Integration of Migrants and Refugees

Despite its advanced legislation on mobility and refuge, there is a general recognition that the Brazilian state currently has limited capacity and political will to honour its national and international commitments towards migrants and refugees (Zapata & Tapia forthcoming; Jatobá & Martuscelli 2018). As a result, the country has historically adopted a model of shared responsibility between the state, UNHCR, NGOs, and more recently, IOM, when it comes to the reception, relocation, and integration of these populations. Although this pattern has roots in the 1970s, it has certainly been enhanced in the past decade.

When Haitians began arriving in Acre and Amazonas in 2010, civil society organisations were the first to provide them with shelter and food. Although the state of Acre later took responsibility for the assistance, NGOs in Amazonas continued to be the primary actors in providing migrants with housing and basic supplies in the years to come (Mamed 2016). A similar trend was seen in the state of Roraima following the steady influx of Venezuelans through Brazil's northern border. Although Operation Shelter set up a number of shelters in the cities of Boa Vista and Pacaraima in 2018, many are still managed by NGOs (Jarochinski et al. 2020). Likewise, the interiorisation programme, which resembles an internal resettlement or relocation programme, is mainly operationalised through the support of NGOs, which are generally responsible for offering relocated families initial shelter, food, and even direct cash transfers (Baeninger 2018; Rosita Milesi & Coury 2018).

This shared-responsibility model is also replicated in the realm of migrant and refugee integration. Either autonomously or as UNHCR implementation partners, non-governmental organisations have been offering a wide range of services to migrants and refugees (Jatobá & Martuscelli 2018; Jubilut 2006). These include, but are not restricted to, Portuguese lessons; guidance on finding employment; documentation and legal support; and even the provision of interpreting services in medical consultations (Milesi & Coury 2018; Zortea 2017). Although the importance of such activities is undeniable, it should also be noted that the delegation of traditional state functions to civil society organisations, either during reception or integration, is problematic. It could, for example, lead to key inequalities in the provision of services, mainly because different NGOs have distinct capabilities to offer integral support to displaced populations. Moulin (2012) and Vera Espinoza (2018) have also noted that integration in Brazil –

and in other countries in Latin America - is frequently shaped through a pernicious logic of “deservingness”, by which those who demand further assistance, or show dissatisfaction, are framed not as rights-holders, but mainly as ungrateful subjects.

Yet, migrants and refugees themselves have been historically vocal in demanding their rights. Although the Foreigners' Statute prohibited these populations from taking part in demonstrations or formal assemblies, their influence was notorious; for example, during the Comigrar series of conferences, as well as in the March of Migrants (Marcha dos Migrantes) - a protest that has taken place in São Paulo every year since 2007. Many of the demands voiced by migrants at these events, which were also backed by non-governmental organisations, were successfully incorporated into the 2017 Brazilian Migration Law. Another historic protest which took place in 2009 included a strike organised by Palestinian resettled refugees outside the UNHCR office in Brasília, where families demanded further assistance from the agency or their assisted return to a refugee camp in Jordan (Vera Espinoza 2018; Moulin 2012). More recently, Martuscelli (2020) describes how Congolese refugees organised a formal complaint directed to the Ministry of Foreign Affairs, demanding the timely processing of their family reunification requests. In spite of the proliferation of these different forms of political mobilisation, the role of migrant-led movements has so far received relatively little attention in the Brazilian context.

As has been contended above, the advocacy role of CSOs is noteworthy both in terms of the national refugee protection framework, and the new Migration Law. These instruments, although separated by a period of twenty years, bear a number of innovative features, including the formalisation of a shared responsibility model between the state, the United Nations, and civil society organisations. However, this does not mean that the relationship between these actors and public authorities is free of tension. In many situations, NGOs fulfil roles which are normally attributable to the state, and more often than not they are at the forefront of humanitarian crisis management. The COVID-19 pandemic, the greatest health emergency of the last century, has been systematically understated by the Brazilian federal government. At the same time, it has been used as an excuse to further restrict mobility and increase border militarisation. It is against this background of permanent exceptionalism (see Vera Espinoza et al. forthcoming) that we investigate how CSOs have struggled to protect the rights of migrants and refugees in the country and have supported these populations during the pandemic.



4.2 A Brief History of Civil Society in India

Civil society organisations in India emerged in the late 19th century, out of the twin processes of resistance to colonialism and the reformative practices that were part of the Indian independence struggle. In the process of claiming sovereignty, ideas of democracy, citizenship, and civil society co-developed. The idea of an independent nation of India evolved, therefore, alongside the development of civil action and resistance to imperialism (Chandhoke 2011)².

Landmark moments in history that have shaped the course of civil society in India date back to well before independence. In the nineteenth century, social and religious reform movements such as the Brahmo Samaj³ and the Arya Samaj⁴ worked for women's education and widow remarriage. These groups opposed aspects of Hindu orthodoxy, such as caste-based hierarchies, ritualism, and idolatry. Parallel to this was the work of the missionaries under British rule. The passing of the Charter Act of 1813 resulted in increasing missionary activity in India with a special focus on promoting education, health, social welfare and reform (Sahoo 2013).

With the formation of the Indian National Congress in 1885 and the National Social Reform Conference in 1886, nationalism and social reform got intermingled, as decolonization was perceived in and of itself as a call for forming a new nation. Underpinning this was Mahatma Gandhi's philosophy of not separating social and political issues. He thus emphasised 'constructive work' for the Congress members to work towards

the upliftment of the poor and marginalized (Shah 2019; Sahoo 2013). Part of this involved moving beyond long-existing feudal practices of land ownership, indentured labour and other such inequalities.

The 1890s witnessed the formation of caste-based organisations that also acted as agencies for peasant mobilization against feudalism. Similarly, labour movements also began to rise in various parts of the country, such as in the cotton mills of Bombay and the jute mills of Calcutta. Workers began to unionize (Sahoo, 2013). The 1910s witnessed the emergence of both Mahatma Gandhi and Dr. B. R. Ambedkar as social leaders.

The Mutiny of 1857 was a turning point in Indian resistance to dominations of all forms, especially the British Empire. From 1885 onwards, several autonomous initiatives and movements developed among industrial workers, peasants, subordinated castes, religious identities, ethnic and linguistic formations, and women's groups. British rule and its policies of private ownership of land eroded traditions of collective ownership within tribal society that further led to peasant movements. Labour movement also began to rise in various parts of the country. By the 1890s, workers in Bombay cotton and Calcutta jute mills were protesting against abysmal working living conditions (Sahoo 2013). By the turn of the 19th century, unrest among the newly formed industrial workers was increasing, resulting in spontaneous strikes and disruption of work. Against

this prolonged backdrop, the Adivasis, landless peasants and working class collectivised and slogans, such as "Long Live the Revolution", and protests became common in public forums (Shah 2019: 46).⁵

Under the leadership of Jawaharlal Nehru (1947-1964) the Congress party served as a unique integrating institutional link between the state and society in India, based on a secular and socialist model of nation-building. The principle of 'constructive work' led to formation of the Planning Commission of India in 1950 and a centralized approach towards rural development, which took shape via the Five-Year Plans (Shah 2019; Sahoo 2013), in contrast to this was the regime of Indira Gandhi (1967-1977) that saw the decline of alignment between the state and the political institutions and the rise of the civil society against the injustices of the Emergency years of 1975-1977 (Shah 2019; Chandhoke 2003; Dhanagare 2001). This government prohibited the political involvement of voluntary organisations. The Foreign Contributions Regulation Act (FCRA) of 1976 was enacted in the parliament to maintain surveillance on political associations and voluntary organisations that received foreign funds (Sahoo 2013). Chandhoke argues powerfully, "civil society has won its most spectacular victories when confronted by dictatorships, for nothing arouses disaffection and political rage more than the denial of civil and political rights." (2003: 4). Anti-Emergency movements caused by the social unrest mobilized and politicised masses across India. The sphere of civil society hence expanded to include especially municipal and industrial workers, as well as poor and landless labourers.

The Emergency rule led to the defeat of Indira Gandhi in March 1977 and the Janata Party came to power under the leadership of Morarji Desai (1977-79). As a part of its rural improvement programme, the Janata Party actively encouraged the formation of voluntary organisations in the countryside. The government emphasized the role of

voluntary agencies in citizenship training and increased funding and bureaucratic support for NGOs. For example, the government allowed corporations to deduct donations to NGOs from their taxable income. These pro-NGO policies of the Janata government also greatly benefited the Rashtriya Swayam Sevak Sangh (RSS, which is also the ideological parent party of the political party Bhartiya Janata Party) and other Hindu nationalist organisations, who were its allies during the Emergency.

The Congress Party returned to power in January 1980 (to 1984) and once again began to restrict the functioning of the voluntary sector. They amended the Foreign Contribution Regulation Act (FCRA) in 1984, setting up a large number of fiscal and legal obligations (Sahoo 2013). This gave unprecedented control to the state over the functioning of the civil society, which continues till today. With the collapse of the Janata Party, some of its members founded the Bhartiya Janata Party (BJP) on 5th April 1980 and posed itself as the sole credible alternative to the ruling Congress Party. The BJP came to power in 1998 and ruled until its defeat in 2004, aggressively adopting neoliberal models of development.

The crucial post-liberalization period of the 1990s had great impact on civil society. India embraced the liberalization period post 1990⁶. International development aid was welcomed by NGOs, resisted by both left-wing and right-wing organisations, such as the RSS. (Biswas 2006). At the same time, the 1990s was also when social movements and grassroots movements articulated the basic issues of development in the framework of rights. Several such civil movements subsequently burgeoned in India since the 1990s on social and environmental issues: against tribal displacement in Orissa, against bauxite mining in Andhra Pradesh, and the movement for water conservation in Rajasthan, etc.

² Migration itself helped civil society organisation become more global or transnational. We find many diaspora and migrant led civil society organisation cutting across regions and countries. This not only helped them to mobilise financial resources but also helped them to mobilise ideas, technologies etc. There is a long history of civil society organisations (led by its diaspora) in political participation in India, for example the 'Ghadar Movement' (which was an early 20th century, international political movement, founded by expatriate Indians living in West Coast United States and Canada to overthrow the British). Subhash Chandra Bose and Mahatma Gandhi too mobilised anti-colonial movement through their networks such as the Indian National Army (INA) in countries outside India, such as in South Africa, Mauritius, and among the Indian Student associations in UK and USA. These transnational civil society organisations played an important role during the freedom struggle of India in particular, and anti-colonial movement in general.

³ Founded by Ram Mohun Roy in 1828, was a religious reform organisation that did not believe in caste or religion.

⁴ Founded in 1875 by Dayananda Sarasvati, was a reform movement of modern Hinduism, whose aim was to re-establish the Vedas, the earliest Hindu scriptures.

⁵ It is imperative to mention here the Jallianwala Bagh massacre of 1919. It is as an example of a peaceful citizen protest that was dealt with brutal force by the British that killed thousands of peaceful protestors in the city of Punjab. The impunity the British army enjoyed made it possible for the person responsible for this massacre, General Dyer, to get away without being penalized for his actions. The fact that the British murdered so many people on that day only served to fuel a national awareness of the existing social injustices across social and political spectra.

⁶ India under Indira was in the Soviet bloc during the Cold War years. The 1990s marked a period of key ideological, political and economic changes in terms of existing structures that affected India's status-quo internally and internationally.

From the historical trajectory of the formation of civil society in India, it is clear how intricately it is intertwined with the state – sometimes functioning as a machinery of the state to reproduce its agenda and sometimes as an anti-state establishment to question its policies. Civil society emerged as a space where social reform was carried forward by organisations who differed in their outlook and approach. The work focussed on various issues that cut across gender, religion, caste and labour. Working at the intersection of these structures and the various forms of marginalization is the state, the civil society and the people at various levels. Civil society both interacts with the state and is also distinct from it.

India's current third sector is diverse and numerous. According to Srivastava and Tandon (2005), India has over 1.2 million organisations that locate themselves in the non-profit sector. Within this vast arena, and not surprisingly given the size of the country's informal labour sector, numerous civil society organisations work on issues that respond to the needs of India's migrants and refugees. These third sector organisations range from the local, to the national, to the international; they occupy numerous socio-political positions, with many being allied closely to trade unions and workers' organisations, while others are faith-based or else led and organized by workers themselves; some are small-scale, while others are logistically complex operations; many work in partnerships with local governments and the private sector and also provide legal representation for the undocumented by working with district magistrates and local courts. Their legal status also varies greatly. By Indian law, voluntary organisations are mandatorily registered under central or state law on the basis of their legal status, as societies, or as charitable trusts (Public/Private), or as non-profit companies. Their operational methods also vary, as they may function as cooperatives, trade unions or religious bodies (Chandreashekhar 2018).

Civil Society's Response to Pandemic

To understand the role of the civil society during the pandemic, it is important to consider the impact of the ruling party, the BJP (2014-present) on civil society. It is also important to note that the civil society organisations in India have been influenced by international movements such as feminist movements, environmental movements and other civil right movements. Part of the government action towards civil society organisations is related to these international links, since organisations in India do receive funding from international organisations such for work on gender and sexuality.

The government has taken stern measures against civil society actors, arresting human rights activists and student leaders, and suppressing civil liberties activists (Kode & Jacob 2017). It also passed the Foreign Contribution (Regulation) Amendment (FCRA) Act, which has potentially adverse effects on NGOs and charitable institutions. It has made the functioning of NGOs more challenging as the Act does not allow for the redistribution of an organisation's funds to other organisations, even if the latter remain FCRA compliant, forcing many to shut down operations in the absence of funds. Organisations that are dependent on corporate social responsibility (CSR) funding are facing greater difficulties because corporate funding is being redirected towards immediate relief work and the Prime Minister's Citizen Assistance and Relief in Emergency Situations (PM CARES) fund (Rustagi & Wu 2020). Between 2014-2020, the BJP led government cancelled the licenses of over 20,000 NGOs to receive foreign funds under the FCRA. Nevertheless, as the state grappled with responding to COVID-19, the government think tank NITI Aayog requested more than 92,000 NGOs to help the government fight the pandemic (Ramachandran 2020). Despite this shrinking space of civil society, it was individuals and NGOs that came together during the lockdown period, imposed suddenly and with little preparedness by the government on the 24th of March 2020.



5. Discussion of findings

5.1 Findings from Brazil

5.1.1 Challenges faced by migrants during the pandemic

i. Access to documentation, irregularity and border closures

In Brazil, the first unique obstacle faced by migrants and refugees during the pandemic relates to irregularity. Those who had already been living in the country faced multiple difficulties to renew their documents, mainly because the Federal Police – the institution responsible for implementing migration policy, including the issuing of migration and refugee documents – had greatly reduced appointment slots, due to the backlog produced by the closure of its offices at the beginning of the outbreak. According to our respondents, documentation and regularisation processes that used to take three months, now take from six to nine months, and in some cases, even more than one year. To complicate matters further, all procedures were switched to an online format, which represents an additional burden to people who do not have the technological tools and/or knowledge to access these services. Although the government issued an ordinance (Portaria Nº 18-DIREX/PF) determining the automatic extension of expired documents, our respondents reported that different public institutions still require up-to-date documents, apparently unaware of the revised regulation.

Since the beginning of the pandemic, more than 20 ordinances related to border closures were issued by the Civil House of the Presidency of the Republic, by the Ministry of Justice and Public Security, and by the Ministry of Health. These legal instruments do not explicitly honour Brazil’s international commitment to protect people seeking refuge and/or in need

of humanitarian protection (one of the emblems of Brazilian migration policy). For instance, Ordinance 255 of 22/05/20, created a legal loophole to deny the possibility of requesting refugee protection (see Section 5.1.3). Notwithstanding the obstacles faced by migrants who were already living in the country, interviewees emphasised that newly arrived persons have been the most affected by changes in migration management.

Thus, border closures have had two main consequences: i. an increase in the number of people entering the country through unofficial channels (trochas), leading to a growing number of migrants with irregular status; ii. potential changes in the governance of mobility in the medium and long term (see Section 5.1.3).

Irregularity creates a chain of other problems. As repeatedly contended by our respondents, one of its most visible impacts is on formal employment, since businesses are prevented from hiring those without documents or, in many cases, discriminate against those with expired or temporary legal status. The phenomenon only adds to rising joblessness, particularly in the hospitality industry, where many migrants and refugees had been employed. As a result, many people who previously held formal jobs, were pushed to the informal sector. Due to frequent lockdown measures, activities such as selling food have been constantly interrupted and families who relied on such businesses to survive have reported considerable income losses. According to our interviewees, one consequence of these difficulties seems to be the growing number of migrants who accept jobs in conditions analogous to slavery; situations that are not new⁷ but that have certainly found new momentum during the pandemic.

ii. Increasing socioeconomic vulnerabilities

Financial hardship has also forced people to rely almost entirely on state benefits. Unlike other countries in Latin America, Brazilian laws guarantee all migrants, regardless of legal status, access to social protection (Vera Espinoza et al. forthcoming) – although, as stated in section 4.1, CSOs and the Public Defender’s Office often had to fight for these rights. Interviewees named a number of practical hindrances encountered by migrants and refugees to access the state’s mitigation programmes, especially the Emergency Financial Allowance⁸. The most obvious of them is irregularity, as many, especially those who have recently arrived in the country, do not have the necessary documents to apply, i.e CPF and National Migration Registration. Misinformation, language barriers and difficulties to access the government’s online application system were yet other challenges cited. According to an interviewee, a similar process happened with some kind of humanitarian aid:

Economic vulnerability has also impacted migrants’ ability to send money and goods back to their families in their countries of origin, according to 19 out of the 25 interviewees. The drop in remittances arises from three main factors: a steep rise in unemployment, inflation, and increased uncertainty. Some interviewees have affirmed that migrants often want to help their families at their own expense, so they often prioritise remittances, instead of guaranteeing their own well-being in Brazil. Furthermore, migrants’ inability to remit also incentivizes the irregular entry of family members who had remained in the home country.

According to our interviewees, this is especially the case for Venezuelans, who are overly dependent on cross-border activities.

Another key challenge raised by our interviewees has been migrants and refugees’ growing food deprivation and housing insecurity. Since many people did not have formal tenancy agreements, landlords were able to easily forfeit leases.



One of the challenges is the access to financial aid, be it the Emergency Financial Allowance or humanitarian aid [...] there are many international projects that need to report beneficiaries’ residence, and the type of support provided to each person; and it is not possible to register people in that way [without documents].

(Representative of Faith-Based Organisation, Brasília)

⁷ <https://reporterbrasil.org.br/2019/12/pacto-pelo-trabalho-decente-nas-confecoos-de-sao-paulo-completa-10-anos/>
<https://agenciabrasil.ebc.com.br/direitos-humanos/noticia/2020-01/brasil-teve-mais-de-mil-pessoas-resgatadas-do-trabalho-escravo-em>

⁸ The Emergency Financial Allowance (Auxílio Emergencial) is an aid scheme directed at adults, 18 years old or over, who are in low-paid informal work. Low-paid work is defined as those that pay less than half of the National Minimum Wage. The benefit payment amount was initially set at R\$600/pcm (USD\$116/pcm) for a period of three months, starting in April 2020. The allowance was then extended for another two months - July and August (Decree 10.412/June 30th). In September 2020, the government instituted a further extension of the aid for another four months, now with a reduced payment amount - 53 USD\$/pcm (Provisory Act 1000/September 2nd).



Difficulties to pay rent have forced migrants into homelessness, home-sharing or going or returning to government run shelters. In Boa Vista, the situation was worsened by the evictions of migrants from several informal settlements, carried out by the municipality and the security forces during the pandemic. Although some migrants were offered to be relocated to government managed shelters, others ended up on the streets. As representatives of CSOs in the north of Brazil have repeatedly remarked, people often prefer to live on the streets rather than return to such spaces, where their autonomy and privacy is severely curtailed. As summarised by a representative from a faith-based organisation in Boa Vista, “migrants have repeatedly told me that moving back to the shelters [run by Operation Shelter] feels like we are regressing not one but several steps backwards. Since leaving Venezuela, we have been regressing, we have been losing it all.” As a result, it is not rare to find numerous families sharing small flats, where the conditions do not allow the following of social distancing guidelines.

Another key barrier is the uneven access to medical services, which may be related to migrants’ fear of deportation, language barriers, mistreatment, and lack of training among health personnel about migrants’ rights. The prevalence of coronavirus among migrants is difficult to ascertain, as official data on the number of cases and deaths is not disaggregated by nationality. According to research participants, this overall lack of information has been affecting CSOs’ ability to push for public health policies specifically targeted at migrants and

refugees. Most organisations’ representatives also emphasised that the multiple effects of the pandemic on migrants’ health may also be imposing a greater psychological burden on these populations.

Although the pandemic has affected most migrants and refugees in Brazil, its impacts have been differentiated according to sociodemographic characteristics and time of arrival in Brazil, among others. At least 10 of the 25 interviewees stated that the pandemic had a greater impact on women with children, given the absence of daycare centres and job opportunities. Many interviewees reported an increase in domestic violence against migrant women. Children were identified as a group strongly affected by the pandemic due to difficulties accessing both documents and education during the pandemic.

Several interviewees reported that different indigenous groups, especially the Warao communities displaced from Venezuela, have been particularly affected by the pandemic due to their socio-cultural specificities, and the fact that they tend to have less financial and human resources than other migrants. Not only have the government’s responses targeting these populations been insufficient, but there is no consensus about durable solutions for them. Moreover, many Warao are not used to life in cities and do not speak Spanish or Portuguese, so many have ended up working and living on the streets.

iii. Migrants coping strategies

Migrants have adopted two main strategies to deal with the aforementioned challenges: the first one relates to finding alternative sources of income, while the second concerns the articulation of solidarity networks among migrants (sometimes with the support of CSOs). According to our interviewees, a growing number of migrants who have lost their jobs are running businesses from their homes, especially in the food sector, despite hurdles. As emphasised by an interviewee from an NGO in São Paulo:



Many don’t have enough space to develop their products at home, or they don’t have a good internet connection, which makes it difficult to make contact with clients. Same with language, they may be able to communicate well face to face, but it is more difficult over the phone or online. Some people are preparing food and selling through apps. It depends on their time of arrival and how good their Portuguese is.

(NGO staff in São Paulo)

The second strategy relates to the articulation of solidarity networks among migrants. According to several interviewees, many migrant families offer to shelter other migrants who had been evicted during the pandemic. In other cases, migrants shared important information about how to access the government’s social protection schemes. As an interviewee from a CSO in Rio de Janeiro told us, a group of Venezuelans made videos in Spanish teaching other migrants how to access the emergency financial allowance. Another example was the creation of the so-called ‘Bolivia-Solidarity’, a massive articulation among Bolivians for the distribution of food parcels, which received support not only from CSOs but also from other migrant communities, mainly Koreans and Peruvians.

Another important strategy employed by migrants during the health crisis has been further mobility, both internally and internationally. According to some interviewees, the COVID-19 crisis has reinforced a pre-pandemic pattern of re-emigration towards the United States and Canada. Others have decided to return to their countries of origin, or move within Brazil looking for better economic opportunities, or have moved to other states where they had the assistance of other relatives.

5.1.2 Role of Civil Society Organisations: Lessons and good practices

As the pandemic exacerbated the vulnerabilities of migrants and refugees in Brazil, the demands on civil society organisations also increased. In this section, we discuss how NGOs, faith-based organisations and migrant-led groups adapted and responded to these growing needs. While the role, administration and aims of the organisations and groups interviewed differ, as does the region in Brazil where they are located, most of the findings discussed here are common across groups.

i. Civil Society Organisations: Covering the Gaps

The scope of action of CSOs in Brazil is as wide as is their geographical reach. While the activities and programmes vary across organisations depending on their expertise, institutional arrangements, and funding, most of the programmes developed by these organisations span three areas: support for migrants and refugees at arrival and during the process of integration; advocacy; and emergency assistance. During the pandemic, most organisations have managed to continue their activities supporting the arrival of migrants and refugees, with programmes such as language provision, legal assistance, employability skills and job matching activities, information about housing and shelter, as well as assistance accessing public services and documentation.

The type of support that has increased the most during the COVID-19 crisis is the emergency assistance aimed to cover basic needs. This emergency assistance includes the provision and/or distribution of food parcels and food vouchers, hygiene kits, short-term rent payments and personal protection equipment (PPE) distribution, among others. At the same time, CSOs had a leading role in providing information about COVID-19 prevention, access to documentation, and application to the government's emergency financial allowance and other social protection schemes. In some cases, they also contributed to the implementation of safety protocols in

shelters. There was no significant difference in the responses to the health crisis between the different types of CSOs.

Notably, even migrant-led organisations, whose usual activities did not necessarily include covering basic needs, began doing so during the pandemic. For instance, one of the migrant-led organisations we interviewed in São Paulo has established new partnerships with the Brazilian Red Cross and with the municipality of São Paulo to distribute hygiene kits among migrants, as well as partnerships with private companies and the IOM to distribute food parcels. While these changes are welcome, many agree that is not an activity they want to continue in the long term. As one migrant representative in São Paulo stated, “we do not want to keep distributing food parcels; we want to offer people a job”.

Most organisations reported maintaining the same funding sources, although some had to redirect funding to emergency assistance programmes. However, at least 10 out of the 25 interviewees stated having increased their funding through new projects or new partnerships during the pandemic, while few organisations reported loss or lack of funding during this period. The increase in partnerships is not surprising as CSOs and migrant-led organisations tend to have better contacts on the ground and can directly reach migrant communities. However, it is important to note that many organisations emphasised in our interviews that in some cases they could not handle the increasing demand for food supply or other basic needs during the pandemic. For instance, an organisation in Manaus, stated that while they had food, they did not have enough distribution capacity, so that the donor institution had to hire an expert in logistics to handle the demand. Another organisation in São Paulo, stated that some migrants did not even have the resources to pay for the transport to collect the food parcels.

Another problem related to the distribution of food parcels emerged with regards to the Warao community's socio-cultural specificities. As stated by an organisation in the state of Bahia, they could not provide the food parcels to this indigenous group as “the Warao eat specific food, so they wouldn't eat what was in the food parcel.” This issue highlights the homogeneity of some emergency assistance programmes,

which may not consider the particularities of different migrant communities.

Many CSOs also reported not being able to keep up with the increasing demand, as they did not have enough financial or human resources to do so. As emphasised by an organisation in São Paulo, “we lacked the economic resources to help all migrants in need of help with rent, electricity, water, etc. We are restricted by the donations we received”. In Brasilia, a faith-based organisation stated that they wanted to provide services beyond the emergency assistance, but were unable to do so: “We wanted to systematically keep tabs on the migrant population infected with the virus, to make sure they got the attention they needed but we were overwhelmed with increased demands for other basic services.”

The increased role of Civil Society, including migrant-led organisations, in providing emergency assistance during the pandemic raises two issues, according to our interviewees. On the one hand, many had to redirect resources away from advocacy and socio-economic integration activities to cover the increased demand for emergency assistance. On the other hand, the COVID-19 crisis further emphasised the Brazilian state's inaction in relation to migrants and refugees as well as the lack of knowledge about these communities across the public and private sectors. One of the NGO's representatives in Manaus stated that the pandemic is evidencing the state's dependency on Civil Society and UN organisations. As a result of this, “there is an overload on the CSOs that are covering that gap left by the government” (NGO representative in São Paulo).

ii. Hybrid work and the use of technology

Local lockdown and social distancing measures meant that most organisations had to quickly adapt to new forms of working. Most organisations were used to providing in-person services and assistance. CSOs either moved all service provision online or adopted a hybrid working format, with reduced in-person appointments and other services online or over the phone. This shift required investment in digital technology and connectivity, as well as staff and users' training on how to use the new platforms and also those set up by the public sector.

Adapting to this new reality was a common theme across our interviews, as emphasised by two members of organisations in São Paulo and Porto Alegre:



When the pandemic arrived, we had to adapt. Last year we started to move everything online, for instance our legal provision service. We send migrants a google form to register online, where we keep a record to arrange interviews.

(NGO staff in São Paulo)

“We had to adapt our way of working and reduce bureaucracy as much as possible. For example, we started using Teams, but it was a difficult platform for the public we serve. (...) So, we decided to buy mobile phones for the team, so they can communicate directly by phone or WhatsApp. And if they don’t have a phone, we still have some in-person service.”

(Faith-based organisation staff in Porto Alegre)

Working online meant that some organisations had to create, reactivate, or intensify the use of their social media accounts, while also adopting other platforms such as WhatsApp, Zoom, Facebook, Google Meets, and Youtube, to deliver programmes and services such as remote training, including Portuguese lessons and CV-writing services - in many cases working alongside local universities in the production or the delivery of the material. Social media was also useful to disseminate information about COVID-19 prevention measures, migrants and refugees’ rights and access to social protection schemes.

The hybrid model of working adopted by most of the organisations interviewed and the digitalization and technologisation of certain services (such as language provision), brought opportunities to reach a wider population beyond their usual geographical reach. As stated by an NGO personnel in São Paulo:

“Last year we provided 415 migrants with Portuguese classes. 30% of them didn’t live in São Paulo. We are now assisting people in 22 cities and even people in other countries. We attended people in Venezuela and Syria that will come to Brazil, because they wanted to arrive with some knowledge of the language.”

(NGO interviewee in São Paulo)

Digitalised services also contributed to partnerships with organisations in other cities, to either share experiences or to mutually support their advocacy work. However, these new forms of working also have limitations, given that in many cases migrants and volunteers lack the technological resources or know how to deal with the new technologies. In some cases, such as in an NGO in São Paulo, this led to a reduction in the number of volunteers by around 50%, which also impacted the number of people assisted by the organisation: “overall, at the end of 2020 we had assisted 50% less refugees than we assisted the previous year, around a 1000 people from different places. In 2019, we provided assistance to over 2300 people”. In the case of organisations working with homeless migrants or Warao communities with no access to technology or connectivity, working remotely was not an option. Among migrant-led organisations the main challenge was to continue with social and cultural activities to promote inclusion or in-person orientation for new arrivals.

In the face of these challenges, many CSOs in different Brazilian cities have actively worked to be centres of assistance to migrants and refugees.



We work as ‘safe havens’, especially in times when so much fake news is circulating, and when some people are trying to take advantage of misinformation.

(Faith-based organisation staff in Brasilia)



iii. Partnerships

Collaborations engaged in by CSO expanded during the pandemic, as emphasised by 22 interviewees. Maintaining these partnerships, before and during the pandemic, has not been free of challenges. As one of the NGO staff in São Paulo stated, disagreements persist about the best way to provide assistance (e.g. charity versus development policies; in-person or remotely). In addition, in the past, the scarcity of funding also provoked clashes among civil society organisations and UN agencies, as well as disagreements between these organisations and migrants and refugees (see Vera Espinoza 2018; Moulin 2012). Migrants’ increased vulnerabilities as a result of the pandemic have allowed for the setting aside some of these differences. During this period, CSOs increased formal and informal partnerships beyond traditional patterns of collaboration (between CSOs, IOs and public sector), including translocal connections with other CSOs across Brazil, increased partnerships with private actors, and a few transnational initiatives with CSOs and migrant-led groups across the region.

With the increased presence of a variety of International Organisations (IOs) in the country, most CSOs and migrant-led organisations reported having continued or expanded existing partnerships with these organisations. These include a traditional partner such as the UNHCR (as many organisations receive money for specific programmes or work as implementing partners), and more recently with the IOM. Organisations present in Northern cities, such as Manaus and Boa Vista, also established cooperation with other UN agencies such as UNICEF, UNFPA and UN Women, primarily as part of the humanitarian task force coordinated by the federal government’s Operation Shelter. These IOs have been key in the provision of food parcels and vouchers, water and health services, hygiene kits, and shelter, etc. Interviewees also reported new or expanded partnerships with transnational organisations such as the Pan-American Foundation for Development, MSF, USAID, World Vision, Caritas International, and the Spanish Jesuit Services.

CSOs also reported increased collaboration among civil society organisations. For instance, an NGO official in Bahia, mentioned how they created an ‘alternative network’ of civil society organisations so they can combine expertise and facilitate referrals, while at the same time “working collectively to pressure the public sector to do their work”. A few organisations also reported that some larger NGOs have been supporting smaller organisations with donations.

Other key partnerships that have been intensified during the pandemic are the collaboration with the Public Defender’s Office (DPU) and with private actors. CSOs worked in close collaboration with DPU to lead efforts to protect and defend migrants’ and refugees’ rights to access health services and social protection schemes. On the other hand, the collaboration with private actors has materialised through donations (both from companies and individuals), food distribution (from partnerships with local supermarkets to alliances with well-established food service companies such as Sodexo and JBS) and job access (both in terms of training and matching schemes).

Many organisations have developed specific partnerships with municipalities in order to facilitate the distribution of food and other donations, to deliver health education and other information campaigns. An interviewee from an NGO in Porto Alegre also reported an informal partnership with the Federal Police in order to fill out regularisation forms. In Roraima, an organisation partnered with local authorities to register more than 1000 Venezuelan families for access to the emergency allowance.

Finally, only a few organisations interviewed mentioned the establishment of transnational collaborations at the regional level. For instance, an NGO in Sao Paulo shed light on a regional effort from the Civil Society that ensured an audience at the Inter-American Commission on Human Rights in March. Other migrant-led organisations mentioned their participation in the transnational campaign #RegularisationNow, led by migrants across the region.

iv. Challenges

While the organisations interviewed have shown the ability to quickly adapt their work and assistance provision to the demanding scenario imposed by the pandemic, the process has not been devoid of challenges. Besides the inability to provide in-person assistance, some organisations stop relying on volunteers, attentive to concerns of data privacy, as they could not provide remote access to migrants and refugees' data. In some cases, the lack of in-person assistance made it difficult to create an environment of trust, key to the work of social workers and professionals providing mental health support.

These multiple challenges in service provision also affect the mental health and well-being of staff and volunteers of civil society organisations. The lack of fixed working hours and increasing demands have affected family life and created a perception of 'never-ending work'. As discussed by a faith-based organisation in Brasília, "humanitarian work is very demanding for the staff involved. It often requires full-time commitment". In response, the organisation is looking to implement 'care for carers' activities and improve staff remuneration. At least seven of the organisations interviewed reported an increase in mental health issues and psychological pressure on the team. As mentioned by an interviewee in São Paulo, migrants would send pictures of their empty fridges to the staff, which created a sense of powerlessness among the team.

A second challenge reported by the interviewees is the need to move away from providing emergency assistance to long-term integration and durable solutions (see Section 5.1.3). In the words of a staff member at a faith-based organisation in Boa Vista,

“we need to think about structuring our work towards durable solutions. For instance, accompanying families over a long period of time, helping them to rescue their dignity and be self-sufficient. Aid is usually time-limited and no one wants to be dependent for the rest of their lives.

(Staff faith-based organisation in Boa Vista)

Lastly, various organisations, especially those located in the northern border, expressed concerns about CSOs' capacity to deal with the expected sharp increase in border crossings once the borders reopen. More than ever, a strong, organised and coherent response to the humanitarian needs of those in need of refugee or humanitarian protection is needed.

5.1.3 Policy Recommendations

As previously documented (Vera Espinoza et al, forthcoming), and confirmed by this research, CSOs - and other non-state actors such as IOs - play a complementary role vis-à-vis the Brazilian state in terms of addressing the basic needs and socioeconomic integration of migrants and other vulnerable populations. This section summarises the main policy recommendations, especially in relation to policy implementation gaps and how governments can engage the third sector to support and extend their work towards migrants and refugees' integration into Brazilian society.

i. The need for strengthening coherence between policies and practices.

Brazil has been internationally hailed as a leader and model for refugee protection in South America (see section 4.1) and the New Migration Law of 2017, as previously mentioned, is centred on the principles of protecting human rights and non-discrimination. However, our interviewees unanimously pointed out the lack of coherence between policies and practice, given that there is no national policy and financial resources available to implement these laws. These policy implementation gaps not only curtail migrants' prospects for socio-economic integration and social cohesion, but have also led to a worrying degree of institutional inertia on the part of the state, imposing a heavy burden on CSOs. This has translated into the adoption of ad-hoc legal mechanisms created for the admission and settlement of displaced populations, with little articulation with other intersectional socioeconomic policies. As one of our interviewees put it:

During the government of Jair Bolsonaro (2019 -), the progressive ethos of these policies has been repeatedly questioned on the back of populist, nationalist policies. Bolsonaro not only withdrew the country from the Global Compact for Safe, Orderly and Regular Migration, but his government's rhetoric, policies and practices are more in line with the dictatorship-era Statute of the Foreigner, that instrumentalised migrants as a threat to national security (Zapata & Tapia forthcoming).

In this context, alleging the risks associated with the pandemic, the government sealed the country's borders through a series of ordinances that seem to explicitly discriminate against Venezuelans. Although entry restrictions have been lifted for people entering the country by air since July 2020, restrictions remain in place, for an indeterminate period of time, for people coming from Venezuela by any means of transport. Particularly worrying are the precedents set by these instruments and their long-term consequences on the country's management of this and other 'undesirable' migrant flows.

“The government's lack of protagonism is not new (...) they allow people to get into Brazil and seek asylum. The rhetoric of the government is that ‘we have open borders, allow them to be here, we provide documentation’. And by the constitution, migrants have the right to access health and education services as any other Brazilian citizen (...) the government used that to say that they are doing a good job, but in terms of accommodation, access to work, language training, etc, it is all done by CSOs.”

(Representative from a NGO in São Paulo)

ii. Addressing the gaps in the local governance of migration that limit integration opportunities.

A second important recommendation by CSOs throughout the country was related to addressing issues that directly speak to migrants' daily lives, as well as the politics and policies of structural factors known to promote their medium- and long-term integration. On the one hand, concerns were raised about rising levels of xenophobia and the urgent need for a national public awareness campaign against discrimination, to give visibility to the migrant cause and educate society on the benefits of migration, issues that are central to the country's new migration law. On the other hand, interviewees pointed out the need to simplify the processes for the recognition of migrants' qualifications (revalidation of foreign university degrees), to listen to migrants' needs and experiences, and encourage companies to hire immigrants. In short, interviewees suggested the need for raising local communities' knowledge about the potential benefits of increasing levels of ethnic and racial diversity:



Brazilian society must understand that migrants are here to help (...) migrants' integration will not take place through the Federal Police, or the National Committee for Refugees (CONARE), but through the actions of Brazilian people.

(Representative from a migrant-led organisation in São Paulo)

One key element of this recommendation is to address the widespread lack of knowledge in the public state apparatus on the specificities and rights of migrant and refugee populations. This can be done by harnessing CSOs' knowledge to provide training to public servants, particularly in health, education, housing and other social services.

Interviewees also emphasised the need for better coordination between the different levels of government (local, state and federal) and other stakeholders, to be able to adequately respond to the challenges, perhaps creating a multi-level task force, as established in the New Migration Law⁹. In the words of one interviewee:

“The city and the state level do not have a coordinated response, which is also different to that at the national level. But in general, I think that one of the main challenges is the recognition of migrants as subjects of rights independently of their nationality. I think there is still a lack of recognition from the public sector that migrants and refugees can also access the social protection apparatus. So, in some cities, migrants face difficulties accessing those rights and services that are not only meant for Brazilians.”

(Representative from a faith-based organisation in Porto Alegre)

However, addressing these gaps requires taking into consideration the regional and local differences across the country, including varying levels of migrant reception mechanisms, public infrastructures and socio-economic dynamics.

iii. Furthering spaces for interaction between the state and CSOs.

Another important recommendation has to do with improving the current government's attitudes towards CSOs and their urgent need for support. Calls were made for the government to bring down the 'generally hostile environment' towards civil society and recognise that they have been doing much of the heavy lifting in terms of executing policies on the ground, often taking on responsibilities that belong to the state. In the words of two interviewees:

“We often say that it is important not to exempt the state from its duties. It is comfortable for them to let civil society organisations take on everything. That is why we need more advocacy work – we cannot just be responding to emergencies; we need to demand lasting solutions from public authorities [...] We have a national law, but there is no implementation capacity in states and municipalities, where life is happening.”

(Representative from a faith-based organisation in Brasilia)

“I have the feeling that our efforts as civil society just amount to a fire drill, and we don't really solve problems. That is because there is no public policy: we are only struggling to guarantee people's survival.”

(Representative from a faith-based organisation based in Roraima)

Some ideas for supporting the work of CSOs included creating a fund for permanent financial assistance and offering office spaces - since maintaining these spaces, especially in the big cities, is heavy on budgets. They also suggested expanding partnerships with NGOs and other stakeholders through government or public-private-partnerships calls for proposals to adequately serve migrants and refugees. This also includes opening or maintaining spaces for dialogue, for ensuring CSOs have a say in the development of evidence-based public policies that respect migrants' rights.

Good practices that could be replicated include the space that civil society has in the tripartite CONARE as well as the states' committees that bring together various CSOs and state actors such as the Committees for the Attention of Migrants, Refugee, Stateless and Victims of Trafficking (COMITRATE) that exist throughout the country (ACNUR 2021; Ministério da Justiça 2021).

iv. Increasing migrant representation and participation in decision-making.

The last policy recommendation made by CSOs relates to putting into practice the provisions of the new Migration Law with regard to migrants' participation in public life. Although the law does not extend voting rights to immigrants, it guarantees their right and promotes their participation in the “social dialogue for the formulation, implementation and evaluation of migration policies” (Section II, XIII). In this sense, interviewees highlighted key actions such as listening to refugees and immigrants themselves, especially migrant-led organisations, making more resources available, and disseminating their positive role in society. Calls were also made to formally increase their participation in decision making, for instance, by locally engaging or hiring migrant community leaders from different communities (Haitians, Venezuelans, Cubans, Senegalese, etc), to represent each community and potentialise the impact of public policies. A good practice in this realm is São Paulo's Municipal Council of Immigrants (CMI), a consultative body with paritary representation between public officials and civil society organisations, including migrants and their organisations, in charge of formulating, implementing and monitoring the 2016 municipal policy for the migrant population (Prefeitura de São Paulo 2021).

⁹ Law 13.445/2017, article 120: "The National Policy on Migration, Refuge and Statelessness will have the purpose of coordinating and articulating sectorial actions implemented by the federal Executive Branch in cooperation with States, the Federal District and Municipalities, with the participation of civil society organisations, international organisations and private entities".

5.2 Findings from India

5.2.1 Challenges faced by migrants during the pandemic

i. Severe impact on livelihood

Employment situations and duration of residence in a particular region determined the level of challenges faced by migrants in the COVID-19 pandemic in India, as pre-existing vulnerabilities were exacerbated. Sudden job losses were some of the major challenges faced by migrants which directly impacted on their livelihoods. Not only job losses, but the non-payment of salaries and backpay meant that migrants could no longer pay rent, thus becoming homeless. Many employers gave out no information or assistance. In the words of an NGO representative “imagine losing your job and your accommodation at the same time”. The lack of information caused panic and fear among the people.

Initially, during the lockdown, they were able to manage with the limited savings they had. As the period extended, many sought to return home, but had neither resources nor transportation. Even those who managed to go back to their native place faced problems related to quarantine. While some migrants were kept at quarantine centres with minimum facilities for 14 – 20 days in rural areas, some others just disappeared with the help of their family members and kept hidden, as being quarantined was not considered good. Further, those returning to their native place would end up farming or selling vegetables, as rural areas do not offer much opportunity. Hunger and the unavailability of food was another challenge, with ensuing health problems surfacing. Migrants faced the challenge of travelling back in an ongoing pandemic and fending for themselves, caring for family, meeting daily needs, finding transport and money to go back home. The brutality of local police remains one of the traumatic memories of the pandemic. In some cases, migrants had mental breakdowns as well. Future uncertainties loomed large in their minds.

There was no support mechanism for returning migrants. Return migrants from the Gulf to Telangana spent an exorbitant amount of money on charter flights and quarantine facilities to come back. The pandemic hit the refugee population particularly hard in India. Compared to the general population, far higher numbers of refugees suffer from depression, Post Traumatic Stress Disorder (PTSD), or schizophrenia, due to traumatic experiences of war and systematic persecution. For many, the pandemic has meant disrupted access to psycho-social support, psychiatric care and medications. Apart from the livelihood, housing and health care challenges, the temporary suspension of UNHCR Refugee Status determination (RSD) activities during the lockdown severely affected asylum seekers whose cases are still pending, as well as those who have not yet registered with UNHCR. The refugee community has responded to these challenges in different ways: while some decided to go back to their country of origin owing to the increased difficulties of securing a dignified life in India, many decided to stay on and wait for their cases to be processed by the UNHCR. One respondent said that “India’s vote for the adoption of the Global Compact on Refugees (GCR) in December 2018 is a promising development”.

In the case of international migrants/ return migrants, job losses have directly impacted on remittances, affecting individual income as well as national income. Since transportation was closed, migrants were unable to send money to their families at home. This has aggravated the economic and livelihood situation for migrants as well as their families who were dependent on them.

ii. Socio-economic vulnerabilities

Among the most vulnerable groups identified by our interviewees were the elderly, women, children, and the transgender community. Women have suffered mentally as well as physically due to domestic violence. For children, their education was impacted as schools were shut and access to online learning was not possible for every child. As the representatives from two organisations shared, “if you see the pattern of migrant workers in India, they belong to Dalits, Adivasis, Muslims and the Other Backward Classes. This social group also accounts for the largest number of populations in India. It is they who found it difficult to return home and find jobs.” Among migrant workers, women tend to work in industries including garments, hospitality, beauty, plantations, constructions – all of which have been deeply impacted by the pandemic. They also faced additional threats, including sexual and physical abuse and safety issues in the quarantine centres. Children were more vulnerable due to the challenge of lack of immunization and nutritious food as Anganwadis¹⁰ were closed during the lockdown. A major concern was the lack of access to public healthcare facilities, especially for pregnant women and the elderly. Many senior citizens also work as labourers for a living and sustain on daily wages. With the sudden imposition of lockdown, senior citizens were left with no remuneration or savings. Also, these senior citizens were at higher risk from COVID-19.

For the transgender community, the most important source of income is what they receive at wedding ceremonies, child births and other social gatherings. Due to the lockdown and social distancing, their source of income was affected badly. In addition, they also suffered hunger. Since many of them did not have valid documents, transgenders could not receive assistance provided by the government. Many ethnic groups in India work in the field of culture and music. For example, the Manganiars of Rajasthan have lived for centuries performing their music and now they have found themselves unable to move and perform, which affected their livelihood. Further, Chin asylum seekers and refugees reported a rise in xenophobic behaviour by the local community.

iii. Migrant’s responses to the pandemic

Migrants are themselves finding ways to respond to this crisis. Migrants have made efforts back home to sustain themselves. Some of them who were selling vegetables or pulling a rickshaw have started similar enterprises. Women, in particular, are active in forming self-help groups and other community-led initiatives. Collectives like self-help groups, women’s groups, youth groups, religious groups took the lead in helping vulnerable migrants despite multiple challenges of mobility, infection, financial stress, etc. Some migrants have even taken to agriculture and fishing. Measures to cope include borrowing money from local money lenders at a very high rate as well. One interviewee said that

“migrants are working people who are not depending on charity from anybody, they do not want to depend on charity, but they are being forced to do so”.

(NGO Representative, Mumbai, India)

However, in some other cases, migrants were heavily dependent on governments’ assistance, such as ration, medical facilities and other free or highly subsidised items. All the respondents echoed that one sentiment – the loss of hope and the feeling of not being supported by their employers and more importantly the government – is holding them back from returning to big cities. While the pandemic has impacted urban as well as rural India, in villages, the migrants have some kind of support system, or a network of relatives who would help in case of one is in a dire need.

¹⁰Anganwadi is a Hindi word which can roughly be translated as “Child Care Centre”.

5.2.2 Role of Third Sector Organisations: lessons and good practices

Critical conditions of social distress form the bedrock from which monumental efforts by India's third sector arose in the context of COVID-19. The pandemic and resulting lockdowns in India were reactive measures taken by governments to curb the spread of the pandemic that triggered major large-scale crises for migrants and their families, as outlined above. The efforts to address the unexpected health threats from COVID-19 led to the displacement of millions, many of whom were already both marginal and migrant. As these migrants found themselves faced with the major challenge of how to survive in the immediate and short terms, the third sector rose to immense social and operational challenges, as it rapidly upscaled and expanded operations on the ground to offer food, shelter, sanitary kits and orientation to millions of migrants in distress amid chaos (ET Government 2020)

i. CSOs' contribution to overcome some of migrants' challenges

To help migrants, many organisations went beyond their capacity, despite the threat of COVID-19. Limited movement passes have not stopped these organisations from their work. As per the respondents, their organisation tried to provide daily essentials to migrants. The organisations distributed both cooked and raw food kits to migrants. Food parcels, generally, consisted of rice, wheat, pulses, toothpaste, onions and potatoes in different quantities according to organisations. The respondents reveal that the government programme of free distribution of food was beneficial during the lockdown. Also appreciated was the opening of Food Cooperation of India warehouses for the organisations to help government agencies distribute food, enabling access to food at a lower cost for distribution. One respondent said that his organisation served 21 days with food and water to the migrants and their families. For children, the organisations distributed pencils, erasers and drawing books.

Some organisations focused on the distribution of masks and sanitisers to migrants and quarantine centres respectively. They also circulated short videos on social media on how to use sanitisers and other guidelines for the pandemic. CSOs also organized camps to provide information and health awareness programmes. Several respondents confirmed that their organisation conducted testing for COVID-19, as well as help in obtaining movement passes for migrants. One organisation motivated people by giving the 'Karmveer Yoddha Award' to those people who had contributed in any way during the pandemic all over India. Some organisations specifically helped undocumented migrants who were left without access to government services. Immediate medical services were also provided to those migrants who were in need, with the help of some CSOs. One organisation engaged returnee migrant workers to clean village rivers and wells in return for food packets and rations for weeks. Another organisation started the 'Pavitra Buddha' scheme, where people deposit their leftovers and stuff they no longer use (food, clothes or any other thing), which was distributed among migrants and other needy workers.

In the case of return migration from the Gulf, one CSO helped build confidence among workers to remain in the Gulf and not leave in panic, and also to follow international protocols. Another CSO also helped undocumented workers in destination countries to be tested and provided support for repatriation. When Vande Bharat mission was declared by the Indian government for repatriation, the CSO provided repatriation support for migrant workers in terms of arranging air tickets, and providing financial assistance. While migrants returned on foot to their hometowns, NGOs provided them with water, multi-vitamin tablets, protein tablets, sanitary napkins for ladies, masks, gloves etc. Basic ration packets- rice, cereals, bread were also distributed.

Organisations began a helpline for asylum seekers and refugees to obtain legal assistance. They produced communication material on COVID-19 prevention, including information on government helplines and hospitals, in different refugee languages and kept in touch with community leaders to disseminate important messages about the government orders, etc. Organisations also connected refugees and asylum seekers to a variety of local NGOs - location wise - for essential services and access to

essentials. Respective organisations connected women to organisations providing relief to victims of domestic violence. Most importantly, organisations also identified vulnerable cases to UNHCR and its partner organisations to ensure that people were not left out of the safety net. Remote work by UNHCR and its partner organisations means that vulnerable people are unable to access services promptly. Refugees do not enjoy high rates of integration and inclusion in India and the pandemic has only made it worse as refugees are fighting for lesser jobs in the informal sector. One respondent emphasised that

“as a key actor in the South Asia region, India should play an active role in creating and building on the regional mechanism for refugee protection and durable solutions, as envisaged by Global Compact for Refugees”.

(NGO representative, India)

ii. Challenges faced by CSOs

In terms of gaps, the lack of communication with higher authorities, the lack of funds and resources were major issues. Organisations mentioned vote bank politics by some local politicians, corporators etc. Access to healthcare was poor. The inability to travel to remote areas was also a challenge. However, some organisations believed that, with proper planning and management, some of the challenges of lack of resources and funding can be covered up.

Recognition of organisations and their work by the government was a big challenge in the Gulf. Without the government's authorisation, support and aid, it is difficult to help migrant workers. Additionally, no financial assistance was provided to migrant workers by the Indian government. The repatriation mission started by the government of India was a paid mission. Stranded migrant workers were supposed to bear the cost of travelling as well as staying for 14 days in a quarantine centre. However, those migrants were already in dire need of support from the government. They were not able to meet the cost of their air tickets and isolation centres. Only a few could afford to return.

iii. Good practices

With regard to good practices, some respondents highlighted that the government of Kerala declared an amount of Rs. 5000 for those unable to resume work during the pandemic. They also declared Rs. 10,000 for family members of those who died from COVID-19. Additionally, support for the reintegration of returnee migrant workers was also announced through reintegration loans. One of the best practices mentioned by our interviewees was the Department of Labour and Skills under the government of Kerala, which introduced the AAWAZ, an Insurance Programme for Guest Workers. Further, one NGO has been planning to push the government to create 'labour ID cards' for all workers to give them recognition in society. Moreover, they are thinking of building a recreational space for children at construction sites. Additionally, they will be taught basic hygiene, the value of savings etc. The government of Maharashtra has built huge shelter homes accommodating 3000-5000 migrants at one time. Food, medical help and water were on offer. Charging points for mobiles were next to the beds. Additionally, sports items were given for spending quality time in shelter homes.

By way of good practices, one organisation established a policy of 'Emergency Help Service' providing a customer care number to the people by Local District Magistrate in Bihar. The number was for people in distress during the pandemic to obtain help provided by the local government, such as health care, food, etc. This policy was very effective and provided great help to 2,500,000 migrants who crossed 'Karmnasa border' in Bihar.

Another CSO stated that many provisions were made by the government on paper, but in reality, nothing much happened. One respondent mentioned that "If it were not for NGOs and the work they did, it would have been an even worse situation for migrants". One organisation said that the guidelines issued by local administration were good. The monitoring done by local police was very helpful as they charged those who did not wear masks and ignored governments' guidelines. They compelled people to follow the rules. Useful health advice from hospitals was also noted.

iv. Collaboration, partnerships and funding

Regarding partnership and collaborations, an organisation said that it collaborated with the international parliament of Kerala. A 'special hotline' created 'community groups' for supporting migrant workers. Furthermore, the organisation worked with the government's established organisation, 'Norka Roots', International Parliament of Kerala and their community groups reached out to people with medical assistance and food. Additionally, it was associated with the 'Migrant Forum in Asia'. A large number of diaspora organisation are involved with this forum with diasporas being drawn from several walks of life (lawyers, media, entrepreneurs, recruiters).

Some organisations said that collaborations were made with several local/on-ground NGOs in several cities. Some organisations had collaborated with the local government to provide assistance and in return got permission for movement to perform their functions. One organisation collaborated with a larger Nation-wide NGO and also received help in terms of resources.

Further, apps such as Whatsapp helped collaborations happen and helped avoiding the overlap of work in the same region. Collectives, such as self-help groups, women's groups, youth groups, religious groups took the lead in helping vulnerable migrants, despite the threat of infection and other multiple challenges.

With regard to funding, the respondents provided mixed responses. Some mentioned that their organisations faced huge reduction in funding, as their sources of funding were also affected by the pandemic. On the other hand, some organisations saw an increase in their funding, as they forged new networks and sources of funding during the pandemic. Other organisations note no significant change in sources of income because they distributed responsibilities. In one case, a verified Twitter (blue tick) account helped give legitimacy to the organisation and thereby increasing the trust, leading to increased funding.

5.2.3 Policy Recommendations

It is clear that the pandemic has revealed long existing gaps and fractures in the social infrastructure of India, which have greatly exacerbated during the pandemic, affecting migrants and those in the low-skilled, informal sectors most. The third sector's efforts to support this population have uncovered certain gaps in existing national and state policies that must be urgently addressed if such a crisis is to be averted in the future.

i. Regularisations and documentation of labour

As a priority, the pandemic has provided unmistakable evidence for the fact that the informality of labour must be regularized. Many workers come from other parts of the country, whereby they work in the big cities and industries without the protection of due documentation. Unregistered and unrecognised, they live and work effectively as undocumented citizens in their own country, often also unable to speak or read and write local languages. This leaves them without recourse to social services and beholden to their employers for basic means of survival. In part, this is also due to the hiring practices of contractors, who engage in informal, contract-less hiring, so that no financial or other benefits should be given to migrant labour force to protect them. The registration of migrant labour, done via policymaking that renders the private sector and its agents responsible to the government, would help establish official identities for all migrants.

Policies to provide due documentation can also connect with legislative practices and labour policies that lead to improved conditions for migrants. A fact proven over and over again is that informal migrant labour tends to work without contracts or health and safety protections. These workers tend to inhabit shanty towns, without access to sanitation, clean water, and other basic amenities. Third sector organisations repeatedly emphasised the need for good quality housing, access to health care and education for migrants and their families.

They also highlighted the ways in which the due registration of workers could connect with good practices by employers and the government to dignify the lives of migrant workers. One organisation mentioned that, instead of funding travel, food and sanitisation for migrants, governments of concerned states' should have provided food and basic facilities in their city of work itself. It could have saved the spread of the disease to a great extent and also sudden chaos could have been avoided.

ii. Increase in communication between government and CSOs

The importance of CSOs in combining work on the ground with advocacy cannot be underestimated. They act not solely in response to crisis, but also have a bedrock of knowledge on the needs, vulnerabilities and risks experienced by migrants, who form the majority of the country's workforce and who also provide key remittance flows when working abroad. The efforts by the third sector to respond to the crisis that emerged in the pandemic offer proof of the vital role they play locally, nationally and internationally. CSOs, in all their diversity, must be recognised as key actors in the integration and inclusion of all citizens of India, regardless of social class, caste or religion.

Regarding the collaboration of CSOs with the government, it was suggested that the government should be more associated with the local and ground-level NGOs. There is a need for recognition of the work of local NGOs and to create a portal where local NGOs can showcase their work. Some organisations suggest that the government could engage civil society in spreading awareness of safety measures and myths around the COVID-19 vaccine.

There were suggestions to appoint training providers for migrants, and to appoint NGOs to collaborate with banks for speedy clearance of loan applications by migrants. CSOs can also be engaged in surveys of sex workers, transgender people, divorced women, older persons and other vulnerable groups to assess whether they are getting food and essential services or not. The third sector should empower people and pressurise the government to do more effective work. As one respondent argued:



We (CSOs) should work as a catalyst and we should be making government work. Our job is not to replace the government, not to do things that the government should do. Temporarily we can take some action to show government how to do things better. Bringing mass change is the role of the government, instead we should work with the government and their agencies to help the people.

(NGO representative, Delhi, India)

Housing Rental Boards should be formed to avoid forcible evictions and notification should be served slums. Social Security Schemes (SSS) need to be assured for labourers. Conversation with stakeholders should take place on the 'data' of migrants. Intersectionally, categories such as single women, transgender people, or pavement dwellers were more vulnerable and hence specific social security mechanisms were needed for them. In this regard, the help of CSOs should be taken as they have ears to the ground. The government should build agencies and network with CSOs to identify the vulnerable.

Some respondents noted that they would focus on research and prioritise work on the cost of living, transport, housing costs, and advising the government on how to respond. They would also try to define different type of home-based work. They also noted that they would focus on girls' education and awareness programmes.

iii. Addressing migrant integration

With the help of the third sector, the government should reframe policies for international/return migrant workers. CSOs can identify the jobs and sectors which would be in more demand in the future. Government should start a data collection programme for migrant workers who returned during the pandemic. Their skills, experience and knowledge, their future plans should all be recorded in this data. The government should promote a mechanism to address the issue of migrant workers who lost their jobs and offer compensation. A supporting mechanism should also be provided for the family. There is a need to develop policy for migrant workers in the sectors based on the enshrined 23 objectives of the Global Compact for Safe, orderly and Regular Migration (2018).

Migrants need to be integrated back to their sources of livelihood in a more humane manner. The pandemic has brought the plight of migrants to the forefront. Thus, ironically, respect for migrants has increased in the pandemic. People now value their work and consider them equal citizens. There is recognition of the stress migrants have undergone and the need to motivate them. One respondent suggested that efforts have to be made by migrants also. For instance, they could start small businesses in villages and become integrated. In villages, people own land, if they work on it and utilise their time and resources, they will earn well. Even if one does not have land, one can sow vegetables and earn money. CSOs also suggest migrant workers should have access to employment schemes to feel integrated. One of the organisations suggested organising awareness campaigns for migrants regarding various issues to make them more aware and integrated in the society.

iv. New roles and responsibilities

Regarding new programmes, many organisations will continue to distribute food parcels, clothes, medicines, water and sanitary napkins to migrants. An NGO is planning to start welfare community centres in villages, whereby women will learn skills free of cost, such as stitching, and children will be cared for. Another NGO said that they will continue its 'food bank' programme even after the pandemic. This organisation will also keep distributing ayurvedic and other medicines for health improvements. One CSO said that it will continue to work on issues relating to women and build awareness of their rights, while another organisation said that it will continue to provide livelihood opportunities to migrant workers, - such as by cleaning the environment or selling vegetables -, so that they may sustain themselves.



6. Conclusions

This study has focused on the role of civil society in assisting migrants during the COVID-19 pandemic in two major developing countries, Brazil and India. Both countries share certain features, such as vast geographies, industrial and economic power regionally and participative democracies, as well as long-standing structural inequalities. Nevertheless, Brazil and India also differ in terms of mobility dynamics and their obligations to migrants and refugees. What comes across very clearly in this cross-regional analysis are the gaps that exist between policies and practices, which have long existed but widened significantly after the outbreak of the pandemic and subsequent lockdowns.

What also becomes quickly evident is the absolutely vital role played by CSOs of various types and sizes, including migrant-led organisations, in filling this space. If, prior to the pandemic, CSOs were generally associated with assisting and lobbying for minority or marginal groups, then the pandemic has also revealed their immense flexibility and adaptability in the face of crisis.

Many CSOs that engaged in advocacy transformed their work, in some cases almost overnight, into that of providing emergency assistance. The provision of food, health care, legal assistance, not to mention personal needs for masses of people on the move, such as masks, sanitizers and other items, became priorities. So, too, the immediate need to orient, inform, educate and support people caught in the pandemic. The grounded focus of CSOs meant that they had to reinvent themselves and respond to emergency needs when their goals are, in fact, bringing about structural improvements in society. As such, they were able to get off the mark much before governments, both national and local, could do so.

Not surprisingly, CSOs thereby found themselves availing of all possibilities to both widen and upscale their scope. These partnerships reinforce their locations as a useful bridge between public and private sectors.

Going forward, this report urges the need for governments to both recognize and support the work of CSOs in the context of displacement. They have acted as vectors for social cohesion in the face of crisis, but their advocacy efforts to avert such crises in the future must be heeded. The pandemic has brought out the immense capacity and multi-faceted strengths of these organisations, whereby they can, in one go, assist, coordinate, collaborate and represent. As such, national and international policymaking on migrants and refugees must support and engage with civil society as a key partner in the efforts for social cohesion and inclusion.

While it remains impossible at present to reflect on what a post-pandemic future might look like in Brazil and in India in relation to migrants and their situations, it is important to bear in mind the extensive reach, agility and relevance of CSOs as partners with governments, both national and local, other non-state actors, and the private sectors. CSOs are key actors in shaping plans going forward. Engagement with CSOs to both learn from their extensive experiences in pandemic and to draw on their strengths will be key in terms of efforts to support migrants, host communities and an inclusive society for all.

Annexes

Annex 1. Interviewees' location and type of organisation.

Table 1. Interviews in Brazil

Region	City (State)	Type of Organisation
Centre-West	Brasília (Federal District)	2 faith-based organisations
	Campo Grande (Mato Grosso do Sul)	1 migrant-led organisation
North-East	Feira de Santana (Bahia)	1 NGO
	João Pessoa (Paraíba)	2 faith-based organisations
North	Boa Vista (Roraima)	1 NGO
	Manaus (Amazonas)	3 faith-based organisations
South-East	Belo Horizonte (Minas Gerais)	3 NGOs
	Rio de Janeiro (Rio de Janeiro)	4 faith-based organisations
	São Paulo (São Paulo)	3 migrant-led organisations
South	Porto Alegre (Rio Grande do Sul)	2 NGOs 1 faith-based organisation 2 migrant-led organisations

Table 2. Interviews in India

Type of Migration	Regions	Cities	Type of Organisation
Internal migration	North	Delhi, Uttar Pradesh & Bihar	11 NGOs 02 migrant-led organisation 03 faith-based organisations
	South West	Mumbai	2 NGOs
Immigration	North India	Delhi	1 NGO
	Trans-national	Trans-national	2 faith-based organisations
Return migration	South-Central	Hyderabad	1 migrant-led organisation
	South	Kerala	3 NGOs 2 faith-based organisation

Annex 2. Data collection instrument: interview schedule

Participant's Information

- Initials/pseudonym
- Organisation
- Location
- Role within organisation | Years working for organisation

Section 1 | Challenges faced by migrants under the health crisis.

- What are the main issues/specific challenges that migrant and refugee populations are facing due to COVID-19 in Brazil/India?
- In which ways have the health and economic crisis affected migrants and refugees' overall living conditions/ well-being and their socioeconomic integration (in relation to employment, housing, health and/or other socioeconomic rights)?
- In which ways have the health and economic crisis affected migrants and refugees' transnational/ remittances practices?
- How do these challenges affect different groups in relation to other axes of vulnerability such as age, sexual orientation and gender identity, migration status, disability and race?
- How are migrants themselves responding to the challenges emerging from the sanitary crisis?

Section 2 | Role of Civil Society Organisations: Lessons and good practices

- To what extent, and in which ways, has your organisation contributed to overcome some of the challenges identified (in the first section of the interview)?
- What support and assistance has been available to migrants and refugees from your organisation? [new programmes, expansion of old programmes or flexibilization of rules for access, etc]
- What gaps remain?
- Do you identify any particular good practices or policies that have emerged at the national, state or local level?

- What new partnerships, if any, have emerged between civil society organizations, migrant-led groups and other stakeholders (including state actors) in order to address the needs of migrant populations during the pandemic?
- [follow up question] Have you established any partnerships or lines of action with other regional organisations during this period?
- How has the health-economic crisis affected your organisation's ability to fulfil its mission?
- To what extent, and in which ways, have your sources of funding changed as result of the pandemic?
- Are there any measures taken at the regional or international level in favor of migrant and refugee populations under the current scenario that impact your organization's practices in the country?

Section 3 | Recommendations and current scenario

- How can governments engage with the third sector to support and extend their humanitarian work?
- How do you think the current scenario will change the prospects for migrants' integration and inclusion in the country?
- Are there any new forms of work, partnerships or programmes that your organisation is likely to continue/ promote during the transition period and after the pandemic?
- Any additional comments?

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Prof Parvati Nair,
School of Languages, Linguistics and Film
email: p.nair@qmul.ac.uk

Dr Marcia Vera Espinoza,
School of Geography
email: m.vera-espinoza@qmul.ac.uk

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