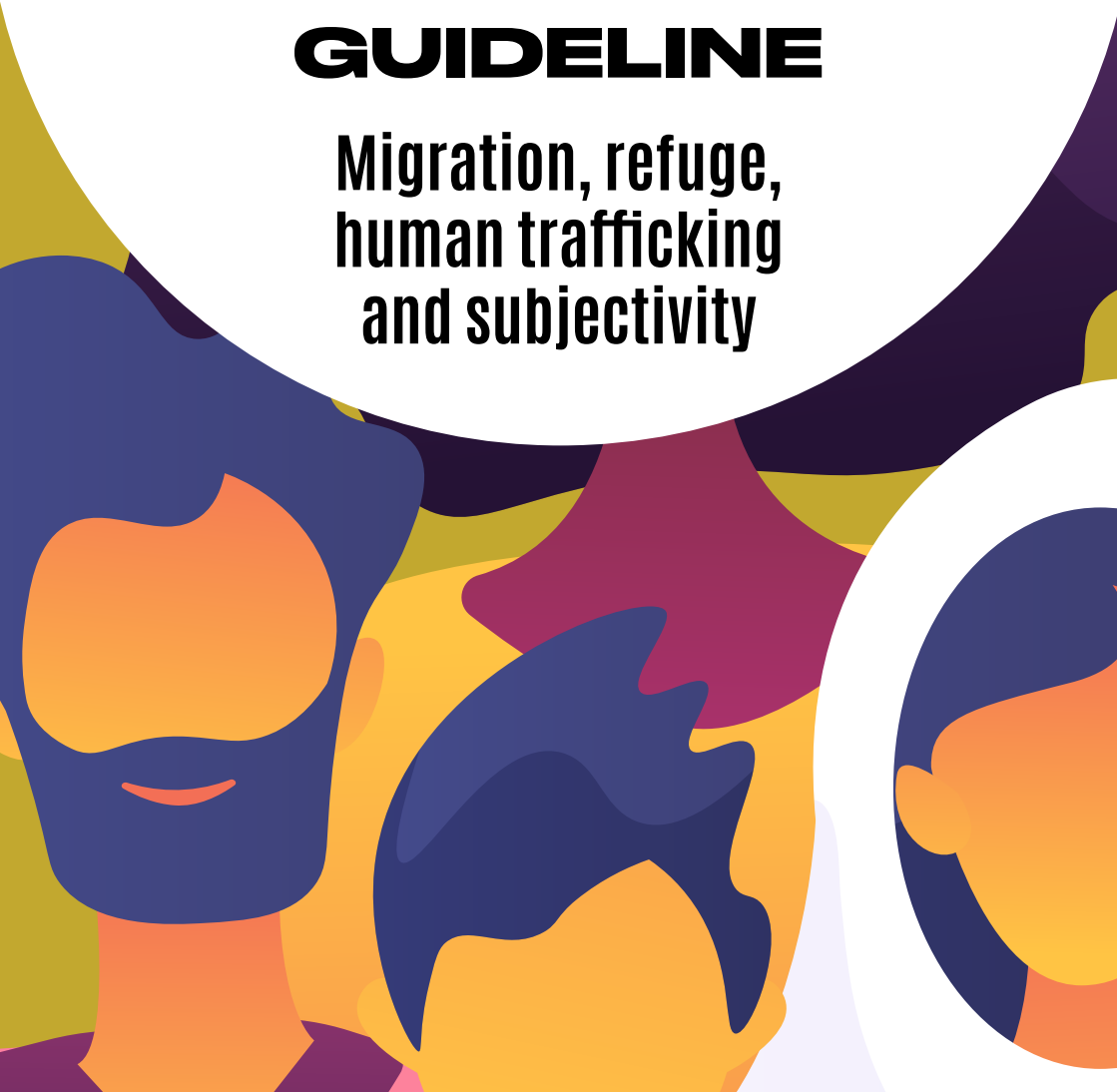




CONSELHO
REGIONAL DE
PSICOLOGIA
MINAS GERAIS

GUIDELINE

**Migration, refuge,
human trafficking
and subjectivity**



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Realisation: CRP — XVI Plenário

Organisation: Commission on Psychology and Migration

General coordinator: Henrique Galhano Balieiro

Writting:

Cristina Campolina Vilas Boas
Henrique Galhano Balieiro
Isabella Goulart Fonseca
Jameny Sarmiento
Jessica Gabriella de Souza Isabel
José Miguel Silva Ocanto
Laura Queslloya
Luiza França
Maria Emília Bezerra Moreira
Nathalia Moreira B. Campos
Núbia Vale Rodrigues
Paula Boechat da Costa
Renata Rodrigues Santos
Yasmin Souki

Colaboration:

Coletivo Cio da Terra
Coletivo PsiMigra (www.psimigra.org)
FENAMI - Frente Nacional pela Saúde de Migrantes
La-EU-MiDI - Latino-European Social Psychological Research Network focused on Migration, Displacement and Inclusion

English version:

Júlia Gabriel
Nathalia Moreira B. Campos
Tainara Paulon Protásio

This publication was translated from Irish English.

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■ PRESENTATION

The Regional Council of Psychology (CRP-MG), as a public authority responsible for guiding, supervising and disciplining the profession, has an obligation to provide Psychologists with material that enables them to conduct their professional practice ethically, serving society in its demands in order to promote healthy relationships that allow the exercise of full citizenship and the guarantee of rights to all people. It is with this perspective that we recognise the need to present consistent guidance in the service of a very specific audience: people in a situation of human mobility and conditions of refuge.

In today's world, the numbers of displaced people are growing exponentially, and Brazil stands as a reference for welcoming these people. It puts Brazil as a desired destination for various groups. This reality leads us to be prepared, as a State and in our profession, to guarantee a proper integration and psychological support these groups and individuals may require.

The material presented here has this purpose: to contribute so that the Psychologists can offer the best service to this audience. It aims to contribute to mitigating the suffering of these individuals, strengthening their sense of belonging in the new territory, ensuring their rights, and providing them with the opportunity to elaborate their subjective processes.

Psychology as a science and profession has an ethical and political commitment to find ways that value the human being in all their ethnic, cultural, gender, religious, political diversity. Therefore, it is necessary that we use our knowledge and our tools and techniques to enable a world where individuals are respected and welcomed into their singularity.

■ MIGRATION IN HISTORY

Migration flows are agendas that occupy a central place in contemporary debates, raising various reflections on political, cultural, economic, and social changes arising from globalisation. Although migration has emerged in the context of the consolidation of capitalism since the Industrial Revolution, the movement of people across political and administrative boundaries is part of human history. According to Corsini (2018), the category exodus is a potent force for the change of the political order, as it constitutes a “march of freedom,

of the constituent struggle for the possibility of transformation – in this world – of the rejection of slavery, tyranny, and oppression.” In this sense, migrants, returnees, refugees, and stateless persons, who are at first sight marginalised figures, deserve, on the contrary, to be considered central agents of political history.

Although we witness manifestations of xenophobia and intolerance towards these groups daily, it is important to mention that at the end of the 19th century, the Brazilian government implemented a comprehensive plan to encourage the immigration of European individuals to the country. It was a policy of ‘whitening’ the population, motivated by essentially racist thinking justified by positivist theories such as Darwinism and social evolutionism. That is an example of how the discourse on the displacement of people cannot be detached from the historical, social, and economic context in which it is inserted (Corsini, 2018).

■ KEY CONCEPTS

Some concepts are indispensable to guide this discussion. From the International Organisation for Migration (IOM) glossary (2019), we point out the following definitions:

Stateless Person

A person who is not considered a national by any State under the operation of its law (Article 1 of the 1954 UN Convention on the Status of Stateless Persons). As such, the stateless person lacks the rights deriving from nationality: the diplomatic protection of the State, no inherent right to remain in the State of residence, and no right of return if they decide to travel. This refers to an individual who possesses the nationality of a State but, having left that State, does not enjoy any protection from that State, either due to refusal to seek it or the State’s refusal to provide it.

Emigration

Abandonment or departure from one State to settle in another. International human rights standards provide that every person must be able to leave freely any country, including their own, and States can only impose restrictions on an individual’s right to leave their territory in very limited circumstances.

Immigrant

From the perspective of the country of arrival, a person who moves to a country to settle down. Immigration refers to the movements of persons leaving their countries of origin or habitual residence to settle permanently or temporarily in another country. Consequently, it entails the crossing of international borders.

Refugee

It is “any person who, due to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country from their nationality and is unable or, owing to such fear, is unwilling, to avail themselves of the protection of that country.” This is a definition from article 1-A of the Geneva Convention about the Status of Refugees in 1951. In addition, the Brazilian legislation also considered a refugee “the person who, due to a serious and widespread violation of human rights, is obliged to leave their country of nationality to seek refuge in another country” (Law 9474/97, article 1, item III).

Return migration

Displacement of people returning to their country of origin or habitual residence. This return may or may not be voluntary. Return migration includes voluntary repatriation. In short, it refers to the act or process of returning to the country of origin. There are subcategories of return that can describe how the return is implemented, for example, voluntary, forced, assisted, and spontaneous return.



■ MIGRATION IN THE LAW: THE BRAZILIAN CONTEXT

Concerning the legislation on the subject, Brazil has a leading role in Latin America. It actively participated in the drafting of the Universal Declaration of Human Rights and was one of the first countries to be part of the UNHCR Executive Committee. It also signed and ratified the 1951 Refugee Convention and its 1967 Protocol, adopting the international guidelines internally.

Following the 1984 Cartagena Declaration, decree 98602 of 1989 was promulgated, which expanded the definition of refugee, guaranteeing broad protection to persons seeking refuge in the country. Under Law 9,474 of 1997, individuals in a refugee situation are provided the same government assistance and have the same rights as any foreign citizen in a regular situation. This modern legislation has been considered by the UNHCR as a paradigm of a uniform legislation for the protection of refugees in South America (Barbosa, Back, 2016).

The Brazilian Migration Law, No. 13,445 of 2017 repealed the Foreigner's Statute (Law No. 6,815/80) drafted during the military dictatorship. There was a consequential change in the drafting of the new Law, such that the discourse of national security gives way to the recognition of human migration and development in the place of origin as inalienable rights for all. In addition, the document includes international migrants residing in Brazil, visitors, border workers, stateless persons, and Brazilians living abroad. Understanding these different categories of displacement favours the guarantee of rights, as it encourages the development of specific measures for each of these groups according to their needs and particularities.

Due to strict and selective immigration laws of several countries, with few possibilities of issuing residence visas, many people access and remain in the country of destination without authorisation from the State. These individuals are often called undocumented migrants and may be in this situation in four different ways that are not mutually exclusive: undocumented exit, undocumented entry, undocumented stay, and undocumented work. The term illegal migrant should be replaced by undocumented migrant since the act of migrating is not a crime, and we all might be subject to this – voluntarily or not – at some point in life. The use of a non-stigmatizing term, according to Waldman (2018), “can strengthen the understanding that the absence of

documents and formalities does not have the power to remove the ownership of rights that guarantee a dignified existence for people who migrate; the lack of documentation should not override the human condition of those who migrate, that is: migrating is a Human Right.”

■ SOCIAL RIGHTS AND MIGRATION

Migrant people have the right of access to public policies and social benefits as well as any Brazilian citizen. However, due to the lack of documentation, laws, and State practices, displaced people have that access denied. Often the target of discriminatory treatment by institutions and lack of information for their staff, migrants are made more vulnerable. In the light of human rights, the Migration Law was updated in Brazil in 2017, changing the way the State treats those in mobility and making explicit the decriminalisation of migration and the repudiation of xenophobia.

Concerning individuals with refugee status, the Human Rights Commission guarantees some basic rights during the arrival process through an identification document that allows access to temporary residence, work permits, and fiscal registration. In this way, these individuals can get a formal job with all labour rights assured. In addition, they can have the right to access social, economic, and cultural rights such as health and education.

Many people who are moving across borders believe they do not have the right to State services in Brazil (especially when undocumented and/or irregular,) or believe that they need to pay to use the public services. These limitations are heightened due to linguistic barriers. The difficulties in making oneself understood, including about their doubts and apprehensions, as well as in understanding the bureaucratic processes elaborated in another language (sometimes still unfamiliar) can result in strong demobilisation of the search for institutional support.

Given those aspects, it is of great value that mental health staff and public policies in general ensure the translation of informational materials. They should include actions that clearly and objectively convey the guarantee of rights to the migrant population, facilitating access to more pertinent information before each case is attended. In that sense, a good strategy is to strengthen bilingual citizens who can act as intercultural mediators in public facilities, potentializing the team work.

Thus, it is important to highlight the plurality of the population on the move in Brazil, which includes different countries and ethnicities. Cultural plurality must be observed, to avoid the idea that strategies and mediations related to one group are automatically suitable for others.

Being in human mobility, by itself, is not synonymous with being vulnerable, but the migration process can intensify experiences and situations of vulnerability. In this sense, it is essential to note that there are networks and civil society organisations throughout the country that work directly with migrants, refugees, asylum seekers, and stateless people who have the trust of various migrant communities. These organisations and people will be able to assist in the creation of strategies and better management in adverse situations.

Given the complexities involved in the dynamics of the migration phenomenon, psychology becomes increasingly important in this scenario, from its ethical and political action to contribute to the reception of these subjects. To understand their suffering in the psychosocial scope, from a broader and non-pathologizing knowledge of the contexts involved in the story of each person.



■ GUIDELINES AND SUGGESTIONS FOR PRACTITIONERS

Psychologists must be aware of the intercultural relations established to deal with the migrant population. In other words, the professional must be aware of the cultural biases that permeate the encounter with the migrant person. Obtaining the minimum necessary knowledge about cultural aspects of the migrant's place of origin can contribute to maximising the effectiveness of the intervention and strengthening bonds.

In addition, the professional must be able to work in networks, since the migrant population may need support in different areas: social, health care, legal, etc. Regardless of where the professionals work, one must be sensible to be able to assess the needs of the individuals — many of the emotional pains are due to unaddressed social needs (sometimes, not even recognized).

Seeking knowledge about the migration phenomenon contributes to better contextualising their intervention and understanding the needs of these individuals. This also prevents the reproduction of prejudice and stigmas. We should raise awareness of migrant people's struggles in integration strategies and health promotion in the host community.

To this end, we have listed some guiding topics so that this active listening can be enhanced:

1) Be aware of intersectionalities

Gender, race, sexuality, religion, social class, and physical and mental condition are factors that can be grounds for violations of the migrant population's rights, but they are also essential aspects of the formation of their identity. On the one hand, respect for diversity must be ensured. On the other, it is important to observe both the acts of violence perpetrated in Brazil and those which may have happened in the country of origin or on the migration route.

2) Mental health

We need to highlight the need to not pathologize the migration experience, "diagnosed" as Ulysses Syndrome. Treating it as a trauma or disease hinders questions about the social origins of this phenomenon, and emphasises vulnerability, revictimisation, and patronisation.

3) Non-reduction of the individual to the migrant status

Attention must be paid to empathetic listening that considers all the particularities that build the individual's experience, beyond the migrant category. It is important to consider the individual's wholeness, the trajectory of experiences and visions of the world, and their understanding of the territories, whether they are the home that had to leave, the new unknown place, or their own body. Violence is territorialized over each of these layers, building up their subjectivity. Active listening is the instrument to provide the reception they are looking for.

4) Education

The Brazilian State guarantees public and universal education from the age of 4 to 17. According to § 4 of [resolution number 1 of November 13, 2020](#), the enrolment of foreign students in the condition of migrants, refugees, stateless persons, and asylum seekers in educational institutions should be facilitated, considering the situation of vulnerability. In this way, the required documentation is made more flexible, and in the absence of school documentation, there is the possibility of an evaluation/classification process. Irregular immigration status does not constitute an impediment to enrolment, and according to Article 6, schools must follow the following guidelines: I — non-discrimination; II — prevention of bullying, racism, and xenophobia; III — non-segregation between Brazilian and non-Brazilian students, through formation of common classes; IV — training of teachers and staff on practices of inclusion of non-Brazilian students; V — the practice of activities that value the culture of non-Brazilian students; and VI — offer of teaching Portuguese as a host language, aiming at the social insertion of those who have little or no knowledge of the Portuguese language. Concerning higher education, migrants, refugees, and stateless persons have the same conditions as Brazilians for application to public or private colleges, but because it is not a universal system, entry becomes harder. Some universities allocate places for refugees in the face of recognition of status by Conare.

5) Bilingualism

Bilingualism should not be seen negatively, as a problem to be overcome. It is normal for the child or adolescent to take some time to master the local language, and learning two languages does not harm development. In contrast, many families depend on the bilingualism of the child or adolescent to communicate in everyday tasks such as going to the bank or using public transport, a position that can overwhelm them.

6) Interculturality

Interculturality appears in education as a pedagogical proposal that seeks to develop relations of cooperation, respect, and acceptance between different cultures and individuals. Thus, it seeks to preserve cultural identities, aiming to provide the exchange of experience and mutual enrichment (Romani & Rojobac, 2011). In this sense, it is a practice of social transformation that contributes to the guarantee of the fundamental rights of displaced children and adolescents by promoting a more welcoming and egalitarian school environment.

7) Social Assistance

Psychologists who work in the Social Protection system should pay attention to the particularities in the care of the population in mobility between international borders because often the adaptation of protocols and referral pathways is necessary. To guarantee social protection, it is necessary to familiarise ourselves with the migration procedures. It is recommended to establish the clearest possible communication about the referral pathways and consider the cultural particularities. Migration should not be a barrier to guarantee access to rights, such as social welfare benefits.

8) Support networks

Part of the integration of this population in the new destination requires the recognition of their rights as migrants, but also their rights as women, LGBTQIA+, children, persons with disabilities, and other specific identities that require particular protection. Institutionalised or informal support networks play a fundamental role in protection and autonomy, as well as in the construction of this new territory and geographical, affective, and subjective integration.

STAY TUNED!

When it comes to people in displacement, we must not forget our socio-cultural process and especially the structural racism in our relations. It is also worth remembering the fundamental principles of the Brazilian code of ethics for psychologists, which states that:

“Psychologists will base their work on respect for and promotion of freedom, dignity, equality, and integrity of human beings, based on the values that underpin the Universal Declaration of Human Rights.

Psychologists will work to promote the health and quality of life of people and communities and will contribute to eliminating all forms of neglect,

discrimination, exploitation, violence, cruelty, and oppression.

Psychologists will act with social responsibility, critically and historically analysing the political, economic, social, and cultural reality.

Psychologists will act responsibly, through continuous professional training, contributing to the development of Psychology as a scientific field of knowledge and practice.

Psychologists will contribute to promoting the universalisation of the population's access to information, knowledge of psychological science, services, and ethical standards of the profession.

Psychologists will ensure that the professional practice is done with dignity, rejecting situations in which Psychology is being demeaned.

Psychologists will consider the power relations in the contexts in which they act and the impacts of these relations on their professional activities, positioning themselves critically and in line with the other principles of this Code.”

Source: Federal Council of Psychology (2005). CFP Resolution No. 010/2005. Code of Professional Ethics of the Psychologist, XIII Plenary. Brasilia, DF: CFP)



■ SPECIFICITIES

The discussion of social identity was not always central or even considered in migration studies. Over time, the particular and persistent struggle of minority groups has given more visibility to historically and socially erased identities. The recognition of a body as a territory of history, memory, and knowledge -, both ancestral and personal - makes it a political territory. And this is how many individuals understand themselves in the processes of displacement.

► MIGRANT WOMEN

Why address different groups within the migrant population? The “migrant” identity is added to other violences that already ravages our society in terms of gender, race, class, and sexuality. In this section, we highlight a relevant aspect in the debate on migration flows that concerns the “feminisation of migration”: an increase in the flow of displaced women on the move, who today represent 48% of the total ([Report from Global Migration, 2020](#)).

The presence of women in these displacements has been highlighted in recent analyses that inquire about the particularities of the historical and social place of this group, which intensifies the violence to which these women are exposed. However, there remains a critical need to address the lack of depth in migration studies and data production, particularly in terms of incorporating gender as a central category. For decades, these studies have marginalised women’s significant presence, treating them as secondary characters and reducing their experiences to normative gender roles. While cisgender women are often overlooked in the context of migration, transgender women are frequently excluded altogether, rendering their experiences invisible. Here are some key points to consider:

Consider gender dynamics in both the countries of origin and destination. IOM states that migration policies should take into account relations between men and women in countries of origin and destination (IOM, n.d.)). This is because, considering the patriarchal structure that crosses cultures, gender-based violence might be part of the daily life of these women throughout their journey.

Gender-based violence. Likewise, debates that bring attention to gender-based violence (occurring in the country of origin, in transit, and in the host country) should be encouraged, whether the violence occurs in the domestic and family

settings or labour relations. Additionally, it is also important to remember that girls and women moving across borders are particularly at risk of experiencing gender-based violence, including trafficking and sexual and labour exploitation.

Attention to reproductive rights. Access to these rights is even more difficult for migrant women, either due to misinformation, communication difficulties, or the xenophobia present in healthcare systems. There have also been reported cases of obstetric violence involving negligence, prevention of the presence of a companion, and the use of inappropriate procedures. Such violence also includes the performance of practices that go against the cultural views of pregnancy and childbirth, as in the case of indigenous pregnant women, such as those of the Warao indigenous people, for example.

Do not reduce the migrant woman to the role of mother. Despite these specificities, when it comes to assisting migrant women in care and reception services, there is a deep-rooted notion of treating them only through the eyes of the maternal and family figures. It could be said that women's health is "gynaecological-centred". That is, focused only on their reproductive capacity. These are relevant points, as we highlighted in the previous topic, but other needs should not be overlooked.

The caregiving responsibility. Considering the family environment, we can highlight the large number of migrant women who are "heads of households". In addition to the difficulty of economic integration in the host country, it is worth paying attention to the burden of responsibility for the care placed on women. But also for the possibility of empowerment that emerges from this role when they become great facilitators of support networks.



► MIGRANT CHILDREN AND ADOLESCENTS

As already mentioned, vulnerability is not an inherent characteristic of people's displacement. However, compared to adults, children, and adolescents are more susceptible to situations of abuse, violence, and other rights violations. This is exacerbated if they are separated or unaccompanied by their parents or other family members. Furthermore, childhood and adolescence demand an even more sensitive and comprehensive approach: those are stages of development and formation, in which the need for assistance/accompaniment is not always verbalised and/or is not completely evident.

We can define a migrant child as any individual under the age of 18 (including adolescents) who is or has been moving across borders, regardless of their legal status, whether it is a voluntary displacement, the causes of migration, and the length of their stay. According to the United Nations Department for Economic and Social Affairs (UNDESA), in 2019, people from 0 to 19 years old represented 15.9% of the total number of migrants in Brazil. A total of 128,537 people were counted in this age group, of which 39.1% are between zero and nine years old and 60.9% are between 10 and 19 years old.

Children and adolescents in mobility are protected by national legislation by the 2017 Migration Law and the Child and Adolescent Statute (ECA), which applies to migrants, refugees, and stateless persons. Brazil also considers international treaties such as the Convention on the Rights of the Child (UN, 1989) and Advisory [Opinion No. 21/2014 of the Inter-American Court of Human Rights](#).

Any stateless individual can apply for recognition of the condition to obtain the National Migration Registration Card (CRNM). Children under the age of 18 can apply for residency by family reunification. Children and adolescents who hold a CRNM, and have been residents in Brazil since before the age of 10 can apply for provisional naturalisation, which can later become definitive.

Refugee status recognition can be requested when the child or adolescent so claims, when they verbalise fear of persecution in their country of origin, or when there are concrete elements that fall under the definition provided by law.

In addition, there are specific situations in which children and adolescents may need international protection, such as recruitment for armed conflict by military, paramilitary, or organised crime groups (Decree No. 5006/2004 of the Convention on the Rights of the Child); harmful cultural practices (Decree

No. 5007/2004 of the Convention on the Rights of the Child); and violation of the right to life and development (Advisory Opinion No. 21/2014 of the Inter-American Court of Human Rights).

We also emphasise that there are several objective factors (such as language differences, for example), and subjective and social factors (intersectionalities and violations of rights) that influence the adaptation to the host community. Complaints of behaviour and psychological distress do not necessarily mean that the child or adolescent has a disorder. A hasty interpretation can have the sole function of punishing the child or adolescent for not following the expected societal norm.

CONSIDERATIONS ON THE LGBTQIA+ POPULATION

Because the LGBTQIA+ community is a minority group that is susceptible to facing multiple types of violence, it deserves attention due to the various challenges and confrontations related to their gender identity and/or sexual orientation in different stages of their displacement.

It is important to consider that the understanding of gender and sexuality is also cultural, and “LGBTQIA+” categories are not fixed. Thus, many migrants and refugees may not identify themselves as part of this group or question how these identities are defined in the culture of the host community. Behaviours, affections, and social roles of the country of origin can be understood as non-heteronormative expressions in the host country. In other words, in homophobic and heteronormative societies, some people might face violence based on how their sexuality or gender is perceived, even if they do not identify as LGBTQIA+.

The key point is that the psychologist needs to acknowledge that sexual orientation and gender identity can be central to the reasons for migrating. Often, this is the case of a forced migration; either by violence suffered, which frequently occurs in the domestic and institutional environment, or because of the fear of it.

According to the 2020 State-Sponsored Homophobia Map (ILGA, 2020), 69 UN Member States still criminalise consensual behaviour between adults of the same sex. However, 31 of the UN Member States have laws and regulations that have been enacted to restrict the right to freedom of expression concerning matters of sexual orientation (known as propaganda laws), for example, censorship of same-sex intimacy in the media. 41 Member States have laws and

regulations that limit the ability of civil society organisations related to sexual orientation to legally register (ILGA, 2020). LGBTQIA+ identity can be at the core of the recognition of refugee status. Although the 1951 Geneva Convention on the Status of Refugees does not explicitly mention sexual orientation or gender identity, the concept of a “specific social group” refers to individuals who share immutable characteristics related to their identity, awareness, or the exercise of human rights. Those in such groups may face persecution or be at risk of



persecution due to their shared experiences and identity. UNHCR and several countries, including Brazil, recognize that LGBTQIA+ may qualify as “members of a specific social group,” in addition to other categories mentioned in the Convention, such as political opinion and religion (UNHCR, 2017). Even so, unfortunately, this is not a unanimous recognition on the international stage.

Many people from other countries may view Brazil as a safe destination due to its lack of criminalisation based on gender and sexual orientation. Brazil is internationally recognized for its progressive stance on LGBTQIA+ human rights. The country provides various legal protections, including rights related to stable unions and civil marriage, as well as the ability to amend one’s name legally.

According to data from UNHCR (n.d.) and the Public Prosecutor’s Office, between 2010 and 2016 Brazil processed about 369 asylum requests based on persecution related to sex, sexual orientation, or gender identity. However, there is still a challenge to guarantee these rights and Brazil continues to have very high rates of violence against the LGBTQIA+ population (UNHCR, n.d.).

It is easy to foresee that LGBTQIA+ migrants and refugees may face significant frustrations during the integration process in Brazil. Although there may initially be optimistic prospects for accessing certain rights and benefiting from the advocacy of LGBTQIA+ groups, Brazil is also known for leading the world in the murder of transgender individuals, as reported by ANTRA (Benevides & Nogueira, 2020). Additionally, data from the 2019 Atlas of Violence (IPEA, 2020) indicates that reports of homicides against the LGBTQIA+ population have tripled in Minas Gerais.

Important considerations to assist the LGBTQIA+ migrant population

a) Respect sexual and gender identities, and adhere to guidelines specifically designed for the LGBTQIA+ community:

- In Brazil, the resolution 01/1999 of the CFP determines the end of psychological practices that seek to “reverse” sexual orientation or redirect gender identities.
- Resolution No. 01/2018 establishes rules of professional practice about transsexuals and transvestites.
- [Book on Psychology and Sexual Diversity: Challenges for a Society of Rights](#) (in Portuguese).

b) Issues related to the health of the LGBTQIA+ population

LGBTQIA+ migrants may face double stigmatisation due to both their sexual or gender identity and their migrant status. Therefore, it is crucial to avoid presuming the need for health treatments related to issues historically associated with stigmatisation, such as sexual and reproductive health, unless the individual requests these services. For instance, do not introduce topics like HIV and STIs unless the person actively seeks information or services related to them. Important to note that 68 countries have laws criminalising non-disclosure, exposure, or transmission of HIV (UNDP, 2018) and the stigma might impact the way people seek for help. Additionally, always use language that avoids stigmatisation and respects the individual’s identity.

It is recommended to know the available health services in the host community. If the person does not know the available services and the requirements needed to start any treatment in Brazil, it is important to inform them. For example, Pre-Exposure Prophylaxis (PrEP) and Post-Exposure Prophylaxis (PEP), as well as other services related to sexual and reproductive health.

c) Be mindful of the needs of the LGBTQIA+ population

When designing interventions with the migrant and refugee population, it’s influential to always include the demands and perspectives of the LGBTQIA+ community. A good strategy, for example, is to include the possibility of entering the person’s chosen name on the registration forms.

d) Integration challenges

Family and community in the country of origin are often violent environments for LGBTQIA+ people, and building a support network that understands at the same time gender and sexuality topics and the inherent issues of displacement is a challenge. There may be difficulties in integrating with the peer community of their countries and with the local community, due to prejudice, homophobia, and/or transphobia.

It is recommended that, if it is of interest, the person creates links with the local LGBTQIA+ community and access facilities for this population, so that their support network can be expanded.

► CONSIDERATIONS ON INDIGENOUS PEOPLES

When it comes to working with indigenous peoples, cultural aspects related to care are just as essential as when dealing with other migrant groups. The increase in migration and displacement caused by climate change and climate-related hazards has been a growing trend (IOM, 2020).

Climate-related phenomena, the advance of activities that put the lives of certain ethnic groups at risk, and socio-political instability are among the possible factors that push Indigenous communities to embark on migration as a way of surviving. It is worth noting that certain indigenous peoples have nomadic habits and temporary displacement is part of their way of life, to which they are adapted.

When we talk about Indigenous migrants, we are referring to Indigenous individuals or groups who are compelled to migrate under circumstances that disrupt their traditional ways of life. For example, the Warao ethnic group, driven by the Venezuelan socio-political crisis, has been forced to move far beyond their traditional migration routes to regions they would not typically enter.

According to the UNHCR report (UNHCR, 2021), this displacement has been observed more intensely since 2016 and was initially limited to the northern region of Brazil. Over the years, these migration flows have intensified and expanded to other regions. In August 2020, this population was present in at least 75 cities in 23 states and the Federal District, and in December of the same year, an estimated 3,300 indigenous Warao were living in Brazil. According to the same report, approximately 5,000 Indigenous Venezuelan refugees and

migrants of at least four different ethnicities were registered in Brazil by March 2020.

Indigenous populations possess customs, languages, beliefs, and social practices that predate colonisation, maintaining a longstanding relationship with their environment. For instance, members of the Warao ethnic group are often criticised for allegedly neglecting and exploiting child labour when they bring their children along while begging on the streets. They face threats of institutionalisation and loss of custody under protection policies. However, it is crucial to understand that, despite recognising the risks, keeping their children close is a means of ensuring their safety for this community.

It is also important to recognise that Indigenous populations may have distinct conceptions of childhood and differing approaches to socialising children. While these conceptions can vary among ethnic groups, children are generally regarded as autonomous individuals, much like adults. From a young age, they participate in a range of collective activities and take on various roles within their domestic groups. These activities are viewed not as labour but as opportunities for learning and enjoyment.

It is also essential to note that soliciting money on the street is often the only possible way of supporting a family in regions with limited protection networks. These networks are rarely culturally appropriate, with professionals prepared to accommodate the specific demands of these groups. For the Warao people, for instance, this practice is perceived as a form of work (collecting) rather than begging—a term that carries a negative connotation and is frequently associated with Indigenous populations who have migrated across borders.

Therefore, psychology professionals are expected to possess the sensitivity needed to understand the key aspects of well-being for individuals from Indigenous communities who are displaced. Their approach should be respectful, preserving the individual's autonomy and honouring their decisions. To achieve this, professionals should acquire fundamental knowledge on several key issues, including:

The understanding of health and mental health of the ethnic group to which the person belongs;

- Which traditional forms of care are used;
- How this community is organised;
- Who are the authority figures in this community;

- How families are organised;
- Religious/spiritual beliefs of the group in question.

This information can usually be obtained through formal means (books, reports, etc.) or contact with people from the ethnic group in question. Maintaining an attitude that is open to welcoming, respecting, and integrating customs and traditional ways of caring into psychological intervention is fundamental. If the professional psychologist is to be able to establish a bond with the person or group being cared for and develop a real intervention based on the ethics of care.

In this sense, we would emphasise that the National Policy for the Health Care of Indigenous Peoples (PNASPI) supports traditional Indigenous medicines, as well as respect for the conceptions, values, and practices linked to the health-disease process. Guideline 4.4 of the PNASPI states that health services should work in harmony with traditional Indigenous health systems (Brazil, 2002, p. 9, apud Fiocruz Amazônia et al., 2020).

CONSIDERATIONS ON FIGHTING HUMAN TRAFFICKING AND SLAVE LABOUR

Among illicit activities, human trafficking is the third most profitable globally. It is a type of crime that is related to migration flows, where the promise of higher financial returns attracts people in search of better living conditions. To do so, they are forced to migrate to another city, state, or country of destination through a recruiter. Especially in times of pandemic, the risk of human trafficking tends to be heightened, as the Global Risk Report 2021 produced by the World Economic Forum points out. Countries with greater inequality, such as Brazil, are particularly susceptible to this practice. Women and girls are more at risk of trafficking, especially for sexual exploitation, although anyone can be a victim of this crime.

Fighting human trafficking is a particularly difficult task, given the articulation of trafficking networks. Besides, recruiters are often part of the victim's social and emotional circle and thus give them greater "credibility" in committing the crime. Victims of human trafficking can be sexually exploited and victims of forced labour.

According to the Palermo Protocol (2003), trafficking in persons is defined as:

"The recruitment, transportation, transfer, harbouring or receipt of

persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

According to data from the Ministry of Justice and Public Security, in the 19 years - between 2000 and 2019 -, 2,115 Brazilians were victims of human trafficking. To address human trafficking, there is currently a National Policy set out in Decree No. 5,948/2006 that aims to create a synergy of efforts to foster and articulate the agencies responsible for dealing with this crime.

Psychologists, in their numerous possibilities of interventions, can be a key piece in the prevention of human trafficking. From careful and attentive listening to the indications that may be suspected of this practice, whether in private counselling or in the field of Public Policies. It is a recommended practice to be sensitive to the issue in the case of team discussions and case supervision.

According to guidelines from the National Council of Justice — CNJ, there are some situations that psychologists can be aware of in their practice that will collaborate in the prevention of human trafficking. **In case of human trafficking, report it! Call: 100 or 180.**

- 1) Always question easy and lucrative job offers.
- 2) Suggest that the person, before accepting the job offer, carefully read the employment contract, look for information about the contracting company, and seek help from a specialised legal department. Attention should be increased in case of proposals that include displacements, and national and international travel.
- 3) Instruct the person to avoid taking copies of personal documents and to leave them in the hands of relatives or friends.
- 4) Encourage the person to provide the address, telephone number, and/or location of the city they are travelling to.
- 5) Inform the person who is travelling of the addresses and contacts of consulates, NGOs, and authorities in the region.
- 6) Encourage the person travelling to keep in touch with family and friends.

■ REFERENCES

- Almeida, G. F., & Souza, M. T. C. (2008). A proteção interna do imigrante ilegal: Garantia e efetividade dos direitos humanos no Brasil. *Publica Direito*.
- Benevides, B. G., & Nogueira, S. N. B. (Eds.). (2021). Dossiê dos assassinatos e da violência contra travestis e transexuais brasileiras em 2020. São Paulo: Expressão Popular, ANTRA, IBTE. Retrieved from: <https://antrabrasil.org/wp-content/uploads/2021/01/dossie-trans-2021-29jan2021.pdf>
- Corsini, L. (2008). Entre o migrante e o nômade—Intermezzo. *Revista Lugar Comum*, 23-24(125-141).
- Fiocruz Amazônia, Fundo das Nações Unidas para a Infância, & Coordenação das Organizações Indígenas da Amazônia Brasileira. (2020). Bem-viver: Saúde mental indígena. Módulo Introdutório.
- International Organization for Migration (IOM). (n.d.). Gender and Migration. Retrieved from <https://www.iom.int/gender-and-migration>
- International Organisation for Migration (IOM). (2019) Glossary on Migration 1. Retrieved from: https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf
- International Organisation for Migration. (2020). World Migration Report. Retrieved from https://publications.iom.int/system/files/pdf/wmr_2020.pdf
- ILGA World: Mendos, L. R., Botha, K., Lelis, R. C., López de la Peña, E., Savelev, I., & Tan, D. (2020). State-Sponsored Homophobia 2020: Global Legislation Overview Update. Geneva: ILGA. Retrieved from: International Lesbian, Gay, Bisexual, Transgender, and Intersex Association World, State-Sponsored Homophobia 2020: Global Legislation Overview Update. https://ilga.org/download/ILGA_World_State_Sponsored_Homophobia_report_global_legislation_overview_update_December_2020.pdf
- Ipea. (2020). Atlas da Violência 2020. Retrieved from <https://www.ipea.gov.br/atlasviolencia/arquivos/artigos/3519-atlasdaviolencia2020completo.pdf>
- Romani, S., & Rajobac, R. (2011). Por que debater sobre interculturalidade é importante para a educação?. *Revista Espaço Acadêmico*, 11(127), 65-70. Retrieved from <https://periodicos.uem.br/ojs/index.php/EspacoAcademico/article/view/12715>
- Silva, G. J., Cavalcanti, L., Oliveira, T., Costa, L. F. L., & Macedo, M. (2021). Refúgio em Números, 6a Edição. Observatório das Migrações Internacionais;

Ministério da Justiça e Segurança Pública/Comitê Nacional para os Refugiados. Brasília, DF: OBMigra.

UN Development Programme (UNDP). 2018. Global Commission on HIV and the Law: Risks, Rights and Health: Supplement.

UNHCR (United Nations High Commissioner for Refugees). (n.d.). Refúgio LGBTI+. Retrieved from <https://www.acnur.org/portugues/refugiogbti/>

UNHCR (2020). Dados sobre refúgio no Brasil. Retrieved from <https://www.acnur.org/portugues/dados-sobre-refugio/dados-sobre-refugio-no-brasil/>

UNHCR (2021). Os Warao no Brasil: Contribuições da antropologia para a proteção de indígenas refugiados e migrantes. Retrieved from <https://www.acnur.org/portugues/wp-content/uploads/2021/04/WEB-Os-Warao-no-Brasil.pdf>

UNHCR (2020). Relatório do ACNUR revela que 65% dos indígenas venezuelanos registrados no Brasil são solicitantes de refúgio. Retrieved from <https://www.acnur.org/portugues/2020/06/03/relatorio-do-acnur-revela-que-maioria-dos-indigenas-venezuelanos-registrados-no-brasil-sao-solicitantes-de-refugio/>. Accessed April 20, 2021.

Waldman, T. C. (2018). Uma introdução às migrações internacionais no Brasil contemporâneo [Apostila do projeto OIM-DPU “Fortalecendo a Assistência Jurídica aos Migrantes no Brasil e seu Acesso ao Mercado de Trabalho”. 1a edição. Retrieved from <https://www.gov.br/mj/pt-br/assuntos/seus-direitos/refugio>

Romani, S., & Rajobac, R. (2011). Por que debater sobre interculturalidade é importante para a educação?. Revista Espaço Acadêmico, 11(127), 65-70. Retrieved from: <https://periodicos.uem.br/ojs/index.php/EspacoAcademico/article/view/12715/8342>

WALDMAN, Tatiana Chang. (2018) Uma introdução às migrações internacionais no Brasil contemporâneo: módulo 2. Brasília: DPU: OIM Brasil. Retrieved from: <https://repositorio.enap.gov.br/bitstream/1/6451/5/Apostila%20do%20M%c3%b3dulo%20II.pdf>



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