

Enhancing inclusive social development by involving the invisible ones: The legislative experience of São Paulo and Brazil

Remarks by Carlos Bezerra Jr., President of the Human Rights Commission of the São Paulo State Legislature¹

1. Distinguished ladies and gentlemen. Good morning, everyone. It's a great honor to attend this panel. I am very humbled to be around people from all over the world committed, as I am, to eradicating poverty.
2. This meeting is as important as it is timely. The world's richest 1% are on course to control as much as two-thirds of the world's wealth by 2030.² As political, business and civil society leaders from across the globe, it is our collective moral duty here to find better ways to share the fruits of global economy.
3. For the next three days, we will discuss the Third United Nations Decade for the Eradication of Poverty, as set by the UN General Assembly for the years 2018 to 2027. *Leaving no one behind and reaching the furthest behind first.* This is the goal of the Third United Nations decade. Over the course of my speech, I will address ways through which politicians can reach those who are usually left behind in political circles, in particular the poor.
4. I'm a legislator at the state of Sao Paulo, Brazil and the President of the Human Rights Legislative Commission in that same state. As someone who has been engaged on a daily basis with politics for the past two decades, when I think about development, I recall the famous definition of development by the Nobel Prize winner, Amartya Sen. For Sen, "development is as a process of expanding the real freedoms that people enjoy." One of the most important freedoms for development is one's political freedom to meaningfully participate in the making of laws and public policies that affect oneself.
5. Since the beginning of my political career, I have been working to make the invisible ones – such as people living on the streets, refugees, and modern slaves – visible, by finding ways to foster their participation in law and policy-making. In large representative democracies such as Brazil, we, politicians, are

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² <https://www.theguardian.com/business/2018/apr/07/global-inequality-tipping-point-2030>.

called upon to find ways to realize the human right to political participation for all.

The first way we can open the doors of politics is by fostering the participation of the poor in law-making

6. Brazil's political elite could not be more different than the country's poor. Almost half of the parliamentarians in the current national legislature are millionaires.³ Only 10% (ten percent) of the national parliamentarians are women and less than 20% are Afro Brazilians. Meanwhile, according to the national census, women represent half of the Brazilian population, Afro Brazilians represent more than half of it,⁴ and poor people represent one fourth of the total population.⁵
7. Let alone how elitist is the Brazilian political system, politics in Brazil is corroded with corruption. In the past years, we have witnessed several corruption scandals, culminating last week with the arrest of a former President of the Republic. Corruption and economic barriers inhibit the participation of vulnerable groups in politics.
8. In light of this scenario, democracy in Brazil will only work and an inclusive development will only be achieved in that country when **we open the doors of our legislatures to those who are historically invisible in politics.**
9. For instance, when we think about people living on the streets, it is shocking how little we actually know about this population. In the City of São Paulo, a megalopolis of over 12 millions of inhabitants, we do not even count with up-to-date and reliable information regarding the number of people living on the streets and their profile. It is often said that in the City of São Paulo we have 16,000 people living on the streets, other people estimate more than 20,000. Such information gap regarding this group is a symptom of the representation gap of the poor in many sectors, including notably in politics.
10. One way of overcoming the representation gap in politics is through increasing the participation of the poor in law-making.
11. An example of participatory law-making was the legislative process through which we managed to adopt a new state policy for people living on the

³ <http://g1.globo.com/politica/eleicoes/2014/blog/eleicao-em-numeros/post/quase-metade-da-nova-camara-dos-deputados-sera-formada-por-milionarios.html>.

⁴ <http://www2.camara.leg.br/camaranoticias/noticias/POLITICA/475684-HOMENS-BRANCOS-REPRESENTAM-71-DOS-ELEITOS-PARA-A-CAMARA.html>.

⁵ <http://agenciabrasil.ebc.com.br/economia/noticia/2017-12/ibge-brasil-tem-14-de-sua-populacao-vivendo-na-linha-de-pobreza>.

streets, in October 2017.⁶ The new law guarantees the rights of people living on the streets, such as health, education, housing and culture. By doing so, this new law overcomes the old fashioned view that people living on the streets are only a matter of welfare policies. The new state policy on people living on streets recognizes them as a subject of rights, of all rights, and not only recipient of state benefits.

12. This legislation also set guidelines for the development of quantitative and qualitative data on the people living on the streets with their participation, in order to subsidize public policies that affect them.
13. The policy for people living on the street was only possible because of the large participation by people living on the streets themselves.
14. First, we made the use of traditional tools of participation such as public hearings in the Parliament. We held a public hearing at the Human Rights Commission which I preside in June 2016 to raise the issue of people living on the streets, in light of the deaths of 113 people living on the streets in the City of São Paulo, some due to hypothermia during winter season. At that time, we listened to various social actors, public defenders, human rights councils, NGOs and religious leaders working with this issue, as well as people living on the streets themselves. The importance of this kind of dialogue is to call attention to the fact that social invisibility is harmful to all of society.
15. Second, we expanded the means of participation by conducting in loco visits to actually talk with people living on the streets and understand their needs. Through in loco visits, it was possible to identify how enduring the invisibility of people living on the streets truly is in Brazil and how the formal instruments of participation would not be sufficient to cover this representation and understanding gap.
16. Another example of participation in law-making was the involvement of migrants and refugees in drafting a law turning free of charge the process of certifying foreign university diplomas in Brazil for refugees, which entered into force in March 2018.⁷
17. Migrants and refugees are at the center of human rights debates recently in Brazil. The national parliament adopted in May 2017 a new law regarding migrant rights, revoking a backward legislation of the time of dictatorship. In addition, the humanitarian crisis in Venezuela has forced many Venezuelans to migrate to Brazil at large numbers – some of them walk 200 kilometers by

⁶ Law Number 16.544, entered into force on October 6th, 2017.

⁷ Law Number 16.685, March 20th 2018.

foot from Venezuela to the capital of the state of Roraima in the Northeast of Brazil.

18. The above-mentioned law on certification of foreign university diplomas was only made possible through the participation of refugees themselves in a series of meetings and public hearings in the State of São Paulo Parliament. We also counted with the participation of a series of vibrant NGOs working with this issue in Brazil as well as the local office of the United Nations High Commissioner for Refugees.

C: The second way we can open the doors of politics is by institutionalizing the participation of the poor in policy-making

19. Poverty is a complex, multifaceted phenomenon. Because it is a complex issue, public policies aiming at addressing it must be inter-sectional. Issues such as homelessness and modern slavery cannot be entirely solved only by an exclusive focus on housing, health or employment alone. Those different areas must dialogue with each other for the design, implementation and evaluation of policies which are truly able to address the complex phenomenon of social vulnerability, otherwise they will not produce any meaningful effect at all.
20. The existence of inter-sectional policies is key to address the issue of poverty. One of the ways we have effectively guaranteed inter-sectional public policies is by **institutionalizing the participation of the invisible ones** such as people living on the streets in policy-making.
21. The new state policy on people living on the streets stipulates that the State shall establish an Inter-sectional Committee for Follow-up and Monitoring of the State Policy for People Living on the Streets, composed by representatives of civil society – including people living on streets themselves – as well as State Secretariats whose work is related to the rights of people living on the streets. A similar Committee was established at the city level as well, and it has been working to guarantee the coordination between different sectors of the government, with the critical support of civil society.
22. In addition to being inter-sectional, the institutionalization of the political participation of vulnerable groups must provide for more responsive, less bureaucratic mechanisms that are rapidly adaptable to the dynamics of vulnerable groups. Whenever possible, those mechanisms should be independent and truly influence politics, as the Inter-sectional Committee does.

23. Institutionalizing participation is also important for other invisible groups. In particular, both the City and the State of São Paulo have set up committees addressing the issue of modern slavery, in order to keep this issue alive, promote social participation and foster inter-sectional policies. In the upcoming weeks, the state-level committee against modern slavery will likely play a key role. One of the largest textile companies in Brazil was ordered by the judiciary to pay a millionaire compensation for reportedly employing forced labor in its production chain. The above-mentioned Committee will then have the opportunity to start an administrative procedure to prohibit such company from operating in the State of São Paulo, following a law I drafted and that entered into force in 2013.⁸

E: Conclusion

24. Participating in politics is essential for an inclusive development. Political systems of different countries must find better ways to include those who have been historically excluded from political circles. This inclusion could be done both through increasing participation in law-making and through institutionalizing participation in policy-making.

25. More specifically, as I have shown here, politicians should, first, correct the institutional distortions that perpetuate the asymmetries of political representation, which has created a political elite far from the realities of the country. Second, politicians should use more often informal ways of political participation, such as in loco visits to local communities to listen to their demands and give them voice. Third, politicians should introduce more responsive participation mechanisms in the legislative arena able to adapt to changes in an rapidly changing world.

26. Politics is about how we live together in society. Politics is not a luxury item. It should be open to the participation of all, including those historically excluded from it and whom politics should benefit the most.

27. Yet, let us not be mistaken. "There is no easy walk to freedom anywhere and many of us will have to pass through the valley of the shadow of death again and again before we reach the mountain tops of our desires."⁹ These words were spoken by Nelson Mandela in September 1953 at the conference of the African National Congress. It is a strong reminder that the struggle towards increasing political participation and eradicating poverty will not be an easy one. But it is our moral, legal and political duty to make life better for all humanity. Listening to the voice of the poor is a good start.

⁸ Law Number 14.946, January 28th 2013.

⁹ <https://www.theguardian.com/world/2013/dec/06/nelson-mandela-life-quotes>.

