

THIS DOCUMENT IS A SUMMARY AND TRANSLATED VERSION INTO ENGLISH OF THE ORIGINAL VERSION OF PUBLIC NOTICE NO. 001/SMDHC/2020, PUBLISHED IN PORTUGUESE IN THE OFFICIAL GAZETTE OF THE CITY ON 12/11/2021 AND APPROVED BY THE PLENARY OF THE MUNICIPAL COUNCIL OF IMMIGRANTS.

FOR LEGAL PURPOSES, THE PROVISIONS PLACED BY THE FULL ORIGINAL VERSION MUST BE MAINTAINED

**PUBLIC NOTICE NO. 001/SMDHC/2020
ELECTION PROCEDURES FOR THE MUNICIPAL COUNCIL OF IMMIGRANTS
2021/2023 Management**

SHORT VERSION

1. OF THE ELECTORAL COMMITTEE

1.1. The Electoral Committee will decide on:

- 1.1.1. Public Call Notice;
- 1.1.2. Dissemination and Mobilization Plan for the electoral process, through printed, digital, and urban furniture means;
- 1.1.3. From the stages of (i) Dissemination and Mobilization, (ii) Registration of Candidates and (iii) Elections;
- 1.1.4. The voting process; and
- 1.1.5. Inspection of the electoral process and vote counting.

2. ELECTORAL PROCESS

- 2.1. For this electoral process, all persons who move from their usual place of residence in another country to Brazil are considered immigrants, comprising working immigrants, students, people in a situation of refuge, stateless persons regardless of their migratory and documentary situation;
- 2.2. The definition of immigrants includes those naturalized Brazilians, regardless of the time of naturalization or the fact that the country of birth does not allow dual nationality;
- 2.3. For the purpose of individual identification of the candidate and the immigrant voter, within the scope of the electoral process, **official documents with photo, even if issued in another country, or proof of request to issue documents, will be accepted, provided that the proofs have photos for identification**, such as: passport, identity

card of the country of origin; voter registration in the country of origin; Consular Certificate; National Migration Registry Card (CRNM), or former National Registry of Foreigners (RNE); Naturalization Request Protocol; National Migration Registry Request Protocol; Protocol of Request for Recognition of Refugee Status; Protocol of Request for Recognition of Statelessness; Work and Social Security Card (CTPS); National Driver's License (CNH); among others.

2.4. FIRST STAGE: THE PROCESS OF DISSEMINATION AND MOBILIZATION

2.5. The Electoral Committee, established in accordance with article 28 of the Internal Regulations, along with the Municipal Department for Human Rights and Citizenship - SMDHC, the CRAI (Reference and Immigrant Service Center) and the CRAI Mobile Unit, the members of the Municipal Council of Immigrants, as well as representatives of immigrant care services and organized movements of immigrants, will widely disseminate in public spaces and services: the holding of the CMI elections and the stages of the electoral process, seeking the broad participation of the immigrant population and social organizations, non-profit organizations that work with this public and operate in the city of São Paulo. They will also disseminate and mobilize information about the Municipal Immigrant Council and the duties of the councilors.

3. SECOND STAGE: FROM REGISTRATION OF CANDIDATES TO THE COUNCIL

3.1. The following may register as candidates to the Municipal Council of Immigrants for civil society spots in **segment A**: collectives, associations, or organizations **of immigrants**, all collectives, associations, or organizations, of a private and non-profit nature, active and experienced proven in the service and/or in defense of the rights of the immigrant population, **as long as they are necessarily represented by an immigrant person**, over 18 years of age at the time of appointment as a counselor, by presenting the following documents:

3.1.1. Registration Form, according to model Annex A1;

3.1.1.1. In Annex A1, the **immigrant** collective, association, or organization must indicate two names of representatives in the field "representation options", one of which must be a cis woman, a trans woman, a trans man, a transvestite, or a non-binary person.

3.1.2. Declaration of non-incidence in the cases of article 1 of Decree 53,177 of June 4, 2012, signed by the representative of the collective/association/organization, according to the Single Annex;

3.1.3. Copy of the Bylaws of the collective/association/organization duly registered, if any; or Letter of Presentation of the collective/association/organization, with its principles and mission;

- 3.1.4. Proof of address or statement of address proving the headquarters or place of meetings in the Municipality of São Paulo, which may be minutes of meetings, activity reports, or other documents;
- 3.1.5. Proof of performance in São Paulo, which may be proof of address, copy of the Bylaws or other documents that prove its performance (video record, activity report, minutes of meeting, events on social media, among others).
- 3.2. The following may apply as candidates to the Municipal Immigrant Council for civil society spots in **segment B**: collectives, associations, or organizations **supporting immigrants**, all collectives, associations, or organizations, of a private and non-profit nature, active and with proven experience in serving and/or defending the rights of the immigrant population, represented by a person, immigrant or not, over 18 years of age at the time of appointment as a counselor, by presenting the following documents:
 - 3.2.1. Registration Form, according to model Annex A2:
 - 3.2.1.1. In Annex A2, the collective, association or organization **supporting immigrants** must indicate two names of representatives in the field “representation options”. One of the two options should be a cis woman, a trans woman, a trans man, a transvestite, or a non-binary person.
 - 3.2.2. Declaration of non-incidence in the cases of article 1 of Decree 53,177 of June 4, 2012, signed by the representative of the entity/organization/collective, according to the Single Annex;
 - 3.2.3. Copy of the Bylaws of the collective/association/organization duly registered, if any; or letter of organization of the collective, with principles and mission;
 - 3.2.4. Proof of address or statement of address proving the headquarters or place of meetings in the Municipality of São Paulo, which may be minutes of meetings, activity reports, or other documents;
 - 3.2.5. Proof of performance in São Paulo, which may be proof of address, copy of the Bylaws or other documents that prove its performance (video record, activity report, minutes of meeting, events on social media, among others).
- 3.3. The following may apply as candidates for the Municipal Council of Immigrants for civil society spots in **segment C: individual immigrants**, people over 18 at the time of appointment as a counselor, immigrants residing in the municipality of São Paulo. The registration will be effected by presenting the following documents:
 - 3.3.1. Registration Form, according to model Annex A3;
 - 3.3.2. Declaration of non-incidence in the cases of Article 1 of Decree 53,177 of June 4, 2012, according to the Single Annex;
 - 3.3.3. Copy of personal identification document, proving to be over 18 years old and immigrant, as provided in item 2.3. in this Public Notice;
 - 3.3.4. Residence proof or declaration in the City of São Paulo.

4. ACCEPTED AND REJECTED APPLICATION PROCEDURES

4.1.1. The Electoral Committee will publish in the Official Gazette of the City and on the SMDHC website the initial list of accepted and rejected applications of each segment within (five) working days after the deadline for registration.

4.1.2. Registrations will be rejected when not all the documents required in items 4.4, 4.5, or 4.6 are presented according to the segment of the application submitted, or when the documents submitted are considered insufficient by the Electoral Committee;

5. THE ELECTORAL CAMPAIGN

5.1. All registered candidates are allowed to carry out advertising aiming to indicate their name or the name of their collective, association, or organization.

5.2. Public equipment and public servants may only convey/make available official materials to publicize the electoral process and candidates that are produced and prepared exclusively by the Electoral Committee.

5.3. On Election Day, the distribution and/or placement of political propaganda on and around the polling station will not be allowed. If the situation is observed, the Electoral Committee must take the measures it deems necessary.

6. THIRD STAGE: ELECTION OF MEMBERS OF THE MUNICIPAL COUNCIL OF IMMIGRANTS

6.1. The third stage will consist of the Elections of the Municipal Council of Immigrants, in a single round, under the coordination of the Electoral Committee, with voting by ballot box and ballot.

6.2. All immigrants resident in São Paulo, over 16 years of age, are entitled to vote, regardless of their migratory and documentary situation, as provided in item 2.3 in this Public Notice.

6.3. Voters must present the following documents at the polling station:

6.4. Copy of personal identification document, proving to be over 16 years old and immigrant, as provided in item 2.3. in this Public Notice;

6.5. Residence proof or declaration in the City of São Paulo.

6.6. Each voter will be entitled to a single vote for each of the segments, namely:

6.6.1.1 **(one) single vote** for **segment A**: collectives, associations, or immigrant organizations ;

6.6.2.1 **(one) single vote** for **segment B**: collectives, associations or organizations **supporting** immigrants and,

6.6.3.1 **(one) single vote** for **segment C: individual immigrants.**

6.7. The votes of the segment will be considered invalid when the voting ballot presents more than one vote in that segment;

- 6.8. The election results will be published in 2 (two) lists, containing:
- 6.8.1. In the first, the classification of the candidates in order of the number of votes obtained;
 - 6.8.2. In the second, the final classification, applying the requirement of a minimum of 50% of the spots filled by women, transsexuals, transvestites, and/or non-binary people, even though there are cisgender and non-immigrant men who obtained a higher vote than the other classified populations, observing items 6.12 and 6.13 in this Public Notice;

7. OCCURRENCES:

- 7.1. The occurrences that happen during the elections must be notified by the voter or candidate, in writing, duly identified and signed, and forwarded to the Electoral Committee, within a maximum period of 5 (five) working days after the end of the elections.

8. CLASSIFICATION OF ELECTED APPLICATIONS:

- 8.1. After counting the votes, the procedure for classifying the candidates elected from the most voted to the least voted will be carried out, according to the following structure:
- 8.1.1. Descending list of most voted applications for immigrant collectives, associations, or organizations (**segment A**);
 - 8.1.2. Descending list of most voted applications for collectives, associations, or organizations supporting immigrants (**segment B**);
 - 8.1.3. Descending list of the most voted applications for individual immigrants (**segment C**);
- 8.2. In the event of a tie, as a classification criterion, the time of existence of the collective, association, or organization **of/supporting** immigrants (**segments A and B**) will be considered, with the application having the longest existence as constant being considered as first classified on the Registration Form at the time of registration. In the Individual Immigrant segment, the oldest candidate will also be elected as indicated in the Registration Form.
- 8.3. To comply with Municipal Decree 56,021 of March 31, 2015, the **gender parity criterion** will be applied after the classification by the number of votes has been made. The application will be carried out by each segment (**A, B, and C**) as follows:
- 8.3.1. For the best-voted organization in **segments A and B**, the first option (option 1) of representation indicated in the registration form will be considered, regardless of the gender of the nomination;
 - 8.3.2. For organizations in the second place in **segments A and B**, the minimum criterion of 50% presence of women, transgender people, transvestites and/or non-binary people should be observed in the final composition of

- representatives of organizations in the segments, the second representation option (option 2) must be selected to maintain parity, when this is the case;
- 8.3.3. For the organization that was placed third in **segment A**, a minimum of 50% presence of women, transgender people, transvestites and/or non-binaries should be observed in the final composition of representatives of organizations in the segment, and the second representation option must be selected, when this is the case, to maintain parity;
- 8.3.4. The best-voted individual immigrant (**segment C**) can occupy the position regardless of gender;
- 8.3.5. The second most voted immigrant natural person (**segment C**) will occupy the position as long as, given the gender of the first placed, a minimum of 50% of women are respected;
- 8.3.6. The third highest voted immigrant natural person (**segment C**) will occupy the position provided that, considering the gender of the best placed, the minimum of 50% of women is respected;
- 8.4. Failure to comply with the requirements of the preceding items of this Public Notice will result in the impediment of assuming the responsibilities of Holder Counselor, implying the call of the next candidate in the said segment to assume the role of Counselor.
- 8.5. The application of the gender parity criterion will take into account the guidelines of the Policy Coordination for Women and the LGBTI population, with the Electoral Committee being responsible for resolving any omitted cases.
- 8.6. For the nomination of **the elected candidates**, a classification list will be made available according to the number of votes obtained, also considering the application of the gender parity criterion (provisions of item 9.3 in this Public Notice)
- 8.7. In **segment A**, the 3 (three) most voted collectives, associations, or organizations **of** immigrants will be considered as elected holders, subject to the order of classification and the provisions of 9.3 in this Public Notice.
- 8.8. In **segment B**, the 2 (two) most voted candidates will be considered as elected holders, subject to the order of classification and the provisions of items 9.3 in this Public Notice.
- 8.9. In **segment C**, the 3 most voted immigrants will be considered as elected holders, subject to the order of classification and the provisions of items 9.3 of this Public Notice.

9. SUBSTITUTION

- 9.1. The classification of members for the substitution will be exercised in a mirrored manner, observing the same classification criteria used for the holders.

10. GENERAL SCHEDULE

January 11, 2021 to February 12, 2020- Period of face-to-face and virtual registration

February 26, 2021 - Publication, in the Official Gazette of the City and on the SMDHC website, of the initial list of accepted and rejected applications

March 01 to March 05, 2021- Deadline for submission of appeals

March 10 - Publication, in the Official Gazette of the City and on the SMDHC website, of the definitive list of accepted and rejected applications

March 11 to April 09, 2021 - Election Campaign Period

April 11, 2021- Election for the spots of representatives of civil society for the Municipal Council of Immigrants

11. GENERAL PROVISIONS

11.1. Omissions in this Public Notice will be resolved by the Electoral Committee of the Municipal Council of Immigrants.

ANNEXES

11.2. Annex A1 - Registration Form Application for immigrant collectives, associations, or organizations - Declaration;

11.3. Annex A2 - Registration Form Application for Collectives, Associations, or **Supporting** Immigrants - Declaration;

11.4. Annex A3 - Registration Form Application for **Individual Immigrant** - Declaration;

11.5. Annex B - Appeal Presentation;

11.6. Annex C - Declaration Single Annex to Decree No. 53,177/12 (Clean Sheet).

ANNEX A1

REGISTRATION FORM SEGMENT A:

IMMIGRANT COLLECTIVES, ASSOCIATIONS, OR ORGANIZATIONS

DECLARATION

I, _____,
holder of the identification document (with photo) _____,
number: _____, representative of (*name of collective, association, or organization*) _____,
registered with CNPJ/MF under number (*fill in only if there is CNPJ of the organization/association/collective*): _____, founded on
_____ (*insert date of foundation of the collective, association, or organization*)

I **DECLARE**, under the terms of Decree No. 53,795, of March 25, 2013, the intention to apply



for the spot of a member of **segment A: immigrant collectives, associations, or organizations** for the 2021/2023 management of the Municipal Council of Immigrants.

Contact methods:

Email: _____

Telephone: _____

Mobile: _____

Other contact method: _____

I further **DECLARE** that, I know the Municipal Law 16,478/16 and Decree No. 57,533/16, which institutes and regulates the Municipal Council of Immigrants, and I am aware of all the items of this Public Notice and I agree to authorize and assign it free of charge and non-profit, the use of my image in photos or films in all its modalities, highlighted, in the following ways: (i) home page; (ii) posters; (iii) dissemination in general, to be used in the process of disseminating the Elections of the Municipal Council of Immigrants.

I **DECLARE** that the organization will have time and disposition to carry out the work assigned to the function of the Municipal Council of Immigrants, bearing in mind that the work is not remunerated,

I **DECLARE** that the organization works and or takes action with the theme of the immigrant population and is based in the Municipality of São Paulo,

I **DECLARE** that I understand all the classification conditions described in the following notice and the promotion of the political participation of cisgender women, transgender people, transvestites, and non-binary people in the Municipal Council of Immigrants, in accordance with Municipal Decree 56,021, of March 31, 2015, and for this purpose, if elected, the organization may be represented by any of the two options indicated below,

I **DECLARE** that the persons appointed to represent the organization have been consulted in advance and both agree to inform their gender identity to comply with Decree 56,021 of March 31, 2015:

REPRESENTATION OPTIONS

OPTION 1
Name: _____

Self-declaration of gender identity:	<input type="checkbox"/> cis woman <input type="checkbox"/> cis man <input type="checkbox"/> trans woman <input type="checkbox"/> trans man <input type="checkbox"/> transvestite <input type="checkbox"/> Non-binary person
<i>Mark with an X (x) the gender identity of the person (option 1) who may represent the organization.</i>	

OPTION 2	
Name:	
Self-declaration of gender identity:	<input type="checkbox"/> cis woman <input type="checkbox"/> cis man <input type="checkbox"/> trans woman <input type="checkbox"/> trans man <input type="checkbox"/> transvestite <input type="checkbox"/> Non-binary person
<i>Mark with an X (x) the gender identity of the person (option 2) who may represent the organization.</i>	

São Paulo, _____/_____/2021

Declarant's signature

ANNEX A2
REGISTRATION FORM SEGMENT B:
COLLECTIVES, ASSOCIATIONS, OR ORGANIZATIONS SUPPORTING
IMMIGRANTS
DECLARATION

I, _____,
holder of the identification document (with photo) _____,
number: _____, representative of (*name of collective,
association, or organization*) _____,
registered with CNPJ/MF under number (*fill in only if there is CNPJ of the
organization/association/collective*): _____, founded on
_____ (*insert date of foundation of the collective, association, or organization*)

I **DECLARE**, under the terms of Decree No. 53,795, of March 25, 2013, the intention to apply for the spot of a member of **segment A: collectives, associations, or organizations supporting immigrants** for the 2021/2023 management of the Municipal Council of Immigrants.

Contact methods:

Email: _____

Telephone: _____

Mobile: _____

Other contact method: _____

I further **DECLARE** that, I know the Municipal Law 16,478/16 and Decree No. 57,533/16, which institutes and regulates the Municipal Council of Immigrants, and I am aware of all the items of this Public Notice and I agree to authorize and assign it free of charge and non-profit, the use of my image in photos or films in all its modalities, highlighted, in the following ways: (i) home page; (ii) posters; (iii) dissemination in general, to be used in the process of disseminating the Elections of the Municipal Council of Immigrants.

I **DECLARE** that the organization will have time and disposition to carry out the work assigned to the function of the Municipal Council of Immigrants, bearing in mind that the work is not remunerated,

I **DECLARE** that the organization works and or takes action with the theme of the immigrant population and is based in the Municipality of São Paulo,

I **DECLARE** that I understand all the classification conditions described in the following notice and the promotion of the political participation of cisgender women, transgender people, transvestites, and non-binary people in the Municipal Council of Immigrants, in accordance with Municipal Decree 56,021, of March 31, 2015, and for this purpose, if elected, the organization may be represented by any of the two options indicated below,

I **DECLARE** that the persons appointed to represent the organization have been consulted in advance and both agree to inform their gender identity to comply with Decree 56,021 of March 31, 2015:

REPRESENTATION OPTIONS

OPTION 1	
Name:	
Self-declaration of gender identity:	<input type="checkbox"/> cis woman <input type="checkbox"/> cis man <input type="checkbox"/> trans woman <input type="checkbox"/> trans man <input type="checkbox"/> transvestite <input type="checkbox"/> Non-binary person
<i>Mark with an X (x) the gender identity of the person (option 1) who may represent the organization.</i>	

OPTION 2	
Name:	
Self-declaration of gender identity:	<input type="checkbox"/> cis woman <input type="checkbox"/> cis man <input type="checkbox"/> trans woman <input type="checkbox"/> trans man <input type="checkbox"/> transvestite <input type="checkbox"/> Non-binary person
<i>Mark with an X (x) the gender identity of the person (option 2) who may represent the organization.</i>	

São Paulo, _____/_____/2021

Declarant's signature

REGISTRATION FORM SEGMENT C:

INDIVIDUAL IMMIGRANT

DECLARATION

I _____ (*civil* _____ *or* _____ *social* _____ *name*),
 _____, holder of
 the _____ identification _____ document _____ (with _____ photo):
 _____ number: _____,

I **DECLARE**, under the terms of Decree No. 57,533, of December 15, 2016, the intention to
 apply for the spot of a member of **segment C: individual immigrant** of the 2021-2023
 management of the Municipal Immigrants Council, with the name of the candidate to be
 included _____ as _____ dissemination:

Contact methods:

Email:

Telephone: _____

Mobile:

Another method:

Self-declaration of gender identity:	<input type="checkbox"/> cis woman <input type="checkbox"/> cis man <input type="checkbox"/> trans woman <input type="checkbox"/> trans man <input type="checkbox"/> transvestite <input type="checkbox"/> Non-binary person
<i>Mark your gender identity with an X (x).</i>	

I further **DECLARE** that, the Municipal Law 16,478/16 and Decree No. 57,533/16, which
 institutes and regulates the Municipal Council of Immigrants, and I agree to authorize and
 assign it free of charge and non-profit, the use of my image in photos or films in all its
 modalities, highlighted, in the following ways: (i) home page; (ii) posters; (iii) dissemination in
 general, to be used in the process of disseminating the Elections of the Municipal Council of
 Immigrants.

IDECLARE that I have the time and disposition to carry out the work assigned to the function
 of the Municipal Council of Immigrants, considering that the work is not remunerated.

I **DECLARE** having work and residence in the Municipality of São Paulo.

São Paulo, _____/_____/ 2021

Declarant's signature



ANNEX B
APPEAL PRESENTATION

To the Electoral Committee of the Municipal Council of Immigrants

Dear Members of the Committee,

I (*civil or social name* **OR** *Corporate Name* _____)

Identified with the CPF or CNPJ _____

Email or telephone _____, I hereby request:

- () reconsideration of the application rejection
- () application rejection
- () rejection of the election.

Considering the terms of the Public Notice of Election of Members of Civil Society of the Municipal Council of Immigrants, Municipal Law 16,478/16 and Decree No. 57.533/16, which institutes and regulates the Municipal Council of Immigrants, based on the item _____ I request/we request by reasons explained below:

I hereby declare:

- a) To be fully aware of the Public Notice of Election of Members of Civil Society of the Municipal Council of Immigrants of 2021, as well as of Municipal Law 16,478/16 and Decree No. 57,533/16, which establishes and regulates the Municipal Council of Immigrants;
- b) To assume full responsibility for the accuracy of the information and documents provided (if any);
- c) To present, under the terms of item 4.7.4, the following supplementary documentation:

São Paulo, _____/_____/2021

Declarant's signature

ANNEX C
DECLARATION SINGLE ANNEX TO DECREE NO. 53,177/12 (CLEAN SHEET)

SINGLE ANNEX referred to in article 3 of Decree No. 53,177, of June 4, 2012

DECLARATION

I DECLARE to be aware of the prohibitions contained in article 1 of Decree No. 53.177, of June 4, 2012, which establishes the impediments to appointment, hiring, admission, designation, possession, or beginning for position, employment, or civil service, effectively or in commission, and that:

- () I do not incur any of the cases of ineligibility provided for in that article.
- () I do not incur in the cases of ineligibility provided for in that article.
- () I have doubts as to whether or not I will incur the hypothesis(es) of ineligibility provided for in item(s) ____ of the aforementioned article and, for this reason, I present the documents, certificates, and additional information that I understand as necessary to verify the hypotheses of ineligibility.

1. IDENTIFICATION OF THE SERVANT, EMPLOYEE, OR NOMINATED:

NAME: _____

____ F/RG: _____

POSITION/FUNCTION/EMPLOYMENT:

DEPARTMENT/SUBPREFECTURE:

TELEPHONE: _____

EMAIL: _____

2. DECLARATION:

I further DECLARE, under the penalties of the law, especially those provided for in Federal Law No. 7,115, of August 29, 1983, and in article 299 of the Penal Code (Fraudulent Misrepresentation), that the information provided here is true.

São Paulo, ___/___/___



Signature of the interested party/servant