

**VIOLATIONS OF STREET VENDOR RIGHTS IN SÃO PAULO:
IMPLEMENTATION OF THE *TÔ LEGAL* LICENSING SYSTEM**

Joint Submission to the UN Special Rapporteur on extreme poverty and human rights

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Cc:

Special Rapporteur on extrajudicial, summary or arbitrary executions

Special Rapporteur on the situation of human rights defenders

Special Rapporteur on the human rights of migrants

Working Group of Experts on People of African Descent

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Special Rapporteur on minority issues

Special Rapporteur on the rights of persons with disabilities

Independent Expert on the enjoyment of all human rights by older persons

Working Group on discrimination against women and girls

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“I was just working; do I not have the right to work? Without them beating us up?”¹

I. EXECUTIVE SUMMARY

Work as a street vendor is a common means of livelihood around the world, particularly for those living in poverty. It is also a critical component of the economy. In Brazil, work in the informal economy accounts for 17 percent of GDP and 40 percent of the workforce.² In the São Paulo metropolitan area alone, an estimated 100,000 people depend on some form of street vending to maintain an adequate standard of living.³ Yet, the legal framework authorizing this work has evolved into a system that is exclusionary and detrimental to street vendors’ continued livelihoods. São Paulo’s licensing regime—and the ways in which the regime is enforced—result in numerous violations of street vendors’ human rights.

This submission documents the escalating human rights crisis confronting street vendors in São Paulo. The Municipality’s approach to licensing is a key driver of this escalation.⁴ Since the early 2000s, the Municipal Government of the City of São Paulo (“the Municipal Government” or “the Municipality”) has been progressively phasing out a particular form of license, called the *Termo de Permissão de Uso* (TPU), which allows self-employed vendors to sell goods and services in the public space on a long-term basis. In its place, the Municipality has gradually introduced a temporary authorization system, called “Tô Legal,” which is built around short-term authorizations that are contingent and easily revocable. By one estimate, fewer than 1,000 vendors hold a TPU license as of October 2025. Meanwhile, an estimated 100,000 people in the municipality rely on vending for their livelihood.⁵

In practice, Tô Legal authorizations are difficult to maintain and offer weak legal protections. As a result, over half of São Paulo’s street vendors are estimated to work without a license.⁶ The

¹ Interview with lawyers, researchers, and street vendors, in São Paulo, Brazil (Oct. 13, 2025) (hereinafter Stakeholders Interview).

² See Instituto Brasileiro de Ética Concorrencial [ETCO] & Fundação Getulio Vargas [FGV], *Índice de Economia Subterrânea* [Underground Economy Index] (2022); Instituto Brasileiro de Geografia e Estatística [IBGE], *Pesquisa Nacional por Amostra de Domicílios Contínua (PNAD Contínua)* [Continuous National Household Sample Survey] (2023).

³ Because of limited documentation and the nature of the informal economy, it is hard to indicate a precise number of vendors in São Paulo. A 2020-2022 sector analysis estimates that roughly 110,000 vendors work in the larger São Paulo metropolitan area. See Daniel S. Mayor Fabre, *Direitos das pessoas comerciantes no espaço público: O caso da cidade de São Paulo*, Brasil [The Rights of Street Vendors in Public Spaces: The Case of São Paulo, Brazil] (Women in Informal Employment: Globalizing and Organizing [WIEGO] March 2026), at 4 (citing a 2020-2022 analysis conducted by the Departamento Intersindical de Estatística e Estudos Socioeconômicos [DIEESE]). Another, more geographically limited study focuses on the number of vendors in 70 high-concentration areas of the city. That study estimates that 12,671 vendors work at fixed points in the city. DIEESE, MAPEAMENTO DAS TRABALHADORAS E DOS TRABALHADORES AMBULANTES DA CIDADE DE SÃO PAULO [Mapping of Street Vendors in the City of São Paulo] 5-6 (2026) (hereinafter DIEESE), available at <https://www.dieese.org.br/pesquisaDIEESE/2026/mapeamentoTrabalhadoresAmbulantes.pdf>.

⁴ Vendors overwhelming point to the issue of legal protection when asked to name the policy measures that would improve their situation. See, e.g., DIEESE, *supra* note 3, at 42–43, 47 (showing that 66 percent of respondents cited regularization as one of their key policy priorities; 96% and 95% of respondents, respectively, ranked legalization and permission to use public space as very high priorities).

⁵ Stakeholders Interview, *supra* note 1.

⁶ DIEESE, *supra* note 3, at 22.

resulting insecurity leaves numerous vendors exposed to arbitrary enforcement actions, excessive use of force (including killings), and eviction from their workplaces. Further, the Municipality's approach has helped entrench a hostile atmosphere toward street vending generally, regardless of vendors' legal status.

In addition, the legal ambiguity created by the system leaves vendors open to extortion schemes involving private and public actors. Those who are unable to pay permit fees and capital expenses may take out predatory loans, which also makes them targets for retaliatory violence when they fall behind on payments. Further, vendors are forced to choose between paying for social insurance and covering other essential needs. Although vendors can join a national social insurance program for microentrepreneurs, the cost is onerous for vendors. Thus, the national system of social security ends up reinforcing vendors' financial precarity.

A substantial portion of the street vending workforce is composed of women, older persons, individuals with disabilities, immigrants, and people of African descent. Hence, the punishing regulatory system especially threatens the human rights of these groups. The effective termination of the TPU regime violates the principle of non-retrogression of rights. In addition to these legal pressures, vendors operate in physical spaces without the requisite infrastructure. In particular, a lack of adequate sanitation and other basic services means vendors continue to trade in unsafe working conditions.

Despite sustained advocacy over the years by vendors and their representatives, Municipal, state and national authorities have failed to guarantee street vendors' human rights. On the contrary, those who defend street vendors' rights face acute threats to their personal security. As a result, the government's actions and omissions continue to harm São Paulo's vendors.

This petition is submitted by a group of human rights and labor organizations representing street vendors in São Paulo. It is based on information received from government officials, advocates, and observers, as well as street vendors themselves. It is bolstered by recent academic studies, sector analyses, and news reports that confirm or expand upon the human rights violations that street vendors are facing.

Considering the severity and persistence of the violations reported herein, the intervention of the Special Procedures is urgently requested to help safeguard the rights and livelihoods of São Paulo's street vending workforce. The signatories of this petition believe the gravity of the situation merits the attention of the Special Procedures of the UN Human Rights Council.

II. RECOMMENDATIONS

We are seeking the intervention of the Special Procedures in order to help align the approach of the Brazilian and São Paulo governments with human rights standards. We respectfully ask that you recommend the State uphold the rights, dignity, and equality of the street vendors of São Paulo by:

- Communicating concerns in street vendor regulation to the Federal Government of Brazil (“the Federal Government”), the State Government of São Paulo (“the State Government”), and the Municipal Government of the City of São Paulo (“the Municipal Government” or “Municipality”), collectively the State. We are specifically asking the authorities to evaluate the impact of the Tô Legal licensing system on street vendors' human rights.
- Encouraging the State to engage in meaningful dialogue with street vendor associations. It is only through genuine dialogue with vendors that a workable licensing system will emerge. Such a system should satisfy public needs while respecting due process and enabling vendors to maintain an adequate, full-time livelihood.
- Requesting an invitation to visit Brazil to meet with State officials in order to communicate human rights concerns. A visit to the country that involves official meetings and meetings with all relevant stakeholders would confirm the findings outlined in this petition.
- Seeking assurances from the State that the infrastructural needs of vendors are being progressively realized. Improvements in physical infrastructure and social protection would help to formalize the work of street vendors, thereby expanding access to employment.
- Directing an inquiry to the State asking it to report on the status of relevant investigations into serious violations of vendors' fundamental rights. In particular, the Special Procedures should inquire about ongoing investigations into the Military Police's arbitrary conduct and use of excessive force against street vendors. If investigations have not been conducted, they should be opened.

III. SUBMITTING ORGANIZATIONS

International Human Rights Clinic, Harvard Law School: The International Human Rights Clinic at Harvard Law School seeks to protect and promote human rights and international humanitarian law through documentation; legal, factual, and strategic analysis; litigation before national, regional, and international bodies; treaty negotiations; and policy and advocacy initiatives. The Clinic has expertise in international and comparative human rights law, and its practice spans a wide range of issues, including labor rights and the rights of workers in the informal economy. The Clinic has submitted dozens of briefs on these topics to national, regional, and international bodies.

Centro Gaspar Garcia de Direitos Humanos: The Gaspar Garcia Human Rights Center is a São Paulo-based human-rights organization focused on defending the rights and dignity of individuals most exposed to urban inequality, especially low-income residents, migrants, and workers pushed into precarious conditions. By combining rights monitoring, popular education, legal support, and policy advocacy, the Center works to make São Paulo more just and inclusive. Through its Project on Informal Work and the Right to the City (founded in 2011), the Center has worked alongside street vendors and other informal workers to document rights violations, strengthen workers' organizations, and advocate for public policies that recognize vendors' right to work and occupy public space without discrimination.

Coalizão Negra por Direitos: The Black Coalition for Rights is a Brazilian national coalition, founded in 2019, that brings together more than 280 organizations and collectives from the Black movement in Brazil. The Coalition works to defend democracy, human rights, and racial equality, and to combat structural racism and genocide of the Black population.

Conectas Direitos Humanos: Conectas Human Rights is an international, non-profit nongovernmental organization (NGO) founded in São Paulo in 2001. It works to protect, uphold, and expand human rights, combat inequalities, expose violations, and propose legal and policy solutions, with a focus on the Global South.

CUT: The Unified Workers' Central (CUT) is a mass-based, autonomous, and democratic labor confederation committed to defending the immediate and long-term interests of the working class in Brazil. Founded in 1983, CUT seeks to organize and represent workers across sectors (public and private) and across the country. Combining collective mobilization with policy advocacy for better working and living conditions, CUT advocates for a more just, democratic society.

StreetNet International: StreetNet International is a global network of street and market vendors' organizations committed to the democratic representation of the interests of those working in the sector and to the defense of their rights. It currently operates in more than 56 countries and represents over 800,000 members worldwide. Its mission is to strengthen and empower affiliated organizations to protect and promote the rights and livelihoods of street vendors and market vendors, especially women. To this end, it promotes advocacy, capacity building, education, democratic governance, representation, and solidarity among all workers.

UNICAB: The National Union of Street Vendors, Peddlers, and Market Workers of Brazil (UNICAB) is a nationwide, non-profit association created to organize, strengthen, and represent those who make a living working on the streets. UNICAB represents and defends the rights of street vendors, peddlers, and market workers in Brazil, seeking to coordinate, organize, and collectively build the struggle for the defense of the right to work and the right to the city.

Women in Informal Employment: Globalizing and Organizing (WIEGO): Women in Informal Employment: Globalizing and Organizing (WIEGO) is a global network focused on securing livelihoods for the working poor, especially women, in the informal economy. WIEGO believes all workers should have equal economic opportunities and rights. WIEGO creates change by building capacity among informal worker organizations, expanding the knowledge base about the informal economy and influencing local, national and international policies.

IV. FACTUAL BACKGROUND

*“The law against us is [like] punches, violence, aggression. Street vendors are [treated as] bandits, criminals. Instead of the law guaranteeing rights, it takes. It takes rights from street vendors.”*⁷

A. Exclusionary Licensing Regime

The regime governing street vending in São Paulo does not respect street vendors’ human rights. Since the early 2000s, the Municipal Government of the City of São Paulo has been phasing out the issuance of a particular form of license, called a TPU, which enables self-employed individuals to sell goods and services in public space on a long-term basis. In its place, the Municipal Government has instituted a system of permits, called “Tô Legal” authorizations, that only offer transitory and revocable protections.

Tô Legal authorizations are difficult to sustain, and the Municipal Government has issued an extremely low number of TPU licenses. Because of this reality—and the limited protections that the credentials provide—over half of São Paulo’s street vendors are estimated to operate without a valid license.⁸ The uncertainty associated with the current licensing regime exposes this majority of the vending population to arbitrary arrests, harassment, and forced evictions from their places of work. The ambiguity has also contributed to an environment that is hostile towards all street vendors, regardless of their legal status.

i. Termos de Permissão de Uso (“TPUs”)

The more stable form of certification available to street vendors in São Paulo is called a *Termo de Permissão de Uso*, or TPU. A 1991 Street Vendor Law, which was enacted to regulate street vending in the municipality, provides that self-employed professionals may sell goods and services on public roads and squares in São Paulo so long as they are duly authorized to do so by a public authority.⁹ This permission is provided through the granting of a TPU license, which individuals obtain through an application process overseen by the municipality.¹⁰

⁷ Interview with two street vendor representatives, in São Paulo, Brazil (Oct. 11, 2025) (hereinafter Street Vendors Interview).

⁸ See, e.g. DIEESE, *supra* note 3, at 22 (showing that 56 percent of fixed-point street vendors operating in high-concentration areas do so without any authorization from the local government). Street vendors who participated in the study cited the following as reasons for not having a license: Difficulties with bureaucracy, internet, and documents (46.9%); high cost (23.8%); lack of new permits being available (20.1%); and the inadequacy of the spaces being offered for authorized vending (18.5%). *Id.* at 24.

⁹ Lei No. 11.039, de 23 de agosto de 1991, Diário Oficial da Prefeitura de São Paulo [D.O.P.S.P.] de 24.08.1991 (Mun. São Paulo, Braz.) (as amended), arts. 1-2 (hereinafter 1991 Street Vendor Law).

¹⁰ Arts. 11-21.

TPU licenses are generally valid for at least a year and are renewable.¹¹ They offer more stable protection for a street vendor's usage than the types of certifications now prevalent in the municipality.

Despite the relative stability provided by the TPU, holders of a TPU license could still lose their authorization to vend for many reasons. The legal regime for licensing has always been subject to the discretion of local officials. For instance, the Municipal Government could fully cancel the license of a TPU holder for any of the following activities: a failure to show paperwork during an inspection, a default on payment of licensing fees, the sale of goods not authorized for a particular location, and leaving one's stall during working hours (including to go to the bathroom), among other infractions.¹² In addition, the law's silence on proportionality between the infraction and the penalty means even minor violations can result in license cancellation.¹³ The exercise of these wide discretionary powers has created an endless state of vulnerability for some of the city's poorest workers.

In addition, several different municipal administrations have either severely restricted vendors' ability to operate or cracked down on vending wholesale, beginning in the early 2000s.¹⁴ In 2012, the Municipal Government issued a decree that summarily eliminated all of São Paulo's established vending zones, effectively banning vending outright.¹⁵ In order to preserve the livelihoods of thousands of vendors facing sudden expulsion, the Public Defender of the State of São Paulo and a São Paulo nonprofit, the Gaspar Gacia Human Rights Center, sought a court order to halt the widespread evictions.¹⁶ Because of their lawsuit, vendors whose licenses were revoked that year had their licenses restored.¹⁷

Since that time, the Municipal Government has not issued new street vending licenses of this type.¹⁸ While the lawsuit preserved TPU licenses for a component of the vending population, TPU

¹¹ See *id.*, arts. 17, 20. Under the law, the municipality retains the ability to revoke the licenses. However, it must provide notice before doing so. See *id.*, art. 11.

¹² See Stakeholders Interview, *supra* note 1; JACINTO CUVI, *THE EDGE OF THE LAW: STREET VENDORS & THE EROSION OF CITIZENSHIP IN SÃO PAULO* 76 (2025); Rory McKeown, *Daily Echo Reporter Rory McKeown Reports on the Conditions Female Street Vendors Face in São Paulo, Brazil, and the Work Christian Aid is Doing to Support Them*, DAILY ECHO (May 15, 2015), <https://www.dailyecho.co.uk/news/12954928.daily-echo-reporter-rory-mckeown-reports-on-the-conditions-female-street-vendors-face-in-sao-paulo-brazil-and-the-work-christian-aid-is-doing-to-support-them/>; CENTRO GASPAR GARCIA DE DIREITOS HUMANOS [Gaspar Garcia Human Rights Center], *INFORMAL WORK AND THE RIGHT TO THE CITY: A DOSSIER OF THE VIOLATIONS OF THE RIGHTS OF STREET VENDORS AND HOME-BASED IMMIGRANT WORKERS* 5, 32 (2012) (hereinafter *Dossier of Violations*).

¹³ See 1991 Street Vendor Law, *supra* note 9, arts. 32-34.

¹⁴ *Dossier of Violations*, *supra* note 12, at 19-20.

¹⁵ Decreto No. 53.154, de 18 de maio de 2012, D.O.P.S.P. de 19.05.2012 (Mun. São Paulo, Braz.).

¹⁶ Luciana Itikawa, *Informal Economic Strategies: Advocacy for Street Vendors in Brazil* 10 (Conference Paper, Labor & Global Solidarity – The U.S., China & Beyond Conf., Aug. 12, 2013), <https://www.wiego.org/wp-content/uploads/2019/09/Itikawa-Informal-Economic-Strategies-Vendors-Brazil.pdf>; Cuvi, *supra* note 12, at 79-84.

¹⁷ Stakeholders Interview, *supra* note 1.

¹⁸ As recently as December 2025, the Municipality affirmed its intention to halt issuance of new TPU licenses for street vending. See, e.g., Portaria No. 174, de 29º de dezembro de 2025, D.O.P.S.P. de 30.12.2025 (Mun. São Paulo, Braz.) (suspending the issuance of new licenses for usage of public space, except for certain commercial usages, such as bike shares, valet services, and restaurant patios).

licensed-vendors now comprise an ever shrinking minority of vendors.¹⁹ By one estimate, fewer than 1,000 vendors hold a TPU license as of October 2025. Meanwhile an estimated 100,000 people in the municipality rely on vending for their livelihood.²⁰

ii. Tô Legal Authorizations

In 2019, another municipal decree established the Tô Legal system, which more generally regulates the use of public space in the municipality.²¹ Because of the government's inaction on TPUs and the limited applicability of the above-mentioned judicial order, the Tô Legal system has effectively been the only available licensing scheme for street vendors since 2019.

However, the Tô Legal permit is designed to provide authorization for temporary work, such as that which is done in between formal jobs or carried out during major celebratory events. It is not fit for the purpose of long-term licensing.²² The Municipality designed the program as a way to provide vendors with flexibility in a short-term capacity. The system accordingly enables quick approval for a secondary job or a temporary source of income.²³ In short, the regime does not service the needs of permanent full-time vendors, which is a majority of São Paulo's vending population.²⁴ While street vendors acknowledge that Tô Legal is a good system for temporary workers, the licensing regime does not accommodate individuals who rely on street vending as their only source of income.²⁵

A Tô Legal authorization does not offer the stability and access to public space necessary for vendors to conduct business. Under the Tô Legal system, the Municipal Government issues a limited number of Tô Legal permits to street vendors.²⁶ Unlike the TPU, which grants its holder a presumptively renewable authorization to use a particular space, a Tô Legal permit is only valid for a maximum of 90 days, and vendors are not guaranteed the same location at renewal.²⁷ While the Municipal Government is generally required to justify cancellations of TPUs, there is no such requirement for Tô Legal authorizations.²⁸

¹⁹ Mariana Prandini Assis, 'Whose Law? Our Law!': Critical Reflections on Legalization, Social Dialogue and Street Vendors' Organizing in São Paulo 7 (WIEGO Organizing Brief No. 15, Sept. 2023), <https://www.wiego.org/wp-content/uploads/2023/09/wiego-organizing-brief-15.pdf>.

²⁰ Stakeholders Interview, *supra* note 1.

²¹ Decreto No. 58.831, de 1º de julho de 2019, D.O.P.S.P. de 02.07.2019 (Mun. São Paulo, Braz.) (hereinafter 2019 Tô Legal Decree). Tô Legal is shorthand for "I'm legal" or "I'm good" in Portuguese.

²² Interview with Larissa D'Alkmin, Chief of Staff to State Deputy Eduardo Suplicy, in São Paulo, Brazil (Oct. 10, 2025).

²³ See Câmara Municipal de São Paulo [São Paulo City Council], Sampa e Você: Discover the Tô Legal Program, YOUTUBE (Sept. 12, 2025), <https://www.youtube.com/watch?v=f42Gue1T2k> (hereinafter Sampa e Você: Tô Legal).

²⁴ For instance, a 2025 mapping of fixed-point vendors in high-concentration areas showed that the vast majority relied on street vending as their sole source of income. DIEESE, *supra* note 3, at 32. In addition, over 43 percent of the study respondents had already been in the occupation for at least a decade. *Id.* at 64.

²⁵ See Street Vendors Interview, *supra* note 7. See also Interview with Defensoria Pública do Estado de São Paulo [Public Defender's Office of the State of São Paulo], in São Paulo, Braz. (Oct. 13, 2025); D'Alkmin Interview, *supra* note 22.

²⁶ *Sobre o Tô Legal* [About Tô Legal], PREFEITURA DE SÃO PAULO: PORTAL TÔ LEGAL! [City São Paulo: Tô Legal! Portal], <https://tolegal.prefeitura.sp.gov.br/Home/SobreComercioServicos>.

²⁷ Lei No. 0, de 4 de abril de 1990, D.O.P.S.P. de 06.04.1990, art. 114, ¶¶ 4–5 (Mun. São Paulo, Braz.) (as amended); Street Vendors Interview, *supra* note 7.

²⁸ D'Alkmin Interview, *supra* note 22.

Further, the Tô Legal Decree appears to contradict key provisions of the 1991 Street Vendor Law, including provisions requiring that deliberative bodies, which include vendor representatives, select authorized vending locations.²⁹ Under the decree, regional administrators (“subprefeitos” in Portuguese, or “subprefectures” in English) have discretion over the streets and public spaces available for Tô Legal authorizations. While applicants for the authorization can choose the area where they wish to work when applying, some areas may become unavailable due to zoning or regional policies.³⁰ The Municipal Government may also withdraw the authorization at any time should the municipality need the space.³¹

The short period of authorization and the costs of Tô Legal permits disincentivize vendor participation. Under the Tô Legal system, street vendors must pay a fee up front for up to 90 days of authorization, and many are unable to pay such amounts.³² At a minimum, a Tô Legal authorization that lasts for 90 days would amount to around one third of a month’s earnings for street vendors.³³ In addition, the municipality restricts commerce on busy streets, which are precisely the streets where vendors can make a living.³⁴ Being stationed on streets with few pedestrians makes it difficult for street vendors to make a profit, as they have fewer opportunities to sell. Even if street vendors can secure a permit, they do not receive guarantees or even priority to remain in the same place when it is time for renewal. Thus, the licensing system prevents the establishment of a reliable customer base.³⁵

The complex application process for Tô Legal authorizations has made it difficult for street vendors to obtain and maintain their permits. Many street vendors do not own computers.³⁶ However, the application process is primarily online, and user manuals are also available on the internet.³⁷ A 2025 study of fixed-point vendors in high-concentration areas found that nearly 60 percent were not able to complete secondary education.³⁸ Nevertheless, vendors are asked, when

²⁹ See Fabre, *supra* note 3, at 17 (referencing 1991 Street Vendor Law, *supra* note 9, arts. 7-8).

³⁰ See 2019 Tô Legal Decree, *supra* note 21, arts. 2, 14, 20; Confidential background information (on file with the authors).

³¹ Confidential background information, *supra* note 30 (referencing 1991 Street Vendor Law, *supra* note 9, art. 11).

³² Stakeholders Interview, *supra* note 1; Street Vendors Interview, *supra* note 7.

³³ A 2025 study highlights the low levels of income that vendors receive. Vendors working at fixed points in high-concentration areas earned on average around R\$ 3000 (approximately 540 USD) per month. This is just over half the average earnings of other workers in the city. DIEESE, *supra* note 3, at 64. At an absolute minimum, a Tô Legal authorization that lasts for 90 days would amount to around a third of a month’s earnings. While the daily fee for the Tô Legal varies by location, the most inexpensive authorization costs R \$10,72 per day. Thus, a 90-day authorization would amount to R\$ 960,80. See *Tô Legal Chega a 10 Mil Autorizações* [Tô Legal Reaches 10 Thousand Authorizations], PRODAM (Jan. 1, 2020), <https://portal.prodiam.sp.gov.br/w/to-legal-chega-a-10-mil-autorizacoes>.

³⁴ Street Vendors Interview, *supra* note 7; Stakeholders Interview, *supra* note 1; D’Alkmin Interview, *supra* note 22; Defensoria Pública Interview, *supra* note 25; Fabre, *supra* note 3, at 7 (highlighting that the areas of the city with the greatest economic viability—the neighborhoods of Brás, Rua 25 de Março, Sé, and Liberdade—are blocked off); DEFENSORIA PÚBLICA DO ESTADO DE SÃO PAULO [PUBLIC DEFENDER’S OFFICE OF THE STATE OF SÃO PAULO], RELATÓRIO: ATENDIMENTO EXTERNO – TRABALHADORES AMBULANTES [REPORT: EXTERNAL OUTREACH—STREET VENDORS] 7–8 (2025) (relaying respondents’ rationales for not obtaining Tô Legal authorizations).

³⁵ D’Alkmin Interview, *supra* note 22.

³⁶ *Id.*

³⁷ An online demonstration of the application process is available by referring to the Sampa e Você: Tô Legal video. *Supra* note 23. The video also shows the process for seeking support for the application. See *id.*

³⁸ DIEESE, *supra* note 3, at 15-16.

applying, to formally affirm a declaration of compliance with all sanitary and other regulatory standards, in addition to identifying the equipment that they intend to use and the day and time of their operations.³⁹ The Municipal Government provides no training program for compliance, nor does the Tô Legal website showcase all the rules that apply when vending in the public space.⁴⁰

The support that the Municipality provides is minimal. Vendors could access government-provided self-help desks to apply. However, local officials prefer not to directly intervene because they see the application itself as a legal affirmation of the applicant.⁴¹ At the same time, vendors can lose their authorization for not meeting the system's rigorous standards. Violating any of the numerous requirements of the authorization can lead to revocation of the permit.⁴² The result is a constantly precarious legal status that leaves vendors vulnerable to abuse.

*“How do you explain to this child when they ask, ‘Where is my dad?’ . . .
He was killed for working.”⁴³*

B. Hostile Enforcement

In addition to precarity from the licensing system itself, hostile enforcement of the licensing regime has led to arbitrary revocations of vendors' permits, confiscations of vendors' goods, and exposure to excessive use of force that has resulted in severe injuries and deaths. The precariousness and opaqueness of the licensing system play a direct role in these tensions, impacting both licensed and unlicensed vendors.

i. Arbitrary revocation of licenses and confiscation of goods

The wide discretion that the legal framework provides to the Municipal Government means vendors' livelihoods are subject to the whims of local officials. As happened in 2012, local authorities have overseen wholesale revocations of vendors' licenses with this discretion.⁴⁴ In addition, local officers have undertaken repeated enforcement operations that end up cancelling the licenses of numerous individual vendors. The result is a system where the letter of the law is upheld but procedural fairness is abandoned. In the 2010s, for example, the Municipality reduced the number of license holders by drastically ramping up inspections, with inspectors visiting the same stall as often as six times a day to identify infractions.⁴⁵

Today, unlicensed vendors and even vendors with Tô Legal authorizations have reported being asked for bribes to avoid eviction from their locations or confiscation of their merchandise.⁴⁶ While inspectors are only tasked with confiscating contraband goods, the officers are not explicitly barred

³⁹ Street Vendors Interview, *supra* note 7.

⁴⁰ *Id.*

⁴¹ Confidential background information, *supra* note 30.

⁴² *Sobre o Tô Legal*, *supra* note 26.

⁴³ Street Vendors Interview, *supra* note 7.

⁴⁴ See Section IV, part A (i), *supra*.

⁴⁵ *Id.*; Cuvi, *supra* note 12, 74-76.

⁴⁶ Stakeholders Interview, *supra* note 1.

from taking other property, which results in a legal gray area and rampant abuses of power.⁴⁷ Some vendors even report that confiscated merchandise re-appears in stores, where it is sold by shop owners.⁴⁸

Although regulations around confiscation procedures exist, evidence suggests that inspectors do not always adhere to them.⁴⁹ Officials are required to seal the merchandise that they confiscate at the time of seizure so that street vendors could collect the items intact when they retrieve them.⁵⁰ However, inspectors do not always seal the confiscated goods, and vendors often find their merchandise damaged or even stolen when they go to retrieve it.⁵¹ Vendors have also reported receiving death threats if they try to complain about their missing goods. Some choose not to attempt getting the goods back, as the cost can outweigh the benefits.⁵² Further, possessing a legal authorization to vend does not necessarily protect against these abuses. Arbitrary confiscations occur to street vendors possessing T \hat{o} Legal authorizations and TPUs as well.⁵³

ii. *Police brutality and excessive use of force during inspections*

A militarization of city inspections has escalated conflicts between the police and vendors. In 2009, the Municipal Government and the State Government entered into an agreement named *Operação Delegada* (“Delegated Operation”) that would empower off-duty state military officers to patrol vending on the city streets.⁵⁴ The delegation of authority to these officers, known as Military Police, has led to regular clashes between street vendors and the state security officials.⁵⁵

Through *Operação Delegada*, the Municipal Government tasked state Military Police with inspecting vendors’ wares and confiscating illicit goods. However, military trainings do not adequately prepare the officers for inspection duties.⁵⁶ Further, vendors report that Military Police

⁴⁷ D’Alkmin Interview, *supra* note 22. For instance, local officers have retrieved items like vending carts, food trailers, and payment machines from vendors. *Id.*

⁴⁸ See Stakeholders Interview, *supra* note 1.

⁴⁹ D’Alkmin Interview, *supra* note 22.

⁵⁰ Gabriela Moncau & Pedro Stropasolas, *Street vendor executed after police killed Senegalese man in São Paulo: “We live in a pressure cooker,” workers say*, PEOPLES DISPATCH (May 9, 2025), <https://peoplesdispatch.org/2025/05/09/street-vendor-executed-after-police-killed-senegalese-man-in-sao-paulo-we-live-in-a-pressure-cooker-workers-say/>; Stakeholders Interview, *supra* note 1.

⁵¹ Moncau & Stropasolas, *supra* note 50; Stakeholders Interview, *supra* note 1; Street Vendors Interview, *supra* note 7. A survey of vendors in the Sé and Jabaquara neighborhoods found that only 35 percent of vendors whose goods had been seized received their goods back with the legally required seal and receipt. Fabre, *supra* note 3, at 12.

⁵² Stakeholders Interview, *supra* note 1; Street Vendors Interview, *supra* note 7.

⁵³ Stakeholders Interview, *supra* note 1.

⁵⁴ *Operação Delegada* [Delegated Operation], PREFEITURA DE SÃO PAULO (Nov. 5, 2025, at 12:30), https://prefeitura.sp.gov.br/web/seguranca_urbana/w/operacao_delegada/179851; Decreto No. 50.994, de 16 de novembro de 2009, D.O.P.S.P. de 17.11.2009 (Mun. São Paulo, Braz.).

⁵⁵ See, e.g. Street Vendors Interview, *supra* note 7; Paulo Batistella, *Vídeo: PM chuta carrinho de feira com idosa caída no chão durante abordagem em SP* [Military Police Officer Kicks Market Cart as Elderly Woman Lies on the Ground During Stop in São Paulo], PONTE (June 26, 2025), <https://ponte.org/video-pm-chuta-carrinho-de-feira-com-idosa-caida-no-chao-durante-abordagem-em-sp/>.

⁵⁶ See Fabre, *supra* note 3, at 12; Gil Luiz Mendes, *Criticada por truculência, Operação Delegada consumiu R\$ 324 milhões em 2024* [Criticized for Heavy-Handed Policing, the Delegated Operation Consumed R\$ 324 Million in 2024], PONTE (Aug. 14, 2025), <https://ponte.org/criticada-por-truculencia-operacao-delegada-consumiu-r-324-milhoes-em-2024/>.

often conduct these duties without identification.⁵⁷ The consequences have been severe. For instance, in January 2025, Military Police officers shot two immigrant vendors with stun guns during an operation to seize their goods.⁵⁸ The Public Security Department sought to justify its use of force by claiming the vendors had resisted the confiscation.⁵⁹ However, the fact that the vendors were shot in the head and back suggests an unnecessary and disproportionate use of force for the task. In addition, the Special Rapporteur on Torture has characterized stun guns as inherently cruel instruments.⁶⁰ Both vendors who were shot required emergency medical treatment.⁶¹

In April 2025, during another seizure in the Brás region of the municipality, eight Military Police officers beat and fatally shot a Senegalese street vendor named Ngagne Mbaye.⁶² The vendor had reportedly left his stall to have lunch but was shot after a tussle broke out over merchandise when he returned.⁶³ Nurses from a nearby health center arrived to give first aid treatment, but the officers stopped them.⁶⁴ Around two weeks later, a vendor named Edineide Aparecida Rodrigues was executed in front of her home. Rodrigues had witnessed the shooting of Mbaye, and she had also apparently testified in a related internal police investigation.⁶⁵ Even with increased media attention and peaceful protests around Mbaye's death, vendors report that the pressures against them have only worsened.⁶⁶

The licensing system plays a role in this escalation. As one observer explained, overseeing a system of short and transitory licenses requires a massive inspection force. This type of system also shifts regulatory decision-making power from policymaking bodies to street-level officers.⁶⁷ By doing so, the outcomes of interactions with authorities are unpredictable, and the results can be deadly.

⁵⁷ Fabre *supra* note 3, at 13.

⁵⁸ Alan Cardoso & Julia Farias, *Policiais atingem imigrantes com arma de choque durante apreensão em SP* [Police Shoot Immigrants with Stun Gun During Seizure in São Paulo], CNN BRASIL (Jan. 19, 2025), https://www.cnnbrasil.com.br/nacional/sudeste/sp/policiais-atingem-imigrantes-com-arma-de-choque-durante-apreensao-em-sp/#goog_rewarded.

⁵⁹ *Id.*

⁶⁰ See Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *Thematic Study on the Global Trade in Weapons, Equipment and Devices Used by Law Enforcement and Other Public Authorities that Are Capable of Inflicting Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, ¶ 54, U.N. Doc. A/78/324 (2023).

⁶¹ Cardoso & Farias, *supra* note 58.

⁶² Carolina Bataier & Pedro Stropasolas, *Senegalese community in São Paulo protests over street vendor's murder: 'It wasn't an accident'*, BRASIL DE FATO (Apr. 16, 2025), <https://www.brasildefato.com.br/2025/04/16/senegalese-community-in-sao-paulo-protests-over-street-vendors-murder-it-wasnt-an-accident/>. Brazilian sources generally spell the name “Ngange Mbaye,” reflecting a Portuguese phonetic rendering.

⁶³ Stakeholders Interview, *supra* note 1. See also Paolo Patriarca, *Após morte de senegalês, 66 entidades pedem ação da Comissão de Direitos Humanos da OEA contra violência policial em SP* [After the Death of a Senegalese Man, 66 Organizations Call on the OAS Human Rights Commission to Take Action Against Police Violence in São Paulo], Globo (April 14, 2024), <https://g1.globo.com/sp/sao-paulo/noticia/2025/04/14/apos-morte-de-senegales-66-entidades-pedem-acao-da-comissao-de-direitos-humanos-da-oea-contra-violencia-policial-em-sp.ghtml>.

⁶⁴ Moncau & Stropasolas, *supra* note 50.

⁶⁵ *Id.*; Stakeholders Interview, *supra* note 1.

⁶⁶ Stakeholders Interview, *supra* note 1. See also Moncau & Stropasolas, *supra* note 50. A chief aide to a prominent state legislator confirmed these fears. She noted that police violence in the municipality is increasing at an “alarming rate.” D’Alkmin Interview, *supra* note 22.

⁶⁷ Defensoria Pública Interview, *supra* note 25.

“If you do not regularize [the work], you do not regulate. You amplify the market of extortion.”⁶⁸

C. Extortion Schemes and Predatory Loans

In addition to the actions of the government, private actors further threaten vendors’ human rights. These actors are empowered by a licensing system that creates legal gray areas, which bad actors operating extralegally can exploit.⁶⁹ For instance, organized criminal groups demand regular payments from vendors who wish to avoid evictions, confiscations, and violence.⁷⁰ These actors can also work in conjunction with compromised public officials, leaving vendors with no refuge from exploitation. The case of an extortion scheme uncovered in Brás in December 2024 provides one example of such a collaboration.⁷¹

Numerous street vendors in São Paulo also turn to predatory loans to help cover the cost of their permits and other capital expenses. As mentioned above, the up-front cost for a Tô Legal authorization is prohibitively high compared to the low incomes that vendors make.⁷² As detailed below, vendors must also pay a fixed amount to the State each year if they want to benefit from national social insurance.⁷³ Many vendors struggle to keep up the payments for both programs.⁷⁴ In addition to these costs, vendors must also pay for food, merchandise, and any potential fees that they are requested to pay to release their confiscated goods. Altogether, these necessities add up to a sum that is outside the means of many street vendors.⁷⁵

Some vendors who cannot pay turn to high-interest loans for survival.⁷⁶ The resulting debt further deepens their exposure to financial stress, and ultimately violence. Despite reports of these pressure points, the State has failed to protect vendors from the exploitation of bad faith private actors.

⁶⁸ Stakeholders Interview, *supra* note 1.

⁶⁹ *Id.* See also Cuvi, *supra* note 12, 67-69.

⁷⁰ Luiz Vassallo & Artur Rodrigues, *Câmeras escondidas e escutas flagrant milícia de PMs no centro de SP* [Hidden Cameras and Wiretaps Expose Military Police Militia in Downtown São Paulo], METRÓPOLES (Feb. 21, 2025), <https://www.metropoles.com/sao-paulo/cameras-escondidas-e-escutas-flagram-milicia-de-pms-no-centro-de-sp>; Cuvi, *supra* note 12, 20.

⁷¹ In December 2024, the Internal Affairs Division of the Military Police and the Organized Crime Combat Group of the Public Prosecutor’s Office revealed a scheme involving active and retired Military Police officers and a local vendor’s cooperative. Vassallo & Rodrigues, *supra* note 70.

⁷² Section IV, part A (ii), *supra*.

⁷³ Section IV, part D, *infra*.

⁷⁴ *Id.*

⁷⁵ Stakeholders Interview, *supra* note 1.

⁷⁶ Stakeholders Interview, *supra* note 1; D’Alkmin Interview, *supra* note 22. See also Vassallo & Rodrigues, *supra* note 70.

D. Lack of Physical and Social Infrastructure

Moreover, São Paulo currently lacks key infrastructure and resources that would help guarantee the health and safety of street vendors. In terms of physical space, vendors rarely have access to water fountains or even public bathrooms.⁷⁷ This absence of sanitation facilities particularly impacts women and their ability to work.⁷⁸

Vendors also struggle to access key social security benefits. A national insurance program established in 2008 for microentrepreneurs, commonly called the MEI (shorthand for “individual microentrepreneurs” in Portuguese), aims to provide social protection for self-employed workers. Participants in the program have access to maternity leave benefits, aid for sickness or disease, and retirement at a senior age or due to disability, among other benefits.⁷⁹ Individuals file for MEI status online for free but must pay a fixed amount each month to remain in the program.⁸⁰

Although street vendors are eligible to apply, the creators of the MEI equated vendors to businesspeople rather than establishing a system for workers who subsist on thin economic margins. In fact, the annual fee required to access the benefits is onerous for street vendors.⁸¹ Those who miss a payment must either accrue a debt to the State or forfeit the social protection that the program provides.⁸² Moreover, assistance programs that reduce the financial burden of participation have stringent participation requirements. In practice, they are only available to a small fraction of the population.⁸³

Additionally, participating in the MEI program does not in itself convey permission to conduct business in a particular location or time. Street vendors with MEI designations must separately maintain a TPU license or Tô Legal authorization.⁸⁴ As such, the MEI program is layered on top of—and winds up exacerbating—the social precarity that erodes the rights of vendors.

⁷⁷ Street Vendors Interview, *supra* note 7; McKeown, *supra* note 12. A significant portion of vendors point to infrastructure issues when asked to name the policy measures that would improve their situation. *See, e.g.*, DIEESE, *supra* note 3, at 42 (showing that 40% percent of respondents cited bathrooms as one of their key policy priorities, while 31% asked for other infrastructural improvements, such as electricity and water).

⁷⁸ Street Vendors Interview, *supra* note 7; McKeown, *supra* note 12.

⁷⁹ CIDADE DE SÃO PAULO DESENVOLVIMENTO ECONÔMICO E TRABALHO [City of São Paulo Department of Economic Development and Labor], GUIDE FOR THE ONLINE FORMALIZATION OF MEI 5 (2020), <https://drive.prefeitura.sp.gov.br/cidade/secretarias/upload/trabalho/Guia%20Formaliza%C3%A7%C3%A3o%20MEI%20-%20Portal%20do%20Empreendedor%20INGLES.pdf>.

⁸⁰ *Id.*, at 6.

⁸¹ Interview with Maíra Vannuchi, Institutional Development and Workers’ Education Manager, StreetNet International, in São Paulo, Braz. (Oct. 10, 2025). A 2025 study of fixed-point vendors in high concentration areas found that almost half of those interviewed had contributed to the MEI. However, only one third of that group were up to date with their monthly payments. DIEESE, *supra* note 3, at 29.

⁸² D’Alkmin Interview, *supra* note 22.

⁸³ *Id.*

⁸⁴ Fabre, *supra* note 3, at 14.

E. Particular Impact on Marginalized Groups

i. Impact on women vendors

While men comprise most of the street vending workforce, a substantial share of São Paulo’s street vendors are women.⁸⁵ Those employed in vending who work while shouldering head of household responsibilities or facing barriers to formal employment are often in particularly precarious positions.⁸⁶ Thus, the lack of adequate legal protections for street vendors significantly impacts these workers.

Many women street vendors take up the occupation to raise children as single mothers or after escaping domestic violence.⁸⁷ For these women, the costs of obtaining the Tô Legal permit—in addition to obtaining daily necessities for themselves and their children—pose a significant financial burden.⁸⁸ Women vendors who are not able to afford the expenses may be forced to work without permits or resort to predatory loans.⁸⁹

The lack of adequate sanitation facilities also poses a significant risk for women. Leaving the vending stall alone—even to go to the bathroom—would violate the terms of a permit, thus giving grounds for license cancellation or confiscation of one’s goods.⁹⁰ Women street vendors also report facing elevated risks of sexual harassment and police violence on the job.⁹¹

ii. Impact on older vendors and vendors with disabilities

Because the TPU system in São Paulo originally prioritized the granting of licenses for older people and people with disabilities, recent upticks in TPU cancellations especially affect these vendors.⁹² The 1991 Street Vendor Law aimed to give permanent livelihood opportunities to older vendors and vendors with disabilities.⁹³ Nevertheless, local authorities have still moved to cancel those licenses and relocate those vendors.⁹⁴

⁸⁵ The 2025 mapping estimates that 37 percent of fixed-point vendors in high-concentration areas are women. DIEESE, *supra* note 3, at 11. This estimate mirrors data from a large metropolitan-area household employment survey from 2009. See João Batista Pamplona, *Mercado de trabalho, informalidade e comércio ambulante em São Paulo* [Labor Market, Informality, and Street Vending in São Paulo], 30 REV. BRAS. ESTUD. POP. 225, 237–39 (2013).

⁸⁶ See Sally Roever, *Street Trade in Latin America: Demographic Trends, Legal Issues, and Vending Organizations in Six Cities* 41–42 (Working Paper, WIEGO Urban Policies Programme, Oct. 6, 2006), <https://www.wiego.org/wp-content/uploads/2019/09/Roever-Street-Trade-Latin-Amer.pdf>; Mariana Nunes Taguti, Débora Sanches & Benedito Roberto Barbosa, *Ambulantes na cidade de São Paulo: Impactos da pandemia e territórios em disputa* [Street Vendors in the City of São Paulo: Pandemic Impacts and Contested Territories], VITRUVIUS: ARQUITEXTOS (Mar. 2022), <https://vitruvius.com.br/revistas/read/arquitextos/22.262/8438>.

⁸⁷ Street Vendors Interview, *supra* note 7; McKeown, *supra* note 12.

⁸⁸ Street Vendors Interview, *supra* note 7.

⁸⁹ Street Vendors Interview, *supra* note 7; McKeown, *supra* note 12.

⁹⁰ McKeown, *supra* note 12.

⁹¹ Street Vendors Interview, *supra* note 7.

⁹² See D’Alkmin Interview, *supra* note 22 (referencing 1991 Street Vendor Law, *supra* note 9, arts. 4, 17-18, 22).

⁹³ 1991 Street Vendor Law, *supra* note 9, art. 17.

⁹⁴ D’Alkmin Interview, *supra* note 22.

In place of the longer-term TPUs, some subprefectures have offered vendors with disabilities a ‘temporary’ TPU.⁹⁵ However, the document appears to have no basis in law.⁹⁶ Once the designated period of permission passes, the TPU can lapse without the possibility of renewal.⁹⁷ As a consequence, vendors with disabilities and older vendors are left without an income, and thus without an adequate livelihood.

iii. Impact on immigrants and vendors of African descent

Both the licensing regime itself and the opportunities it creates for discriminatory enforcement distinctly impact immigrant street vendors and vendors of color. More than half the respondents in a survey of fixed-point vendors identified as Black or Brown (*pardo*).⁹⁸ In addition, a significant proportion of the study’s respondents—almost one-third of the total—were immigrants.⁹⁹

A local government observer noted that immigrants of all backgrounds take up vending to earn a livelihood after arriving with little money from their countries of origin. Many struggle to navigate the licensing regime.¹⁰⁰ This difficulty causes immigrant vendors to have fewer protections than street vendors who are born in Brazil. Organized criminal elements can also target immigrant vendors, taking advantage of vulnerabilities that arise from those vendors’ irregular migration status.¹⁰¹ For example, the investigation into the extortion scheme in Brás uncovered the fact that the perpetrators mainly targeted immigrant vendors.¹⁰²

In addition, observers and vendors themselves report that Black vendors—including those without immigrant backgrounds—encounter arbitrary inspections, confiscations, and police violence more frequently than their counterparts.¹⁰³ Mbaye’s death, for example, highlights the issue of hostile police violence against immigrant street vendors and vendors of African descent.¹⁰⁴

⁹⁵ *Id.*

⁹⁶ Stakeholders Interview, *supra* note 1. Vendors who previously held TPUs have also been given informal documents purporting to authorize temporary vending. *Id.*; Defensoria Pública Interview, *supra* note 25.

⁹⁷ D’Alkmin Interview, *supra* note 22.

⁹⁸ DIEESE, *supra* note 3, at 13.

⁹⁹ *Id.*, at 14.

¹⁰⁰ D’Alkmin Interview, *supra* note 22.

¹⁰¹ See Vassallo & Rodrigues, *supra* note 70.

¹⁰² Moncau & Stropasolas, *supra* note 50.

¹⁰³ Stakeholders Interview, *supra* note 1; Moncau & Stropasolas, *supra* note 50. See also DIEESE, *supra* note 3, at 37 (noting that confiscation of merchandise was most prevalent among Black vendors).

¹⁰⁴ See Bataier & Stropasolas, *supra* note 62.

*“I need to tell you, the street vendors are asking for help. We want papers, we pay our taxes. We want to work. We want to survive.”*¹⁰⁵

F. Failed Reform Efforts

Efforts to improve the street vending licensing program have largely failed to bring about lasting changes. Years of public protests, litigation, and attempts at legislative reform have gone without a durable, positive government response. As such, inquiries from the Special Procedures could help highlight the human rights concerns mentioned above.

i. Suppression of formalization

Interconnected political actors in São Paulo have long sought to withhold legal protections from street vendors. In certain areas of the city, store owners regularly pay patrolling Military Police officers to prevent street vendors from working.¹⁰⁶ Past municipal administrations have also explicitly targeted street vendors in their political campaigns and legislation, depicting vendors as detrimental to São Paulo’s cleanliness and modernization efforts.

According to one scholar, even administrations that consider street vendors as a key electoral constituency are incentivized to maintain ambiguities around their legal status. The promise of legalization wins political support from the vendors. However, keeping any anticipated future legislation in suspension maintains the issue as a rallying point for subsequent elections.¹⁰⁷ At the same time, public officials can secure votes from business groups who view vendors as commercial competitors by delaying legalization.¹⁰⁸ As a consequence, entrenched interests sustain a licensing regime that, while ostensibly regulating street vendors, imposes significant roadblocks to a sustainable livelihood.

ii. Government resistance in the face of sustained vendor advocacy

São Paulo’s street vendors and their allies have made their concerns known through numerous channels. Vendors and their representatives have launched protests, initiated lawsuits, and pushed for legislative reform. Yet vendors’ everyday realities remain unchanged.

Following the mass revocation of TPU licenses in 2012, the Gaspar Garcia Human Rights Center and the São Paulo State Public Defender’s Office filed a lawsuit that ultimately blocked the revocation of many TPUs.¹⁰⁹ While the case was technically successful, the court’s order was extremely limited. The order only reversed the revocations of TPUs that took place between January and December 2012.¹¹⁰ The order did not cover street vendors whose TPUs had been cancelled through harsh inspections conducted between 2009 and 2011. Neither did it prevent any

¹⁰⁵ Stakeholders Interview, *supra* note 1.

¹⁰⁶ See Moncau & Stropasolas, *supra* note 50; Cuvi, *supra* note 12, at 74.

¹⁰⁷ See Cuvi, *supra* note 12, at 74-76.

¹⁰⁸ See *id.*, at 67-68.

¹⁰⁹ Defensoria Pública Interview, *supra* note 25.

¹¹⁰ Stakeholders Interview, *supra* note 1; Cuvi, *supra* note 12, at 79.

subsequent cancellations.¹¹¹ In that case, the court emphasized that the judiciary had limited authority to rule on this issue because the court could not infringe on the power of the legislature.¹¹²

In the years since, the Public Defender’s Office has initiated additional enforcement lawsuits to defend TPU holders in Jabaquara and in Brás subprefectures of the municipality.¹¹³ However, the relief provided is usually piecemeal.

Legislative reform efforts have also stalled. In 2014, for example, then-city council member Eduardo Suplicy introduced a bill that would stabilize the licensing system. If made into law, the instrument would provide for a range of licenses to meet vendors’ diverse needs, including permanent licenses, licenses that are renewable every five years, and six-month temporary authorizations.¹¹⁴ However, the bill has not progressed over the past decade. A senior aide to Suplicy cites a lack of political will.¹¹⁵ Meanwhile, Suplicy’s attempts to work on reform efforts with the branch of the Municipal Government that created the Tô Legal program have gone without response.¹¹⁶

Further, vendors themselves have consistently organized demonstrations against the failure to respect their human rights. Following the killing of Ngagne Mbaye in 2025, street vendor associations and members of the Senegalese community marched to the São Paulo city hall in protest.¹¹⁷ That protest ended with the deployment of tear gas.¹¹⁸ Also that year, vendors with disabilities chained themselves to the city hall building to protest increasing cancellations of their TPU licenses.¹¹⁹ Even earlier, through public hearings held in 2023, vendors from Jabaquara challenged an attempt to involuntarily transition TPU license-holders into the more precarious Tô Legal regime.¹²⁰ Those particular vendors temporarily succeeded.¹²¹

Despite these formidable efforts, durable government action remains elusive. Many sub-districts of the municipality have not even set up forums for dialogue with street vendors.¹²² These forums, abbreviated as CPAs (short for “Permanent Street Vendor Commissions,” in Portuguese), are a

¹¹¹ Stakeholders Interview, *supra* note 1.

¹¹² *Id.*

¹¹³ Defensoria Pública Interview, *supra* note 25; Press Release, Defensoria Pública do Estado de São Paulo, *Após ação da Defensoria, Justiça proíbe que prefeitura de São Paulo remova vendedores ambulantes na região do Jabaquara* [After Public Defender’s Action, Court Prohibits São Paulo City Hall from Removing Street Vendors in the Jabaquara Region] (Feb. 18, 2020), <https://defensoria.sp.def.br/noticias/-/noticia/660160/apos-acao-da-defensoria-justica-proibe-que-prefeitura-de-sao-paulo-remova-vendedores-ambulantes-na-regiao-do-jabaquara>

¹¹⁴ See D’Alkmin Interview, *supra* note 22.

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ Moncau & Stropasolas, *supra* note 50; Bataier & Stropasolas, *supra* note 62.

¹¹⁸ Fabre, *supra* note 3, at 15.

¹¹⁹ D’Alkmin Interview, *supra* note 22.

¹²⁰ Press Release, Defensoria Pública do Estado de São Paulo, *Com atuação da Defensoria Pública, ambulantes da região do Jabaquara conseguem suspensão de procedimentos de cassação das licenças* [With Public Defender’s Action, Street Vendors in the Jabaquara Region Obtain Suspension of License-Cancellation Procedures] (Oct. 25, 2023), <https://www.defensoria.sp.def.br/noticias/-/noticia/4926309/com-atuacao-da-defensoria-publica-ambulantes-da-regiao-do-jabaquara-conseguem-suspensao-de-procedimentos-de-cassacao-das-licencas>.

¹²¹ *Id.*

¹²² Fabre *supra* note 3, at 14, 15

requirement of the 1991 Street Vendor Law.¹²³ Even when CPAs have been established, they have been structured in a way that effectively limits vendors' participation and undermines the commissions' decision-making authority.¹²⁴

Defenders of vendors' rights have taken these actions despite grave risks to their safety. As elaborated below, vendors and others who advocate for their rights put themselves at great risk for retaliation.

iii. Threats against individuals advocating for vendors' rights

Beyond its legislative inaction, the Municipal Government does not protect witnesses and human rights defenders from individuals who actively work to suppress their human rights. In the same month as Mbaye's murder, mentioned above, Edineide Aparecida Rodrigues was executed in front of her house. Rodrigues had testified to the Civil Police about an extortion scheme to which vendors in the area had been subjected.¹²⁵

The Rodrigues case is only one example of a larger pattern of repression. Street vendor representatives who become vocal about the abuses they suffer face threats of death, violence, and prison, sometimes from unknown sources.¹²⁶ One prominent leader who received threats from both public officials and private parties suffered physical assaults and had her stall set on fire.¹²⁷ She was able to relocate from the area only after receiving financial support from private human rights groups.¹²⁸ Another vendor described the difficulty of coping with the loss of twelve colleagues in one decade. Faced with such losses, that vendor indicated that she would never report abuses now.¹²⁹ Other vendors note that retaliation for self-advocacy is guaranteed.¹³⁰ Even individuals that receive special protections from the State apparently remain unsafe.¹³¹

¹²³ 1991 Street Vendor Law, *supra* note 9, arts. 8-9.

¹²⁴ *See* Assis, *supra* note 19, at 5.

¹²⁵ Moncau & Stropasolas, *supra* note 50.

¹²⁶ Stakeholders Interview, *supra* note 1; Street Vendors Interview, *supra* note 7.

¹²⁷ Confidential background information (on file with the authors).

¹²⁸ *Id.*

¹²⁹ Stakeholders Interview, *supra* note 1.

¹³⁰ Street Vendors Interview, *supra* note 7.

¹³¹ Stakeholders Interview, *supra* note 1.

V. INTERNATIONAL HUMAN RIGHTS AND LABOR STANDARDS

The actions of the State have violated numerous international standards. Based on international human rights and international labor norms, we have preliminarily identified the following rights as infringed upon by State action and inaction in this case. These violations culminate in violations of dignity, personal security, and the right to life, while all implicating the right to work. Together, the violations illustrate the lack of effective protection afforded to a significant segment of the municipality's informally employed workforce.

A. Right to Work

The International Covenant on Economic, Social and Cultural Rights (ICESCR) provides that all individuals have the right to gain their livelihood by engaging in work that they have freely chosen or accepted.¹³² States must take steps to protect and promote access to employment, especially for marginalized groups. Measures that restrict or hinder access to work must be justified, necessary, and proportionate.¹³³ Under the ICESCR, States are further prohibited from adopting retrogressive measures that roll back existing protection of Covenant Rights. Such measures require careful consideration and a full justification that speaks to the totality of Covenant Rights and the State's having maximized its available resources.¹³⁴ Moreover, the Committee on Economic, Social, and Cultural Rights has emphasized that States should develop employment policy through participatory and transparent processes involving workers' organizations.¹³⁵

Here, the *de facto* termination of the TPU license regime through the Municipality's refusal to issue new long-term licenses severely limits street vendors' access to lawful employment. Combined with the restrictive and temporary nature of Tô Legal authorizations, the failure to issue new TPU licenses unreasonably restricts vendors' capacity to work legally. As estimated above, only around 1,000 TPU licenses remain active among an estimated 100,000 street vendors, with thousands of others operating either with unstable Tô Legal authorizations or without any legal protection whatsoever.¹³⁶ The effective termination of the TPU regime reflects an unjustified retrogression in rights protection in the State, in violation of the ICESCR.¹³⁷

¹³² International Covenant on Economic, Social and Cultural Rights art. 6, Dec. 16, 1966, 993 U.N.T.S. 3 (hereinafter ICESCR). *See also* Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights art. 6, Nov. 17, 1988, O.A.S.T.S. No. 69 (hereinafter San Salvador Protocol).

¹³³ ICESCR, *supra* note 132, art. 6; *See also* San Salvador Protocol, *supra* note 132, art. 6.

¹³⁴ ICESCR, *supra* note 132, art. 2(1); Committee on Econ., Soc. & Cultural Rts., General Comment No. 3: The Nature of States Parties' Obligations (art. 2, para. 1, of the Covenant), ¶9, U.N. Doc. E/1991/23 (Dec. 14, 1990) (establishing a strong presumption against retrogressive measures); Committee on Econ., Soc. & Cultural Rts., General Comment No. 18: The Right to Work (art. 6 of the Covenant), ¶¶ 19–21, U.N. Doc. E/C.12/GC/18 (Feb. 6, 2006) (hereinafter CESCR General Comment 18) (applying the obligation of progressive realization and the prohibition of unjustified retrogression in the context of the right to work).

¹³⁵ CESCR General Comment 18, *supra* note 134, ¶ 31 (c), 42.

¹³⁶ *See* Section IV, part A (i), *supra*.

¹³⁷ ICESCR, *supra* note 132, art. 2(1); Committee on Econ., Soc. & Cultural Rts., General Comment No. 3: The Nature of States Parties' Obligations (art. 2, para. 1, of the Covenant), ¶9, U.N. Doc. E/1991/23 (Dec. 14, 1990) (establishing a strong presumption against retrogressive measures); Committee on Econ., Soc. & Cultural Rts., General Comment No. 18: The Right to Work (art. 6 of the Covenant), ¶¶ 19–21, U.N. Doc. E/C.12/GC/18 (Feb. 6, 2006) (applying the obligation of progressive realization and the prohibition of unjustified retrogression in the context of the right to work).

The complexity of the permit systems and the limited availability of vending locations undermine true access to work. Likewise, the precariousness of all vending credentials and the difficulty of acquiring them (due to cost, lack of resources, and lack of awareness) hinder the pursuit of an adequate livelihood.¹³⁸ In addition, shortcomings in physical infrastructure, like water and sanitation facilities, create unsafe working conditions for vending.¹³⁹ Moreover, the constraints in the MEI system put social protection out of reach for most vendors.¹⁴⁰

The conflict between São Paulo's 1991 Street Vendor Law and the 2019 Tô Legal Decree raises legal certainty and arbitrariness concerns.¹⁴¹ A failure to consult vendor organizations when setting vending policy, as provided by the 1991 Law, infringes on vendors' rights to participatory governance.¹⁴² Moreover, the legal framework and behavior of the State have created an atmosphere of fear and uncertainty that leaves street vendors vulnerable to extortion, arbitrary confiscations, police abuse, violence, and murder.¹⁴³

Exposure to numerous other rights violations, which are detailed below, itself violates the right to work by preventing street vendors from safely and effectively securing their livelihoods. Women vendors, older vendors, immigrant vendors, vendors of color, and vendors with disabilities are particularly affected.¹⁴⁴ The barriers that these populations face infringe on the principle of equality in enjoying the right to work.¹⁴⁵

B. Right to Property

Everyone has the right to the use and enjoyment of their property. Arbitrary deprivation or destruction of property—including the tools of one's trade or goods for sale—violates human rights. Under international human rights law, protection extends to property in the context of employment, including assets needed to sustain one's livelihood.¹⁴⁶

In São Paulo, local officials regularly confiscate vendors' goods arbitrarily and without adequate procedural safeguards. These confiscated goods sometimes re-enter the market at the vendors' expense.¹⁴⁷ Confiscation of vendors' merchandise—when done without due process or compensation—violates the right to property. Similarly, the destruction of vendors' stalls and goods constitutes a violation.

¹³⁸ See Section IV, part A, *supra*.

¹³⁹ See *id.*, part D, *supra*.

¹⁴⁰ *Id.*

¹⁴¹ See Section IV, part A (ii), *supra*.

¹⁴² *Id.*

¹⁴³ See Section IV, parts B, C & F (iii), *supra*.

¹⁴⁴ See *id.*, part E, *supra*.

¹⁴⁵ ICESCR, *supra* note 132, arts. 2(2), 3, 6.

¹⁴⁶ International Convention on the Elimination of All Forms of Racial Discrimination art. 5, Dec. 21, 1965, 660 U.N.T.S. 195, 212 (hereinafter ICERD); Convention on the Elimination of All Forms of Discrimination Against Women arts. 15(2), 16(1)(h), Dec. 18, 1979, 1249 U.N.T.S. 13; Convention on the Rights of Persons with Disabilities arts. 12(5), 28(1), Dec. 13, 2006, 2515 U.N.T.S. 3 (hereinafter CEDAW); American Convention on Human Rights art. 21, Nov. 22, 1969, O.A.S.T.S. No. 36 (hereinafter American Convention).

¹⁴⁷ See Section IV, part B (i), *supra*.

C. Right to Dignity

All individuals deserve to be treated with dignity, and every person has a right to be free from cruel, inhuman, or degrading treatment.¹⁴⁸ Use of disproportionate force by the police—including beatings, shootings, and the failure to permit urgent medical care—amount to humiliating and inhuman treatment.¹⁴⁹

The municipality’s conscious strategy of over-policing and criminalization infringes on vendors’ rights to protection from degrading treatment. In addition, the use of heavily armed state police forces—as opposed to civil service inspectors—for basic compliance and regulatory enforcement exposes street vendors to systemic violations of their rights.¹⁵⁰

The killing of Senegalese vendor Ngagne Mbaye, along with subsequent police violence and intimidation, evidence gross disregard for street vendors’ well-being.¹⁵¹ Persistent threats, extortion, and official indifference in response to violence and property loss compound the indignities suffered by vendors. The situation also undermines vendors’ sense of self-worth and social value.¹⁵² The State continues to perpetuate this over-policing strategy despite past admonitions from the UN human rights mechanisms, including the Committee against Torture.¹⁵³

D. Right to Personal Security

International human rights treaties affirm that everyone has the right to liberty and security of person. Both the ICCPR and the American Convention on Human Rights require that States parties protect vendors from physical violence and intimidation.¹⁵⁴ Brazil is a party to both treaties.¹⁵⁵ The Human Rights Committee and the Inter-American Court of Human Rights have further confirmed that individuals should be protected from violence committed not only by public officials but also by private actors.¹⁵⁶

¹⁴⁸ International Covenant on Civil and Political Rights art. 7, Dec. 16, 1966, 999 U.N.T.S. 171 (hereinafter ICCPR); American Convention, *supra* note 146, arts. 5, 11.

¹⁴⁹ See Section IV, part B (i), *supra*.

¹⁵⁰ See *id.*

¹⁵¹ See *id.*

¹⁵² See Section IV, parts C & F (ii), *supra*.

¹⁵³ See U.N. Comm. Against Torture, Concluding Observations on the Second Periodic Report of Brazil, ¶ 18, U.N. Doc. CAT/C/BRA/CO/2 (June 12, 2023) (recommending that Brazil demilitarize law enforcement activities and end excessive uses of force).

¹⁵⁴ ICCPR, *supra* note 148, art. 9; American Convention, *supra* note 146, art. 7.

¹⁵⁵ Office of the U.N. High Comm’r for Hum. Rts. (OHCHR), Treaty Body Database, ICCPR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Lang=en&Treaty=CCPR; Org. of Am. States, Inter-Am. Comm’n on Hum. Rts., B-32: American Convention on Human Rights (Pact of San José, Costa Rica) — Ratifications, <https://oas.org/en/iachr/mandate/Basics/4.RATIFICATIONS%20AMERICAN%20CONVENTION.pdf>.

¹⁵⁶ ICCPR, *supra* note 148, arts. 6(1), 7; Human Rights Comm., General Comment No. 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, ¶¶ 8, 10, U.N. Doc. CCPR/C/21/Rev.1/Add.13 (May 26, 2004); American Convention, *supra* note 146, arts. 1(1), 4(1), 5(1); Velásquez-Rodríguez v. Honduras, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 4, ¶¶ 172–77 (July 29, 1988).

In São Paulo, street vendors face routine threats to their personal security because of violence committed by both public officials and criminal actors.¹⁵⁷ These violations are ongoing and systemic, indicating a failure of the State to protect the security of a highly vulnerable population. Journalists, academics, and human rights monitors have repeatedly documented instances of harassment and physical abuse of street vendors in the course of regulatory enforcement by the Military Police.¹⁵⁸ In addition, human rights defenders and others advocating for vendors' rights are subjected to threats, injuries, and even killings in violation of their rights.¹⁵⁹

E. Right to Life

Vendors' rights to life are threatened by State actions and omissions in this case. Under human rights law, States are required to take appropriate measures to safeguard the lives of those within their jurisdictions.¹⁶⁰ In particular, States must refrain from unlawfully killing individuals; they should also protect individuals against conditions that would shorten their lives or prevent a dignified existence.¹⁶¹ Human rights bodies have applied this standard to situations involving serious threats to subsistence livelihoods.¹⁶²

In São Paulo, State actions and omissions have resulted in deaths and serious harm to street vendors. Both the excessive use of force by police and the failure to ensure emergency medical treatment in the case of Ngagne Mbaye amount to right to life violations.¹⁶³ The State has also failed to protect workers from death threats and assassinations by third parties, as demonstrated by the murder of Edineide Aparecida Rodrigues.¹⁶⁴ Further, the persistent exposure of vendors to unsafe working conditions leads to serious health and safety risks.¹⁶⁵ These practices demonstrate a lack of effective safeguards for protecting the lives of street vendors, with acute risk for marginalized communities.

F. Right to Non-Discrimination

Further, States must guarantee rights without discrimination of any kind. In particular, States should ensure that individuals are not discriminated against on the basis of their race, sex, national

¹⁵⁷ See Section IV, parts B, C & E (iii), *supra*.

¹⁵⁸ See *id.*, part B (ii), *supra*.

¹⁵⁹ See *id.*, part E (iii), *supra*.

¹⁶⁰ ICCPR, *supra* note 148, art. 6; American Convention, *supra* note 146, art. 4

¹⁶¹ Human Rights Comm., General Comment No. 36: Article 6: Right to Life, ¶¶ 2–3, U.N. Doc. CCPR/C/GC/36 (Oct. 30, 2018); Velásquez-Rodríguez v. Honduras, *supra* note 156, ¶¶ 172–77 (July 29, 1988).

¹⁶² See, e.g., Hum. Rts. Comm., Teitiota v. N.Z., Commc'n No. 2728/2016, ¶¶ 9.4, 9.9, U.N. Doc. CCPR/C/127/D/2728/2016 (Sept. 23, 2020) (considering whether climate-related crop failure placed the petitioner in a situation of “indigence, deprivation of food and extreme precarity”); Hum. Rts. Comm., Portillo Cáceres v. Para., Commc'n No. 2751/2016, ¶¶ 7.3, 7.5, U.N. Doc. CCPR/C/126/D/2751/2016 (Sept. 20, 2019) (analyzing the impact of toxic fumigation on health and subsistence farming); Comm. on the Rts. of the Child, General Comment No. 21: Children in Street Situations, ¶¶ 29, 59, U.N. Doc. CRC/C/GC/21 (June 21, 2017) (cautioning against criminalizing child street traders).

¹⁶³ See Section IV, part B (ii), *supra*.

¹⁶⁴ See *id.*, parts B (ii) & E (iii), *supra*.

¹⁶⁵ See *id.*, parts D & E (i), *supra*.

origin, disability, or economic status.¹⁶⁶ A large proportion of street vendors are Black, women, immigrants, older people, or persons with disabilities. These groups are particularly affected by the licensing regime.¹⁶⁷ As such, the licensing and enforcement regime may unequally impact these groups.

Women face unique burdens due to the lack of access to basic sanitation at work and elevated risks of harassment and gender-based violence.¹⁶⁸ Further, the lack of transparency and barriers to legal formalization impact low-income workers most, as they represent large proportions of all street vendors.¹⁶⁹ Collectively, the State's failure to address these matters perpetuates indirect discrimination, contravening the State's obligations under international law.¹⁷⁰

G. Labor Standards

Moreover, the municipality's actions directly conflict with the International Labour Organization's Recommendation 204 on the transition from the informal to the formal economy.¹⁷¹ In that recommendation, the ILO urges States to facilitate access to secure and dignified work, in particular by removing barriers, extending protections, and promoting effective formalization through inclusive policies and consultative approaches.¹⁷² Critically, the ILO recommends that States ensure pathways to legal recognition for informal economy workers.¹⁷³ Further, the ILO calls on States to provide appropriate systems of inspection and to extend social protection to informal economy workers.¹⁷⁴ States should also aim to improve the working conditions of workers in the informal economy.¹⁷⁵

¹⁶⁶ ICESCR, *supra* note 132, art. 2; Comm. on Econ., Soc. & Cultural Rts., General Comment No. 20: Non-discrimination in Economic, Social and Cultural Rights, ¶¶ 25, 35, U.N. Doc. E/C.12/GC/20 (July 2, 2009) (hereinafter CESCR General Comment 20) (recognizing “economic and social status” as a prohibited ground of discrimination); ICCPR, *supra* note 148, arts. 2; Human Rights Comm., General Comment No. 18: Non-discrimination, ¶ 13, U.N. Doc. HRI/GEN/1/Rev.9 (Vol. I) (on economic status) (hereinafter Human Rights Comm. General Comment 18); ICERD, *supra* note 146, art. 5; CEDAW, *supra* note 146, arts. 2, 11; Convention on the Rights of Persons with Disabilities art. 5, Dec. 13, 2006, 2515 U.N.T.S. 3; American Convention, *supra* note 146, art. 1.

¹⁶⁷ See Section IV, part E, *supra*.

¹⁶⁸ See Section IV, part E (i), *supra*.

¹⁶⁹ See DIEESE, *supra* note 3, at 64 (showing that respondents' wages tend to be below the wages earned by the rest of the employed population).

¹⁷⁰ Human Rights Comm. General Comment 18, *supra* note 166, ¶ 7; CESCR General Comment 20, *supra* note 166, ¶ 10; Comm. on the Elimination of Discrimination Against Women, General Recommendation No. 28: The Core Obligations of States Parties Under Article 2 of the Convention, ¶ 16, U.N. Doc. CEDAW/C/GC/28 (Dec. 16, 2010); Comm. on the Rights of Persons with Disabilities, General Comment No. 6: Equality and Non-discrimination, ¶ 18, U.N. Doc. CRPD/C/GC/6 (Apr. 26, 2018); Comm. on the Elimination of Racial Discrimination, General Recommendation No. 14: Definition of Discrimination, ¶ 1, U.N. Doc. A/48/18 (1993) (all indicating that ostensibly neutral policies that disproportionately impair the rights of protected groups can amount to indirect discrimination).

¹⁷¹ International Labour Organization, *Recommendation 204: Transition from the Informal to the Formal Economy*, ¶¶ 1(a), 9, 11, 13–13, June 12, 2015, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R204 (hereinafter ILO R204).

¹⁷² *Id.*, ¶¶ 1(a), 7(a), 7(i), 8–12, 38–40.

¹⁷³ *Id.*, ¶ 11.

¹⁷⁴ *Id.*, ¶¶ 18, 27.

¹⁷⁵ *Id.*, ¶ 17.

In addition, ILO Convention 190 affirms that all workers, including those in the informal economy, have a right to work in environments free from violence and harassment.¹⁷⁶ States that are party to the Convention must adopt laws and policies that combat physical, psychological, sexual and economic harm in the workplace.¹⁷⁷ These protections apply in public spaces when those spaces function as places of work.¹⁷⁸ Further, under the Convention, States should take targeted action against gender-based violence and harassment.¹⁷⁹

Here, the State has developed a system in which the legal status of street vendors remains deliberately ambiguous, in violation of ILO Recommendation 204. This ambiguity enables frequent police intervention, exposes vendors to the abuses of private actors, and systematically deprives vendors of a lawful means of livelihood.¹⁸⁰ The cessation of new longer-term licenses (TPUs) and the limited, unstable nature of the Tô Legal system have rendered the majority of street vendors unprotected by the law.¹⁸¹ The absence of clear, predictable standards for enforcement of the licensing regime, combined with discriminatory targeting, increases the risk of violations.¹⁸²

Brazil has not yet ratified Convention 190.¹⁸³ Even so, the Convention remains a leading reference point for evaluating whether States have taken adequate measures to prevent violence at work. In São Paulo, street vendors continue to face violence, threats of violence, and intimidation, all of which are prohibited by the Convention.¹⁸⁴ In addition, women vendors have reported elevated risks of sexual harassment.¹⁸⁵ Thus, the State should do more to sanction and prevent these acts.

The State's indifference to the consequences of its policies has encouraged approaches hostile to the continued presence of vendors. As a result, vendors are forced to be constantly mobile.¹⁸⁶ In contrast, the ILO calls on States to provide consistent, regulated access to public space.¹⁸⁷ Even persistent self-advocacy and successful judicial challenges by vendors have only led to limited relief, which itself fails to address the systemic nature of the rights at stake.¹⁸⁸ State failure to address these issues has left street vendors exposed to a continuum of abuses with little opportunity for redress. The current failure of the municipality to provide accessible, stable pathways to formalization contravenes international labor standards.¹⁸⁹

¹⁷⁶ Convention (No. 190) Concerning the Elimination of Violence and Harassment in the World of Work arts. 2–3, June 21, 2019, No. 56938, U.N.T.S. I-56938.

¹⁷⁷ *Id.*, arts. 1, 8, 10.

¹⁷⁸ *Id.*, art. 3.

¹⁷⁹ *Id.*, arts. 1, 6-11.

¹⁸⁰ See Section IV, parts A, B, C, E, *supra*.

¹⁸¹ See *id.*, part A, *supra*.

¹⁸² See *id.*, parts B & E, *supra*.

¹⁸³ As of May 2026, the ratification package is pending in the Chamber of Deputies. *MSC 86/2023 — Mensagem de Acordos, Convênios, Tratados e Atos Internacionais [Message on Agreements, Conventions, Treaties and International Instruments]*, CÂMARA DOS DEPUTADOS [Chamber of Deputies], <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2351227>.

¹⁸⁴ See Section IV, parts B, C, E, F (iii), *supra*.

¹⁸⁵ See Section IV, part E (i), *supra*.

¹⁸⁶ See *id.*, parts A (ii) & B, *supra*.

¹⁸⁷ ILO R204, *supra* note 171, ¶¶ 11(o), 13.

¹⁸⁸ See Section IV, part F (ii), *supra*.

¹⁸⁹ ILO R204, *supra* note 171, ¶¶ 1, 7, 9, 13–14.

VI. CONCLUSION

Those simply looking to make a living through street vending are stymied by a system of legal precarity, hostile enforcement, and State-enabled violence. These violations endanger street vendors across São Paulo. We are alarmed by the gravity of the human rights violations. In addition, the demonstrated unwillingness of the local authorities to enact meaningful reform underscores the necessity of urgent international attention.

For these reasons, we respectfully request that the Special Procedures inquire into the situation of street vendors in São Paulo, engage with Brazilian authorities at all levels, and advocate to ensure that street vendors can work safely, legally, and with dignity. UN oversight is critical to prevent further irreparable harm and to guarantee the rights of this essential community.