

Refugees in Brazil. Who are?

Tatiana dos Santos, Nélio Fernando dos Reis & Alequexandre Galvez de Andrade

Abstract

The massification of the phenomenon of refugees around the world, with 68.5 million people in this condition, being 16.2 million in 2017, demonstrates that the persecution for reasons of race, social group, gender, armed conflicts and the deterioration of human rights that this freedom, equality, dignity, protection of the family and others, are being deprived of a large portion of the world population which, in addition to these factors there are health issues such as depression, post-traumatic disorders, psychotic outbreaks and others. In Brazil, it is observed the same phenomenon. The objective of this work was to present the information requests and recognition of requests for refuge in Brazil during the years 2017 and 2018. The method adopted was the bibliographic research and exploratory. The results indicate an increase of 58% of requests in 2018, on account of the problems faced by Venezuela, which saw its economy wither away with the reduction in the price of oil in the years 2008 to 2015, along with this the political problems and the rentier capital. The affected regions in Brazil are the states of Roraima and Amazonas, on account of the motto with this country, but it is quite challenging the inclusion of this population in such a way that have their rights recognized, because of the 80 thousand applications in 2018, being 77% from Venezuela, only 1% was accepted. This work serves as support for public policies that must seek alternatives to comply with the legislation in such a way that guarantees the fundamental rights to this population, allowing the freedom, equality, dignity, housing, education and right to life. The need for guarantee of human rights, makes this study can be used by organizations so that they can integrate these people culturally and professionally.



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1 INTRODUCTION

The cycle of migration grows rapidly, it is a phenomenon of earth, marked by selfish bureaucratic issues, illegal immigration, political problems and armed conflict zones (Agamben, 1995). In 2017, 68.5 million people were in this condition, being that in the year 2017, there were 16.2 million. Underlining that this is a global problem that has been growing over the past 69 years, counted from the provisional establishment of the time of the High Commissioner of the United Nations (UNHCR), which accompanies these questions and eventually became definitively in view of the massive increase of people in conditions of refugees. In Brazil, only in 2018, there were 80,057 requests, being 77% from Venezuela, this concept of refugees is related to persecution on political issues, ethnicity, social group, risk of life in conflict regions, in addition to the loss of rights. In this aspect, a region may not have any kind of persecution or be in areas of conflict but can import in loss of rights. This idea is reinforced by the demands of applications from countries which do not have problems with armed conflict and political. However, there is clear justification of losses in relation to the rights to equality, freedom, dignity, income that enables minimum conditions of subsistence and others. As an example of the origins of nationality which requested refuge in Brazil, it was China that in 2018 submitted 1450 applications (1462 in 2017). Study the issues related to refugees, allows the creation of public policies that involve these people in communion and can participate in society and contribute with their international experience, bringing new cultural information, in addition to the humanitarian aspect in order to globalize human rights, respecting the life, equality, freedom and dignity.

This work had as objective to present the information request for refuge and deferments the years of 2017 and 2018 in Brazil, was used in the exploratory method by means of collecting information available in official bodies, such as the UNHCR and the National Council for Refugees (CONARE), linked to the Ministry of Justice of Brazil. The results show that there was an increase of 58% requests comparing 2017 with 2018, from Venezuela that in the period from 2008 to 2015, saw its economy reduce due to the fall in the price of oil and its rentier model, that in times of shortage of capital increase profits. The main regions affected were the cities of Roraima and Amazonas, which form the border with that country. In 2017, the legislation has not brought the BAILA the concept of refugee, giving the possibility to obtain temporary visa and have their rights recognized only with applications to request. However, what is observed is that only 1% of Venezuelans have had their applications granted, indicating that there is a long way to go in order to recognize the rights of equality among refugees and immigrants who is part of the legal order on refugees in Brazil since 1971.

2 LITERATURE REVIEW

Due to the sudden growth of refugees in the world, during the Second World War, was created on 14 December 1950 (temporarily) by the UN (United Nations) the UNHCR (United Nations High Commissioner for Refugees) and in Brazil began work in 1982. She is an international humanitarian institution and without political ties. After the Second World War the UNHCR has continued with its work giving continuity to the accompaniment of refugees and necessary support to countries that have received and continue to shelter refugees and all the places (UNHCR, 2019). Even being an institution created for a temporary purpose, after 69 years is still working, demonstrating that the issue was not addressed in its origin, snatching rights and harming thousands of lives. In 2017, 16.2 million people were displaced by conflict issues, equivalent to 44.4 thousand people per day, increasing to 68.5 million people who are in this same situation (United Nations High Commissioner for

Refugees, 2018). This appearance of refugees as a mass phenomenon, is marked by excessive bureaucracy selfish that complicates the life of these individuals and illegal immigration (Agamben, 1995). In addition to the humanitarian issues, there are problems of physical and mental health of these individuals, who are affected by post-traumatic stress, depression, psychotic disorders, post-traumatic stress disorder affects more children in these situations present 11% compared with 9% of adults, they suffer more with severe depression (Fazel, Wheeler & danesh, 2005). Article 2 of the Convention Relating to the Status of Refugees of 1951 is dealt with the definition of refugees in accordance with the events that occurred before 1951, i.e., the two great wars, the Russian Revolution, among other events, which resulted in a significant increase of forced displacement, due to situations that were not to be avoided. The document says that refugees are people (UNHCR, 1951):

"2) That, as a result of events before 1st January 1951 and fear of being persecuted for reasons of race, religion, nationality, social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, does not want to avail himself of the protection of that country, or that, if has no nationality and is outside of the country in which he had his habitual residence in consequence of such events, may not, or due to such fear, does not want to return to him."

In the Cartagena Declaration of 1984, the term refugee, in addition to the issues related to freedom, this violation of human rights or other situations that disturb the public order. This definition is central to breach the freedom that comes not only from armed conflict, but the clear violation of rights and the risk of disturbance to order. However both definitions reinforce the right to liberty, all forms of violation of these rights culminate in a political and humanitarian situation that consider people as refugees (UNHCR, 1984). This aspect brings a difficulty for the definition of refugees who are thus considered by political issues, the immigrants already receive this designation by economic issues, the challenge are the social changes that have occurred in recent decades that test these classifications (Espinar Ruiz, 2010). These social changes human rights, which take into account the equality, freedom, free initiative, safeguards that no one shall be subjected to torture, the right to rest, laser, fair remuneration and personal safety (Un, 1995). This analysis rests on the situation of refugees and how are included in countries seeking support, it should be noted that this right is not large, it is as if there were borders of rights in which the political interests of their own country were higher in these moments of welcoming these people. In this sense, it is observed that there is no globalization of human rights, whichever is the political and economic interest. In Brazil, the Law 9,474 of 1997, reproduced the conventions mentioned above, embracing both the concept of persecution for reasons of race, religion, nationality, social group or political opinions, as serious violation of human rights (BRAZIL, 1997). It is important to emphasize that only in 1997 there is a law implementing the status of refugees, had previously only decrees, as shown in figure 1. In addition, brings the concept of stateless persons, who are people who for some reason do not have ties with a nation, looking for a country that the harbor. The Brasilia Declaration of 2010 (UNHCR, 2010), reinforces this commitment of the countries of the American continent to review national legislation on stateless persons, strengthening national mechanisms for the universal registration of births in order to reduce these situations.

Figure 1. History of the legislation on refugees in Brazil

1960

Decree No. 11 of 1960 Approves the Convention of 1951, excludes special rights in relation to refugees linked to associations without political purposes and treatment equal to the salary of an immigrant

1961

Decree No. 50,215 of 1961 - promulgates the convention of 1951, excluding duties provided

1971

Decree No. 93 of 1971 - This Decree authorized the government to accede to the protocol on the status of refugees, which was adopted in New York on 31 December 1967. Establishes equality among refugees and foreigners, except Portuguese on account of specific conventions

1972

Decree No. 70,946 of 1972 - promulgates refugee protocol and transparency organizations nations on acts of protocols.

1989

Decree No. 98,602 of 1989 ratifies the caveats of Articles 15 and 17 of the Convention of 1951 on the decree of 1961 50,215. Brazil has adopted the description of events in Europe and elsewhere.

1990

Decree No. 99,757 of 1990 confirms the commitment to comply with the conventions, without caveats

1997

Law No. 9,474 of 1997, defines who is a refugee, how to apply the statute, extended refugee status to spouses, ascendants, descendants and members dependent economically.

2017

Law No. 13,445 of 2017, the immigration law that defines the concept of an immigrant, emigrant, resident, visitor and stateless persons. Immigrant, a person who is a national of another country or stateless person who works or resides and if down temporarily or permanently in Brazil. Emigrant, who is down temporarily or permanently abroad. Border residents, neighboring country national or a stateless person who preserves his habitual residence in the border town of neighboring country. Visitor, a person who is a national of another country or stateless person who comes to Brazil for short-term stays, without pretense to establish temporarily or definitively in the national territory. Stateless person, a person who is not considered as a national by any State. Also noteworthy is the respect the equality of rights, deals with the issues of temporary visa. The document of the visa application already gives you the civil rights. This law does not deal with the term refugee but repeals the previous.

Decree nº 9.199 de 2017, regulates immigration law and adds that migrant is a person who moves from one territory to another, warranty for refugees who enter illegally, not impeding the request for temporary visa.

2018

Decree nº 9.277 de 2018, identification of the person who calls for refuge and the interim document of record migration, serves as proof of identification until the final decision of the National Committee of refugees. Joint Resolution

No. 1 of 2018, this Resolution deals with the granting of residence to the applicant for recognition of Refuge (held next to CONARE) which has labor activity in Brazil. This concession is made by the National Council of immigration.

Source: The authors

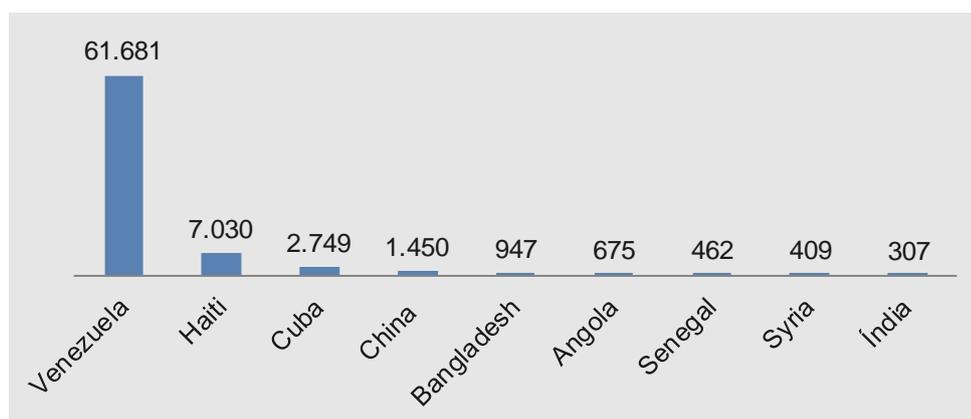
2 METHODOLOGY

For Lakatos and Marconi (1990, p.57), the survey data is the first step in any scientific research, and documental research and literature review. In respect of the bibliographic research conducted the investigation of the publications of articles in Science Direct platform on 16 July 2019, with the construct "refugees". In the period from 2017 to 2019, we identified 3,031 publications in national and international scientific journals, being 825 in 2017, 1,018 in 2018 and 1,188 in 2019. Searching for this term in Portuguese We have 41 publications, being 28 in 2017, 5 in 2018 and 8 in 2019. To identify the research about Brazil, has changed the construct to contemplate the terms "refugees and Brazil", appeared only 6 studies. This indicates that there are few national references for the study on screen. The average publication of articles was approximately 2 articles per year. With respect to the content, are diluted among issues of displacement, public health and solutions to alleviate the suffering of the people who find themselves in this situation. We analyzed the articles of the main authors to identify the relevance with the theme and objective of the work. This work was carried out the descriptive exploratory research, which is justified by the little publication on the subject in Brazil. For Cervo et. al (2006, p. 63), "This research performs accurate descriptions of the situation and wants to discover the relations existing between its elements". The information to identify the applications and the recognitions were available on the website of the UNHCR and CONARE, in the form of tables that were summarized in figures.

3 RESULTS AND DISCUSSION

The number of applications for recognition of refugee status in Brazil was 80,057 in 2018 (33,866 in 2017), representing an increase of 58% comparing 2018 with 2017 (CONARE, 2019). Among the foreigners who entered with the request in 2018, 9 countries stand out, and Venezuela (61,681), Haiti (7,030), Cuba (2,749), China (1,450), Bangladesh (947), Angola (675), Senegal (462), Syria (409) and India (307).

Figure 2: Nationality of requests in 2018

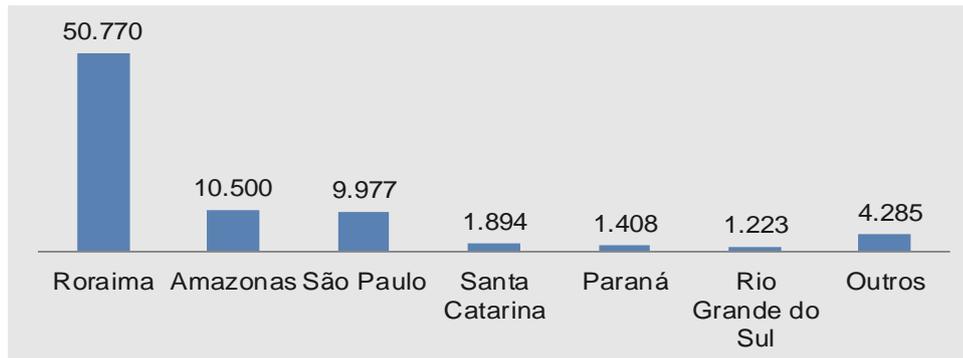


Source: The authors, based on Conare (2019)

The main nationalities of applications of refuge are Venezuela, Haiti and Cuba, countries close to the Brazilian territory. Venezuela has its economy based on petroleum. In the period from 2008 to 2015, there was a large decline in international prices accentuating socioeconomic problems (Pereira de Carvalho, 2017). On the other hand, the Venezuelan economy is

markedly rentier (Barros, 2006). The rentier are special classes, crystallized by training in major universities to manage its wealth, its base this on neo-liberalism and to substantiate their science (Bresser-Pereira, 2018). These two factors coupled, on the one hand, the fall in the price of oil which undermines the social programs and the other the rentier that in times of shortage of money increase your wealth, the economic and political scenario resulted in the increase of poverty and damage to human dignity, resulting in social fragmentation and an increase in requests for refuge in Brazil and the United States accounted for 77% of applications in 2018. The fate of these applications focused in Roraima and Amazonas, forming the border with Venezuela, representing respectively 63% and 13% followed by the States of the Southeast region and Africa. Figure 3 present the requests per state.

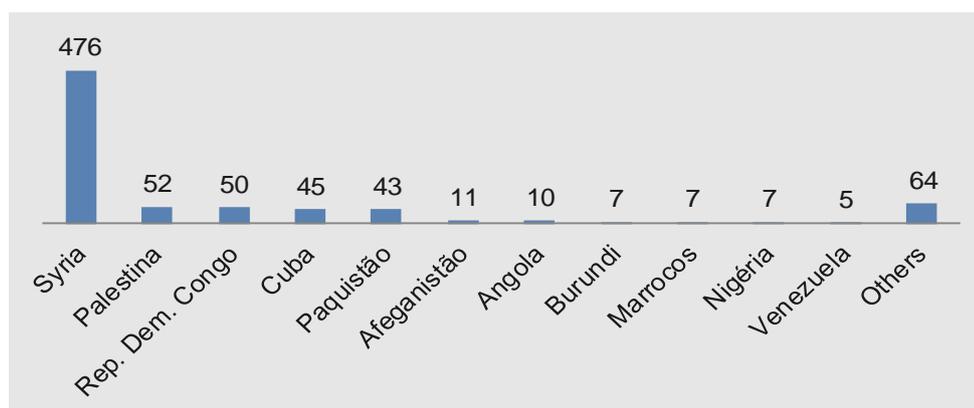
Figure 3: Request for applications in 2018



Source: The authors, based on Conare (2019)

Of the total of 80,057 requests of the condition of refugees in 2018, only 777 were accepted by the National Council for Refugees (CONARE), in relative values represents 1% of the total, and Syria to more benefits with the applications and Venezuela which had 61,681 requests one of the benefited less. indicating that the laws for recognition of these applications are very restrictive. One of the points observed in the reduction of duties, it is the excess of requests that cause exclusion of these people (Agamben, 1995).

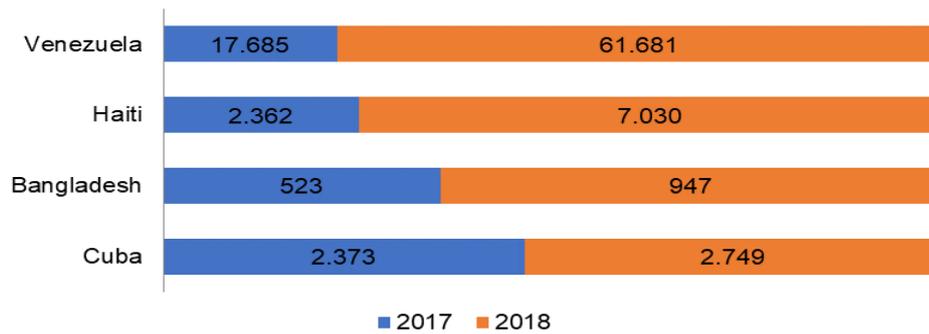
Figure 4: Recognition of applications of refuge in 2018



Source: The authors, based on Conare (2019)

Comparing the year of 2017 with 2018, the countries that most feature requests are Venezuela, Haiti, Bangladesh and Cuba, as shown in Figure 5.

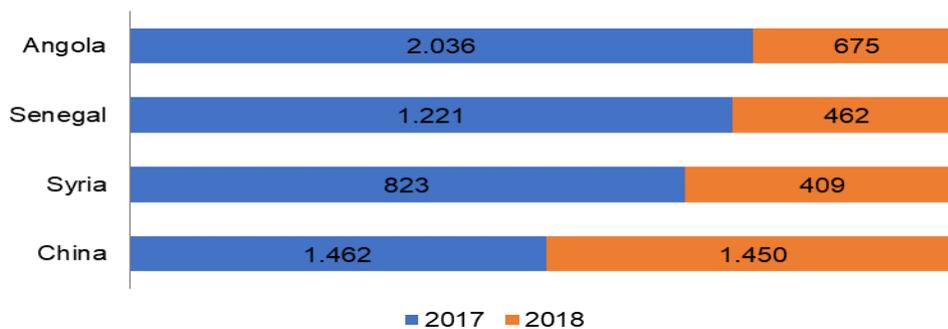
Figure 5: Comparison of the number of requests by comparing 2017 with 2018



Source: The authors, based on Conare (2019)

On the other hand, Angola, Senegal, Syria and China, reduced the number of requests. It stands out to China, who lives a vigorous economic growth and was not in a situation of conflict in 2018. Figure 6 demonstrates the nationalities which have reduced the amount of requests

Figure 6: Nationalities which reduced the requests for recognition of refugee status



Source: The authors, based on Conare (2019)

4 Conclusion

The refugees in 2017 amounted to 68.5 million people who have had their property rights, freedom, equality, human dignity, life and the family refuted by issues of conflicts, intolerance or simply by extreme social inequality. The globalization of the means of production and information were not enough to achieve human rights, it was established hierarchies of cultures, based on the individualism of nations when it comes to the human issues. Even with the international conventions on refugees and the establishment of a specific body to monitor this information, UNHCR, which was created temporarily in 1950 (1982 in Brazil), but there until today, were not enough to mitigate these issues. Indicating that the respect of human rights is not a priority for all companies when it takes into consideration the recognition and support of the people of other nationalities who have had their rights corrupted. In Brazil, the public policies by means of legislation, recognizes in 1971 the whole of the Convention of 1951, but in the period from 1960 to 1971, Articles 15 and 17 which deal respectively of equality among refugees linked to associations not policies and wage equality among refugees and immigrants, were excluded. In 2017, there is a breakthrough in legislation which does not use the term refugee and recognize the temporary right, upon request, of civil rights. This increase in applications in 2018, was mainly due to the issue of Venezuela, which represented

77% of the total, from economic problems with the reduction of the price of crude oil, social and political rights. However, these requests only 1% were recognized, which demonstrates that the effectiveness of the law is still far for these families, forcing informal jobs and refuting the rights to this society, a fact that is made worse by the reception of children not worthy. We lose the opportunity to harmonize the cultures, exchanging information, improving the language of both parties, abstracting best practices, sharing experiences of both countries.

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