

Introduction to Immigration and refuge: a comparison between the perspectives of Brazil and the Czech Republic.

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Abstract. This article focuses on the study of immigration and the political phenomenon behind it from the perspective of Brazil and the Czech Republic, briefly explaining the history of each country and its relationship with immigration and related politics; it explores when these rights were born, as well as what these rights ensure. The article also highlights the social and economic conditions of immigrants in both Brazil and the Czech Republic. The study then addresses the vulnerability of immigrants, as well as the principle of equality, highlighting the impact of human rights acting in approval of this group and the responsibility of guaranteeing a respectful and accessible jurisdiction about immigration, protection and asylum. Finally, the study highlights institutions and figures that act nationally and internationally in the fight in support of this population.

Keywords. Brazil, Czech Republic, perspectives, history, law, immigration, vulnerability.

1. Introduction

Migration is a universal and, to a certain extent, trans-historical phenomenon. After all, it is one of the four mechanisms of biological evolution (along with mutations, genetic drift and natural selection) and is therefore part of the emergence of our species and most others. In this sense, it precedes and creates human history. In addition, another important perspective from the historical perspective of migration is to conceptualize the movement of a person or group of people from one geographical unit to another across a political or administrative border, who wish to settle permanently or temporarily in a place other than their place of origin.

Most historians agree that, in documented history, the 14th and 15th centuries were decisive for a change in the migration pattern: it was the time of the "great discoveries" by European countries. The Americas, Africa and parts of Asia were flooded with migratory currents seeking to populate and conquer these regions.

Soon, a new type of international migration began, not voluntary, but forced: the slave trade. Slaves were brought mainly from Africa to work in the Americas. With the abolition of slavery in most of the Americas in the 19th century, another type of migration began, also related to work, this time voluntary.

Since the dawn of time, humanity has been on the move. Some people move in search of work or economic opportunities, to join family or to study. Others move to escape conflict,

persecution, terrorism, or human rights violations. Still others move in response to the adverse effects of climate change, natural disasters or other environmental factors.

Greater immigration flows have the potential to significantly reduce global poverty and increase the size of the world economy (Menor, J. 2013). Although many people in the public fear that the gains for immigrants will come at the expense of the economic well-being of the native population, economists generally consider these fears to be wrong (Da Silva, SA 2013). Global free trade in labor (immigration), like free trade in goods, enriches the citizens of both countries involved in the exchange. But immigrants are not just workers, they are also people (Borjas, 2016). So, unlike goods that cross borders, they can make their own decisions outside the labor market that impact the destination countries in other ways.

But what is the concept of a migrant anyway?

The United Nations Migration Agency (IOM) defines a migrant as any person who moves or has moved across an international border or within a state, away from their place of habitual residence, regardless of (1) the person's legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes of the movement are; or (4) what the length of stay is.

Throughout this academic article, the reader may find it challenging to understand the available migration data, as it is often scattered across different organizations and agencies and is not easily comparable. Both the tables and images, as well as the figures presented throughout the studies, serve as a unique access point to comprehensive and timely migration

statistics and reliable information on migration data around the world. The data aims to present migration data from a variety of sources and aims to help policymakers, national statisticians, journalists, and the general public interested in migration navigate the increasingly complex landscape of migration data.

It is necessary to emphasize that the principal focus of this analysis is to look at the general direction of migration, since public perceptions focus on asylum seekers and permanent arrivals, ignoring mainly international students, a target of new restrictive immigration policies.

Having said and done this, it is hoped that the reader will find this article useful, now or perhaps in the future, to delve deeper into the subject of migration and refuge around the world.

2. The Global Compact on Migration

Inspired by the United Nations Charter and the Universal Declaration of Human Rights, the Global Compact for Migration was signed by 164 countries, including Brazil, in December 2018 at a conference in Marrakech, Morocco.

It is a comprehensive document to better manage international migration, address its challenges and strengthen the rights of migrants, contributing to sustainable development and expressing the collective commitment of member states to improve cooperation in international migration.

The Covenant "recognizes that no State can address migration alone and defends its sovereignty and obligations under international law". The document presents a non-legally binding cooperative framework that builds on the commitments agreed by the states themselves two years ago in the New York Declaration for Refugees and Migrants.

According to the UN, 258 million people are currently displaced or migrants, which represents 3.4% of the world's population.

3. Principles that guide the concept of migration and refuge:

According to human rights scholars such as Artur Marques da Silva Filho, the human rights principles related to international migration are: non-criminalization of migration, humanitarian welcome, guarantee of the right to family reunion, social, labour and productive inclusion of migrants, repudiation of collective expulsions and deportations, access to public services. These are guided by the fundamental principles guaranteed to migrants in which "All are equal before the law, without distinction of any kind, and Brazilians and foreigners residing in the country are guaranteed the inviolability of the right to life, liberty, equality, security and property".

3.1 Welcoming Brazil's migrant population

Regarding the reception of immigrants and refugees in the Brazilian region, Ambassador Carlos Cozendey, during an interview for the Supreme Court, represented Itamaraty and reaffirmed the government's commitment to increase policies to welcome Venezuelans, Syrians, Haitians and other refugees whose flows have marked Brazil in recent years. Foreign Minister Mauro Vieira explained the different humanitarian visa programs that facilitate the entry of Haitians, Syrians, Afghans and [people of] other nationalities affected by serious problems into Brazil. In addition, in the first days of the government, the country rejoined the Global Compact for Migration.

3.2 The Czech Republic's welcome for migrants:

In mid-2018, the Czech rejection joins that of the United States, Hungary and Austria, while other countries such as Poland, Australia and Bulgaria have also announced their intention to do the same.

"The main priorities that the Czech Republic wanted to introduce are the proclaimed non-binding legality and the sovereignty of the state to decide who and under what conditions to allow (migrants) to enter its territory, according to national law," points out a document drawn up by the Czech Ministry of Foreign Affairs.

Prague does not see in the pact "a separate treatment of legal and illegal migration", as well as a "confirmation of the obligations of countries of origin to receive their citizens again".

With this global pact, negotiated by around 190 countries, the UN aims to address the lack of a global vision on migration, something it considers necessary in order to provide solutions to this phenomenon that goes beyond borders

4. Jurisdiction and Migration Law

Law n. 13.445, of May 24, 2017, regulated migration in Brazil and established principles and guidelines for public policies for immigrants. The new Migration Law also replaced Law No. 818/49 (regulating the acquisition, loss and reacquisition of nationality and the loss of political rights) and Law No. 8.615/80 (Foreigner's Statute), which treated non-nationals as a threat to Brazilians and immigration as a matter of national security. Article 2 of the old Foreigner's Statute stipulated that the application of the law would be primarily concerned with national security, institutional organization, the political, socio-economic and cultural interests of Brazil and the defense of national workers. Article 3 added that "[...] the granting of visas, their extension or transformation will always be subject to national interests", giving an even more discretionary connotation to the granting or extension of visas.

It can be seen that the difficulties of the increasingly competitive job market are among the causes of

policies restricting the entry of immigrants and the increasingly adverse environment for them. At the same time, there has been a notable resurgence of nationalist movements, especially in Europe, as if the reinforcement of national identity through ethnic conceptions of nationality, fed by old racial ideologies in European culture, could compensate for the adversities posed by the new economic and demographic reality.

In this context, international immigration took on an unusual dimension, expressed not only in the state's repressive attitude towards immigrants, but also in their increased importance on the political scene. This politicization has two essential dimensions. One refers to the temporary immigrants who circulate within the international labor market. In fact, the majority of international immigrants are temporary, as the prospect of integration into the destination society is minimal due not only to the competitiveness of the labor market, but also to the almost total impossibility of any kind of upward social mobility. The institutionalization of social and cultural differences, which result in social and ethnic prejudice, has reinforced the adversities faced by immigrants by encouraging temporality.

It can be seen from this that immigrants were treated in a discriminatory manner, because they were viewed with suspicion, and it was necessary to guard against the threat caused by foreigners to national sovereignty and labor relations, to the detriment of Brazilians. With the new Migration Law, the immigrant becomes a subject of rights and obligations, and the defence of human rights is prioritized

4.1 Violation of rights as a reflection of crimes

Many of the victims of human trafficking are migrants, a phenomenon that has increased during the Covid-19 pandemic. The vulnerability suffered by migrants has been added to in this time of pandemic that we have been experiencing for over a year. The lack of rights, exploitation of all kinds, are situations that are increasingly present in the lives of migrants.

May such a lack of interest in the cause not be responsible for another opportunity passing by, for the population to become aware that, through small attitudes and commitment, the living conditions of migrants can and must be improved and that, furthermore, their own lives are not put at risk. It's time to stop, see, denounce and overcome this crime. And it's everyone's responsibility

4.2 Vulnerability and difficulties suffered by the migrant population

The author of the new IOM report on data from the Missing Migrants in Europe Project has reported that more than 29,000 deaths have been recorded during migration journeys to Europe since 2014. Julia Black says that "safe routes for migration are desperately needed".

On the West Africa-Atlantic route to the Spanish Canary Islands, 1,532 deaths were documented in the reporting period, a figure higher than any two-year period since the IOM began documenting deaths in 2014.

On the two sea routes mentioned, the longest and most dangerous, the 2022 data may be incomplete, due to the very frequent "invisible shipwrecks", cases in which entire boats are lost at sea without any search and rescue underway.

Since 2021, there has been an increase in the number of deaths on many other European routes compared to previous years. Mainly on Turkey's land border with Greece, with 126 deaths, on the Western Balkans route, with 69, on the Channel crossing, 53, on the Belarus-EU borders, 23, and 17 documented deaths of Ukrainians fleeing the recent conflict. Is there a scenario in which the deaths could have been avoided?

In addition to a structural failure to provide adequate safe routes, the Missing Migrants Project's records show that many of the deaths on migratory routes to destination countries in Europe could have been prevented by immediate and effective assistance to migrants in danger.

Survivor reports relayed to the IOM indicate that at least 252 people have died during forced expulsions by European authorities since 2021.

The deaths have been documented in the Central, Eastern and Western Mediterranean, on the Turkish-Greek land border, and on Belarus' border with Poland. These cases are almost impossible to verify in full due to the "lack of transparency, lack of access and the highly politicized nature of the events". The IOM reports that these figures are probably an underestimate of the real number of deaths.

4.3 Financing and costs

The agency is almost entirely funded by voluntary contributions, 85% of which come from governments and the European Union. 3% comes from other intergovernmental organizations and joint funding mechanisms, while another 11% comes from the private sector, including foundations, corporations and the public. Despite the global economic challenges brought on by COVID-19, solidarity with and for refugees has persevered. Major host governments, often dependent on fragile health systems, have not hesitated to include refugees in their health responses. Donors - governmental and private - stepped up to fund a large percentage of UNHCR's COVID-19 response.

4.4 Information, publications and data on the refuge. Where to find it?

The agency tracks the number of people forced to move and we use data and statistics to inform and optimize our work and the work of our partners to better protect, assist and provide solutions. So when, for example, a major displacement crisis breaks out, it is possible to predict how many people need help, what kind of help they need and how many staff to mobilize.

These figures are released every year in our main reports: Global Trends, Global Report and Global Focus.

The latest Global Trends report, published in June 2023, provides important statistical trends on forced displacement. This report includes the latest official statistics on refugees, asylum seekers, internally displaced persons and stateless persons, as well as the number of refugees who have returned home. . On the other hand, the Global Report highlights the achievements of the year, as well as the challenges faced by the organization and its partners in trying to respond to multiple life-threatening crises and ever-increasing humanitarian needs. For statistics and operational data essential to UNHCR's operations, data is collected and processed in a number of different systems suited to their purposes. The Population Statistics Database, for example, provides information on the country of refuge, country of origin and demographics of people of interest to the UNHCR - refugees, refugee claimants, returnees, internally displaced persons and stateless persons. In order to find out more about how UNHCR collects population data, including links to our databases, you can visit the data page of the website.

In relation to the Global Focus mentioned above, the UNHCR's 2023 report on Refugee Education provides information on the challenges faced by approximately 15 million school-age refugee children who fall under the mandate of the United Nations High Commissioner for Refugees (UNHCR). This includes Venezuelan schoolchildren who have been displaced to other countries. The report not only highlights the difficulties these refugee children face, but also shows the achievements and ambitions of the young refugees. These young people have been able to reach significant educational milestones, thanks to their determination, resilience, perseverance and hard work, when given the right support

4.5 Data in tables

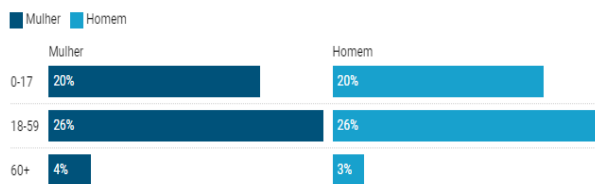
Fig. 1 - Demographics of forcibly displaced people

Children represent 30% of the world's population,

but 40% of all forcibly displaced people.

Dados demográficos das pessoas deslocadas à força

As crianças representam 30% da população mundial, mas 40% de todas as pessoas deslocadas à força.



14 de junho de 2023

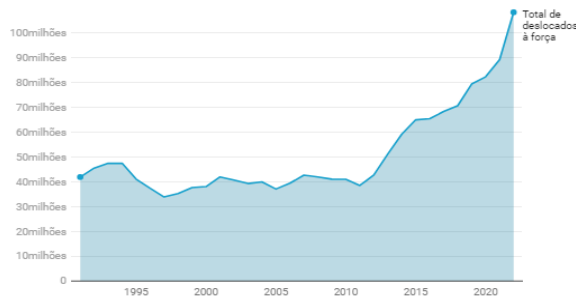
Fonte: ACNUR Global Trends 2022 - Obter dados - Criado com Datawrapper

Fig.2 - 108.4 million forcibly displaced people worldwide

by the end of 2022 as a result of persecution, conflict, violence, human rights violations or events that have seriously disrupted public order.

108,4 milhões de pessoas deslocadas à força em todo o mundo

no final de 2022 como resultado de perseguição, conflito, violência, violação de direitos humanos ou eventos que perturbaram gravemente a ordem pública.



14 de junho de 2023

Fonte: ACNUR Global Trends 2022 - Obter dados - Criado com Datawrapper

Fig.3 - Main countries of origin

52% of all refugees and other people in need of international protection came from just three countries.

Principais países de origem

52% de todos os refugiados e outras pessoas em necessidade de proteção internacional vieram de apenas três países.

Países	Número de pessoas deslocadas
República Árabe da Síria	6.500.000
Ucrânia	5.700.000
Afganistão	5.700.000

14 de junho de 2023

Fonte: ACNUR Global Trends 2022 - Obter dados - Criado com Datawrapper

Fig.4 - Mediterranean Sea crossing.



Acnur/F. Malavolta | Travessia do Mar Mediterrâneo é a via marítima mais perigosa do mundo

4.6 Notes below a table

The tables and figures contained in this article offer the possibility of demonstrating, through official data from the UNHCR - United Nations Refugee Agency,

the perspective of refuge in Brazil, where it is understood that At least 108.4 million people around the world have been forced to leave their homes. Among them are 35.3 million refugees. In addition, it is possible to understand that there are also 4.4 million stateless people, people who have been denied nationality and who do not have access to basic rights such as education, health, employment and freedom of movement.

So, at a time when more than 1 in 74 people on Earth have been forced to move, the work of the UNHCR has proven to be more important than ever.

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