

Syrian Refugees in Brazil: Protection of Human Rights and their Developments

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This study will present the issue of Syrian refugees in Brazil, whose immigration event occurs because of the terrible conditions offered in their native country, which makes these individuals seek refuge in other countries, seeking, in addition to a better condition, a life that is worthy. It is understood that the concept of dignified life goes against what is advocated by the Brazilian Federal Constitution, as well as fundamental rights, and even more related to the dignity of the human person. Thus, this article will bring an analysis of the context of this event, which has been happening quite frequently, making Brazil one of the countries that most welcome immigrants in the world. However, one factor draws attention in the middle of this process, as the Covid-19 pandemic has been following the population for more than a year, which makes border controls more rigid. In addition, Brazil, with its native population, is already experiencing various social problems, such as hunger, unemployment, poor distribution of income and gold, which makes us rethink whether the rights and dealings with these refugees are truly effective, in order to welcome and help in the development of a dignified life. The research will have its principle bibliographic reviews, in books, journals and articles referring to the area, in order to bring different standards that can be worked in society and contribute to the scientific community. It is evident that a dignified life is only possible if the guarantees, freedom, equity, and other principles, such as the dignity of the human person, provided by the Federal Constitution are observed. with its native population, is already experiencing various social problems, such as hunger, unemployment, poor distribution of income and gold, which makes us rethink whether the rights and dealings with these refugees are being truly effective, in order to welcome and help in the development of a dignified life. The research will have its principle bibliographic reviews, in books, journals and articles referring to the area, in order to bring different standards that can be worked in society and contribute to the scientific community. It is evident that a dignified life is only possible if the guarantees, freedom, equity, and other principles, such as the dignity of the human person, provided by the Federal Constitution are observed. with its native population, is already experiencing various social problems, such as hunger, unemployment, poor distribution of income and gold, which makes us rethink whether the rights and dealings with these refugees are being truly effective, in order to welcome and help in the development of a dignified life. The research will have its principle bibliographic reviews, in books, journals and articles referring to the area, in order to bring different standards that can be worked in society and contribute to the scientific

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Keywords: Refugees; Syria; Human rights; Dignity of human person; Warranties.

Introduction

The conflicts in Syria have been going on since 2011, when the dictatorial regime of Bashar Al Assad, who confirmed its permanence after the death of his father, and opponents of the regime clashed over divergent political positions.

According to Ramos², the direct causes for this revolt were: “corruption, nepotism, embezzlement, illicit enrichment, influence peddling, vote buying, forgery of contracts and other documents, tax evasion, embezzlement public funds”. Another point mentioned by this author is the economic issue, “underdevelopment, poverty and injustice: poor distribution of wealth; monopolisation of public budgets for projects without repercussions on development” and with this insecurity it also generates some discomfort due to economic stagnation.

² Ramos (2013) at 32

The issue of Syrian immigration to Brazil is already beginning to be a tiring one. Upon arrival, they face many difficulties with the border, bureaucracy with documentation and legalisation, added to the language barrier. Safety, health and education are basic guarantees that are often neglected by Syrians, violating not only internal norms but also the protection of human rights.

In view of the problems presented in relation to the issue of immigration from Syria and the problems the country is going through, it is intended to answer the following issue: What are the consequences of the violation of human rights in the face of Syrian refugees in Brazil?

However, some hypotheses are raised, as, to resolve the issue of Syrian refugees, the government needs to implement social inclusion programs, professional monitoring since the arrival of the immigrant in Brazil, guarantee housing, security, good infrastructure, health and education quality public, an intensive language course, professional courses, among other welcoming and sensitive behaviours, to ensure the dignity of the human person.

Based on this, the main objective of this research is to analyse the public and protection policies for refugees and their codified rights guaranteed by the host country and by international law. However, to do so, it will be necessary to trace the causes that generated the war in Syria, verifying the consequences of this exodus from the conflicts, analysing why some Syrians chose Brazil as a refuge. From this, it is intended to list the main problems regarding the arrival of Brazil, checking if there is the application of the refugee statute or violation of essential rights, demonstrating, in addition to the ways in relation to reception, if Brazil is flawed in public policies insertion, and in this context, what can be improved.

This research is justified by the fact that the situation of refugees is something that has a lot of impact. After all, leaving your country of origin, with a culture you are already used to and a language that is easy, your own comfort zone, is not easy. When it comes to Syrian immigrants, the situation is even more emergency, as it is analysed that there has been a war since 2011, which has already resulted in the death of many Syrian residents, a trauma for the many children victims of this inhumane confrontation. Brazil has been one of the countries that has hosted thousands of refugees since the war began, and has given a humanitarian lesson when it comes to receiving immigrants, how easy it is to get visas for refugees from Syria, assistance to those in need and their social inclusion.

The methodology adopted in this research is a literature review based on books, scientific articles and journals relevant to the area chosen for the work, through research and reading, whose purpose will be to bring different patterns that can serve as an example and to be worked on in society. For this, articles and magazines will be used, in order to bring up to date issues and new approaches, however books will also be used, to bring a historical concept to the approached theme. The study will have a deductive character, since it is a literature review, requiring the crossing of all research that is carried out on the subject.

Conflicts in Syria

The conflicts in Syria, which have grown exponentially year after year since 2011, are causing widespread civil war, generating disastrous humanitarian effects, forcing the exodus of citizens to countries that welcome them and provide the bare minimum for a decent life.

The only viable way out would be refuge in places that make security, protection of human rights and dignity possible. When analysing the trajectory of an immigrant, we realise the complexity that resides in the decision to migrate. Deciding to live in a country with a language, culture, lifestyle and worldview, among other various difficulties, to escape from a war that causes the terror of so many deaths and destruction. Brazil has struggled with the resources available to receive refugees in the best way, with complete security and full protection of their rights.

With the increase in the flow in Brazil, the government adopted measures to facilitate the entry of these immigrants into the territory and their insertion into Brazilian society. In September 2013, CONARE published Resolution No. 17, which authorised Brazilian diplomatic missions to issue a special visa to people affected by the conflict in Syria, in light of serious human rights violations³.

But in Brazil there are still many problems to be solved, such as better methods of inserting refugees into society, bureaucracy at the borders, as well as the lack of Portuguese language, contempt of local inhabitants as to their origin, troubled displacement, violence and prejudices suffered, in addition to poor hygiene, such as the lack of potable water and open sewers in many refugee camps, as Andrade⁴ says.

The first immigrants who arrived in Brazil were called settlers, and as they had some ease with trade, they migrated to centres and started to work in new lands, the author also says that during the beginning of the conflict in 2011 until 2013, the rate of refugees obtained an increase from 17 to 261, reaching 2,730 refugees in Brazil by the year 2013, according to the National Refugee Committee⁵.

Brazil has made a great effort to ensure the protection of refugees, expanding its measures, focusing on legislation for the protection of refugees, public assistance measures, thus becoming pioneers at the international level to be concerned with regulations for the protection of immigrants.

According to UNHCR⁶, Brazil is one of the countries that most welcome immigrants, with a total of 35,790 asylum seekers and refugees, about 30.61% of the total of displaced Syrians in the year 2015.

Faced with all the tragedy of Syrian refugees, an analysis is indispensable, regarding the protection guaranteed by the 1951 Refugee Statute, the 1967 protocol and the ANCUR Statute, which was insufficient in terms of its effective

³Getirana & Lima (2018) at 422.

⁴Andrade (2011) at 127-129.

⁵Lacerda, Silva & Nunes (2015) at 105.

⁶UNHCR (2015) at 57-63.

public policies. According to Andrade⁷, human rights is the prism, the foundation for the protection of refugees, but without forgetting the atypical situation that is forced immigration, in which the relevance of the status of refugees and signed treaties is fundamental. in favour of their protection.

It is understood that there is no possibility of protecting refugees without preserving the protection of human rights, especially the issue of Syria, which, due to its complications, end up generating a coerced exodus, not allowing so many choices for those who, for now, are politically persecuted or affected by the consequences of war in nearby regions. A practical application of this right is necessary, as only guaranteeing the right in theory will not really help, but with the implementation of services that provide benefits to refugees in the social sphere, it will ensure that they can enjoy some of the rights guaranteed by the constitution, human rights, and the Refugee Statute.

For an effective integration of refugees in Brazil, it is necessary to learn the Portuguese language, employment, access to public services, realisation of citizen's rights, good coexistence with the surrounding community and involvement with politics, as well as self-improvement with vocational courses, curriculum improvement and guidelines focused on the labour market are attempts at inclusion. As well as public bodies whose function is to register refugees for work vacancies, see Getirana & Lima⁸.

With the context of the pandemic, new challenges arise regarding the protection of these refugees and the constant struggle to find refuge in countries. Due to the growing continuation of violence in Syria, there is a significant displacement of Syrians in a situation of forced immigration, and while the scenario is still unstable, the numbers could increase, but UNHCR estimates that the displacement has already exceeded 80 million in the first half of 2020, being considered the country with the second highest number of internal displacements⁹.

With over 6 million Syrian IDPs in the year 2020, the total number of Syrian refugees accounted for around 612,382,693. UNHCR predicts that the 2021 scenario will be different, with significant drops in the number of new displacements, due to restrictions due to COVID-19, such as the closing of borders in many countries¹⁰.

Statute of Refugees

In order to expand the protection of refugees, the UN, in 1967, drafted the Protocol on the Status of Refugees, expanding the provisions of the 1951 United Nations Convention on the Status of Refugees, offering protection to all refugees and not only to those from World War II.

The 1951 Statute defined in its article 1 that the concept of refugee is understood as being the person who, due to well-founded fears of persecution due

⁷Andrade (2011) at 129.

⁸Getirana & Lima (2018) at 422-426.

⁹UNHCR (2020).

¹⁰UNHCR (2021).

to his race, religion, nationality, association with a certain social group or political opinion, is if outside their country of origin and who, due to such fears, cannot or does not want to return to their place of origin (UN, 1951).

In this sense:

Art. 1: Paragraph 1 For the purposes of this Convention, the term “refugee” shall apply to any person: c) Who, as a result of events occurring before January 1, 1951, and fearing persecution for reasons of race, religion, nationality, social group or opinions political, if he is outside the country of his nationality and that he cannot or, because of that fear, does not want to avail himself of the protection of that country, or that, if he has no nationality and is outside the country in which he had his habitual residence as a result of such events, he cannot or, due to such fear, does not want to return to it. Paragraph 2. For the purposes of this Convention, the words “events occurring before January 1, 1951”, of article 1, section A, may be understood in the sense of or a) Events occurring before January 1, 1951 in Europe. b) Events occurring before January 1, 1951 in Europe or elsewhere.

According to the Refugee Statute, put into force by the Vienna Convention in 1951:

[r]efugee is any person who, out of well-founded fear of persecution for reasons of race, religion, nationality, belonging to a particular social group or political opinion, is outside their country of nationality and is unable, or due to such fear, it cannot avail itself of the protection of such a country; or that, having no nationality and being outside the country of their habitual residence, they are unable, or due to such fear, cannot return to the country.

In this sense, it can be said that the Syrian population is part of the refugees, who are victims of atrocities, due to the conflicts existing in their country, making that beyond the question of human dignity, there is not even religious freedom, because those who are against the government are persecuted.

Brazil is one of the pioneers in relation to human rights on the Refugee Statute, and the Brazilian refugee law No. 9,474/97 created the National Committee for Refugees¹¹, the main body that assists refugees, including documents, freedom of movement within the territory and other rights.¹²

For this reason, the country leads the ranking of refugees from Syria, as this population believes that a better quality of life, work and dignified life will be possible, as well as protected rights.

Human dignity is a seismograph that indicates what constitutes a democratic legal order - that is, precisely the rights that citizens of a political community have to grant themselves so that they can respect each other as members of a voluntary association of free and equal persons. Only the guarantee of these human rights confers the status of citizens who, as subjects of equal rights, have the right to be respected in their human dignity¹³.

¹¹CONARE.

¹²UNHCR (2015).

¹³Habermas (2012) at 37.

In line with Art. 1, paragraphs 4, 5 and 6 of the 1951 Convention, art. 3 of Law 9,474/1997, provides for situations in which the benefit of refugee status will not be granted:

Art. 3. Individuals who: I – already enjoy protection or assistance from a United Nations body or institution other than the United Nations High Commission for Refugees – UNHCR; II – are resident in the national territory and have rights and obligations related to the condition of Brazilian national; III – have committed a crime against peace, war crime, crime against humanity, heinous crime, participated in terrorist acts or drug trafficking; IV – are found guilty of acts contrary to the purposes and principles of the United Nations.¹⁴

For Barreto, regarding the necessary documentation:

Upon arriving in Brazil and requesting refuge, there is no documentation, any type of paper, proving that the minor has some kinship with the asylum seeker. These children were saved from military attacks and managed to reach Brazil. Thus, it constitutes a device of great legal intelligence by allowing them to be considered dependents, receive a family reunion and enjoy the refugee status in the same condition as the refugee holders¹⁵.

Also, according to the same author:

The regime imposed by Brazilian law makes the procedure for recognizing refugee status a technical-legal issue, which is debated in due legal process. The institute for the international protection of refugees has a humanitarian nature and should not be a simple instrument of a state's foreign policy, migration policy, or criminal policy. Its scope must reflect a fair, efficient, rigorous and technical process of recognition, or not, of refugee status.¹⁶

The Brazilian law in its article 10, further states that:

Art. 10. The request, presented under the conditions set out in the previous articles, will suspend any administrative or criminal proceeding for irregular entry, brought against the petitioner and people from his family group who accompany him. § 1 If the refugee status is recognised, the procedure will be filed, provided that it is demonstrated that the corresponding offense was determined by the same facts that justified said recognition. § 2 For the purposes of the provisions of the previous paragraph, the asylum request and the decision on the same must be communicated to the Federal Police, which will transmit them to the body where the administrative or criminal procedure is processed¹⁷.

On the entry of refugee women as, Soares mentions that:

¹⁴Law No. 9,474, of July 22, 1997.

¹⁵Barreto (2010) at 157.

¹⁶Barreto (2010) at 56.

¹⁷Law No. 9,474, of July 22, 1997.

Female applicants may, depending on the case, need medical and psychological support; moreover, in cases where they have suffered some type of sexual abuse and violence, these women should be heard by female employees, as a way of facilitating the gathering of information. Applicants with mental disorders require different analysis techniques, medical advice and indication, if proven incapacity, of a legal representative.¹⁸

In this way, it can be said that there is a positivisation of rights in relation to refugees before the legal system, however the law is not being able to guarantee access and enjoyment to this entire population, having seen all the structural and social problems of the nation itself, such as unemployment, hunger and others. There is a good intention, mainly for the creation of the instrument that is the Refugee Statute, but the problems are so many that they can make this refugee population feel helpless in some aspect, not for lack of legislation, but for effective public policies.

It is observed that these were not effective even in the field of health, given the scenario of the pandemic observed, where the population did not have access to beds, oxygen and medicines in the necessary amount, causing many to die for lack of assistance. The same scenario in relation to income distribution, which made the country sink even further into the issue of unemployment and hunger, due to the pandemic, as many companies closed, and what was already bad, got even worse.

Finally, considering the issue and recognition of human rights presented by the Refugee Statute, and the affirmation of these rights in the legal system, it is necessary that there is a real realisation and protection of these.

Dignity of Human Person

The human person is characterised by his uniqueness, and this is linked to the question of freedom. Being in a relationship of equality with others, the human person starts to face obstacles contrary to his thoughts, an oppression brought by the weight that evolution of society brings to the world.

“Freedoms are born only from a will, they only last as long as the will to maintain them remains. Human rights cannot be understood as fruits brought by the State, but are created as manifestations and freedoms arise, that is, this is a burden that individuals are responsible for bringing to society.”¹⁹

According to Alexy²⁰ and Torres²¹, human dignity has its secular cradle in philosophy. It thus constitutes, in the first place, a value, which is an axiological concept, linked to the idea of good, fair, virtuous. In this condition, it stands alongside other core values for the Law, such as justice, security and solidarity

¹⁸Soares (2012) at 167.

¹⁹Bénoit (1985) at 21.

²⁰Alexy(2008).

²¹Torres (2005).

Philosophy following evolution shows that there was a clear conceptualisation of what human dignity is, even legally speaking, its definition as a form of protection is very difficult to obtain. According to Barroso²². This difficulty is due to the vague and imprecise contours brought about by its porosity and ambiguity, characterizing it as polysemic. Dignity in this matter is closely linked to the quality of it to physical integrity, property, life and others.

"Although the classification effort is indisputable and commendable - because it enables the systematisation and highlights the different rights identified as such - evolution has shown the continuous feeding of this category with new rights that scientific elaboration, mainly processed by the action of jurisprudence and doctrine, comes inserting into its context. The adoption of the flexible position, given the generalisation of this field, makes, in our view, the shelter of new rights that, naturally, scientific reflection will identify and bring to the subsequent sanction in positive law."²³

The notion of human dignity varies over time, suffering from the impacts brought about by its change as society changes and melds itself to the new imposed standards. Taking into account the historical concept, human dignity has undergone major changes in recent decades, being mentioned in several international documents, Constitutions, laws, processes and others. However, this does not diminish the fact of its difficulty in legal use. All over the world, it has been used to defend many causes, such as hate crimes, euthanasia, suicide, and even religious issues, which is the main instrument of this study.

Mello²⁴ says that principle is, by definition, the nuclear command of a system, its true foundation, a fundamental disposition that radiates over different norms composing the spirit and serving as a criterion for its exact understanding and intelligence, precisely because it defines logic and rationality of the normative system, in which it gives the tone and gives it a harmonic sense.

Nunes²⁵ discusses the fact that the dignity of the human person is an achievement that the human being has achieved over time, derived from an ethical-legal reason against the cruelty and atrocities practiced by humans themselves, some against others, in its historical trajectory.

The identification of human dignity as a legal principle has consequences with regard to its content, normative structure, application and its constitutional role. In this way, principles are legal norms that enshrine values without demonstrating specific behaviours. The application in the legal field is different from the rules, and they branch out into rules that condition their scope and meaning. However, it is possible to systematise the modalities of dignity effectiveness, into three categories, being them direct, interpretive and negative.

Despite the above, Szaniawski²⁶ states that the idea that every human being has dignity is prior to the right, and therefore does not need to be legally recognised

²²Barroso (2000) at 296.

²³Bittar (2003) at 17.

²⁴Mello (1986) at 230.

²⁵Nunes (2002) at 40.

²⁶Szaniawski (2005).

in order to exist. Its existence and effectiveness do not require legitimacy, through express recognition by the legal system. However, given the importance of dignity, as a basic principle that underlies the Democratic Rule of Law, it has long been recognised by the legal system of civilised and democratic peoples, as a fundamental legal principle, as a unifying value of other rights fundamental, inserted in the Constitutions, as a fundamental juridical principle.

Direct effectiveness has a real character and focuses on the similarity of a rule, that is, despite appearing vague, every principle will have a nucleus. Interpretative, on the other hand, means that its values and aggregated rules condition the judicial reach of the norms. Finally, the denial implies the suspension of the application of any norm that is in disagreement with the constitutional principles.

Based on this, human dignity is part of fundamental rights, but it cannot be confused with these, as dignity itself is not a fundamental right, due to its weighting with the competition between rights. Although it is characterised as one, it does not have an absolute character, because although it has its value, it can be sacrificed in favour of other social and individual values. Finally, dignity applies in relations between the individual and the State and in private relations.

Freedom of Expression

According to the Federal Constitution, the expression of thought is free, and anonymity is prohibited. This shows that within the laws, imposed by the Federal Constitution of our country, we have the full right to express opinions, beliefs and others, in this way, we are guaranteed the right to dissent. In addition, you also have the right to abstain, that is, not to express about matters, to remain silent, and it is not legal before the law to force the individual to express their opinions.

Second Coulanges(1971), the awareness of freedom as a power of self-determination necessary for the dignity of the human being is contemporary with the liberal ideological conceptions of the eighteenth century, marked by the affirmation of the bourgeoisie against the absolutism of the monarchy at that time. It is noteworthy that freedom for the Greeks was solely the prerogative given to citizens to participate in political decisions and in this differed from classical liberalism.

These ideological conceptions only conferred formal rights of freedom, if they were not opposed to the State, verifying the intangibility of this power, being almost absolute, opposing the character of guardianship that it should have. At this time, several criticisms were imposed on this approach, mainly for not paying attention to the real needs of individuals within society. In this context, figures appeared who presented themselves against this liberal movement, highlighting great figures such as Karl Marx and Friederich Engels, the so-called socialists. On the other hand, the church decided to set its doctrine in repudiation of socialist ideas, promoting protection for the poorest and not the bourgeoisie.

Freedom, as to its content, is characterised by the fact that there is no submission to others, the fact that it is not under the control of third parties, and that it does not

suffer from any impositional restrictions, whether from the State or from another individual. There is, therefore, an unmistakable connotation of restriction directed at everyone in society, ensuring the individual to exercise his/her self-determination.²⁷

The right of expression enables the exposure of beliefs, ideologies, opinions, emotions, being explained by the most diverse platforms, given the technological nature of the current scenario. The protection given to the right of expression enables the dissemination of thinking, with a wide variety of content and messages, as these cannot be restricted, as they are protected by freedom of expression and it has several types that they are complementary to each other.

According to Michelman²⁸, with the widespread use of new technologies, undue blocking and exaggerated or illegal control of information directly affect freedom of expression. In this context, we can say that if the virtual world is a representation of the real world, and the internet has become a means of propagating the most diverse types of expressions, it is also necessary to protect their rights, necessary for the maintenance and preservation of the environment.

In the same way that the ease of access to information for a large portion of the population implies several rights that must be protected, there is also the need to suppress these rights, given the problems observed in relation to religious, racial and sexual hate crimes, being an important point to create limits so that everyone can exercise the right of citizenship.

Thus, it can be said that there is an argument in favour of freedom of expression, that is, if there is any doubt about its legitimacy, it should be privileged. In other words, if there are complaints about individual due to an act of a third party that has hurt their concepts and ideological thoughts and they feel harmed, it is up to this party to prove the intent or guilt before the courts. rights.

Freedom of expression is one of the characteristics of current democratic societies, and is even considered a thermometer of the democratic regime. However, it should be noted that such rights are not judged if they are violated with the same appreciation as other causes, therefore, it is necessary to recognise and develop freedom of expression

However, there must be an understanding that freedom of expression is a right of all citizens, and that the State, more specifically the legal bodies, offer protection for such rights not to be harmed. Freedom of expression in the face of discriminatory speeches are subject to the application of the Law, thus allowing the peaceful coexistence of everyday life and multicultural societies. Such freedoms also apply to refugees, who, upon being welcomed by the country, enjoy the same conditions, granting them the right of citizenship.

Religious Freedom

It is evident that as important as the fundamental right to freedom of expression, we have the fundamental right to religious freedom, whose

²⁷Burdeau (1972).

²⁸Michelman (2007) at 51.

constitutional achievement constitutes the true consecration of maturity of a people. This is also provided for by the Federal Constitution, being inviolable the right to freedom of belief, religious cults, as well as the protection of places where they are celebrated.

In a semantic concept, freedom is associated with the absence of limitations, especially the legal one. Berlin²⁹ states that there are two types of freedom, negative freedom understood by the absence of external limits, and positive freedom, as the possibility of the subject being supported by the State or by society in a given issue.

Based on this, it is possible to affirm that freedom consists in the possibility of conscious coordination of the means necessary to achieve personal happiness. In this way, it is brought into harmony with the conscience of each one, with the agent's interest, therefore, everything that comes to impede that possibility of coordination of the means is contrary to freedom

"Mankind's primitive religion arose primarily from a fear of future events; and it is easy to conceive what ideas of unseen and unknown powers men naturally entertain when they are under the yoke of dark apprehensions of all kinds. This shows that religion was necessary given the need of human beings to find the reasons for their fears and anxieties, and somehow to have support in an entity so that their requests were met, thus causing a certain conformation in the face of the events that afflicting him and also applying to future situations."³⁰

The freedom to choose one's religion, the freedom to adhere to any religious sect, the freedom (or the right) to change religion, but also includes the freedom not to adhere to any religion, as well as the freedom of disbelief, the freedom of to be an atheist and to express agnosticism. But does not understand the freedom to hinder the free exercise of any religion

Religious freedom does not only consist in the State imposing any religion on anyone or preventing anyone from professing a certain belief. It also consists, on the one hand, in the State allowing or enabling those who follow a certain religion to fulfil the duties that flow from it (in matters of worship, family or education, for example) in reasonable terms. On the other hand (and without any contradiction), in the State not imposing or not guaranteeing with the laws the fulfillment of these duties.

According to the United Nations convention of Human Rights, everyone has the right to freedom of thought, conscience and religion; this right implies the freedom to change religion or belief, as well as the freedom to manifest one's religion or belief, alone or in common, both in public and in private, through teaching, practice, worship and rites.

It is noteworthy that for many religious freedom ends up being confused with freedom of conscience, but the latter has broader dimensions, assuming concepts that have no direct relationship with the religious option, belief or worship.

²⁹Berlin (2002).

³⁰Hume (2005).

Already the first, according to Bobbio³¹, consists of the right to profess any religion or not to profess any.

It is up to the State not to impose beliefs or prevent them from professing and participating in its services, but rather to protect the most diverse so that they can express themselves and fulfil their duties. Therefore, we can say that all individuals have the right to express themselves in any way they want, with the exception of exaggerations that can also be judged.

Finally, this religious freedom becomes very important for Syrian refugees, who are persecuted by different religions and the imposition of a belief in their country. This, in addition to the reasons for a dignified life, makes them see in other countries an opportunity to change their lives, and get real freedom. It is noteworthy that Brazil is not totally free of problems, but in relation to religious conflicts, wars and other persecutions, there is a smaller reality when compared to other countries, making this the destination of choice for these refugees.

Public Policies for Syrian Refugees

Law 13445/2017 establishes the guidelines for public policies for emigrants and can be highlighted in its article 3, item XXI - promotion of academic recognition and professional practice in Brazil and in item X - right to public education, discrimination on grounds of nationality and immigration status is prohibited. Therefore, it can be highlighted that education and work are the main forms of insertion in society and a way to promote the dignified development of human beings.

However, for Pereira³², public policies are a form of behavioural regulation, that is, they go beyond the role of governments, in other words, they are used as a form of regulation, intervention and incentive.

Pursuant to Law 13,445/2017 in its article 3, XI, some institutions such as the University of São Paulo have promoted the insertion and inclusion of the refugee community. These offer courses in Portuguese, geography and others. In addition, there are institutions that welcome children and babies, through volunteer work, offering painting programs.

Another institution that promotes the issue of public policies through education is UNICAMP, and CONARE itself, when presenting the necessary documentation, may request a vacancy.

Brazil currently has one of the most modern legislation on migration and has advanced in terms of supporting pillars for the full integration of the individual migrant into Brazilian society, as it ensures full access to services and rights.

Nowadays, in order to obtain refugee status, it is necessary for the refugee to be framed in global guidelines defined by UNHCR. However, in Brazil, with Law 9,474 of July 22, 1997, CONARE and the Refugee Statute, the issue of recognition of refugees accelerated, given their urgency in reception, immediately recognizing Syrian immigrants, mainly because of account of the condition in which Syria

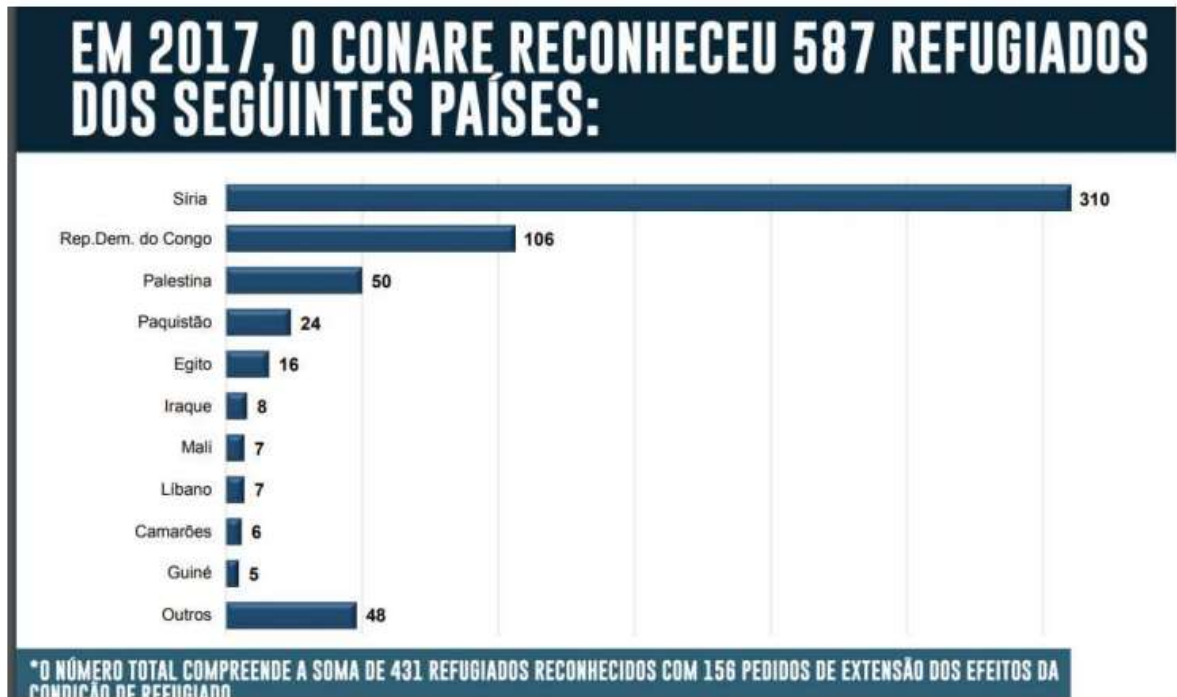
³¹Bobbio (2004).

³²Pereira (2005).

finds itself. This made Brazil recognised as an example of empathy with Syrian refugees, as it verified the speed in recognizing their condition, making the borders open.

It is in this sense of integrating and welcoming that public policies are necessary and, in the case of Brazil, they occur in an easier way due to the urgency of helping individuals' needs. The data below show that in 2017, Brazil recognised 310 Syrians, this being the largest participation.

Figure 1. Recognition of refugees



Source: CONARE (2017)

However, it is observed that from now on, the migration of Syrians decreases, giving way to that from Venezuela, which is going through a serious problem in relation to the government, causing it to obtain from now on more requests for asylum/asylum only than Syria.

However, despite the various insertion policies, the country is suffering a major economic crisis, which makes the issue of social development less, directly affecting this refugee population that depends on these public policies, mainly on incentives, work and education to stay in the country. . In a general context, in addition to the native population that goes through structural problems in Brazil, there are refugees, who, in addition to the fact that they are not in their country and need help, deal with financial and economic instability, which in a way afflicts that portion of the population.

In this way, it can be seen that Brazilian legislation assures the migrant individual legal security for his permanence in the national territory, that is, the effective legal status of an international citizen, upon recognition of the refugee

status. There is a concern with the parity between the national and the migrant, aiming at an equal treatment in the search for their insertion in the community.

Conclusions

In view of what has been exposed throughout this work, as well as the presentation of the Refugee Statute and the rights as dignity of the human person, freedom of expression and religious freedom, it is clear that from the reception the refugee starts to enjoy rights as native citizens. However, despite the assertion of rights in the legal system and support, this population is still very unprotected, as policies are not effective.

However, this is a structural problem in the country, as the population itself suffers from the absence of these policies that directly affect the country's development, which, thinking about territory, wealth and population, would have great potential to emerge and become a reference in welcoming these and others, guaranteeing the country's development.

It is noteworthy that from the necessary procedures for receiving refugees, being that this concept has changed - as a refugee is anyone who suffers some type of persecution, religious, ethnic and others, and who needs to leave their country, as their life is at risk - now enjoys the same rights as those seen in the Constitution of our country, as well as human dignity, freedom of expression and religious freedom. The last is the most debated, given the persecution in countries due to the imposition of religions.

In this way, it is observed that the general concept in relation to the reception of the Syrian refugees, it advocates the good faith of Brazil in receiving these people and welcoming them, given all the suffering they have experienced previously, a fact that Brazil is leading the ranking in terms of refugees. However, there is a need for public policies that guarantee the protection of these rights, not only for them, but for the population in general.

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