



## Government management process for welcoming refugees and guaranteeing human rights

### Processo de gestão governamental para o acolhimento de refugiados e a garantia dos direitos humanos

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#### ABSTRACT

In the last 70 years, the world has made great strides in relation to human rights guarantees, and Brazilian legislation has not been left behind. Today, in addition to the Federal Constitution, the Refugee Law (Law No. 9,474/1997), and the new immigration law (Law No. 13,445/2017), Brazil consolidates one of the most complete, modern and generous legal systems in relation to the reception of migrants, refugees and stateless persons in the world. Such conditions cause many people to seek refuge in the country to receive humanitarian aid and establish their residency. Through bibliographic and documentary analysis, based on empirical theoretical knowledge, the work sought to discuss the Public Management process practiced by the State, especially the City of Curitiba through the Diagnosis Report/2021 of MigraCidades. It was concluded that at the state level, public policies applied to migrants and refugees are managed through CERMA/PR with the support of organized civil society and pointed out flaws. At the municipal level, public policies applied to migrants and refugees are managed through FAS with the support of organized civil society and have pointed out shortcomings.

**Keywords:** Refugees, Human Rights, Public Management, State of Paraná.

#### INTRODUCTION

In recent years, the numbers of people displaced from their home countries due to conflict have been alarming. Every day, millions of people are forced to flee their homes, families and countries because of a well-founded fear of persecution related to race, religion, nationality, membership of a particular social group or political opinion, as well as serious and widespread human rights violations and armed conflicts. An estimated 25.4 million people are refugees worldwide (UNHCR. 2021).

In the last 70 years, the international community has made several advances related to humanitarian legislation, such as the Universal Declaration of Human Rights. The idea of universalization of fundamental rights has led to the idea of an international humanitarian law,

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which arises as a response to people at risk of conflicts, this branch of international law prescribes ethical limits for conflicts, what can be a euphemization of suffering, there are also some norms for the protection of victims. (BORGES, 2006, p.137)

In a local context, Brazilian legislation consolidates the understanding that the person is a subject of rights regardless of his or her nationality. Article 5 of the Federal Constitution equates rights between nationals and non-nationals, guaranteeing access to health, social security, social assistance and education for all. Added to the Refugee Law (Law No. 9,474/1997) and the new Immigration Law (Law No. 13,445/2017), Brazil has one of the most complete and modern legal systems, being considered by the United Nations (UN) as one of the most modern, comprehensive and generous laws in the world in relation to refugees<sup>2</sup>.

The present study aimed to develop an analysis of the public management process, focused on the State of Paraná and especially the municipality of Curitiba, developed for the reception and social insertion of migrants and refugees who seek Brazil to rebuild their lives.

To this end, it was intended to discuss international and national humanitarian and migratory legislation; Finally, to analyze the public management developed by the State of Paraná, especially the municipality of Curitiba, in relation to the reception and insertion of migrants and refugees in the local society.

## **HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW**

For many legal scholars, human rights are inherent to man, because they embrace tautological, formal definitions and finalist definitions. Professor Peres Luño (1995, p. 22) presents human rights with three definitions: tautological, formal and teleological definition.

The understanding that human rights are born with the individual goes back to the idea of natural law, which is based on natural law. In this view, those basic rights that belong to man do not need to be affirmed.

Other great thinkers have treated the subject with a privileged eye. As a great advance on the subject, we can cite the authors Robert Alexy, through the modern theory of justice of John Rawls, and Ronald Dworkin. The importance of human rights is immeasurable, but we can get an idea of their weight by virtue of being a central theme of Constitutional Law and International Law.

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<sup>2</sup> UNHCR-BRAZIL. Agencia da ONU para Refugiados Available at: < <https://www.acnur.org/portugues/acnur-no-brasil/legislacao/>> Accessed on: 02/14/2024.



The theory used by Ramos (2005) presents a series of characteristics regarding fundamental rights. The first characteristic is Universality, thus understanding that this is the form that distinguishes the bearers of this right as being all people.

The Declaration responds that human rights are universal because it calls for the universal extension of these rights under the belief that personhood is the sole and exclusive requirement for entitlement to rights. The human being is an essentially moral being, endowed with existential uniqueness and dignity as an intrinsic value of the human condition<sup>3</sup>.

The universality of human rights, in addition to an academic and doctrinal understanding, was affirmed in the Vienna Declaration in its Article 5, which states:

All human rights are universal, indivisible, interdependent and interrelated. The international community must treat human rights globally, fairly and equitably, with the same standards and the same emphasis. National and regional particularities and historical, cultural and religious bases must be considered, but it is the obligation of States, regardless of their political, economic and cultural system, to promote and protect all human rights and fundamental freedoms<sup>4</sup>.

Therefore, there is a conception that affirms that the universality without limits for the human being, by the simple fact that the individual exists, he is endowed with a dignity and compatibility that does not depend on race, sex, sexual orientation, ethnicity, social position or any other variable. The condition of the person's conception is the sole prerequisite for entitlement.

The Charter of San Francisco, a document created by the UN in 1945, already mentions in its first article "to promote and encourage respect for human rights and fundamental freedoms for all, without distinction of race, sex, language or religion (...)" (UN, 1945), a theoretical framework prior to the Universal Declaration of Human Rights.

Still in the tone of characteristics, we can mention the institute of the Indivisibility of Human Rights. It is understood by this characteristic that it should be applied to all areas, that this right is the basis for all positivization and reasoning about rights. This idea is reflected in Article 5 of the Treaty of Vienna.

What rights? The Declaration affirms the indivisibility of human rights. In its 30 articles, some of them translate civil and political rights, some of them translate economic, social and cultural rights. And what does the declaration impact on the language of human rights? It goes on to say: as important as blue rights – civil and political rights – are red rights. Economic, social and cultural rights are on parity, in

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<sup>3</sup> PIOVESAN, Flavia. Human Rights: Challenges and Contemporary Perspectives, TST Journal, Brasília, Vol. 75, No. 1, Jan/Mar 2009.

<sup>4</sup> Vienna Declaration of 1993.



degree of importance. Just as important as freedom of expression is access to health, education and work. As serious as dying under torture is dying of hunger.<sup>5</sup>

Indivisibility affirms that there is equality between all rights, that there are no hierarchical differences between them, the suppression of at least one would take away the possibility of a dignified life. Civil and political rights must go hand in hand with economic, social and cultural rights.

Another facet is that of non-renounceability, that is, renouncing these rights is not an option, thus becoming prohibited, "Human rights are inalienable, since renouncing such rights would imply renouncing the condition of being human, no right, no legal or moral principle would be legitimate if such renunciation were allowed" (ANNONI, 2013), one cannot do what one wants, This is because it is not only in the interest of the bearer of the right, but of the entire collectivity, they are objective.

Finally, the characteristics of inalienability and imprescriptibility. The first is presented with the purpose of prohibiting the possibility of adding economic value to such precepts, setting a price and consequently negotiating it. An example of such a procedure is slavery, if it could be negotiated we could walk towards this harvest.

Imprescriptibility implies acknowledging that such rights are not lost by the passage of time: if there is a human being, there are these inherent rights. Inalienability presupposes that it is impossible to attribute a pecuniary dimension to those rights for the purposes of sale. (RAMOS, 2014, p.145)

On the other hand, the imprescriptibility is about not losing due to the passage of time, because there is no determined time for its effectiveness, at any time it can be invoked.

The event of the Declaration of 1948 generates a historical milestone, from which International Human Rights Law begins to develop. In this spirit, numerous protection mechanisms are adopted, including at the international level, because the fear that States will subjugate their citizens can no longer be ignored. "The Declaration of 1948 confers axiological ballast and evaluative unity to this field of law, with an emphasis on the universality, indivisibility and interdependence of human rights." (Piovesan, 2003),

The movement for the internationalization of human rights is an extremely recent movement in history, emerging from the post-war period as a response to the atrocities and horrors committed during Nazism. If the Second World War meant the rupture with human rights, the post-war period should mean their reconstruction. It is in this scenario

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<sup>5</sup> PIOVESAN, Flavia. HUMAN RIGHTS: CONTEMPORARY CHALLENGES AND PERSPECTIVES. Available at: [https://juslaboris.tst.jus.br/bitstream/handle/20.500.12178/6566/010\\_piovesan.pdf?sequence=5](https://juslaboris.tst.jus.br/bitstream/handle/20.500.12178/6566/010_piovesan.pdf?sequence=5)



that the effort to reconstruct human rights is designed, as a paradigm and ethical reference to guide the contemporary international order.<sup>6</sup>

The idea that the defense of human rights is the responsibility of the entire global community and not just the reserved sphere of the State has grown in the last 70 years, it is something that should be of interest to everyone. (PIOVESAN. 2003, p.5)

The idea of universalization of fundamental rights has led to the idea of an international humanitarian law, which arises as a response to people at risk of conflicts, this branch of international law prescribes ethical limits for conflicts, what can be a euphemization of suffering, there are also some norms for the protection of victims. (BORGES, 2006, p.137)

The function of international humanitarian law is to regulate the law of war – jus in bello – not least because regulating the limitation and prohibition of the right to resort to war – jus ad bellum – is the main objective of international law and of the United Nations systems, an institution created for this purpose. And even with regard to jus ad bellum, in exceptional cases there is the possibility of resorting to the use of force in a legitimate manner. In this way, the San Francisco Caucus permits war in cases of individual or collective self-defense or when the Security Council deems it so, with a view to maintaining or restoring international peace and security. (BORGES, 2006, p.137)

International Humanitarian Law is a branch of Public International Law, the other branches fall on International Human Rights Law and International Refugee Law, however this division within Public International Law is for study purposes only, because both converge to the reduction of the suffering of people in conflict areas. (BORGS. 2006).

## **RIGHTS OF IMMIGRANTS AND IMMIGRANTS**

In line with the previous idea, after the horrors committed during the Second World War, in order to reduce the suffering of people who had to leave their homes due to conflicts, one of the main legal instruments at the international level for the protection of displaced persons emerged, the Geneva Convention relating to the Status of Refugees of 1957.

According to Piovesan (2006, p. 59), the Convention is considered the Institute's Magna Carta, as it establishes the concept of refugee:

Definition of the term "refugee": A. For the purposes of this Convention, the term "refugee" shall apply to any person. (2) that, as a result of the events of January 1, 1951, and fearing persecution on account of race, religion, nationality, social group or political opinion, she is outside the country of her nationality and that she is unable or, owing to

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<sup>6</sup> PIOVESAN, Flavia Cristina. Human Rights and International Constitutional Jurisdiction. Brazilian Journal of Constitutional Law, n. 1, jan/jun. – 2003. Available at: <http://www.esdc.com.br/seer/index.php/rbdc/article/viewFile/27/28>.



such fear, is unwilling to avail herself of the protection of that country, or that, if she has no nationality and is outside the country in which she was habitually resident as a result of such events, He cannot, or, because of that fear, does not want to return to it.

However, due to the historical context in which the Convention was created, it was later observed that only refugees coming from Europe, and due to events that occurred before a certain time, could obtain protection in Brazilian territory due to temporal and geographical limitations specified in the document:

For the purposes of this Convention, the words "events occurring before January 1, 1951" in Article 1, Section A, may be understood as meaning either  
a) "Events occurring before 1 January 1951 in Europe"  
(b) "Events occurring before 1 January 1951 in Europe or elsewhere".

These temporal and geographical limitations were extended by the Protocol relating to the Status of Refugees of 31 January 1967.

Two other pieces of legislation of great relevance to the rights of refugees were the 1969 Convention of the Organization of African Unity (OAU) and the 1984 Cartagena Declaration. The first addressed challenges related to refuge on the African continent, which at the time erupted with internal political disputes after a period of independence movement. For these reasons, the Convention broadened the definition of refugee and regulated issues such as non-rejection at the border, among others. The second, in turn, recognizes the hypothesis of refuge when resulting from the serious and widespread violation of human rights. (MOREIRA, 2005).

The Brazilian legal framework consolidates the understanding that the person is a subject of rights regardless of his or her nationality. Article 5 of the Federal Constitution equates rights between nationals and non-nationals, guaranteeing access to health, social security, social assistance and education for all. Added to the Refugee Law (Law No. 9,474/1997) and the new Immigration Law (Law No. 13,445/2017), Brazil has one of the most complete and modern legal systems, being considered by the United Nations (UN) as one of the most modern, comprehensive and generous laws in the world in relation to refugees<sup>7</sup>.

The affirmation of this more comprehensive legislation is described in item III of its article 1, which recognizes as a refugee any individual who "due to the serious and widespread violation of human rights, is forced to leave his country of nationality to seek refuge in another country" (BRASIL, 1997).

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<sup>7</sup> UNHCR-BRAZIL. UN Refugee Agency. Available at: < <https://www.acnur.org/portugues/acnur-no-brasil/legislacao/>> Accessed on: Jan. 14, 2024.



## MANAGEMENT PROCESS

According to data provided by the National Committee for Refugees (CONARE),<sup>8</sup> in 2020 alone, Brazil received 28,899 requests for recognition of refugee status. The research points out that, due to the New Corona Virus pandemic, which is why people were prevented from moving due to border closures, in 2020 Brazil had 65% fewer requests for recognition of refugee status than the previous year when the number was 82,552 (CONARE. Refuge in Numbers, p 9).

Regarding the conflicts in the Middle East, in 2020 Brazil analyzed and granted 565 requests for recognition of refugee status. Of these requests, 479 were from people from Syria, 23 from Pakistan, 28 from Afghanistan, and 35 from Iraq. Syria, Iraq and Afghanistan represent the highest rate of approval of applications, totaling 93.0%, 92.0% and 87.5%, respectively (CONARE. Refuge in Numbers, p 23, p25).

Being in Brazil, a person who is outside his country of origin due to a well-founded fear of persecution related to the issue of race, religion, nationality, belonging to a specific social group or political opinion and who cannot or does not want to avail himself of the protection of his country, or who is forced to leave his country due to the serious and widespread violation of human rights, can be recognized as a refugee. as described in Law No. 9,474 of 1997.

Upon arrival in the country, the foreigner will be able to express his willingness to apply for recognition as a refugee. The Federal Police is the border authority responsible for migratory issues. "they are trained to be prepared to identify an asylum seeker and provide them with information regarding the initial procedures of a process for recognition of refugee status" (BARRETO. 2010, p 162).

The law provides that the refugee will have the right to an identity card proving his legal status, a work card and travel documents. With regard to the identity card, the legislation provides that it is the same as that of foreigners residing in the country, but must include the legal status of refugee. With the work card, the refugee can carry out any paid activity in the country, except for professions regulated by class entities, where they will have to register with the respective regulatory bodies for the exercise of the profession, carry out autonomous activities and have access to government social programs. With regard to passports, Brazil has a specific standard for the public in question. The refugee passport is yellow in color. Apart from the color, the travel document allows the same rights abroad as Brazilians, such as diplomatic

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<sup>8</sup> CONARE is a collegiate body, linked to the Ministry of Justice and Public Security, which deliberates on requests for recognition of refugee status in Brazil, and its competence is defined in article 12 of Law No. 9,474, of July 22, 1997.



protection in any transfer abroad, consular assistance and others as help in case of accidents or conflicts (BARRETO. 2010).

At the state level, public policies are managed through the State Council for Refugees, Migrants and Stateless Persons of Paraná (CERMA/PR). Established by Law No. 18,465, of April 24, 2015, the council is linked to the organizational structure of the State Secretariat of Justice, Family and Labor – SEJUF, with a consultative and deliberative character, integrated, equally, by representatives of public agencies and organized civil society entities<sup>9</sup>.

As stated in its bylaws, CESMA/PR works in partnership with organized civil society entities, i.e., Non-Governmental Organizations (NGOs), religious institutions and universities.

Since its creation, CERMA/PR has prepared two State Plans of Public Policies for Migrants, Refugees and Stateless Persons of Paraná, the first of which will be in force between 2014 and 2016, and the second, which is currently in force, with goals stipulated during the years 2022 to 2025. As found, there was a gap in the implementation and control of the goals for a period of five years.

The current plan was developed proposing 61 measures divided into six axes of action, namely: Education; Family and Social Development; Health; Justice, Labor and Human Rights; Public Security and Communication and Culture<sup>10</sup>. To date, no results of this plan have been presented.

The First Plan, developed between 2014 and 2016, contained 21 planned actions divided into six axes. Upon receiving and analyzing the information, CERMA found that of the 21 planned actions, 17 were carried out, 9 of which were fully carried out, 8 were partially carried out and 4 were not carried out. Thus, obtaining a percentage of 42.8% of actions fully carried out, 38% partially carried out and 19% of the actions were not carried out<sup>11</sup>.

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<sup>9</sup> Available at: < <https://www.justica.pr.gov.br/Pagina/Conselho-Estadual-dos-Direitos-dos-Refugiados-Migrantes-e-Apatridas>>. Accessed on 02/14/2024.

<sup>10</sup> II State Plan of Public Policies for Migrants, Refugees and Stateless Persons 2022-2025. Available at: < [https://www.justica.pr.gov.br/sites/default/arquivos\\_restritos/files/documento/2022-07/ii\\_plano\\_estadual\\_de\\_politicas\\_publicas\\_para\\_migrantes\\_refugiados\\_e\\_apatridas\\_-cerma-pr.pdf](https://www.justica.pr.gov.br/sites/default/arquivos_restritos/files/documento/2022-07/ii_plano_estadual_de_politicas_publicas_para_migrantes_refugiados_e_apatridas_-cerma-pr.pdf)>. Accessed on 02/15/2024.

<sup>11</sup> Monitoring Report on the Actions Provided for in the State Plan of Public Policies for the Promotion and Defense of the Rights of Refugees, Migrants and Stateless Persons of Paraná. In stock :<[https://www.justica.pr.gov.br/sites/default/arquivos\\_restritos/files/documento/2022-02/relatoriocerma\\_1.pdf](https://www.justica.pr.gov.br/sites/default/arquivos_restritos/files/documento/2022-02/relatoriocerma_1.pdf)>. Accessed on 02/15/2024.



In an interview with the news site Plural<sup>12</sup>, the president of CERMA/PR, social worker Marcia Ponce said that:

"Legislation alone does not guarantee basic rights. We need the return at the base. So, the orientation needs to be permanent. It is necessary to qualify the server so that he understands and accepts the asylum request protocol, a fight that we have waged to improve this document, which today is almost a printed paper, it looks like a photocopy, not a valid document. But it is a valid document, which gives the refugee access to all his rights." (LUC. 2019, online)

By means of Decree No. 5,232/2016, the State Information Center for Migrants, Refugees and Stateless Persons of the State of Paraná (CEIM) was established within the scope of the State Secretariat of Justice, Family and Labor, which aims to provide information regarding access to state and municipal public services, regarding document regularization (RNE, CPF, CTPS, family union visa, and others); information on fundamental rights and labor legislation; guidance regarding enrollment and revalidation of studies carried out abroad; access to services and benefits of the Social Assistance Policy. In the course of its activities, this service has already been provided to more than 37 thousand people of 60 nationalities by the middle of 2023<sup>13</sup>.

The Federal University of Paraná (UFPR) develops the Migration Policy and Brazilian University Program (PMUB), better known as room 28. About two thousand people are served at the site per year, and Portuguese classes are offered; computer classes; legal-administrative assistance; psychological counseling; health orientation; guidance to victims of gender-based violence; accompaniment of migrant and refugee students at UFPR; reception registrations/courses; text production classes; reference. Mig. And DDHH/psychological topics<sup>14</sup>.

Some NGOs also work with projects aimed at the immigrant and refugee community in the state. This is the case of Cáritas Brasileiras, which through its Paraná branch – Social Action of Paraná (ASP) developed during the period of February the largest of 2019, the Dom Oscar Romero Shelter House project, in the municipality of Curitiba. The project was developed in partnership with and funded by the International Organization for Migration IOM and offered

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<sup>12</sup> Plural news site. Available at <https://www.plural.jor.br/noticias/vizinhanca/refugiados-lutam-por-inclusao-no-parana/>. Accessed on 02/14/2024.

<sup>13</sup> CEIM/PR Available at: <https://www.justica.pr.gov.br/Pagina/Centro-de-Informacao-para-Migrantes-Refugiados-e-Apatridas-do-Parana-CEIM>. Accessed on 02/14/2024.

<sup>14</sup> Room 28. UFPR. Available at: < [https://sala28.ufpr.br/portal/?page\\_id=255](https://sala28.ufpr.br/portal/?page_id=255) > accessed on: 02/14/2024.



shelter, social assistance, legal guidance and local integration to migrants, seeking to promote a dignified life with labor and community insertion<sup>15</sup>.

## MANAGEMENT PROCESS IN THE MUNICIPAL SCOPE OF CURITIBA

At the municipal level, the analysis will be based on the MIGRACIDADES2021 diagnostic report<sup>16</sup>.

The Platform sought to measure the presence of 10 dimensions of divided migration governance and two groups: Dimensions of governance – dedicated to analyzing the institutional design of local policies; and Dimensions of access to health, education, the labor market, among other aspects related to the well-being of international migrants (MigraCidade. 2021, p. 3).

### **Governance dimensions**

Regarding the institutional structure of governance, the city of Curitiba informed that it has a sector dedicated to the formulation and monitoring of policies on migration. That this sector would be the House of Welcome and Return, linked to the Social Action Foundation. Also according to the local government, "there is a local strategy for the reception and integration of migrants described in a plan, policy or other public document (MigraCidade. 2021, p. 13)". However, this document was not presented to the report and was not located.

### **Training of public servants and raising awareness on the rights of migrants**

According to the platform, this dimension seeks to understand whether the local government offers regular training for public servants in management and services on the issue of migration, including issues of cultural sensitivity, gender and human rights. In response, the government reported that it did not conduct training with management officials in the last year (MigraCidade. 2021, p. 13).

### **Social and cultural participation of migrants**

The prefecture indicated that, in the last year, measures have been created to inform and empower migrants about their rights to social participation. He also informed that there are

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<sup>15</sup> ASP, Social Action of Paraná. Don Oscar Romero Shelter. Available at: < <http://www.aspr.org.br/asp/projetos-unidades/casa-de-acolhida-dom-oscar-romero/>> Accessed on: 02/14/2024.

<sup>16</sup> The Platform "MigraCidades – Enhances Local Migration Governance in Brazil" is a partnership between the International Organization for Migration (IOM) and the Federal University of Rio Grande do Sul (UFRGS), which has the support of the National School of Public Administration (ENAP) and funding from the IOM Fund for Development.



migrants who participate in government bodies, as well as have the presence of migrants in the representations of local councils and participatory bodies.

Regarding cultural participation, the local government informed that the Ethnic Pavilion Program is being developed, whose objective is to disseminate, preserve and value the culture of the different ethnic groups present in the city, with an extensive agenda of events (music, dance, theater, storytelling, gastronomic fairs, handicrafts and traditional products) (MigraCidade. 2021, p. 15).

### **Transparency and access to information for migrants**

The government indicated that it provides comprehensible information about access to public services for migrants at face-to-face service locations or on the government's website. It provides, free of charge and in a face-to-face service location, information on the rights and duties of migrants.

As an improvement measure, the government indicates that information is available in different languages, which shows that so far such information is only available in Portuguese (MigraCidade. 2021, p. 16).

### **Institutional partnerships**

The government reported that the Social Action Foundation (FAS) maintains partnerships with migrant associations; with civil society organizations (CSOs) such as Caritas and the Pastoral of Migrants, and with universities. And also with international organizations such as IOM (MigraCidade. 2021, p. 17).

### **Access to healthcare**

With this dimension, we sought to understand whether the government adopts measures to facilitate migrants' access to public health services, especially primary health care. In response, the government reported that migrant people have access to primary health care services and referral to outpatient and hospital care services, in a non-bureaucratic way, with facilitation in registering for the SUS card. He also informed that there are protocols established in the health network to facilitate the qualification of access, reception, and care for migrants and that there are policies to ensure the food and nutritional security of the migrant population. That to ensure food security, there was an expansion of service at the Family Warehouses and the Solidarity Table Program (MigraCidade. 2021, p. 18).



Regarding the campaigns and informative actions, the city hall reported that it carried out actions on: local health services and the functioning of the SUS; disease prevention and health care promotion; and COVID-19 prevention and pandemic guidance. It also informed that the campaigns seek to promote diversity, strengthen cultural sensitivity and curb any form of discrimination (MigraCidade. 2021, p. 18).

As ways to improve, the local government pointed out that "it is recommended that these actions also be made available in languages spoken by migrants", which demonstrates that the campaigns are developed only in the Portuguese language (MigraCidade. 2021, p. 19).

### **Access and integration to education**

With this dimension, we sought to understand if the local government adopts measures to facilitate access to the integration of migrants to education. In response, the municipality of Curitiba reported that it offers vacancies in early childhood education, elementary and high school, and that extracurricular activities and language courses have been offered to migrants. Also according to the municipality, there are guidelines, flows and protocols established for the education network to facilitate the access and integration of migrants in the educational system, based on normative instruction No. 04/2021, of the Municipal Department of Education, and Resolution No. 1 of 11/13/2020 of the Ministry of Education. He also indicated that he had not carried out training with education workers in the last year (MigraCidade. 2021, p. 20, 21).

### **Access to social assistance and protection**

The local government indicated that it provides access to public social assistance and protection services through the Unified Social Assistance System (SUAS), through the services provided by CRAS and CREAS and the Registry for social benefits. He also informed that this access is done in a non-bureaucratic way through the Single Registry (CadÚnico), for example. It also reported that during the pandemic, it sought to facilitate access to emergency aid measures for migrants (MigraCidade. 2021, p. 22).

According to data provided to MigraCidade, throughout 2020, 2,259 migrants were included in the Single Registry (CadÚnico). The municipality indicated that these data are used to propose local changes in access to assistance and social protection for migrants (MigraCidade. 2021, p. 23).



The government also informed that the demands for specialized care presented by migrants are monitored and advised by the Secretariat of Social Assistance and the Social Action Foundation, through the House of Reception and Return (MigraCidade. 2021, p. 22).

### **Access to the labour market**

In order to understand the measures taken to facilitate migrants' access to the labour market, the local government indicated that it provides access to career counselling and guidance; that you provide from a job vacancy center or similar service; and job vacancies in the private sector. He also pointed out that it has several programs and services of the Labor and Employment Policy such as: Mobiliza Program; Training Program for the 1st job; 1st Jobech Program; Apprentice Program; Lyceum of Crafts; FAB LAB, among others (MigraCidade. 2021, p. 24).

### **Access, reception and protection services: gender, LGBTIQ+ and racial equality**

This dimension seeks to understand whether the local government adopts measures to facilitate the access and reception of migrant women and LGBTIQ+ (lesbian, gay, bisexual, transgender, intersex, queer) to protection services, such as shelters, telephone support channels and specialized police stations to prevent and combat racial discrimination against migrants.

In response to the question, the city of Curitiba replied that the group in question has access to specialized police stations; the shelter; and other protection channels, such as support telephone numbers or local initiatives that carry out this reception (MigraCidade. 2021, p. 26).

## **METHODOLOGY**

In the present study, the approach to the subject was based on bibliographic and documentary analyses, based on theoretical-empirical knowledge. Research was carried out on the main doctrines that address the theme of Human Rights and Public Management linked to refugees. In the course of this work, we tried to describe the current situation of public management policies practiced in the State of Paraná in order to identify their way of acting, causes and consequent effects, thus characterizing the descriptive and explanatory research.

## **RESULTS AND DISCUSSION**

The central approach of the theme "Government Management Process for the Reception of Refugees and the Guarantee of Human Rights" hovered over the public management, focused



on the State of Paraná and especially the municipality of Curitiba, developed for the reception and social insertion of migrants and refugees who seek Brazil to rebuild their lives.

Throughout the research, it was found that Brazil consolidates one of the most complete, modern and generous legal systems in relation to the reception of migrants, refugees and stateless persons in the world. And all this legal framework of protection makes our country a destination for thousands of migrants and refugees every year.

However, when it comes to public management for the reception and social insertion of migrants and refugees in the State of Paraná, there is still much to be developed.

In fact, the training of civil servants is a very critical point when it comes to public management aimed at migrants and refugees. During the research, no training and qualification project for public servants focused on the area was found.

According to the report of the "Socioeconomic Profile of Refugees in Brazil<sup>17</sup>" released by the UN, in a universe of 200 refugees who admitted to having suffered discrimination, 28 of them pointed out police authorities as authors of the discriminatory acts and 34 claimed to have suffered some type of discriminatory act from public servants. Alarming numbers that demonstrate the real need for training public servants, since they are, in theory, the most qualified to welcome refugees.

At the municipal level, in the course of the research, it was found that the city of Curitiba has been developing a good work in the reception and social insertion of migrants and refugees. Through data released in the MigraCidade report, where the platform sought to evaluate 10 dimensions of migration governance divided into two groups: Dimensions of governance – dedicated to analyzing the institutional design of local policies; and Dimensions of access to health, education, the labor market, among other aspects related to the well-being of international migrants, it was possible to have a good notion of the work developed in the capital of the State of Paraná. (MigraCidade. 2021, p. 3).

When analyzing the data disclosed, it should be noted that although it was informed in the research that "there is a local strategy for the reception and integration of migrants described in a plan, policy or other public document" (MigraCidade. 2021, p. 3), such documents were not located.

Another relevant point is the lack of a proper place to receive migrants and refugees. The great challenge for public actions, says Marcia Ponce, president of CERMA/PR, in an interview

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<sup>17</sup> UNHCR. Socioeconomic Profile of Refugees in Brazil. Available at: <https://www.acnur.org/portugues/wp-content/uploads/2019/05/Resumo-Executivo-Versa%CC%83o-Online.pdf>. Accessed on: 14 de feb. of 2024.



with the news site Plural, is welcoming. "Today we don't have shelters for them. Institutional shelters for these groups take place together with the homeless population and are different audiences, which can generate conflicts" (PLURAL. 2020. Online).

As at the state level, the municipality also did not invest in training municipal public servants. At several points, the research showed a lack of training of the civil servants, but this point was presented as future improvements.

Finally, one of the points that draws a lot of attention is the indication that there are no newsletters, especially in relation to Access to Information for Immigrants and Access to Health, available in a foreign language. This fact would make life much easier for newly arrived immigrants, considering that one of the biggest barriers faced by them when arriving in the country is the Portuguese language.

## **FINAL THOUGHTS**

At the same time that migrants and refugees find welcoming legislation in Brazil, they are also faced with a set of flawed and inappropriate public policies for their adequate reception and for their insertion in local society and in the labor market. At the state level, there were difficulties in the implementation and maintenance of the actions proposed in the State Plan of Policies Applicable to Immigrants and Refugees, as well as the lack of training of the civil service.

At the municipal level, despite not having located a strategic plan aimed exclusively at the migrant public, the local government has presented good management on the subject. In the institutional design, through the House of Welcome of the Return of Curitiba, maintained by FAS, the city hall welcomes migrants and makes the first referrals where access to health, education, the labor market, among other aspects related to people's well-being, is guaranteed.

Finally, as reported in the previous topic, the research demonstrated some flaws such as: the lack of implementation and maintenance in the State Plan of Public Policies Applicable to Immigrants and Refugees; At the municipal level, there is a lack of a municipal plan aimed at the reception of migrants and refugees, as well as their reception with the homeless population; lack of information, especially regarding Access to Information for Immigrants and Access to Health, available in a foreign language; and training of civil servants.



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