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Observatório das  
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# ASYLUM STATISTICS 2022

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# **ASYLUM STATISTICS**

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2022

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# 1. Introduction

On July 22<sup>nd</sup>, 1997, Law No 9.474 entered into force, a legal landmark that established the mechanisms for the implementation of the 1951 UN Convention Relating to the Status of Refugees (also known as the “Geneva Convention”) in Brazil. Since then, the discussion surrounding human movement in its multi-layered complexities did not diminish, if anything, it intensified, and 25 years after the publication of such an important regulatory instrument for the Brazilian human rights policy in the migration field, global forced displacement has come to occupy the forefront within the international policy framework with clear implications for Latin American contexts, in general, and Brazilian contexts, in particular. In this regard, understanding the motivation behind such flows is fundamental, with emphasis on the specificities inherent to asylum:

The analysis of the motives that led people to cross the borders of their countries of origin or habitual residence shows that, in some instances, such moves are acknowledged by national and international legal instruments as a peremptory norm considering their binding nature. Those people are deemed to be refugees and asylum-seekers, individuals who have left their country of origin due to armed conflict, human rights violations, and other instances of violence, seeking the protection of another State (SILVA, G. J; CAVALCANTI, L; OLIVEIRA, T; MACEDO, M 2020, p.5).

Once again, the publication of Asylum Statistics devotes its attention to the asylum phenomenon in Brazil and, consequently, to refugees and asylum-seekers. Therefore, the seventh edition of this publication is divided into two chapters at the end of which we present some final remarks.

In the first section, we present the methodological notes, indicating the databases that were used, taking into account their potential as well as their constraints. Next, some of the main conceptual frameworks for asylum in Brazil will be presented. The second part of this publication focuses on the Brazilian asylum phenomenon in 2021, presenting relevant information both from a demographical as well as a spatial standpoint, including data related to the RSD procedures and the extension of the effects of refugee status. Finally, in the last section, we recall some of the main points discussed throughout the document and present the final remarks on the current contexts of asylum in Brazil.

This new edition of Asylum Statistics aims at presenting an overview of asylum in Brazil in 2021, drawing attention to its demographical dimensions and the management of such an important Brazilian humanitarian policy within the migration field. In this publication, the data and statistical analysis were carried out by the International Migration Observatory (OBMigra) having as a departure point the databases that will be shown in more detail in the next item.

## 1.1. METHODOLOGICAL NOTES AND MAIN CONCEPTS ABOUT ASYLUM IN BRAZIL

We used two databases to prepare this publication- namely the International Movement Tracking System- Warning and Restrictive Measures (STIMAR, in Portuguese), managed by the Brazilian Federal Police, as well as databases kept by the General Coordination of the National Committee for Refugees (CG-Conare, in Portuguese)- after OBMigra had checked the statistical analysis for data validation.

As for the origin of refugees or asylum-seekers , the analyzed data sometimes dealt with combined information about the country of birth, nationality, or country of habitual residence. In this sense, in order to present the analysis more clearly, the text will refer only to refugees or asylum-seekers whose origins are more well-defined, if necessary, while, at the same time, preserving the meaning and complexity of the information.

Among the main legal and conceptual milestones, at the international level, Silva, Cavalcanti, Oliveira e Macedo (2020; 2021) emphasize the Convention relating to the Status of Refugees of July 28<sup>th</sup>, 1951, the main international instrument for the protection of refugees<sup>1</sup>, in force since April 21<sup>st</sup>, 1954. This regulation sets the definition of refugee which would be eventually expanded with regard to its temporal and geographical "limit"<sup>2</sup> by the Protocol Relating to the Status of Refugees of 31 January 1967 (UNHCR, 2000). The 1969 Organization of African Unity Refugee Convention and the 1984 Cartagena Declaration on Refugees can also be considered important

regional milestones on refugee matters. The former, even with the advances brought about by the 1967 Protocol, addressed specific challenges related to asylum in the African continent, caused by the independence movements and subsequent internal political conflicts, and because of that expanded the definition of refugee and regulated matters concerning, inter alia, the non-rejection at the borders. The 1984 Cartagena Declaration on Refugees, drawn up against the backdrop of the armed conflicts taking place in Latin America in the 1970s and 1980s, started recognizing the possibility of granting asylum on the basis of serious and generalized human rights violations (MOREIRA, 2005). Brazil introduced the Cartagena criteria in Law No 9,474 of July 22<sup>nd</sup>, 1997, narrowing its application to factual, serious and widespread violation of human rights. In the Cartagena Declaration, the grant of refugee status was extended to people who have left their countries because "their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order" (Cartagena Declaration, 1984, third conclusion, P.3).

As mentioned at the beginning of this publication, the legal framework that establishes the mechanisms for the implementation of the 1951 Convention is Law No. 9.474, of July 22<sup>nd</sup>, 1997. It is worth mentioning the modern nature of the definition of refugee in our legislation, which placed it among international and regional milestones for refugee protection by including in its definition of refugee both the traditional motivations (derived

1 The first instrument to ensure international protection for refugees emerged in 1921, still in the scope of the League of Nations when the High Commissioner of the League of Nations for Russian Refugees was created. Available in: <https://enciclopediajuridica.pucsp.br/verbete/514/edicao-1/convencoes-sobre-refugiados>

2 The refugee definition contained in the 1951 Convention had a time limit (known as "temporal limit"), which confined its application to events that had occurred prior to 1 January 1951, and it did not specify the geographical scope, which allowed for two different constructions: the first one in which the "events occurring before 1 January 1951" were limited to those that had taken place in Europe (which has come to be known as "geographical limit"), and the second one, which related to events that had occurred anywhere in the world, before the established data (ACNUR, 2000).

from the 1951 Geneva Convention) as well as those expanded by the Cartagena Declaration. This more expanded definition is found in item III of Article 1, by recognizing as a refugee every individual who “due to serious and widespread violation of human rights, is forced to leave his/her country of origin to seek asylum in another country” (BRAZIL, 1997). In addition to the expanded definition, the national law is considered modern and advanced because it founded a body to analyze and hear asylum claims: the National Committee for Refugees (Conare), a group deliberation agency, within the Ministry of Justice and Public Security.

In terms of internal organization Conare is composed of representatives from the Ministry of Justice and Public Security<sup>3</sup>, Ministry of Foreign Affairs, the Ministry of Labor and Social Security, Ministry of Health, Ministry of Education, as well as representatives from the Federal Police, civil society<sup>4</sup> and the United Nations High Commissioner for Refugees (UNHCR)<sup>5</sup> (Brazil, 1997, Article 14). The Office of the Prosecutor General and Public Defender's Office hold observer status within the Committee. Considering this composition, one can note that Conare has a so-called *tripartite* structure which, as noted Leão (2003), was already being established in the early 1970s in Brazil, bringing together the main actors involved in asylum in the country: civil society, international organizations, and the Brazilian State.

According to Law No 9.474 of 1997, once within national borders, a person can be granted refugee

status if s/he is outside of her/his country of origin due to well-founded fear of persecution by reason of race, religion, nationality, membership of a particular social group or political opinion and is unable or, because of such fear, is unwilling to avail her/himself of the protection of the government of her/his country (item I of article 1). According to this legal framework, those people who have been forced to leave their country of nationality due to serious and widespread human rights violations are also deemed to be refugees (item III of article 1).

Asylum-seekers who have applied for asylum in Brazil and have not had their claims assessed by Conare enjoy a regular migration status across the country, and, therefore have at their disposal both a protocol that proves that status and also a provisional migration document.<sup>6</sup> This protocol expires within a year, but its validity can be extended for as long as the refugee status determination procedure takes. In addition, using the protocol one can obtain an Individual Taxpayer Identification Number and a Social-Security Card, in digital format.

The Brazilian legislation also acknowledges the refugee's right to apply for a family reunification procedure, that is, the opportunity to bring one's family to Brazil in order to preserve the family unity, which is made possible by granting a temporary visa for such an end, as provided for in Law No 13.445, May 24<sup>th</sup>, 2017. Visa regulation and residence permits for family reunions were regulated by means of Interministerial Ordinance MJSP/MRE No 12 of June 13<sup>th</sup>, 2018.

3 The Ministry of Justice and Public Security presides over the Committee, under the terms of Article 14, I.

4 The current incumbent and substitute representatives of civil society are, respectively, from the Archdiocese Caritas of Rio de Janeiro and Sao Paulo.

5 The United Nations High Commissioner for Refugees (UNHCR), created in 1951, is the agency responsible for the international protection of refugees, working with countries and seeking solutions to deal with refugee affairs on a global level. In Conare, UNHCR has the right to speech, but not to vote.

6 Established by Decree n° 9.277 of February 5<sup>th</sup>, 2018.



In addition to the right to family reunion, provided that it occurs within national borders, the effects of refugee status may be extended to family members, as long as the requirements of Article 2 of Law No. 9.474, 1997, and normative Conare Resolution No. 27, of October 30<sup>th</sup>, 2018, are met. It is worth noting that this device is different from the family reunion principle since it lends the effects of the refugee status to a family member, even though the person herself may not have a well-founded fear of persecution under the terms of Article 1 of Law No. 9.474, 1997.

The Brazilian legal system also mentions resettlement programs, which is the transfer of a refugee, whose fundamental rights are endangered in the first country of asylum, to another state, which has agreed to admit her/him as a refugee. It is a durable solution and a fundamental tool of humanitarian relief to cater to the specific needs of certain refugee populations.

By means of Law No 13,445, 2017, Decree No 9,199 of November 21<sup>st</sup>, 2017, and Interministerial Ordinance MJ/MESP No 05, of February 27<sup>th</sup>, 2018, Brazil also admits the recognition of the stateless condition and the possibility of acquiring

Brazilian citizenship for those people whose nationality is not recognized by any country for a myriad of reasons, such as discrimination against minority groups in their country's legislation, failure in recognizing every resident of a country as citizen and law disputes between countries.

It is important to note that the statelessness condition<sup>7</sup> in itself does not mean that the person is also a refugee. The 1951 Geneva Convention and even the 1997 Law No 9,474 address the difference, laying down that the international protection granted to refugees can only be extended to a stateless person if she/he also has a founded fear of persecution under the terms of item I of Article 1, Law No 9,474 of 1997.

Since we have already made the necessary conceptual and methodological observations, we set out to give an overview of the current state of asylum in Brazil in 2021. To this end, the next section sets out to analyze information concerning the asylum claims collected from the International Movement Tracking System of the Federal Police, to then explore the decisions on claims assessed by Conare in 2021, using the databases managed by CG-Conare.

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7 Stateless persons have their own international instrument defined by the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

## 2. How asylum works in Brazil

In this chapter, we will present information on refugees and asylum-seekers considering their migration status, country of nationality or habitual residence, the Brazilian state where they have applied for asylum; the decisions delivered by Conare (and, by means of delegation of authority, decisions issued by its General Coordination), as well as the socio-demographic profile of refugees and asylum-seekers, among other things, which will help us identify asylum trends in Brazil in 2021. As mentioned previously, the analyzed data were collected from the International Movement Tracking System- Warning and Restrictive Measures (STI-MAR, in Portuguese) and from databases kept by the General Coordination of the National Committee for Refugees (CG-Conare, in Portuguese).

### 2.1. ASYLUM CLAIMS IN BRAZIL IN 2021

We start the analysis departing from the Federal Police data on asylum-seekers in 2021. As the following table shows (table 2.1.1), Brazil received 29,107 asylum applications in 2021 which, if added to those registered since 2011 (268,605), amounts to 297,712 applications since the beginning of the last decade<sup>8</sup>.

It should be noted that, in 2021, there was an increase of 208 applications compared to 2020, when the country registered 28,899 asylum applications (SILVA, G. J; CAVALCANTI, L; OLIVEIRA, T; MACEDO, M., 2021). This is a relevant data to understand the asylum trends in Brazil in the context of the Covid-19 pandemic since there is no way to disconnect the stability observed between 2020 and 2021 from the larger context of restriction of movement of people and border measures imposed as of March 2020, when measures to restrict the entry of migrants were placed due to the pandemic.<sup>9</sup> However, it is important to note that, despite the adverse context for international human mobility, in 2021, as well as in 2020, a 1.887% increase was registered when compared to 2011, when the country received 1,465 asylum applications.

Figure 2.1.1. reveals that most of the people who applied for asylum in Brazil, in 2021, had Venezuelan nationality or had Venezuela as their country of habitual residence. There were 22,856 asylum applications, which corresponded to 78.5% of the total number of applications received by Brazil. Following this, there is a significant number of people of Angolan nationality, or who had Angola as their country of habitual residence: 1,952 asylum applications, which represented 6.7% of the total number of claims in 2021.

8 The STI-MAR databases registered 3,107 claims between 1997 and 2010. Therefore, saving the need for a more careful analysis if a longer period of time is to be considered, it turns out that 300,819 asylum claims have been lodged since the enactment of Law No. 9.474/1997.

9 The restriction measures are laid down in several ordinances, having the first one being issued on March, 19th, 2020. The norm currently in force is the Interministerial Ordinance n° 670 of April, 1st, 2022.

It is also worth mentioning the diversity of countries of origin of asylum-seekers in 2021

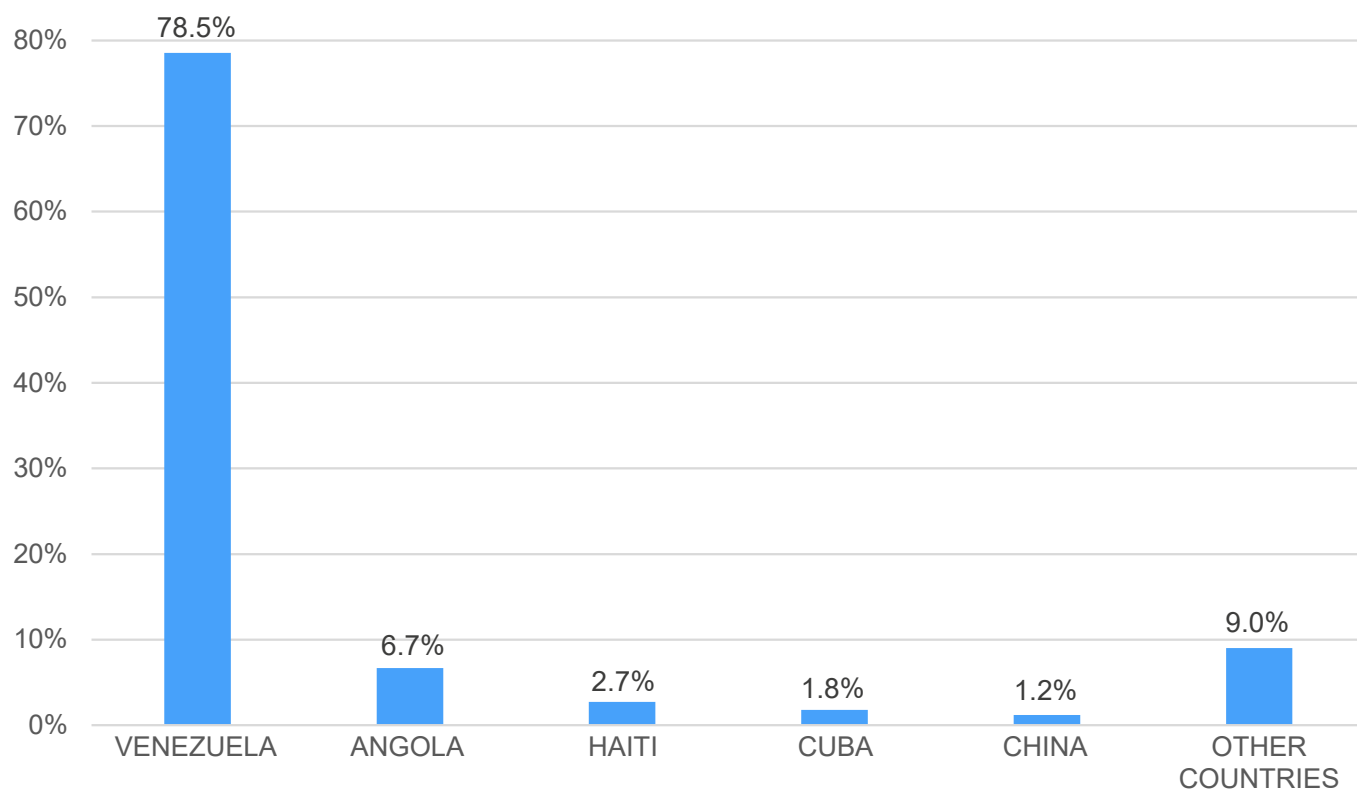
when Brazil received applications from people from 117 countries (see map 2.1.1).

**Table 2.1.1. Number of asylum-seekers ,  
by top countries of nationality or habitual  
residence, Brazil – 2021**

| Top countries    | Number of claims |
|------------------|------------------|
| <b>Total</b>     | <b>29,107</b>    |
| VENEZUELA        | 22,856           |
| ANGOLA           | 1.952            |
| HAITI            | 794              |
| CUBA             | 529              |
| CHINA            | 345              |
| GANA             | 307              |
| BANGLADESH       | 257              |
| NIGERIA          | 246              |
| INDIA            | 139              |
| COLOMBIA         | 138              |
| PERU             | 128              |
| LEBANON          | 90               |
| GUINEA           | 84               |
| SENEGAL          | 79               |
| SYRIA            | 71               |
| CAMEROON         | 57               |
| MOROCCO          | 57               |
| NEPAL            | 55               |
| PAKISTAN         | 41               |
| GUINEA-BISSAU    | 39               |
| OUTHER COUNTRIES | 843              |

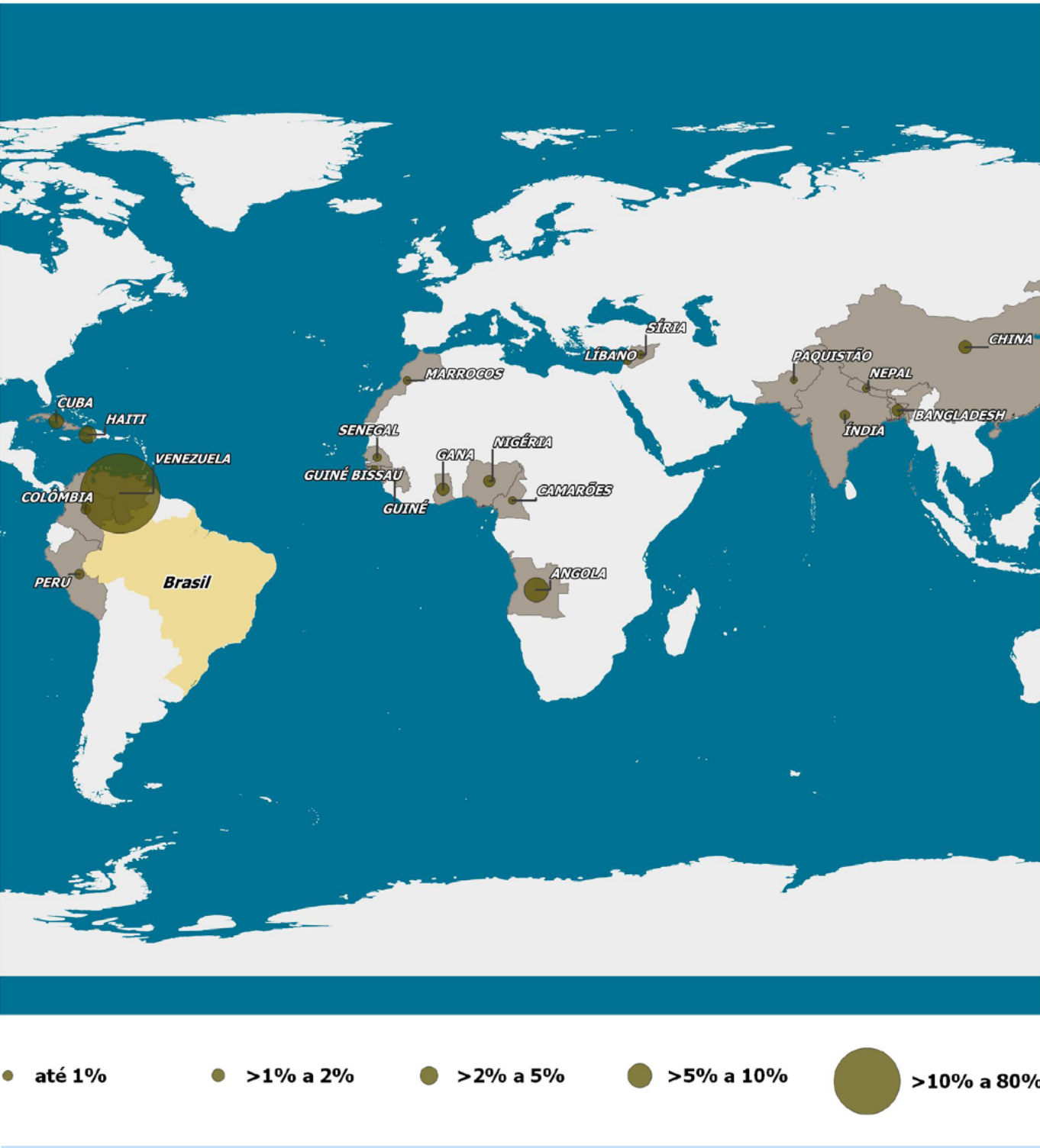
Source: prepared by OBMigra from data collected by the Federal Police,  
Asylum Applications - Brazil, 2021.

**Figure 2.1.1. Relative frequency distribution of asylum-seekers , by top countries of nationality or habitual residence, Brazil – 2021**



Source: prepared by OBMigra from data collected by the Federal Police, Asylum Applications - Brazil, 2021.

**Map 2.1.1. Relative frequency distribution of asylum-seekers , by top countries of nationality or habitual residence, Brazil – 2021**



Source: prepared by OBMigra from data collected by the Federal Police, Asylum Applications - Brazil, 2021.

The distribution of asylum-seekers by nationality and sex in 2021 (table 2.1.2) shows that, among the top countries of nationality or habitual residence, except Angola, the group was largely composed of men; however, there are important variations in the percentages of distribution by sex between the other analyzed countries.

In 2021, Venezuelan asylum-seekers accounted for 75.0% of the total number of men and 82.6% of the total number of women. Angolans, in turn, were the second largest group, accounting for 6.2% of the total number of men and 7.4% of the total number of women seeking asylum in Brazil in 2021.

Table 2.1.2 shows that, in 2021, male asylum-seekers accounted for 53.7% of the total number

of refugee claimants, while women accounted for 46.3%. Among Angolan asylum-seekers, we observe the lowest variation in distribution by sex. A ratio of 50.8% of female asylum-seekers to 49.2% of male refugee claimants. The Venezuelan asylum-seekers come next, with a ratio of 51.3% of men to 48.7% of women, while the Peruvians' ratio by sex was 51.6% of men to 48.4% of women.

In contrast, there was, among the Nepalese asylum-seekers, the greatest variation in distribution by sex. A ratio of 98.2% men to 1.8% women. Following this, there is the ratio of Bengali refugee claimants, 96.1% men to 3.9% women, and the Senegalese asylum-seekers' ratio by sex of 93.7% men to 6.3% women.

**Table 2.1.2. Asylum application ratios by sex, according to the top countries of nationality or habitual residence, Brazil-2021**

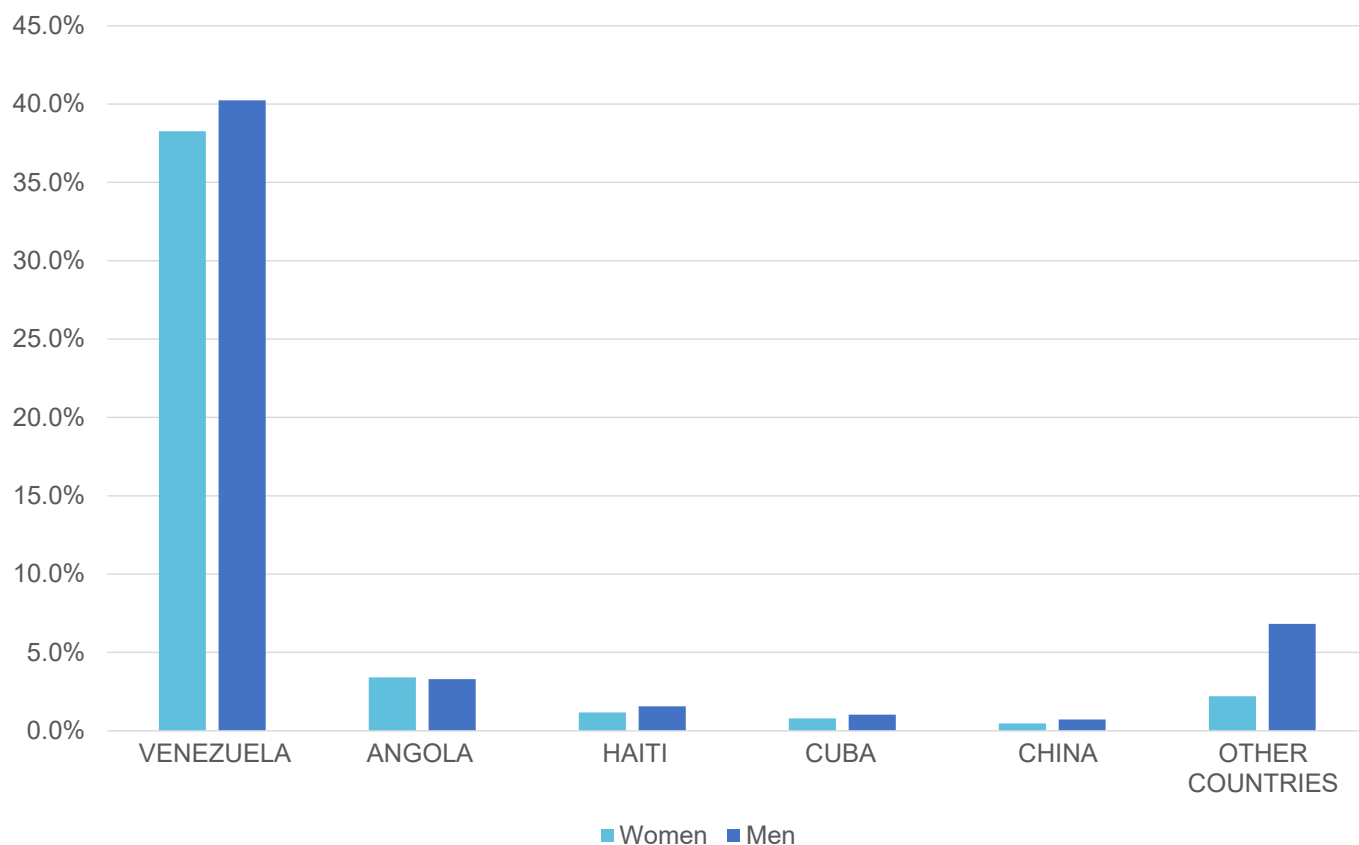
| Age              | Total         | Men          | Women        | Unspecified |
|------------------|---------------|--------------|--------------|-------------|
| <b>Total</b>     | <b>100.0%</b> | <b>53.7%</b> | <b>46.3%</b> | <b>0.0%</b> |
| VENEZUELA        | 100.0%        | 51.3%        | 48.7%        | 0.0%        |
| ANGOLA           | 100.0%        | 49.2%        | 50.8%        | 0.0%        |
| HAITI            | 100.0%        | 57.1%        | 42.9%        | 0.0%        |
| CUBA             | 100.0%        | 56.5%        | 43.5%        | 0.0%        |
| CHINA            | 100.0%        | 60.6%        | 39.4%        | 0.0%        |
| GANA             | 100.0%        | 89.9%        | 10.1%        | 0.0%        |
| BANGLADESH       | 100.0%        | 96.1%        | 3.9%         | 0.0%        |
| NIGERIA          | 100.0%        | 78.0%        | 22.0%        | 0.0%        |
| INDIA            | 100.0%        | 89.9%        | 10.1%        | 0.0%        |
| COLOMBIA         | 100.0%        | 52.9%        | 47.1%        | 0.0%        |
| PERU             | 100.0%        | 51.6%        | 48.4%        | 0.0%        |
| LEBANON          | 100.0%        | 72.2%        | 27.8%        | 0.0%        |
| GUINEA           | 100.0%        | 85.7%        | 14.3%        | 0.0%        |
| SENEGAL          | 100.0%        | 93.7%        | 6.3%         | 0.0%        |
| SYRIA            | 100.0%        | 64.8%        | 35.2%        | 0.0%        |
| CAMEROON         | 100.0%        | 68.4%        | 31.6%        | 0.0%        |
| MOROCCO          | 100.0%        | 89.5%        | 10.5%        | 0.0%        |
| NEPAL            | 100.0%        | 98.2%        | 1.8%         | 0.0%        |
| PAKISTAN         | 100.0%        | 73.2%        | 26.8%        | 0.0%        |
| GUINEA-BISSAU    | 100.0%        | 74.4%        | 25.6%        | 0.0%        |
| OUTHER COUNTRIES | 100.0%        | 65.0%        | 34.9%        | 0.1%        |

Source: prepared by OBMigra from data collected by the Federal Police, Asylum Applications - Brazil, 2021.

Figure 2.1.2 below shows that male Venezuelan asylum-seekers accounted for 40.2% of the total number of applications in 2021, whereas female Venezuelan asylum-seekers accounted for

38.3%. Angolans were the second largest group, in which male applicants accounted for 3.4% and women 3.3% of the total number of people who lodged asylum claims in Brazil in 2021.

**Figure 2.1.2. Relative frequency distribution of asylum-seekers by sex according to top countries of nationality or habitual residence, Brazil-2021**



Source: prepared by OBMigra from data collected by the Federal Police, Asylum Applications - Brazil, 2021.

The distribution of asylum-seekers by nationality and age (table 2.1.3 and figure 2.1.3) shows that most claimants were under 15 years (9,214)<sup>10</sup>, closely followed by people between 25 and 40 years (9,096), and people between 15 and 24 years (6,329). Those three groups combined accounted for 84.6% of the total number of asylum-seekers, which shows a predominantly young profile for applicants.

Among the top countries of nationality or habitual residence of asylum-seekers, only four groups were not mostly made up of applicants aged between 25 and 39 years. While most Indians fell under the 15-to 24-year-old group, most Colombians, Peruvians, and Venezuelans seeking asylum were under 15 years old. Venezuelans under the age of 15 accounted for 35.9% of all Venezuelan asylum-seekers in 2021, and 28.2%

<sup>10</sup> Since this is even a potentially more vulnerable group, there must be calls for action on the part of policymakers across the different governmental bodies, in particular for health services, education, and social assistance provision.



of the total number of asylum-seekers in Brazil in 2021. Additionally, Venezuelans accounted for 89% of asylum-seekers under the age of 15, which demonstrates that the high prevalence of

children and adolescents seeking asylum, as seen in 2020<sup>11</sup>, remains strongly connected to the Venezuelan forced international displacement crisis.

**Table 2.1.3. Number of asylum applications by age group, according to the top countries of nationality or habitual residence, Brazil-2021**

| Top countries    | Total         | Under 15 years | 15  -- 25    | 25  -- 40    | 40  -- 50    | 50  -- 60    | 60  --     |
|------------------|---------------|----------------|--------------|--------------|--------------|--------------|------------|
| <b>Total</b>     | <b>29.107</b> | <b>9.214</b>   | <b>6.329</b> | <b>9.096</b> | <b>2.597</b> | <b>1.242</b> | <b>629</b> |
| VENEZUELA        | 22.856        | 8.198          | 5.118        | 6.166        | 1.853        | 979          | 542        |
| ANGOLA           | 1.952         | 556            | 354          | 733          | 255          | 49           | 5          |
| HAITI            | 794           | 44             | 235          | 446          | 58           | 9            | 2          |
| CUBA             | 529           | 42             | 72           | 237          | 78           | 67           | 33         |
| CHINA            | 345           | 2              | 52           | 173          | 70           | 47           | 1          |
| GANA             | 307           | 13             | 42           | 223          | 27           | 2            | -          |
| BANGLADESH       | 257           | 7              | 100          | 128          | 17           | 4            | 1          |
| NIGERIA          | 246           | 29             | 23           | 152          | 37           | 5            | -          |
| INDIA            | 139           | 8              | 65           | 59           | 6            | 1            | -          |
| COLOMBIA         | 138           | 48             | 16           | 30           | 21           | 11           | 12         |
| PERU             | 128           | 108            | 5            | 7            | 4            | 2            | 2          |
| LEBANON          | 90            | 8              | 27           | 34           | 8            | 10           | 3          |
| GUINEA           | 84            | -              | 33           | 45           | 6            | -            | -          |
| SENEGAL          | 79            | -              | 21           | 48           | 9            | 1            | -          |
| SYRIA            | 71            | 11             | 8            | 36           | 6            | 5            | 5          |
| CAMEROON         | 57            | -              | 9            | 42           | 6            | -            | -          |
| MOROCCO          | 57            | -              | 10           | 32           | 10           | 3            | 2          |
| NEPAL            | 55            | 1              | 16           | 35           | 3            | -            | -          |
| PAKISTAN         | 41            | 2              | 7            | 24           | 7            | 1            | -          |
| GUINEA-BISSAU    | 39            | -              | 4            | 31           | 4            | -            | -          |
| OUTHER COUNTRIES | 843           | 137            | 112          | 415          | 112          | 46           | 21         |

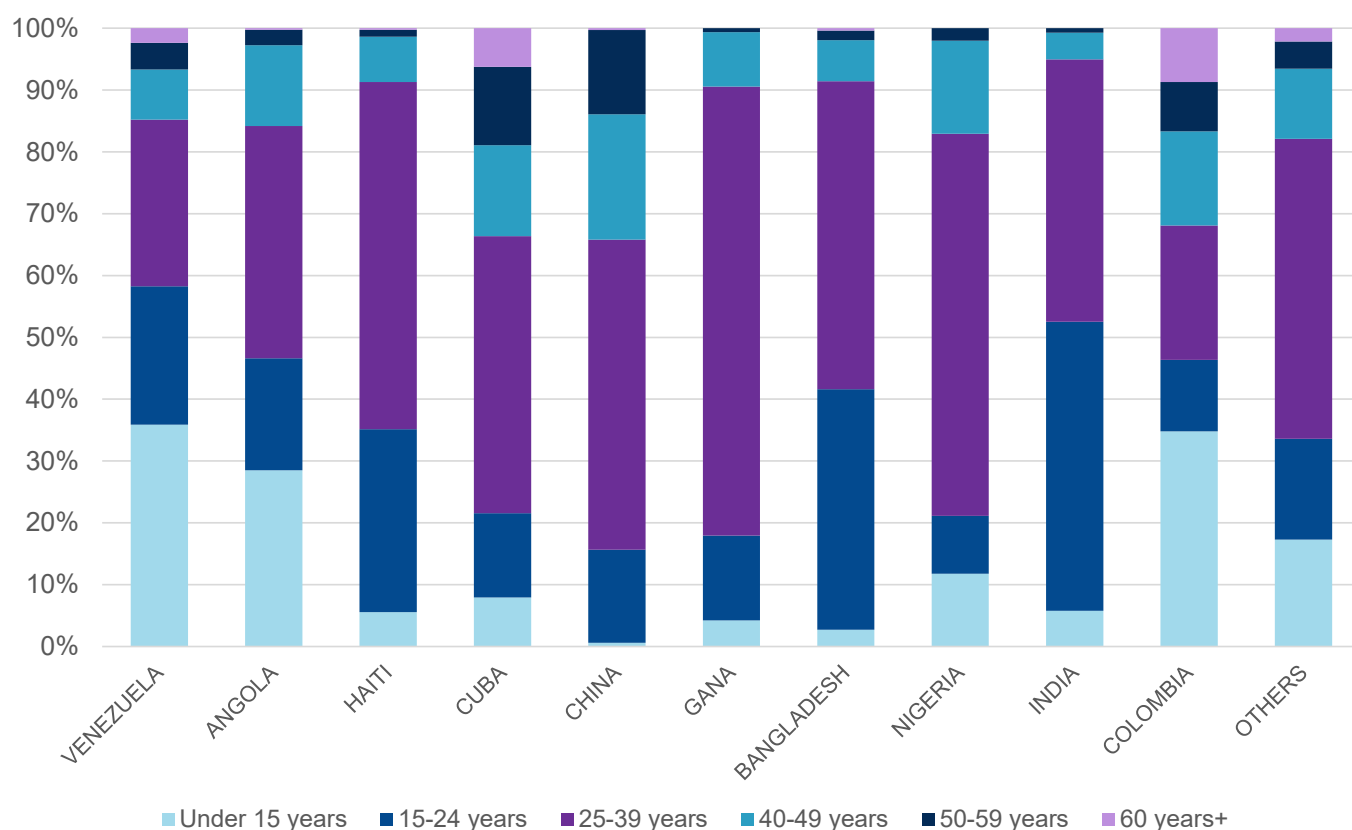
Source: prepared by OBMigra from data collected by the Federal Police, Asylum Applications - Brazil, 2021.

Note:

(-) Numerical data amount to 0 and have not been rounded.

11 In 2020, Venezuelans accounted for 88.1% of the applicants under 15 years old.

**Figure 2.1.3 Relative distribution of asylum-seekers by age group, according to top countries of nationality or habitual residence, Brazil-2021**



Source: prepared by OBMigra from data collected by the Federal Police, Asylum Applications - Brazil, 2021.

Table 2.1.4 shows that, in virtually all age groups, the number of men exceeded the number of women, except among people aged 60 years or older, a group in which the number of women was slightly higher, 50.6% (Figure 2.1.4). Figure 2.1.4 draws attention to the fact that the group made up

of people between 25 and 39 years old had the highest ratio of men, who accounted for 32.8% of the total number of male asylum-seekers, whereas women were concentrated in the group made up of people under 15 years old (33.7%).

**Table 2.1.4. Number of Asylum applications by sex, according to age groups, Brazil-2021**

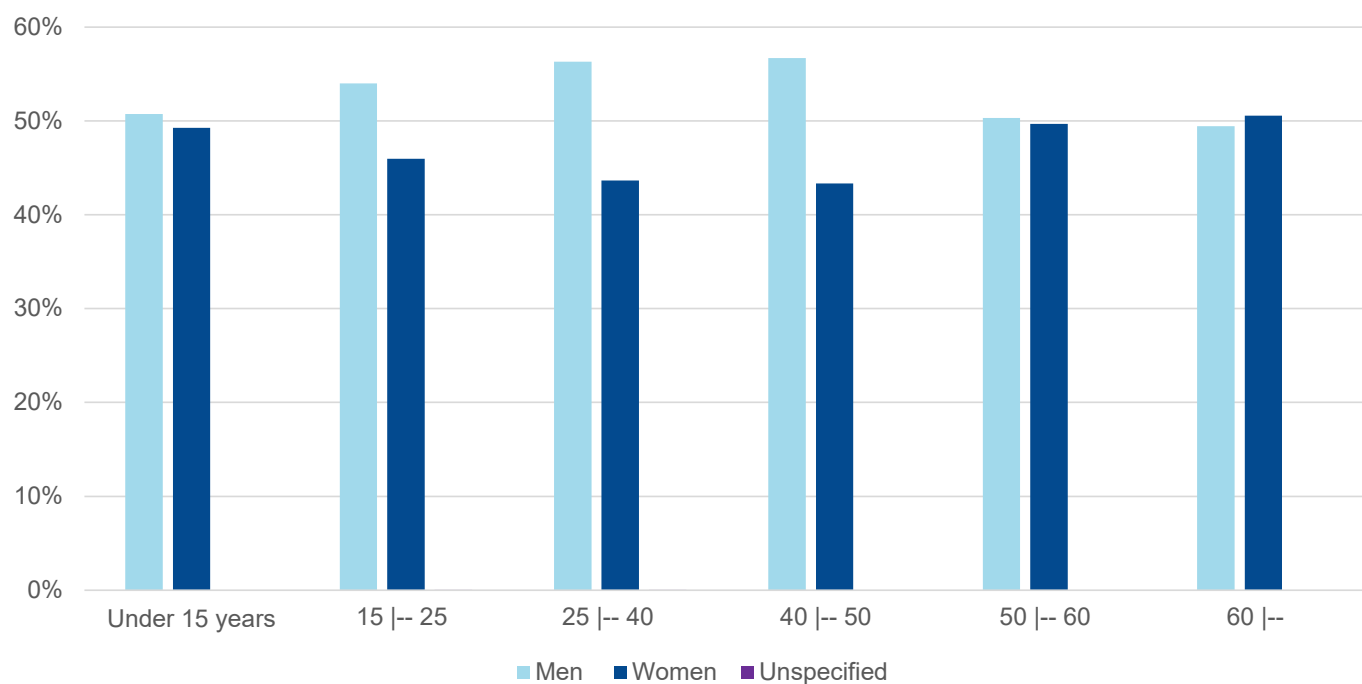
| Age            | Total         | Men           | Women         | Unspecified |
|----------------|---------------|---------------|---------------|-------------|
| <b>Total</b>   | <b>29,107</b> | <b>15,623</b> | <b>13,479</b> | <b>5</b>    |
| Under 15 years | 9,214         | 4,674         | 4,540         | -           |
| 15  -- 25      | 6,329         | 3,418         | 2,908         | 3           |
| 25  -- 40      | 9,096         | 5,123         | 3,971         | 2           |
| 40  -- 50      | 2,597         | 1,472         | 1,125         | -           |
| 50  -- 60      | 1,242         | 625           | 617           | -           |
| 60  --         | 629           | 311           | 318           | -           |

Source: prepared by OBMigra from data collected by the Federal Police, Asylum Applications - Brazil, 2021.

Note:

(-) Numerical data amount to 0 and have not been rounded.

**Figure 2.1.4. Proportion of Asylum-seekers by sex, according to age groups, Brazil-2021**



Source: prepared by OBMigra from data collected by the Federal Police, Asylum Applications - Brazil, 2021.

Regarding information about asylum applications assessed by Conare in 2021<sup>12</sup>, Table 2.1.5 shows that in the said period, Conare (and its General Coordination) assessed 70,933<sup>13</sup> asylum claims, out of which 48,967 were lodged by Haitian asylum-seekers, which accounted for 69% of the total number of applications assessed by Conare in 2021. Next come the applications by Venezuelans (16.1%), Chinese (3.6%), Angolans (1.7%) and Cubans (1.7%) (see figure 2.1.5 and map 2.1.2).

Map 2.1.2 also draws attention to the diversity of countries of origin, or habitual residence of asylum-seekers whose claims were assessed by Conare, in 2021. These people came from 131 different countries, showing a significant geographical variation within the analyzed group.

**Table 2.1.5. Asylum applications adjudicated according to country of nationality or habitual residence, Brazil-2021**

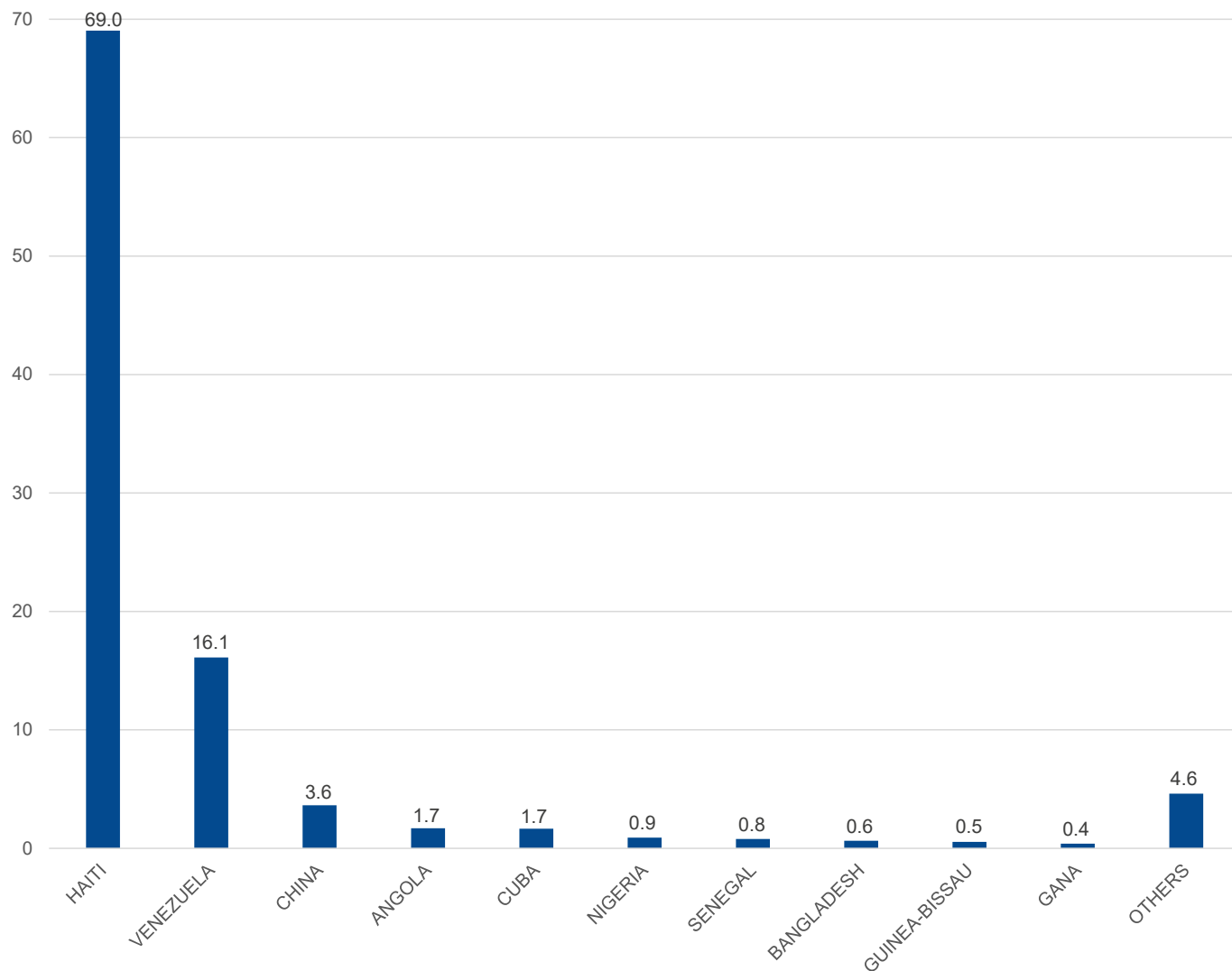
| Country of nationality or habitual residence | Number of claims |
|--|------------------|
| <b>Total</b>                                 | <b>70,933</b>    |
| HAITI  | 48,967           |
| VENEZUELA                                    | 11,429           |
| CHINA  | 2,577            |
| ANGOLA                                       | 1,198            |
| CUBA   | 1,171            |
| NIGERIA                                      | 636              |
| SENEGAL                                      | 559              |
| BANGLADESH                                   | 457              |
| GUINEA- BISSAU                               | 382              |
| GANA   | 275              |
| OTHERS                                       | 3,282            |

Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

12 It is worth pointing out that Conare (and its General Coordination) does not limit itself to the adjudication of asylum applications submitted in a given year. It also analyzes past unattended applications from previous years, which may engender the need to postpone the assessment of applications submitted throughout a certain year. For this reason, as we will explain in-depth in the next section, the number of asylum applications lodged in 2021 differs from the total of applications assessed by Conare (and its general coordination) that same year.

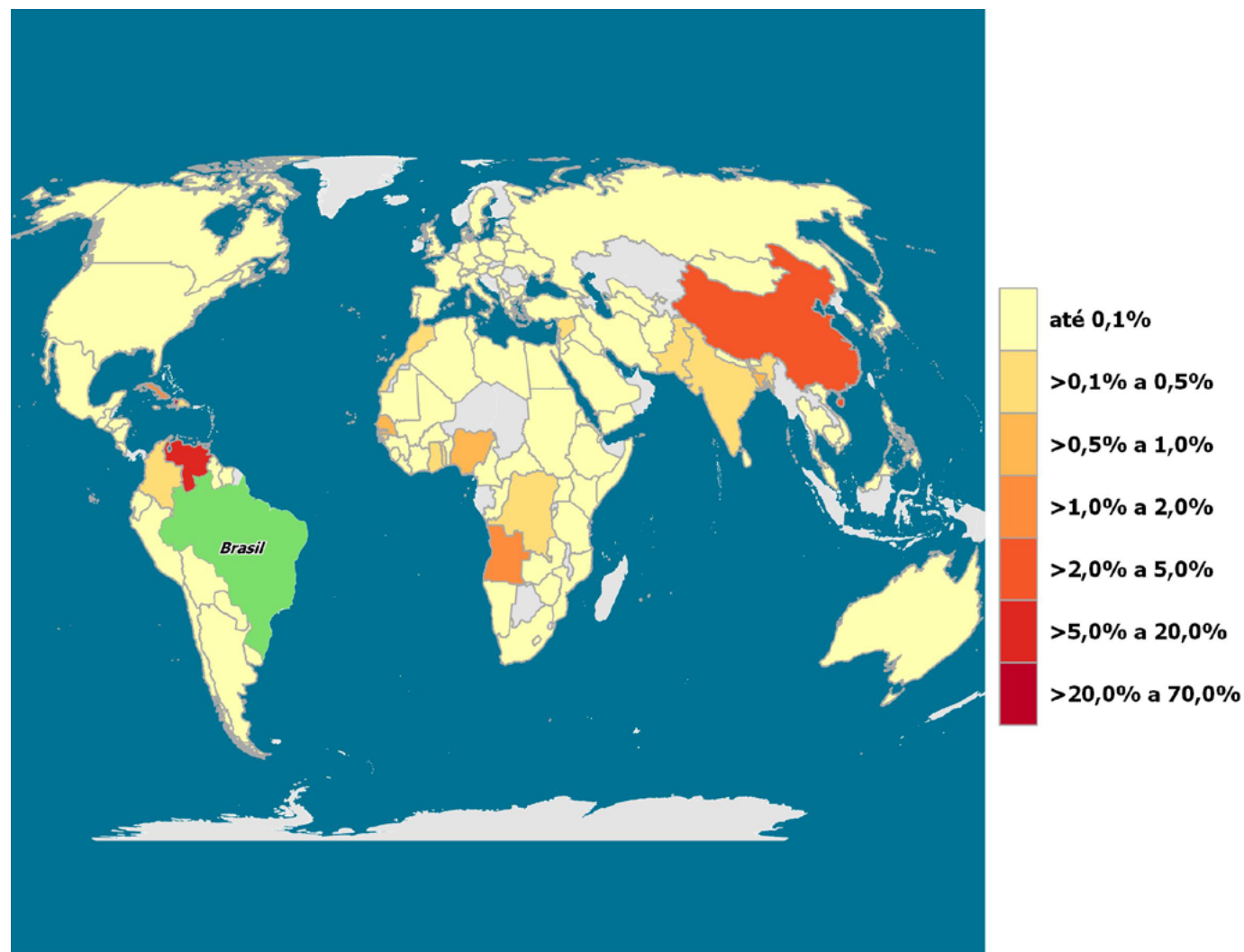
13 In order to better understand the results of the assessed claims and the methods adopted by CG-Conare to adjudicate the asylum applications, refer to Annex "Explanatory Notes CG-Conare".

**Figure 2.1.5. Relative distribution of adjudicated asylum applications, by top countries of nationality or habitual residence, Brazil-2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

**Map 2.1.2. Relative distribution of adjudicated asylum applications, according to the top countries of nationality or habitual residence, Brazil-2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

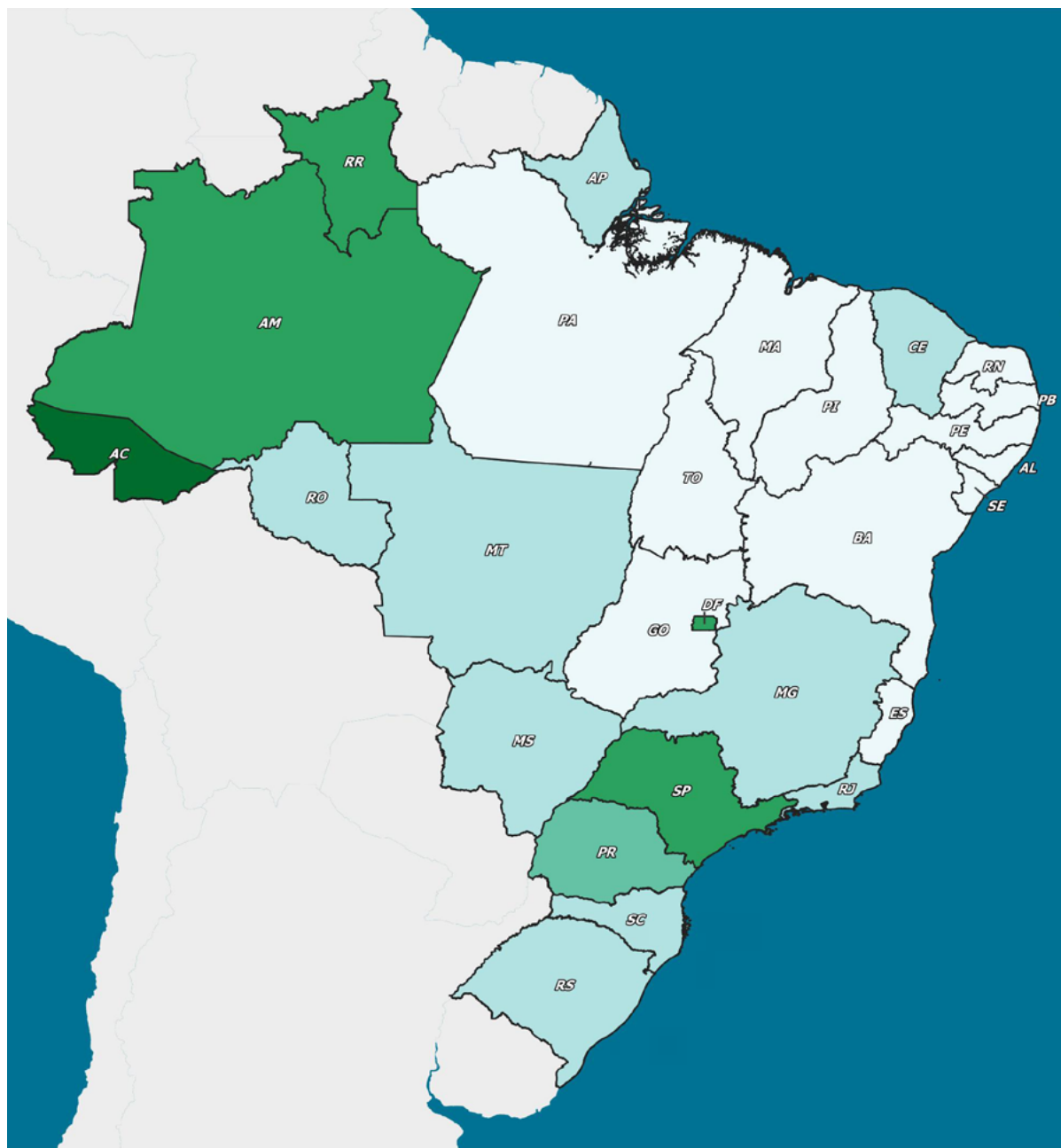
If we take into account the Brazilian states where the claims assessed by Conare were lodged in 2021, we cannot fail to notice the important role that the Northern region of Brazil has been playing in the current asylum context. In 2021, 72.2% of the adjudicated claims were lodged in Northern Brazil. Those asylum-seekers were, predominantly, from Haiti (40,415), Venezuela (9,777), Cuba (355), and Senegal (307). Conversely, the Northeast region showed the lowest percentage of claims assessed by Conare, accounting for only 0.4%. As for the other Brazilian regions, the Southeast registered 11.5% of the total applications assessed by Conare, the Central-West Region, 11.3%, and the Southern region, 3.9%.

Among the states that make up the Northern Region, Acre had the highest number of asylum claims assessed by Conare, 33,911 (47.8%), followed by Roraima, 10,403 (14.7%), and

Amazonas, 6,660 (9.4%). If combined, the number of Haitian (40,297) and Venezuelan (9,720) asylum-seekers that lodged their claims in those three Brazilian states (50,017) account for 70.5% of the total number of asylum applications assessed by Conare in 2021.

Among other states, the Federal District and Sao Paulo account for, respectively, 10.7% and 10.5% of the total claims assessed by Conare in 2021. In Sao Paulo, asylum-seekers came mainly from China (2,132), Haiti (1,136), Angola (908), and Nigeria (522), which reinforces the trend observed in previous years, as noted by Silva, Cavalcanti, Oliveira e Macedo (2020; 2021), of substantially different distribution patterns, scale, and routes in distinct regions across the Brazilian territory. In the Federal District, asylum-seekers were mainly from Haiti (5,198) and Venezuela (1,033), who accounted for 81.9% of the total number of applicants in the region in 2021.

**Map 2.1.3. Relative distribution of adjudicated asylum applications, by region-2021**



até 0,1%
  >0,1% a 1,0%
  >1,0% a 5,0%
  >5,0% a 15%
  >15% a 50%

Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.



Having presented an overview of the asylum applications in Brazil in 2021, as well as the profile of asylum-seekers whose claims were assessed by Conare, the next section will be devoted to analyzing Conare's decisions about the adjudicated claims.

## 2.2. CONARE DECISIONS IN 2021

As seen in the previous section, Conare assessed 70,933 asylum applications in 2021. The dates of the processes assessed in 2021 show that most of the adjudicated claims were lodged in 2013 (12,359), 2014 (14,106), 2015 (11,636), and 2019 (11,257)<sup>14</sup>. These data are influenced, to some extent, by Conare's recognition in June 14<sup>th</sup>, 2019 of the scenarios of serious and widespread violation of Human Rights in Venezuela<sup>15</sup>, which once again allowed for joint decisions<sup>16</sup> on a set of asylum applications from Venezuelan citizens. However, as we will show below, most of the decisions on asylum applications assessed in 2021 were mostly focused on those claims that had been "closed" or "dismissed", that is, cases where the merits were not assessed.<sup>17</sup>

As the last publication of Asylum Statistics (SILVA, G. J; CAVALCANTI, L; OLIVEIRA, T; MACEDO,

M., 2021) showed, it is important to clarify that Conare has delegated authority to its General Coordination (CG-Conare) to deliver decisions without adjudication upon the merits. In this way, Conare focuses on its main competence – that is, the analysis of the merit of the applications, while its General Coordination can assess claims that do not touch on merit (closures and dismissal of asylum claims), which simplifies the procedures and optimizes the administrative management of processes. It is important to clarify this issue because decisions that do not adjudicate upon the merits have been, for the most part, decided by the General Coordination of Conare, by a delegation of authority, and not by the committee itself.

Table 2.2.1 and figure 2.2.1 show that Conare granted asylum to 769 applicants. That is, the positive decisions accounted for 1.1% of the decisions delivered by Conare 2021. On the other hand, the negative decisions amounted to 467 cases, which is 0.7% of the decisions delivered by Conare in the same period. As for the decisions to extend the effects of refugee status<sup>18</sup>, Conare issued 2,317 positive decisions (3.3%), which means that the Committee granted refugee status to 3,086 people<sup>19</sup> in Brazil. It is important to point out that the number of people who have been

14 The Refugee Status processes assessed in 2021 were mainly lodged in the last decade (2011-2020). Conare also assessed old claims and even was in favor of "ceasing refugee protection" in a claim that dated back to 1994.

15 Technical note n 3/2019/CONARE\_Administrativo/CONARE/DEMIG/SENAJUS/MJ. Available in: [https://www.justica.gov.br/news/collective-nitf-content-1564080197.57/sei\\_mj-8757617-estudo-de-pais-de-origem-venezuela.pdf](https://www.justica.gov.br/news/collective-nitf-content-1564080197.57/sei_mj-8757617-estudo-de-pais-de-origem-venezuela.pdf)

16 The joint decision procedure, authorized by Conare Normative Resolution n° 29 of June 14<sup>th</sup>, 2019, and prompted by the situation of serious and widespread human rights violations in Venezuela, was made possible through the crossing of databases that met the criteria laid down in the Technical note n°03/2019/CONARE\_Administrativo/CONARE/DEMIG/SENAJUS/MJ: Venezuelan documentation, in order to prove nationality; the age of majority; last migration registration upon entry in the country; absence of a criminal record. Technical Note n 03/2019 / Conare\_administrativo / CONARE / DEMIG / SENAJUS / MJ is available in: [https://www.gov.br/mj/pt-br/assuntos/seus-direitos/refugio/o-que-e-refugio/anexos/sei\\_mj8757617estudodepaisdeorigemvenezuela.pdf](https://www.gov.br/mj/pt-br/assuntos/seus-direitos/refugio/o-que-e-refugio/anexos/sei_mj8757617estudodepaisdeorigemvenezuela.pdf)

17 To understand in greater detail how CG-Conare assessed asylum applications in 2021, see: Annex "Explanatory Notes CG-Conare".

18 A procedure that ensures that the refugee status is extended to other family members provided they are in the national territory. In accordance with Article 2 of Law No 9.474 of 1997, the effects of refugee status may be extended to the spouse, ascendants, and descendants, as well as to other family members that depend economically on the refugee, provided that they are in the national territory.

19 A total that corresponds to the combination of approved decisions, including asylum claims and applications for the extension of the effects of refugee status in 2021.

granted asylum by Conare in 2021, combined with the number of people granted asylum until 2020 (57,099 refugees), amounts to 60,185<sup>2021</sup>. Regarding the top countries of nationality or habitual residence of the people granted asylum between 2011-2021, Venezuelans (48,789) and Syrians (3,682) come to the fore, in addition to refugees from the Democratic Republic of Congo (1,078).

Finally, as had been foreshadowed earlier in this section, the General Coordination of Conare resolved to dismiss<sup>22</sup> 26,325 asylum claims (37.1%), and closed<sup>23</sup> 40,816 processes (57.5%) which made these two types of decisions the prevailing ones in the period under analysis.

**Table 2.2.1. Number of asylum applications according to decision type, Brazil - 2021**

| Type of decision  | Number of applications |
|---|------------------------|
| <b>Total</b>  | <b>70,933</b>          |
| Positive decision   | 769                    |
| Negative decision   | 467                    |
| Approved extension of status  | 2,317                  |
| Rejected extension of status  | 5                      |
| Closed claims   | 40,816                 |
| Dismissed claims  | 26,325                 |
| Cancellation of refugee status  | 149                    |
| Cessation of refugee status   | 85                     |
| Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021. |                        |

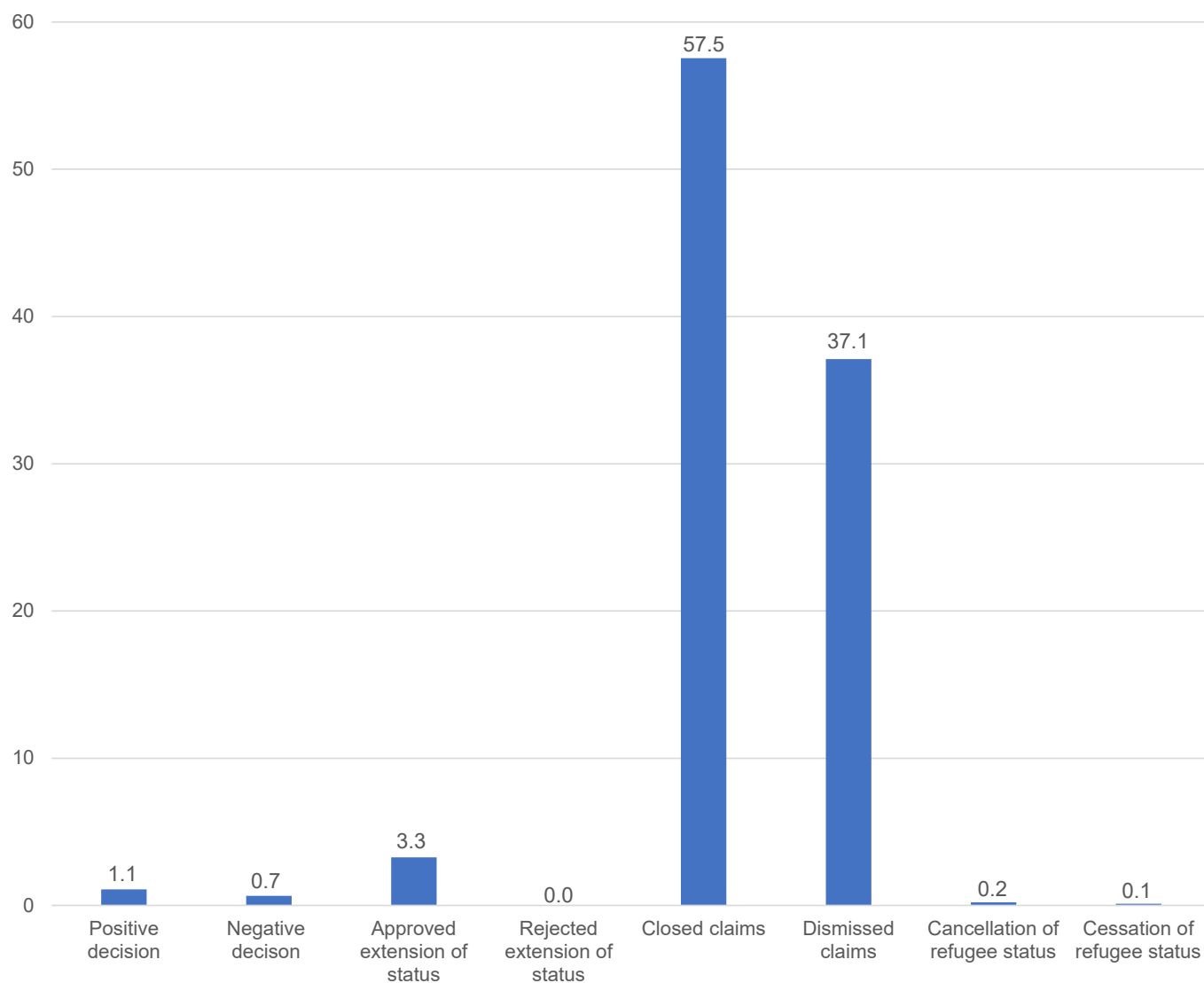
20 This data takes into account the grants prior to the creation of the Committee in 1997 since it considers the decisions delivered under the 1951 Geneva Convention.

21 The total number of people granted refugee status does not necessarily convey the total number of refugees currently living in Brazil, because some of them may have migrated, changed their migration status, or even died.

22 Asylum claims may be dismissed under the terms of Conare Normative Resolutions n° 18/2014 and 23/2016, amended by Normative Resolutions n° 26/2018, 28/2018, 29/2019, 31/2019, and 32/2020.

23 Asylum application procedures may be closed under the terms of Conare Normative Resolution n° 18/2014, and 23/2016 amended by Normative Resolutions n°22/2015, 26/2018, 28/2018, 29/2019, 31/2019, and 33/2020.

**Figure 2.2.1. Relative distribution of asylum applications by decision type, Brazil - 2021**



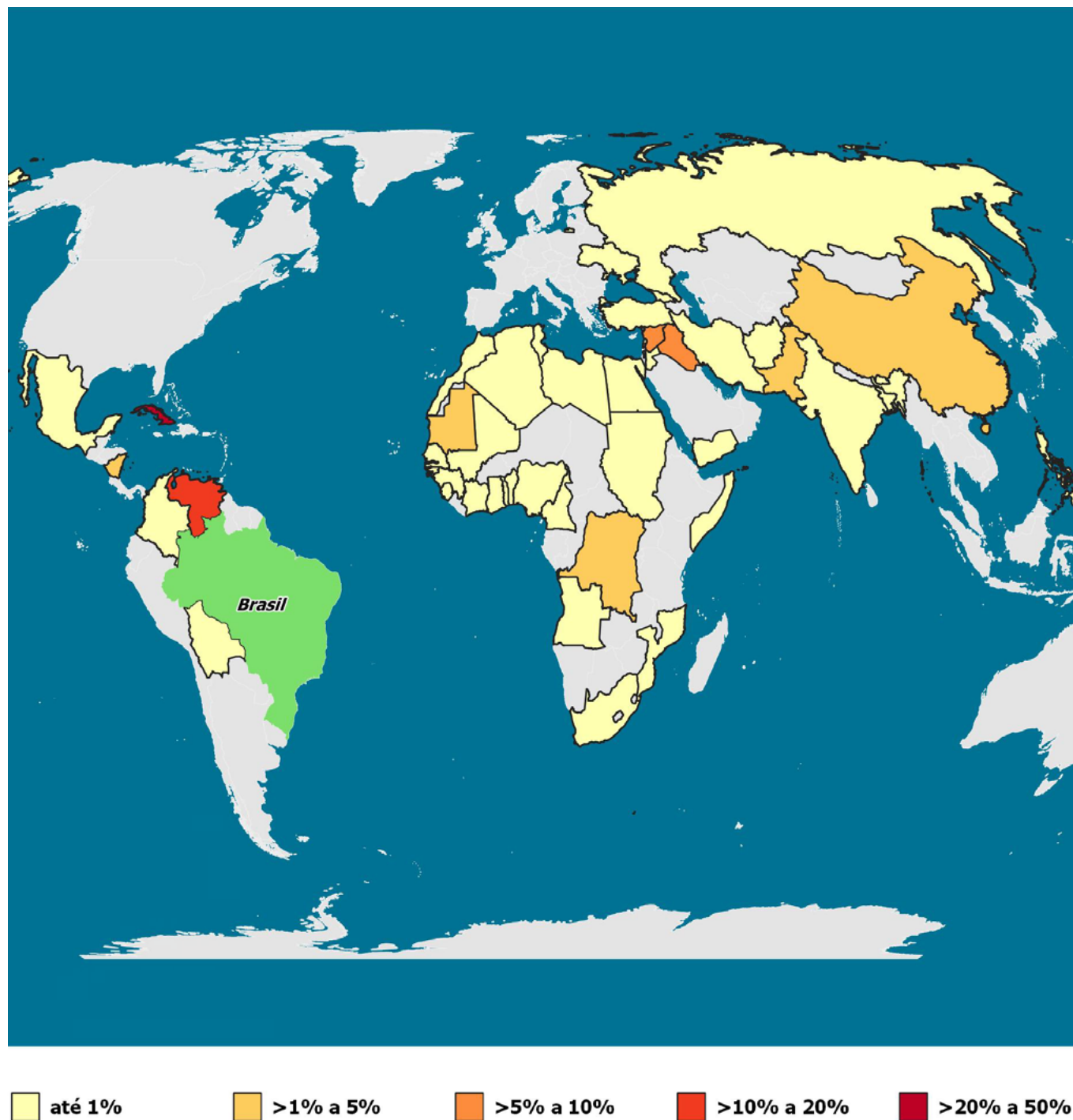
Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

Table 2.2.2 below shows that Cuban and Venezuelan asylum-seekers and refugees accounted for the 482 asylum claims that were approved by Conare in 2021. Therefore, this group accounts for 62.7% of the asylum grants in 2021 (see map 2.2.1).

Map 2.2.1 also shows the diversity of origin of those granted refugee status by Conare in 2021. In 2021, among people granted refugee status by Conare, there were identified 48 different countries of nationality or habitual residence.

| Table 2.2.2. Number of approved asylum applications, by top countries of nationality or habitual residence, Brazil-2021                 |                        |
|---|------------------------|
| Country of nationality or habitual residence  | Number of applications |
| <b>Total</b>  | <b>769</b>             |
| CUBA  | 332                    |
| VENEZUELA   | 150                    |
| SYRIA   | 49                     |
| IRAQ  | 42                     |
| NICARAGUA   | 20                     |
| DEMOCRATIC REPUBLIC OF CONGO  | 17                     |
| PAKISTAN  | 16                     |
| PALESTINE   | 11                     |
| CHINA   | 10                     |
| MAURITANIA  | 10                     |
| OTHERS  | 112                    |
| Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021. |                        |

**Map 2.2.1. Relative distribution of approved asylum applications, by top countries of nationality or habitual residence, Brazil-2021**



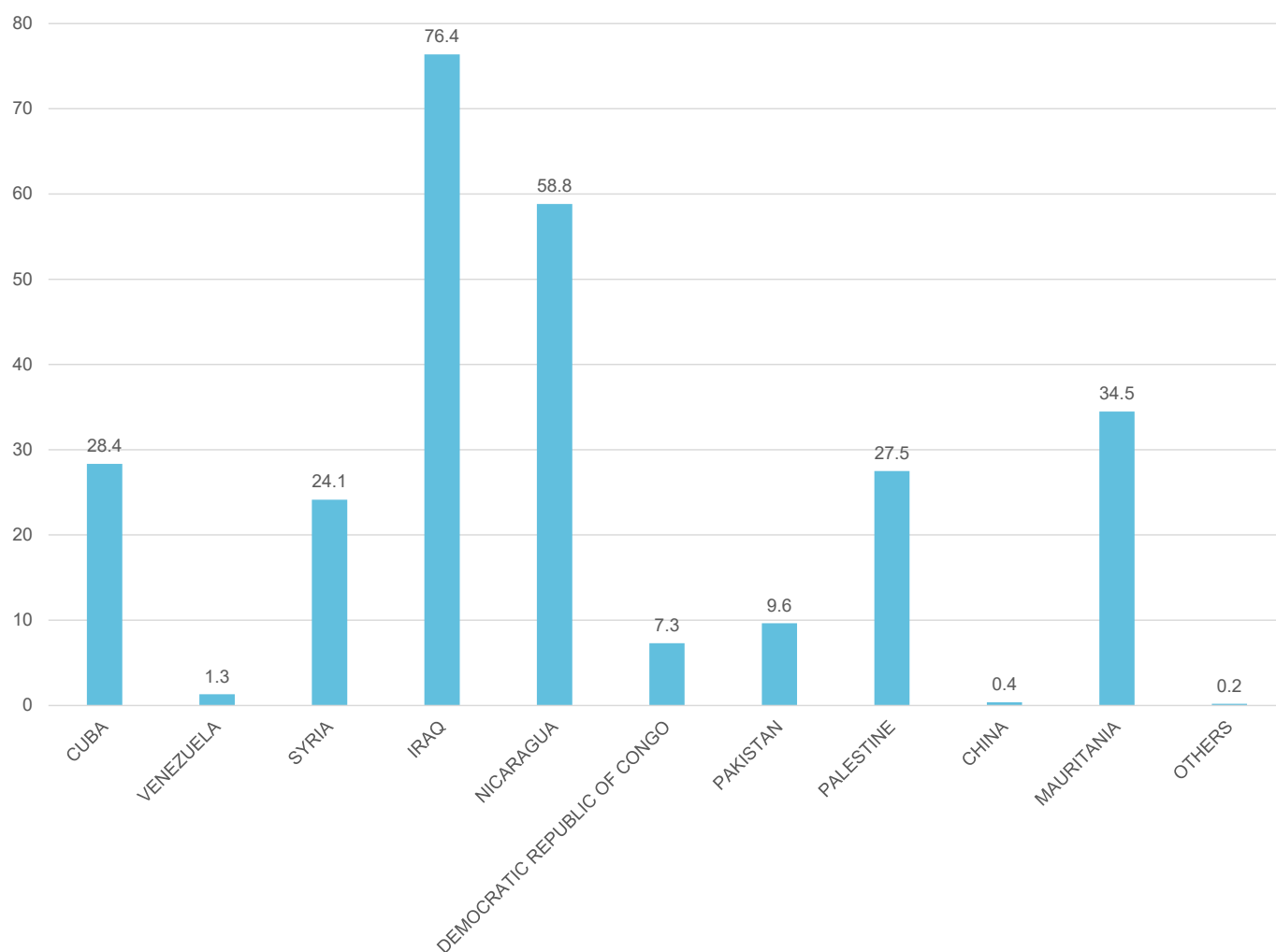
Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

Still on the matter of the applications approved by Conare, figure 2.2.2 shows the ratio of positive decisions considering the total amount of applications in each one of the main countries of nationality or habitual residence of the applicants. The figure shows that the highest percentage of positive decisions were granted to Iraqi (76.4%) and Nicaraguan (58.8%) asylum-seekers . Conversely, Chinese (0.4%) and Venezuelans (1.3%) showed the lowest percentages of positive decisions among the main countries of nationality or habitual residence in 2021.

It is important to emphasize that in order to better understand the results concerning the

“type of decision” in 2021, one must refer to the explanations provided in the Explanatory Notes CG-Conare and take into account that in 2019 and 2020, Conare granted refugee status to a large number of Venezuelans and lately has been working on cases without adjudication upon merits, which led to a lower number of grants to Venezuelan asylum-seekers . It is also worth pointing out that there was no negative decision with adjudication upon merits in claims from Venezuelan, Syrian, Afghan or Iraqi asylum-seekers , and this percentage relates to the total number of decisions without adjudication upon the merit.

**Figure 2.2.2. Proportion of approved asylum applications, by top countries of nationality or habitual residence, according to main nationalities, Brazil – 2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

In order to delve into the profile of people granted asylum by Conare in 2021, table 2.2.3 shows that men accounted for 64.7% of the total number of positive decisions, while women accounted for 35.5% of this total. Among the largest age groups, the number of men whose applications were approved exceeded that of women. The number of women exceeded that of men in the category

of people aged 60 years or older (Figure 2.2.3). Taking account of the age groups analyzed, figure 2.2.3 shows that people aged between 25 and 39 years old held the largest proportions, in both sexes, with men accounting for 38.5% and women 15.5% of the total number of people granted refugee status by Conare in 2021.

**Table 2.2.3. Number of approved asylum applications, by sex, according to age groups, Brazil-2021**

| Age group    | Asylum claims |            |            |
|--------------|---------------|------------|------------|
|              | Total         | Sex        |            |
|              |               | Men        | Women      |
| <b>Total</b> | <b>769</b>    | <b>496</b> | <b>273</b> |
| 0-4 years    | 1             | -          | 1          |
| 5-14 years   | 6             | 1          | 5          |
| 15-24 years  | 91            | 48         | 43         |
| 25-39 years  | 415           | 296        | 119        |
| 40-59 years  | 236           | 147        | 89         |
| 60 + years   | 20            | 4          | 16         |

Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

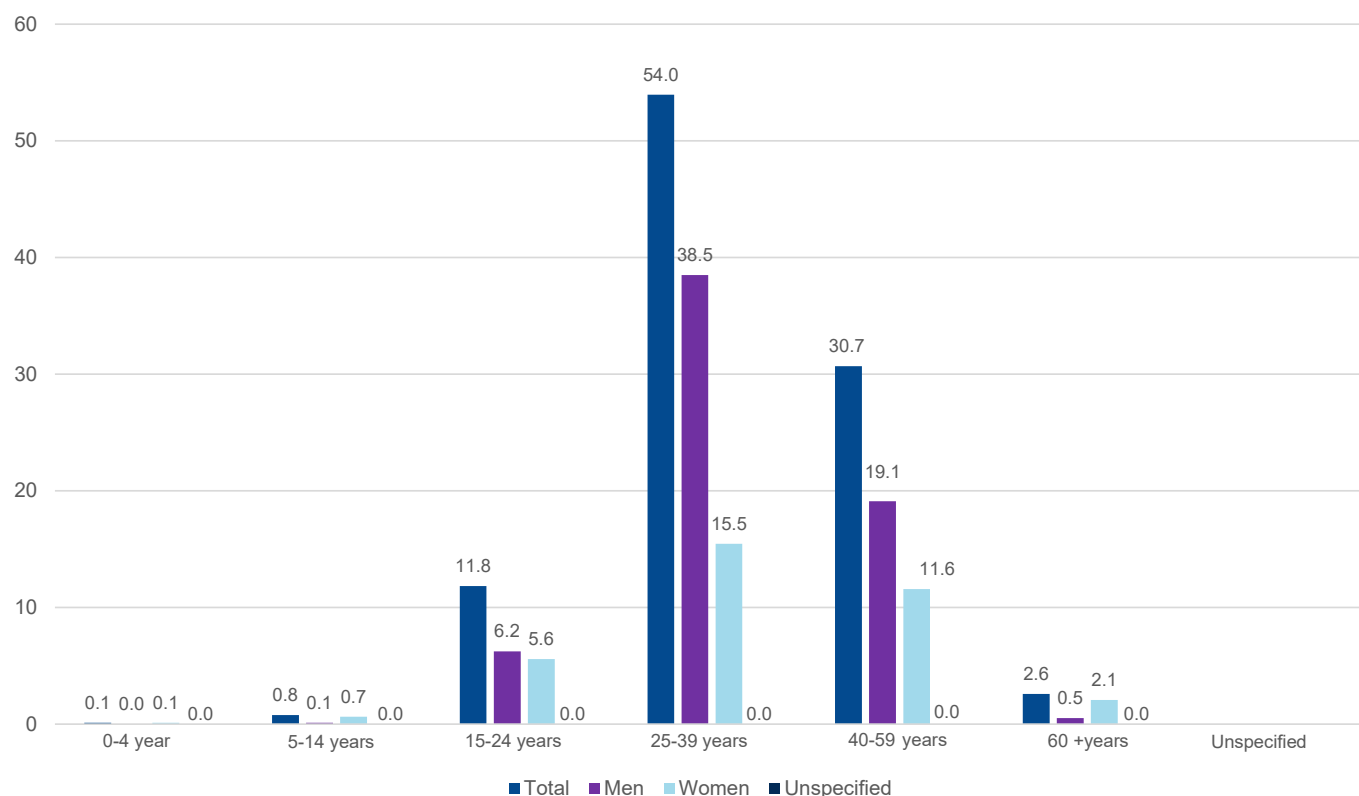
Note:

(-) Numerical data amount to 0 and have not been rounded.

(x) Numerical data was left out in order to avoid individualization of information. \*\*



**Figure 2.2.3. Relative distribution of approved asylum applications, by sex, according to age groups, Brazil-2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

Analysis by sex and age groups of people granted refugee status by Conare in 2021 (table 2.2.5 and figure 2.2.5) show the prevalence of men, in relation to women. In 2021, men accounted for 55.2% of the total number of people granted refugee status, while women accounted for 44.8% of this total. The pattern of distribution, by age groups, of men and women granted refugee status in 2021 remains the same: both groups were aged between 5 to 14 years (50.4%), and there was a diminishing trend in extreme age groups, particularly in the group of people aged between 60 years or older. That is why the number of grants to people under 60 years of age accounted for 99.4% of the total number of people granted asylum by Conare, in 2021.

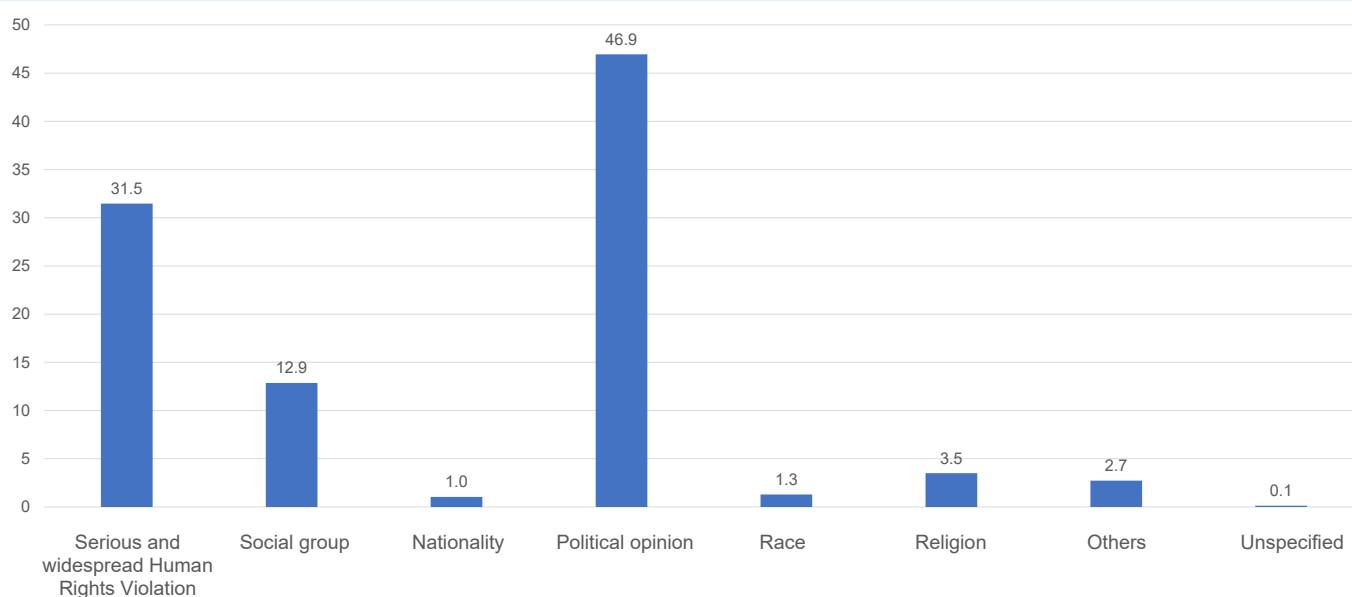
With regard to the grounds for granting refugee status employed by Conare in 2021, table 2.2.4 and figure 2.2.4 indicate that, the ground most applied for granting refugee status was "Political opinion", which accounted for 46.9% of the total number of reasons, followed by "Serious and widespread human rights violation", which accounted for 31.5%. The "Membership" and "Religion" grounds corresponded, respectively, to 12.9% and 3.5% of the total number of grounds in the applications assessed during the period, while "Race"(1.3%) and "Nationality"(1.0%) were the least employed grounds.

**Table 2.2.4. Number of refugees, by grounds applied to grant refugee status, Brazil, 2021**

| Country                                       | Grounds    |
|---|------------|
|   | Total      |
| <b>Total</b>                                  | <b>769</b> |
| Serious and widespread Human Rights Violation | 242        |
| Social group                                  | 99         |
| Nationality                                   | 8          |
| Political opinion                             | 361        |
| Race  | 10         |
| Religion                                      | 27         |
| Others  | 21         |
| Unspecified                                   | 1          |

Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

**Figure 2.2.4. Relative distribution of refugees, by grounds applied to grant refugee status, Brazil, 2021**



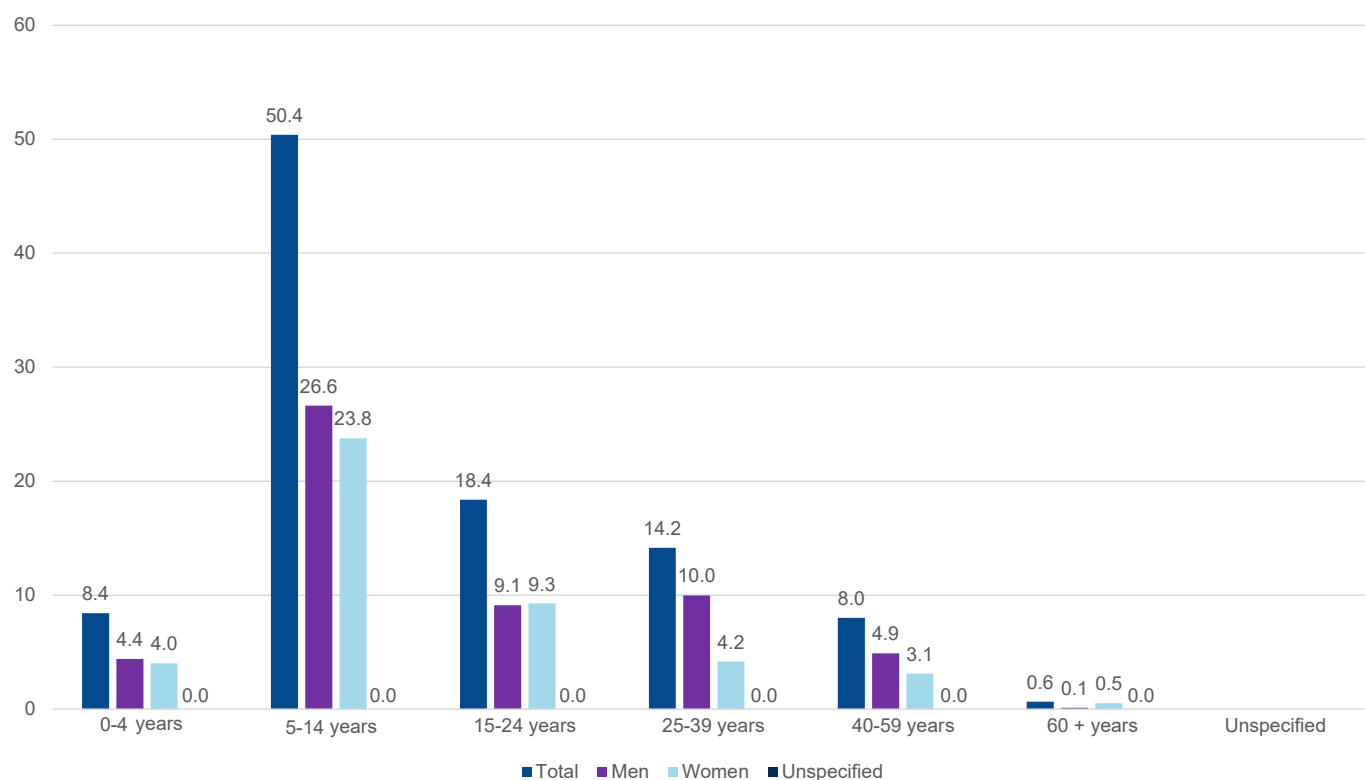
Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

**Table 2.2.5. Number of people granted refugee status, by sex, according to age groups, Brazil – 2021**

| Age groups   | People granted refugee status |              |              |
|--------------|-------------------------------|--------------|--------------|
|              | Total                         | Sex          |              |
|              |                               | Men          | Women        |
| <b>Total</b> | <b>3,086</b>                  | <b>1,702</b> | <b>1,384</b> |
| 0-4 years    | 260                           | 136          | 124          |
| 5-14 years   | 1,555                         | 822          | 733          |
| 15-24 years  | 567                           | 281          | 286          |
| 25-39 years  | 437                           | 308          | 129          |
| 40-59 years  | 247                           | 151          | 96           |
| 60 + years   | 20                            | 4            | 16           |

Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

**Figure 2.2.5 People granted refugee status, by sex, according to age groups, Brazil – 2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

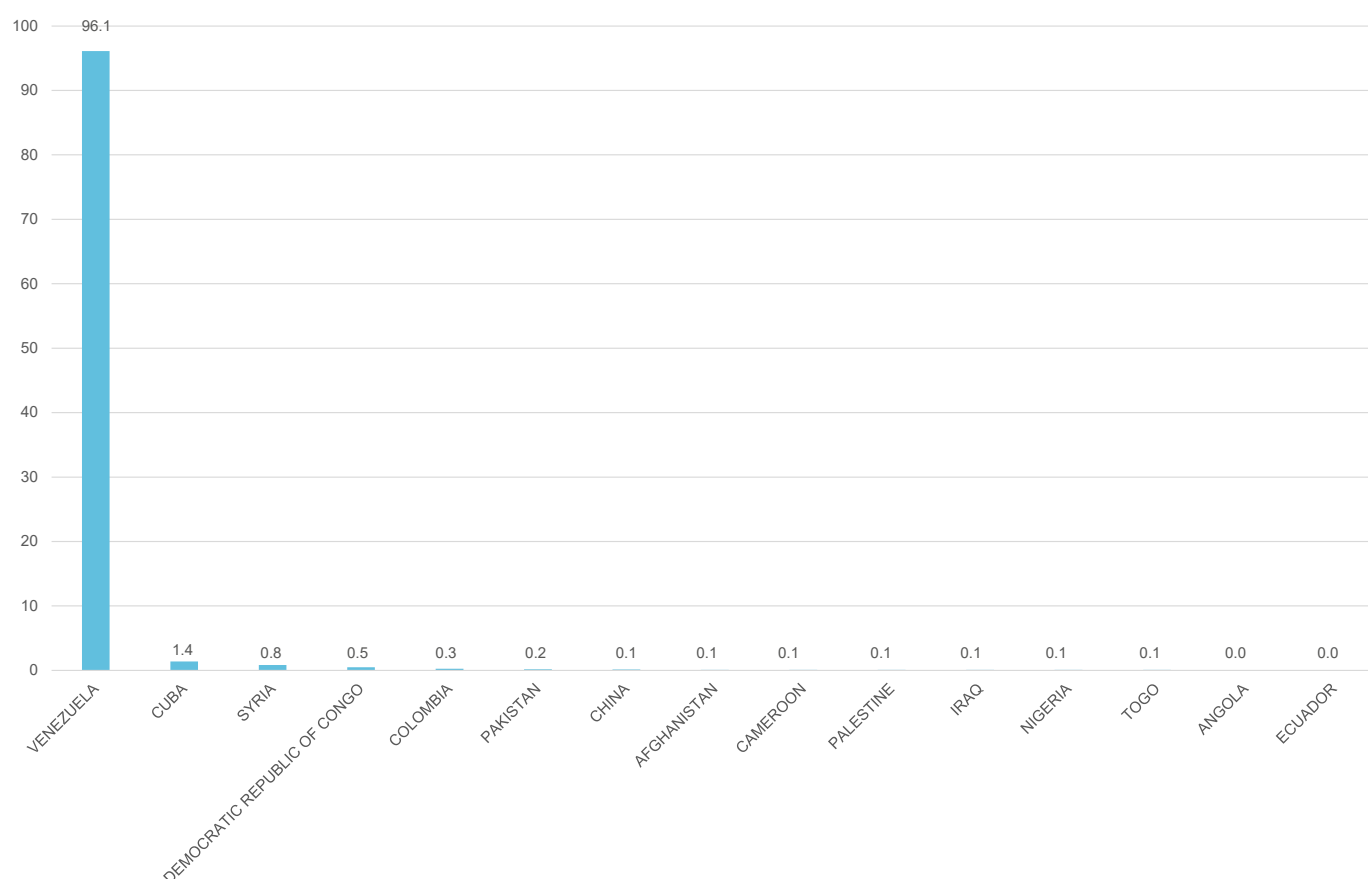
Table 2.2.6 and figure 2.2.6 show that, among those to whom the effects of the refugee status were extended, Venezuelan asylum-seekers account for 96.1% of the total amount of applications for this procedure<sup>24</sup>. Almost all other

countries of nationality or habitual residence whose applicants were granted the extension of the refugee status had a negligible percentage, around 0.1%, save for Cubans (1.4%), Syrians (0.8%), and Congolese (0.5%).

| <b>Table 2.2.6. Number of people granted extension of the refugee status, by country of nationality or habitual residence, Brazil-2021</b> |  |
|--|--|
| Country of nationality or habitual residence   | Number of people granted extension of the refugee status |
| <b>Total</b>   | <b>2,317</b>   |
| VENEZUELA  | 2,227  |
| CUBA   | 32   |
| SYRIA  | 19   |
| DEMOCRATIC REPUBLIC OF CONGO   | 11   |
| COLOMBIA   | 6  |
| PAKISTAN   | 4  |
| CHINA  | 3  |
| AFGHANISTAN  | 2  |
| CAMEROON   | 2  |
| PALESTINE  | 2  |
| IRAQ   | 2  |
| NIGERIA  | 2  |
| TOGO   | 2  |
| ANGOLA   | 1  |
| ECUADOR  | 1  |
| MALI   | 1  |
| Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.    |  |

<sup>24</sup> It is a consequence of the recognition, on the part of Conare, of the serious and widespread human rights violation in Venezuela which, as previously stated, allowed the joint assessment and decision of a set of asylum applications from Venezuelan applicants (see Note 10). Apart from Venezuela, Conare also recognizes that a situation of serious and widespread violation of human rights is currently in place in Afghanistan, Burkina Faso, Iraq, Mali and Syria.

**Figure 2.2.6. Relative distribution of people granted an extension of the refugee status, by country of nationality or habitual residence, Brazil-2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

Taking into account the country of nationality or habitual residence of asylum-seekers whose claims have been denied by Conare in 2021, it turns out that those applications originated from people from 59 different countries. Most of the rejected claims by Conare in 2021 originated from applicants from the African continent (60.8%). Among the rejected claims, there are those from Angolan asylum-seekers, accounting for 115 rejected claims or 24.6% of the total number of rejected claims in 2021 (see Table 2.2.7 and figure 2.2.7).

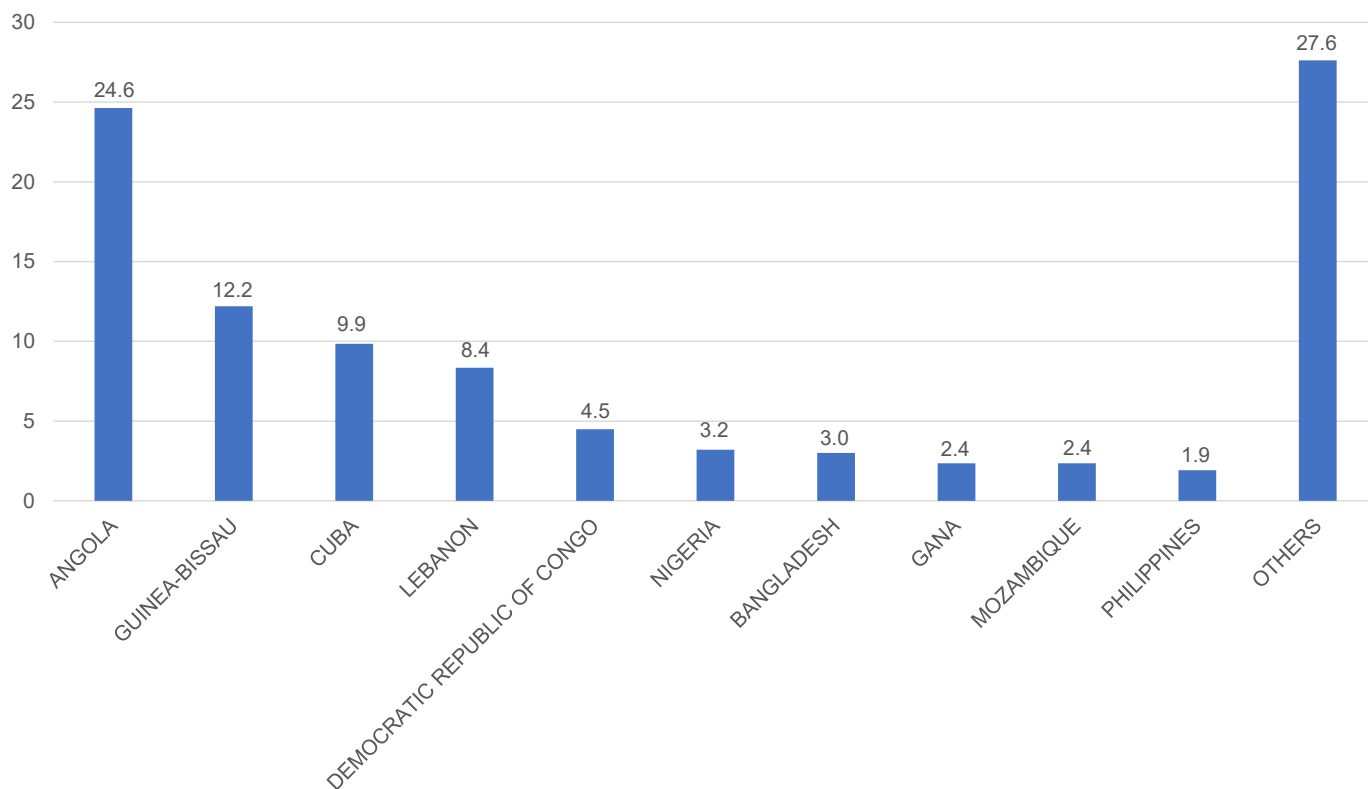
Taking into account the country of nationality or habitual residence (See Figure 2.2.8), further analysis of the proportion of rejected claims reveals that Mozambican asylum-seekers had the highest percentage of rejection (35.5%). Following came applicants from Lebanon (15.0%), Guinea-Bissau (14.9%), Angola (9.6%), the Philippines (9.3%), and the Democratic Republic of Congo (9.0%) as those whose countries of nationality or habitual residence had the highest percentages of rejection, in 2021.

**Table 2.2.7. Number of rejected asylum claims, by country of nationality or country of residence, Brazil-2021**

| Country of nationality or habitual residence | Number of applications |
|--|------------------------|
| <b>Total</b>                                 | <b>467</b>             |
| ANGOLA                                       | 115                    |
| GUINEA-BISSAU                                | 57                     |
| CUBA   | 46                     |
| LEBANON                                      | 39                     |
| DEMOCRATIC REPUBLIC OF CONGO                 | 21                     |
| NIGERIA                                      | 15                     |
| BANGLADESH                                   | 14                     |
| GHANA  | 11                     |
| MOZAMBIQUE                                   | 11                     |
| PHILIPPINES                                  | 9                      |
| OTHERS                                       | 129                    |

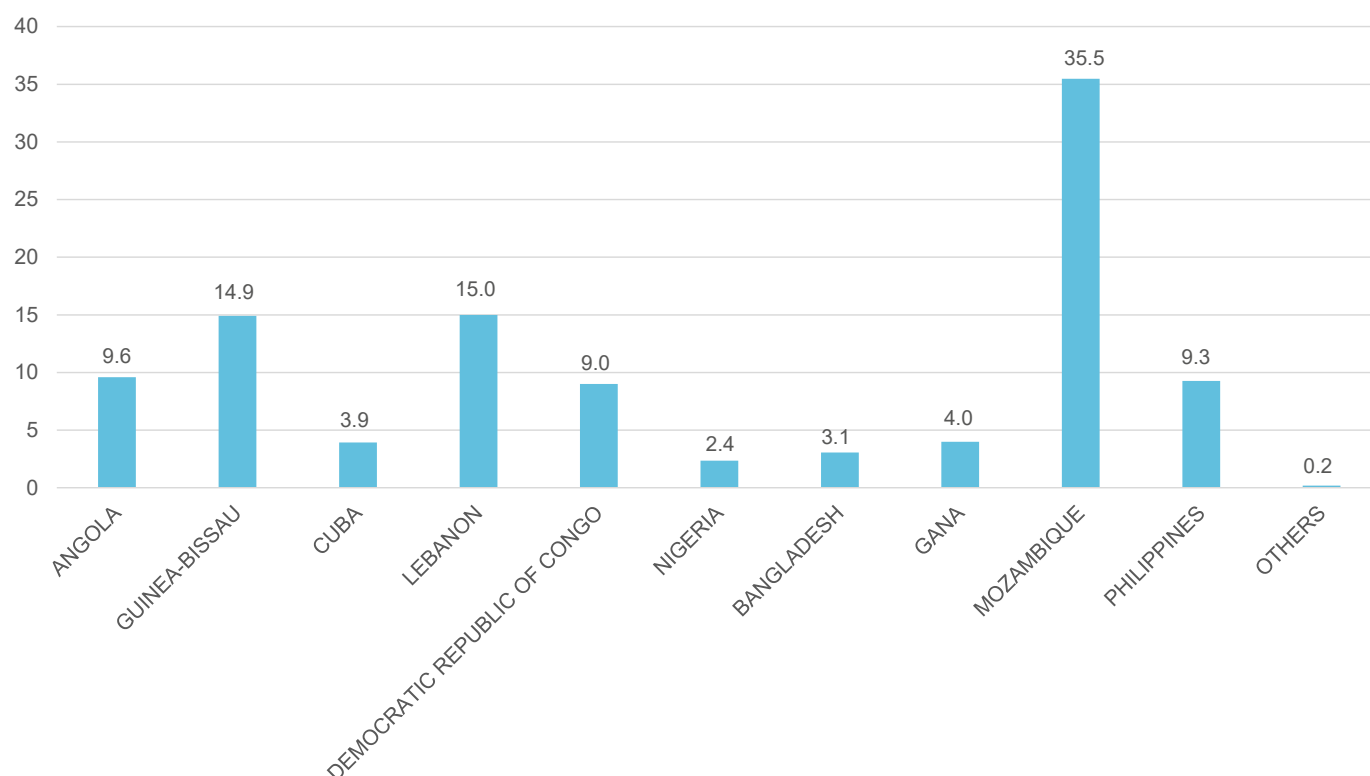
Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

**Figure 2.2.7. Relative distribution of rejected asylum claims, by top countries of nationality or habitual residence, Brazil-2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

**Figure 2.2.8. Proportion of rejected asylum claims, by top countries of nationality or habitual residence-2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

Table 2.2.8 and figure 2.2.9 show the number of asylum applications dismissed<sup>25</sup> by Conare, or by its General Coordination, in 2021, considering the country of nationality or habitual residence. Among the applicants whose claims were dismissed, Haitians (9,655) and Venezuelans (8,579) make up the largest group and, when combined, accounted for 69.3% of the total number of dismissed claims. Chinese and Angolan asylum-seekers also stood out, accounting respectively

for 8.2% and 3.9% of the total number of applicants who had their claims dismissed in 2021. The main reason for dismissal of claims is due to the fact asylum-seekers obtain a residence permit, under the terms of Law No 13,445 of 2017. Both Haitians and Venezuelans benefit from specific residence authorization policies in Brazil, which contributes to better management of the migration and asylum systems.

<sup>25</sup> Conare Normative Resolution No 18 of April, 30<sup>th</sup>, 2014, article No 6-A, amended by Normative Resolution No 26 of March 26<sup>th</sup>, 2018, Conare Normative Resolution No 28 of December 20<sup>th</sup>, 2018, and Conare Normative Resolution No 31 of November, 13<sup>th</sup>, 2019 establishes the grounds for dismissal of asylum claims (without adjudication upon merit), when the applicant: " I- dies; II-has not been in Brazil for a 2-year-period; III=acquires Brazilian citizenship; IV=applies a second time for asylum after having her/his claim rejected upon merits without supplying new facts or evidence; V- withdraws the claim; and fails to renew, after 6 months after the expiration date, the protocol for refugee status determination. Sole paragraph. Obtaining a residence permit under the terms of Law No 13.445, May 22nd, 2017, will result in the withdrawal of asylum application.

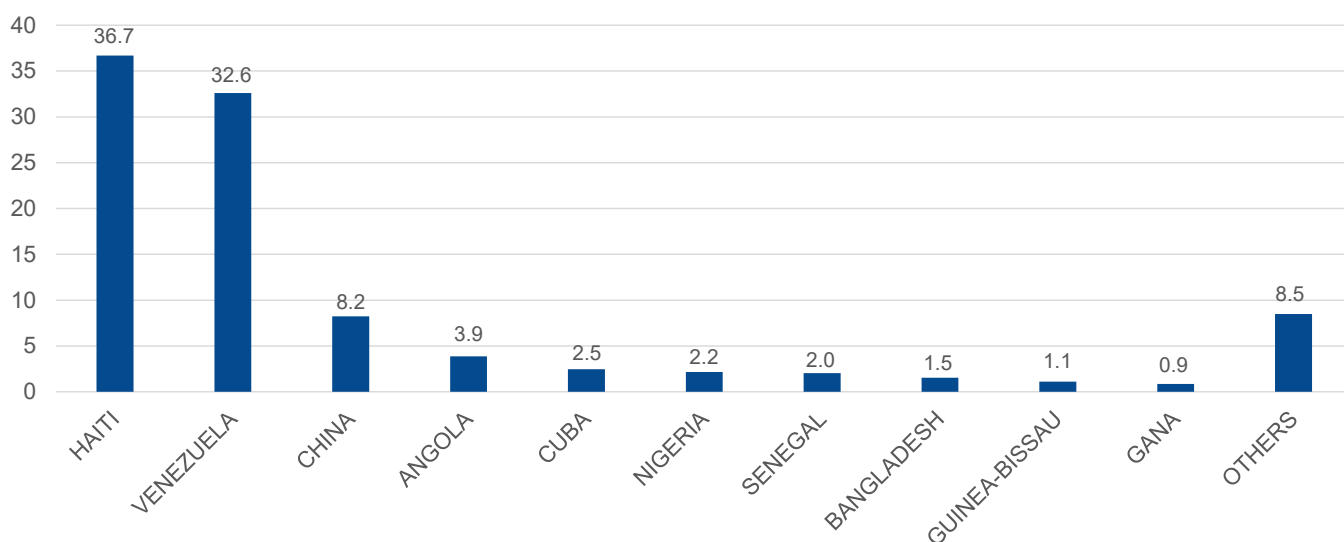


**Table 2.2.8. Number of dismissed asylum claims, by country of nationality or habitual residence, Brazil-2021**

| Country of nationality | Number of applications |
|------------------------|------------------------|
| <b>Total</b>           | <b>26,325</b>          |
| HAITI                  | 9,655                  |
| VENEZUELA              | 8,579                  |
| CHINA                  | 2,166                  |
| ANGOLA                 | 1,018                  |
| CUBA                   | 646                    |
| NIGERIA                | 568                    |
| SENEGAL                | 536                    |
| BANGLADESH             | 402                    |
| GUINEA-BISSAU          | 293                    |
| GANA                   | 227                    |
| OTHERS                 | 2,235                  |

Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

**Figure 2.2.9. Relative distribution of dismissed asylum claims, by country of nationality or habitual residence, Brazil-2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

Table 2.2.9 show the number of asylum applications closed<sup>26</sup> by Conare, or by its General Coordination, in 2021, considering the country of nationality or habitual residence. Among the asylum-seekers whose applications were closed, Haitians were the largest group, with 39,312 applications, which account for 96.3% of the total number of asylum applications closed in 2021. Chinese and Venezuelans also stood out, with 390 and 347 closed asylum applications, respectively. 114 applications from Cuban asylum-seekers were closed in 2021. It is important to point out the those claims from Haitians that were closed concerned pending cases and were from

applicants that already held residence permits granted in 2015<sup>27</sup>. Those decisions constitute an effort on the part of the General Coordination of Conare to assess pending cases.

Map 2.2.2 shows the spatial distribution of asylum applications closed by Conare, or by its General Coordination, in 2021. Those asylum-seekers were from 87 different countries, representing almost all continents and subregions<sup>28</sup>, showing a considerable geographical variation within the analyzed group. The intraregional human migration across Latin America and the movement of people from the entire West African coast

26 Conare Normative Resolution n°23 of September, 30th, 2016, amended by Normative Resolution n° 28 of December 20th, 2018, established the following grounds for closing a refugee status determination procedure: when the applicant fails to renew the protocol, six months after its expiration (save if exceptional circumstances arise and are proved); leaves the country without notifying Conare beforehand; remains outside the national territory for over 90 days in a 1-year period (even if Conare is notified).

27 As laid down in a Joint Order (Ministry of Labor and Social Security and the Ministry of Justice). Available in : [https://portaldeimigracao.mj.gov.br/images/publicacoes/despacho\\_site\\_mj\\_e\\_D.O.U.pdf](https://portaldeimigracao.mj.gov.br/images/publicacoes/despacho_site_mj_e_D.O.U.pdf) The publication may be checked on the Official Gazette, November, 12th, 2015 <https://www.jusbrasil.com.br/diarios/104076812/dou-secao-1-12-11-2015-pg-48>

28 With the exception of Oceania.

influenced the overall international movement which was reflected, in turn, in the asylum

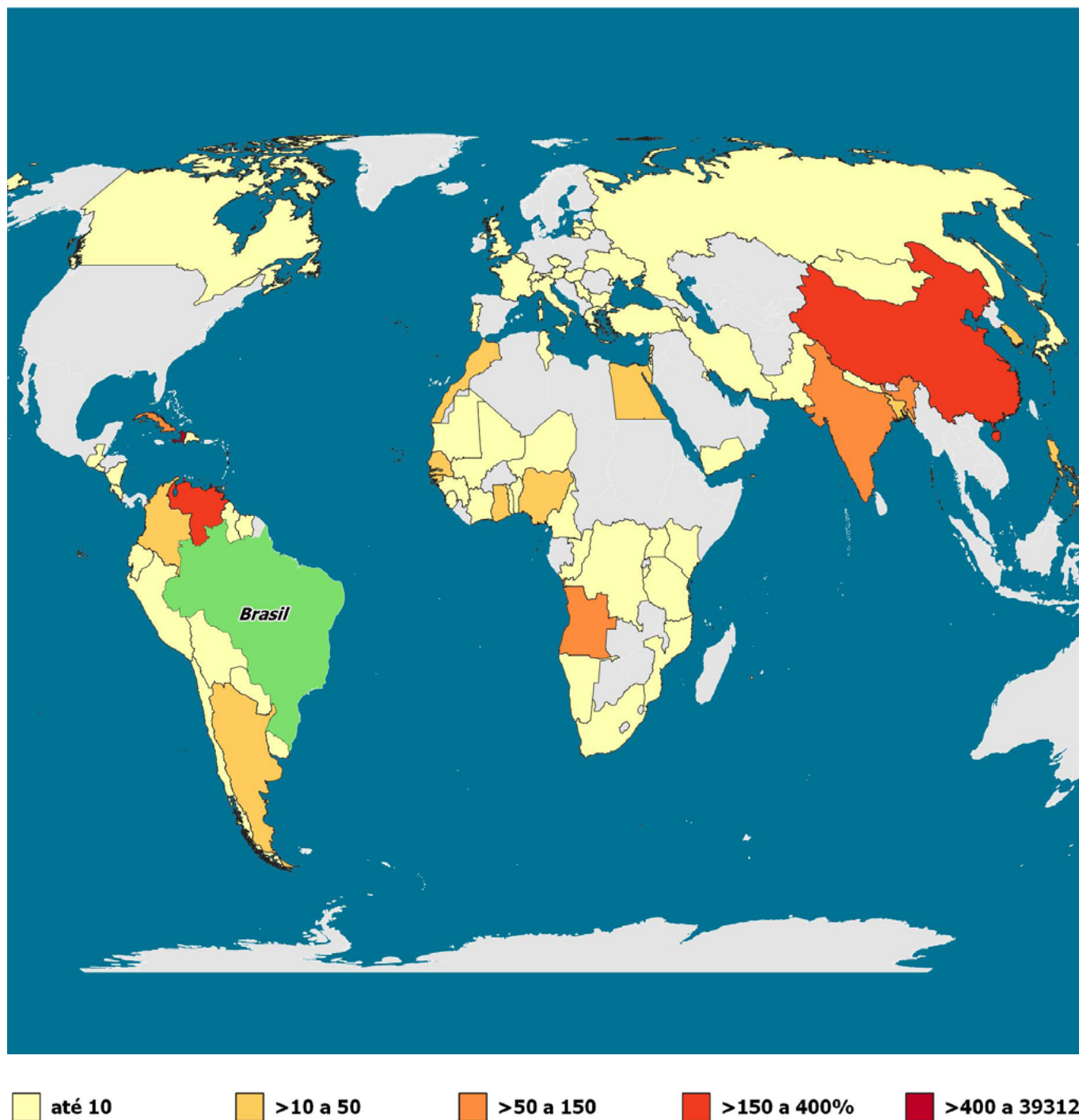
applications closed by Conare, or by its General Coordination, in 2021.

**Table 2.2.9. Number of closed asylum claims, by country of nationality or habitual residence, Brazil-2021**

| Country of nationality or habitual residence | Number of applications |
|--|------------------------|
| <b>Total</b>                                 | <b>40,816</b>          |
| HAITI  | 39,312                 |
| CHINA  | 390                    |
| VENEZUELA                                    | 347                    |
| CUBA   | 114                    |
| INDIA  | 74                     |
| ANGOLA                                       | 52                     |
| NIGERIA                                      | 45                     |
| ARGENTINE                                    | 42                     |
| BANGLADESH                                   | 36                     |
| GUINEA-BISSAU                                | 31                     |
| OTHERS                                       | 373                    |

Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

**Map 2.2.2. Number of closed asylum claims, by country of nationality or habitual residence, Brazil-2021**



Source: prepared by OBMigra, based on data from the General Coordination of the National Committee for Refugees (CG-CONARE/MJSP), 2021.

Having outlined a detailed framework of the decisions delivered by Conare in 2021, in the

next section we will make some final remarks concerning the 7<sup>th</sup> edition of Asylum Statistics.

### 3. Final Remarks

As had already been witnessed over the past decade, 2021 was undoubtedly a period of significant changes for the international human mobility phenomenon with consequences for forced displacement, in general, and asylum, in particular. Such changes encompass different aspects and have reached Brazil, where there has been a constant and considerable influx of people who turned to the Brazilian State seeking protection from persecution for reasons of race, religion, political opinion, nationality, membership in a minority group, or because of social upheaval that may lead to serious and widespread human rights violation.

At the Latin American regional level, asylum issues demand constant monitoring due to the clear consequences to the countries in the region, such as Brazil, which have become common places of origin, movement, and destination for asylum-seekers and people subjected to other types of forced migration phenomena that constitute the broader mixed migration flows characteristic of the modern human mobility.

In this publication, we observed that in 2021, despite the maintenance of measures to restrict movement similar to those implemented as a result of the Covid-19 pandemic in 2020, the number of asylum-seekers and refugees remained stable. However, this was not enough to suppress a trend that has been witnessed for the past decade and relates to the diversification of places of origin, routes, and coercive circumstances that compelled those people to seek protection

granted to refugees in Brazil.

We must also see 2021 in the context of ongoing changes in the demographics of asylum-seekers and refugees who seek to restart their lives in Brazil. The greater presence of women and children among these populations indicates the need to reassess public policies, including those related to migration procedures and policies so as to ensure access to information and basic social protection instruments.

Last year, we confirmed that the Northern region of Brazil still occupies a leading position in the context of migration flows, which are greatly influenced by the configuration of the intraregional forced human mobility across Latin America. At the same time, the relocation, and interiorization of asylum-seekers and refugees in the national territory, thus redefining the asylum configuration in Brazil, remains a priority in terms of monitoring, from the standpoint of the Brazilian humanitarian policy in the migration field. As observed in the previous edition of Asylum Statistics, those processes cross multiple sections and have local impacts, not only with regard to public policy drafting, management, and integration but also regarding the reconfiguration of social forces.

Asylum is not confined to the most noticeable changes to a person's or group's life; it also concerns the changes that encompass the whole of society from a humanitarian standpoint on migration policy. A standpoint that we have been striving to achieve ever since the ratification of

international instruments and that was realized 25 years ago through Law N° 9,474, July 22<sup>nd</sup>, 1997, a legal milestone that established the mechanisms for the implementation of the 1951 Refugee Convention in the country.

Undoubtedly, making the reality of asylum in Brazil visible constitutes some of the efforts to strengthen the Brazilian humanitarian policy in the migration field. Once again, the 7<sup>th</sup> edition of Asylum Statistics prepared by OBMigra, intended to contribute in this regard.

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SILVA, G. J; CAVALCANTI, L; OLIVEIRA, T; MACEDO, M. **Refúgio em Números, 5ª Ed**. Observatório das Migrações Internacionais; Ministério da Justiça e Segurança Pública/ Comitê Nacional para os Refugiados. Brasília, DF: OBMigra, 2020.



## 5. Annex

Explanatory notes CG-Conare

General Coordination of the National Committee  
for Refugees  
May 2022

7<sup>th</sup> Edition "Asylum Statistics"

Explanatory Notes

Topic (I): high number of closed asylum  
applications throughout 2021

Justification: Asylum application procedures may be closed under the terms of Conare Normative Resolution No 18/2014, and 23/2016 amended by Normative Resolutions No 22/2015, 26/2018, 28/2018, 29/2019, 31/2019, and 33/2020.

In general, the regulations provide that an asylum process may be closed if the applicant fails to appear for a scheduled interview without a justified absence; travels abroad without notifying Conare; remains abroad for over 90 days, even though the agency has been notified; and, finally if the applicant does not update their registration information, 30 days after being notified to do so.

Based on the aforementioned legal grounds, the General Coordination of the National Committee for Refugees closed 40,816 asylum applications throughout 2021.

It is important to note that, out of this total, 39,312 applications were from Haitian nationals, who, for

the most part, failed to update their registration information and/or did not demonstrate a willingness to proceed with their applications, as determined by an order published in the Official Gazette, November 12<sup>th</sup>, 2015 (Section 01-page 48). Therefore, based on item II of Article 6 of Conare Normative Resolution No 18, those asylum applications have been closed. Despite being grounded on an order issued in 2015, the closure of such applications was appended to the individual processes only in 2021, in an effort to optimize the administrative structure that has been implemented by Conare and its General Coordination in the past years.

Topic (II): decrease in the number of positive  
decisions in 2021

Justification: The decrease in the number of positive decisions in 2021 when compared to 2020 is due to the fact that in 2020 several applications were approved on the basis of item 3 of Article 1 of Law 9.474/1997 which provides for asylum grant when the applicant has been forced to leave his/her country of nationality to seek asylum in Brazil due to serious and widespread human rights violation.

The application of this ground was particularly significant for about 56 thousand Venezuelan nationals, who were granted refugee status, for the most part, by means of joint decisions published in the Official Gazette in 2019 and 2020.

Although it accounted for a significant share of the positive decisions rendered by Conare, the grant of refugee status on the basis of item III of Article 1 of law 9.474/1997 was not used as frequently in 2021, since fewer Venezuelans applied for asylum than in previous years.

In the same vein, the assessment of a large part of asylum claims on the basis of serious and widespread violation of human rights in the country of origin is pending due to the fact that there is not enough information in those processes to cross-check in the federal government databases to ascertain the causes for granting refugee status. There are also instances of Venezuelan minors who have submitted incomplete or no

documentation at all for the asylum claim; in such cases an additional screening interview is necessary.

Topic (III): 2021 registered the highest number of decisions delivered by Conare

Justification: Over the course of 2021, Conare assessed 70,933 asylum claims. This is the highest number ever recorded over the analyzed period and encompasses both the cases with adjudication upon merit (positive and negative decisions, and family reunification) and those whose merit was not assessed (closed and dismissed applications).