

## **Working Group on the Smuggling of Migrants**

### **Analysis of the impact that the availability of regular channels of migration has on reducing demand for the smuggling of migrants**

#### ***Brazilian intervention***

Trafficking in migrants is a crime of great complexity, since it involves economic, social, cultural and psychological factors, which require coordinated efforts between public authorities at various levels, civil society and international organizations. Despite the efforts made to combat this scourge, it must be understood that it is not possible to anticipate all situations that may lead to irregular migration.

It is Brazil's traditional position that a lasting solution to the smuggling migrants will only be obtained by maintaining safe and accessible channels for regular migration, given that it is the absence of these routes that leads people to risk their lives and their well-being at the hands of criminals. Barriers to migration, in this sense, would only serve to increase the demand for smugglers' services and thus increase their power over migrants, placing them in a situation of greater vulnerability to exploitation and abuse.

Moreover, the lack of opportunities for regular migration is, indeed, at the root of migrant smuggling, and the best way to prevent this crime is by promoting regular migration. Even supposedly protective measures, such as restrictions on the migration of women of a certain age or

from certain countries only force such people to resort to less secure routes and increase their vulnerability.

Brazil attributes the highest importance to channels of admission of migrants for humanitarian reasons, which undoubtedly contribute to prevent people from falling into the hands of criminal groups. The new Brazilian migration law created the humanitarian reception visa (art. 14, I, c), in order to allow the reception of people who are in countries in situations of severe or imminent institutional instability, armed conflict, among other hypotheses defined in regulation.

I would like to highlight the successful Brazilian experiences with the issuance of humanitarian visas for Haitian and Venezuelan citizens and people affected by the conflict in Syria. To these groups, they are beginning to be able to join, on the basis of interministerial ordinance 24, of 9/3/2021, Afghan nationals, stateless persons and people affected by the situation of severe or imminent institutional instability, serious violation of human rights or international humanitarian law in Afghanistan. The Brazilian experience shows that the granting of visas for humanitarian reasons requires accurate strategic planning, under penalty of endangering the effectiveness of the initiative.

I would also clarify that the provision of regular migration routes through the granting of visas prevents the attempt of regularisation through other channels, such as the request for refugee status, which would mischaracterize and put pressure this institute of protection of rights.