

# Irregular Immigration in Brazil: How International Cooperation Has Combated Migrant Smuggling

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## Executive Summary

This study aims to demonstrate how Brazil has become a route for irregular immigration and how the actions of Brazilian authorities, in conjunction with Interpol, have contributed to combating this practice through interagency international cooperation. Interagency cooperation has proven to be one of the most effective methods in addressing migrant smuggling; however, the expansion of such cooperation remains necessary. The research conducted presents examples of violations of Brazilian migration regulations by irregular migrants, in most cases acting in collusion with “coyotes.” Expanding access for migration control authorities to shared databases would certainly help deter the actions of smugglers, as well as individuals planning to undertake irregular migration. Moreover, the training of security personnel, combined with the use of new technologies—such as artificial intelligence—would yield positive results for identification and screening services aimed at detecting potential clandestine migrants at immigration or customs checkpoints.

## Introduction

The issue of large-scale irregular immigration has been a subject of political debate in most countries, with particular emphasis on Europe and North America. Beyond the problems arising from irregular immigration,

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other issues tend to be overlooked by national authorities, such as migrant smuggling. This practice, carried out by criminals known as “coyotes,” involves active facilitation and brokerage, assisting foreigners in evading border controls.

These methods, used by irregular migrants to circumvent immigration procedures at control posts, conceal various dangers to which individuals are exposed; among the risks are physical and psychological violence perpetrated by smugglers. Beyond the human factor, the legal implications of these practices cause harm to the Brazilian immigration service, as by evading border control, individuals illegally entering Brazilian territory are not registered or recognized by state authorities, due to the lack of knowledge regarding their presence.

As a result, Brazilian institutions need to update themselves on issues involving immigration-related crimes, which have until recently been a relatively little-known phenomenon in the Brazilian geopolitical and social context, but have now become the subject of debate in the National Congress.

## Analysis

As emphasized by the National Secretary of Justice, Jean Keiji Uema, “Refuge is a legal instrument designed to protect people persecuted in their countries of origin. We cannot allow it to be used for human trafficking and migrant smuggling” (Brazil, 2024). In the Secretary’s words, it becomes clear that some of the migrants who arrive in Brazilian territory requesting refugee status are not genuinely seeking the protection afforded by migratory status, but rather using Brazil as a transit point to continue their journeys toward North America.

When analyzing the reasons that lead migrants to apply for refugee status with the intention of using Brazilian territory as a point of departure to other countries, it was found that “coyotes” instruct migrants with irregular documentation to request refugee status when approached at inspection checkpoints. In doing so, Brazilian immigration law guarantees applicants the right to remain in Brazilian territory until a decision on their request is issued.

The Chamber of Deputies has recently drafted a bill aimed at criminalizing the facilitation of irregular migration (Brazil 2024). In the wake of this bill, it can be observed that migrant smuggling has become a lucrative activity in Brazil, particularly after the first decade of the twenty-first century. With the “open arms” policy adopted by Brazil to welcome refugees from Haiti and Cuba, many opportunists began to engage in criminal activities in order to profit by assisting undocumented migrants within the country.

In subsequent years, as conflicts erupted in Syria, Sudan, and Afghanistan, Brazil also began granting humanitarian visas to individuals of those nationalities. This policy was widely exploited by “coyotes,” who contacted people still abroad and instructed them on how to proceed upon arriving in Brazilian territory. An immigrant could simply present themselves voluntarily at an immigration control post, and even without documents substantiating the veracity of their account, they could not be denied entry before the case was decided by the National Committee for Refugees (CONARE).

### Recommendations

It is necessary to strengthen border enforcement through the presence of qualified agents capable of identifying suspected cases of irregular migration, as well as to incorporate new technologies—such as the use of artificial intelligence in conjunction with facial recognition cameras—to assist officers during identification procedures related to migration processes. Alongside compulsory measures, Brazilian authorities must propose the development of clearer and more objective regulations regarding the issuance of visas, enabling consular offices to deny or cancel visas whose travel purposes or transit through Brazilian territory are unclear. Such procedures should be applied in order to prevent the waiver of transit visas from being used inappropriately, ensuring that immigrants circulating in airport transit areas are unable to invoke asylum requests as a means of facilitating irregular migration for those who have been denied entry into third countries.

### Policy Implementation Proposals

1. The first proposal is undoubtedly the dissemination of information about the practice of irregular migration, highlighting the risks of using illegal smuggling services and the possible administrative sanctions that may be imposed on irregular migrants who engage in such practices.
2. Expand the number of institutions that make up the National Central Bureau (NCB) of Interpol, removing the monopoly of the Federal Police over this body and thereby facilitating the sharing of data relevant to the detection of migrant smuggling crimes with other migration control and border enforcement agencies.

3. Update migration regulations and provide training for public servants (border agents, police officers, and public service personnel) in the use of technological tools to assist in the prior identification of irregular migrant entry and in the suppression of organizations and individuals suspected of engaging in or promoting migrant smuggling.

## Conclusion

In conclusion, it is necessary to reflect on how irregular immigration has become a relevant issue in the Brazilian context. Aspects such as the particular needs of each migrant may indeed constitute a purely humanitarian matter. However, no individual case, however persuasive their narrative may be, legitimizes the violation of national law. The use of fabricated arguments and bad faith with the purpose of obtaining humanitarian refugee status constitutes both a criminal act and a moral offense against those who genuinely require international protection. Nevertheless, Brazilian legislation does not classify the immigrant as a criminal; rather, the facilitator of irregular entry is defined as a criminal under Brazilian law.

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