

## **Communiqué of the Brazilian Association of Anthropology Committee on Migration and Displacements on Ordinance nº 666/2019 of the Minister of State for Justice and Public Security, Sergio Moro**

In May 2017, after 37 years, Brazilian society finally managed to pass a new Migration Law (Law 13.445 /2017), thus outdoing the text of the Foreigners Statute (Law 6.815 / 80) - the immigration rule created during the military dictatorship (1964-1985), which was based upon both a distrust against the foreigner and the defense of "national security".

The Migration and Displacement Committee of the Brazilian Association of Anthropology has long been participating in the debate and monitoring concerning the implementation of new legislation and, therefore, ensuring its alignment with the Brazilian constitution.

As an outcome of this work, we have been able to approve, in the context of successive negotiations, a modern immigration law based as much as possible on the defense of human rights and mobility.

However, in July 10, 2019, we noted with immense concern the inclusion of an amendment proposal in the Federal Senate Bill 1928/2019, through which the Minister of Justice and Public Security Sergio Moro suggested the addition of four articles into the new Migration Law that, separately and as a whole, violate the principles that guided the debate pertaining to its implementation. Hence, this amendment proposal, by perceiving immigration from the viewpoint of criminalizing people in mobility, reinstates the intent towards broadening migration control.

Ordinance No. 666 of July 25, 2019, signed by the same Minister Sergio Moro and published today in the Federal Official Gazette, which provides for “the entry, repatriation and summary deportation of a *dangerous person* or who has practiced act against the principles and objectives laid down in the Constitution”, confirms that the fears of the Committee are not unfounded.

In addition to restoring, updating and even extrapolating the ill-fated Foreign Statute of the dictatorship era, Ordinance 666 - by evoking the "new threats" established by the international community, such as drug trafficking, terrorism, trafficking in persons, trafficking in illicit goods and even child / youth pornography or sexual exploitation - *a priori* treats migrants as *dangerous persons suspected* of engaging in acts contravening the National Constitution and, therefore, subjected to deportation on the basis of either the anti-terrorist law (No. 12.360 / 2016) or that related to organized crime (Law No. 12.850 / 2013).

Henceforth, it disregards the focus on human rights that was at the heart of the New Migration Law. It also hurts the 1988 Constitution, whose article V states that “Everyone is equal before the law, without distinction of any kind, warranting to both Brazilians and foreigners living in

the country the inviolability of the rights to life, freedom, equality, security and property”. It further hurts the foundations of several supranational treaties to which Brazil is a signatory that promote the non-criminalization and the welcoming of the migrant person, thus attempting to prevent any type of imprisonment for migratory reasons.

Since it represents an attack on the Democratic State, we strongly repudiate Ordinance 666/2019 and call for international protection for (transnational) migrants in and from Brazil.

Brasília, July 26, 2019

**Brazilian Anthropology Association (ABA) and its Committee on Migration and Displacements**