

INTERNATIONAL COOPERATION AND GOVERNANCE OF MIGRATION IN TRANSIT, ON ENTRY AND AT BORDERS

It is our view that, when exercising their sovereign right to enact and implement migration and border security measures, States must comply with their obligations under international law, including international human rights law.

In doing so, special attention should be given to vulnerable groups, such as unaccompanied children, families with children, pregnant women, persons with disabilities, asylum seekers, refugees, potential victims of trafficking and elderly migrants.

We are convinced that such respect and protection of human rights of migrants necessarily entails the decriminalization of undocumented entry and upholding migrants' right to information and access to justice.

In line with the New York Declaration for Refugees and Migrants, we believe all individuals who have crossed or are seeking to cross international borders are entitled to due process in the assessment of their legal status, entry and stay.

Furthermore, the principle of non-discrimination should underpin our approach to migration governance. In Brazil, our new Migration Law enacted last May establishes that no one shall be prevented from entering our country on the grounds of race, religion, nationality, political belief or for belonging to a social group.

We also strongly believe that detention should not be used as a border management and deterrence tool against migrants. Particularly, we believe the Global Compact should call for the need to expeditiously end detentions of migrant children and adolescents, given that such measure is never in their best interests.

As for migrants in transit, it is important to draw attention to the precarious condition to which they are subject in migration routes, which may be further aggravated by difficulties in access to basic services, such as health care. In this respect, we would like to recall Human Rights Council's resolution 29/2, which calls upon all States to provide assistance and relief to migrants who need it, regardless of their immigration status.

Finally, we believe it is especially important to heed HRC's calls to adopt effective measures to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups within States' territory and jurisdiction, as well as to provide assistance to persons in distress at sea.