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Article

# Migratory Securitization and the COVID-19 Pandemic in Brazil during 2020

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**Abstract:** In the year in which the world "stopped" due to the pandemic, many people didn't have that option and had to keep moving as the only alternative to survive. One of the main destinations in South America, during the quarantine measures established around the world, was Brazil, especially because of the crisis Venezuela went through in the second half of the 2010s. Throughout the research, we observed measures that were applied by the Brazilian government on the grounds of public health issues or cases of health risks related to COVID-19. An analysis of the first measures published by the Brazilian government reveals an effort to securitize borders, which at the same time restricted the government's responsibility to fulfil its role of protecting migrants in need.

**Keywords:** Brazil; pandemic; migration; securitization

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## Introduction

Global human mobility causes changes in politics, economics, culture, and the division of labor at international, regional and local levels. The causes of people's movements are diverse, ranging from economic, social, political, religious, cultural and ideological issues. For example, people around the world often need to move due to natural disasters, among others.

The United Nations (UN) estimates that the number of international migrants rose to 221 million in 2010 and reached 272 million (3.5% of the world's population) in 2019, showing a higher growth rate than the world's population (UNITED NATIONS BRAZIL, 2019). The recent recognition, on July 25, 2016, of the International Organization for Migration (IOM<sup>1</sup>) by the UN as a body associated with the UN system, after sixty-five (65) years of existence, can be considered one of the changes at the international level resulting from the growing flow of migrants around the world (UN NEWS, 2016).

In the year in which the world "stopped" due to the pandemic, many didn't have that option and had to keep moving as the only alternative to survive. In 2020, the number of international migrants reached 281 million and the number of people displaced across international borders while fleeing conflict, persecution, violence or human rights violations reached 34 million. However, while around two-thirds of international migrants live in high-income countries, more than 80% of refugees, people in situations of refuge and asylum seekers live in low- and middle-income countries (UN DESA - UNITED NATIONS DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS, 2021). Therefore, in

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<sup>1</sup> The International Organization for Migration (IOM) is the world's leading intergovernmental organization on migration. Created in 1951, the Organization works in close partnership with governments, other organizations and civil society to tackle the challenges of migration. With 166 Member States, 8 Observer States, 401 offices and approximately 9,000 staff, IOM is dedicated to promoting humane and orderly migration for the benefit of all, providing assistance and advice to governments and migrants. (UNITED NATIONS BRAZIL). Available at: <https://nacoesunidas.org/agencia/oim/>. Accessed on: January 10, 2024.

the last decade, crisis migration<sup>2</sup> (MOREIRA; BORBA, 2021) have been characterized by South-South migration<sup>3</sup>.

In this sense, Brazil, as an emerging country, has also become a destination or transit route for these crisis migrants, with a strong emphasis on African, Caribbean and Latin American populations (CAVALCANTI; OLIVEIRA; MACEDO, 2020). For example, due to the long political, economic and social crisis that Venezuela has been facing for more than a decade, Brazil has become the fifth largest host nation in Latin America for Venezuelan citizens since the middle of the last decade. According to the United Nations Office on Drugs and Crime (UNODC, 2021), Between January 2017 and August 2020 alone, Brazil welcomed 609,049 Venezuelans.

But due to the new coronavirus pandemic, the Brazilian government's initial response was to close land borders, especially with Venezuela, in March 2020, with allegations of public health order, due to health risks related to COVID-19. Based on this design, this work seeks to answer the following question: was there migration securitization during the COVID-19 pandemic in Brazil in 2020? This question is relevant because "every day, people somewhere in the world are killed, starved, tortured, raped, impoverished, imprisoned, displaced, or denied education in the name of security" (WILLIAMS, 2008, p.1).

To answer this question, it is first necessary to consult the literature, using as a theoretical reference mainly authors such as Susana Ferreira (2021), Daniela Nascimento and Inês Sousa (2020), Rossana Rocha Reis (2004), among others, to understand the relationship between security and migration. Secondly, it is necessary to investigate, through research already carried out, the control measures implemented by the government to find out whether they were designed for securitization reasons or not. And finally, identify signs of protection for these displaced people in the final destinations they choose specifically in Brazil during the COVID-19 pandemic in 2020.

### **The Question of Migration and Security in Brazil**

Talking about migration means talking about security and protection at the same time. People who migrate feel some degree of vulnerability in their country of origin and are looking for a certain degree of protection in the destination territory that was not possible to find in their country of origin. But generally, and especially when migratory flows are high, that is, a high number of people simultaneously trying to enter a given country, they are perceived as a threat to internal security. And in these cases, countries tend to adopt a securitization policy, as "securitizing or agreeing to securitize is always a political choice" (BUZAN ET AL. 1997, APUD NASCIMENTO, 2018, p. 19, *our translation*).

According to Nascimento (2018, p.18, *our translation*),

In a securitization process, there are referent objects of security, considered by securitization actors as constituting a threat – in this case, migrants and refugees – as well as functional actors, that is, those who influence decisions in these processes.

The migration issue gains increasing importance in the field of national and international security, especially after the events of September 11, 2001, when Americans realized that the people responsible for the attacks were immigrants with temporary or irregular stays in the country (BALI, 2008; REIS, 2004). Security has become so important for states that many allocate more resources to the defense ministry than to the development, education and health ministries (WILLIAMS, 2008). Governments together with their populations have believed that migration or the movement of people can facilitate terrorism and

[...] can become the cause of economic hardship and the increase in competition for scarce resources of various kinds from jobs to social housing, and can weaken existing power

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<sup>2</sup> Crisis migration develops in response to a perceived risk or natural catastrophe that transforms a happenstance into an urgent need.

<sup>3</sup> The migratory flow from developing countries (poor countries included) to developing countries is known as South-South migration.

structures and institutions within countries, as well as threatening cultural identities and social cohesion (BALI, 2008, p.471).

One country in Latin America that could represent a "burden" for the host countries, according to the excerpt above, would be Venezuela, which at the beginning of the last decade underwent serious socio-economic transformations, which since 2015 have led to the mass forced displacement of its population to border countries. The flows were intense in number and were people who really needed some kind of protection or shelter, as they were "asylum seekers, people in situations of social and economic vulnerability, economic migrants from lower income strata and political persecutors" (UEBEL; Márquez; FRÖHLICH, 2021, p.114).

It is worth highlighting that the last resort of people facing violence, severe rights abuses or other risks is to leave their homes. The majority of forcibly displaced people remain in their country of origin (people migrate first to other cities or neighborhoods within their own country of nationality) or in countries in their immediate neighborhood. People always hope to return to their homelands (ZATTER, 2015).

For Zatter, there are three main factors, causes or drivers that generally cause the forced displacement of populations, which are as follows: intra-state conflict; weak governance, political instability and repression; and environmental factors. These factors may reinforce themselves in some territories (Ibid.). For example, the Taliban's rapid control over Afghanistan is a combination of two factors: intra-state conflicts and weak governance. And in the case of Venezuela, it's a question of political instability and repression, because it was the situation of violence, poverty and inflation that put many people in a situation of forced displacement (CORAZZA; MESQUITA, 2019).

But, regardless of the causes that led to displacement, there is generally resistance in the host countries. For example, on Europe's resistance to opening its borders to migratory flows, Ferreira (2021, p.89) highlights the following: "concerns about internal security have resulted in a growing securitization of migration policies, in which migratory flows and consequent migratory pressure are perceived as a threat to European stability".

In the case of Brazil, it is possible to find traces of the securitization of migration from the 20th century onwards. For example, Silva (2020, p.28) pointed out that "the deputy from Minas Gerais, Fidélis Reis, proposed, in 1923, the absolute restriction of black immigrants of all nationalities, arguing that Afro-Americans would be a "disruption to the peace"". The attempt to build a Brazilian identity during the Estado Novo dictatorship and the Vargas government resulted in the prohibition of "expression of foreign languages and cultures, especially those of Japanese, German and Italian origin, taking into account the Second World War and the alignment Brazilian to the Allies" (RAMOS, 1996, APUD. UEBEL; MÁRQUEZ; FRÖHLICH, 2021, p.109).

It is possible to note that "migration and nationality policies reflect economic, demographic interests and political circumstances" (REIS, 2004, p.156). At the same time, it is observed that the concern with identity is still current and is no different in other territories. For example,

The presence of other cultures on the European continent, with different religions, ethnicities, languages and economic conditions, is seen as a threat to be securitized because it directly interferes with the basis of the integration process: the formation of a European identity. It is seen as a risk of fragmentation, which would undermine the very existence of the EU. (FERREIRA, 2011, p. 48, *Our translation*)

It is noticeable that governments translate their concerns about migratory flows into legal instruments, thus making unauthorized entry into their territories illegal. The Foreigner's Statute that came into force in 1980 "sought to regulate the admission of foreigners - among them immigrants - into Brazilian territory, but with a high level of securitization, as it perceived "non-Brazilians" as potential threats to national sovereignty and security" (UEBEL; MÁRQUEZ; FRÖHLICH, 2021, P.110, *Our translation*).

The legal instruments of these countries aim to discourage migratory flows or even to discourage people in search of better living conditions, regardless of whether or not they are at risk of death, from presenting themselves at their borders, as they would and often are deported or returned to their territories of origin.

The EU and its member states have built an almost impenetrable border to keep out irregular migrants regardless of their motives and the desperate conditions many risk to reach Europe. In order to "defend" their borders (A.I, 2014 APUD NASCIMENTO, 2018 p. 21, *Our translation*).

Another reason found for raising too many visible and invisible barriers related to the securitization of migration, especially in the case of those who arrive irregularly, is that:

Many states fear that a policy that grants many rights to the undocumented could serve as an incentive for more people to migrate illegally. [...] illegal immigration is increasingly being criminalized in the domestic legislation of receiving countries, with harmful consequences for all immigrants (REIS, 2004, p.153, *Our translation*).

It is observed, through the lines above, the existence of a securitization and militarization agenda and Brazil, due to its geopolitical position in Latin America, has expanded its insertion in the global fight against drug trafficking, human trafficking and terrorism. And consequently, this position has an impact on "[...] mobility (and immobility) of migrants, refugees and other displaced people [...]" (FELDMAN-BIANCO, 2018, p.21, *Our translation*).

In 2017, the migration law was celebrated (Law No. 3,445, of 2017), which is considered a great achievement for social movements of transnational migrants and the various organizations that welcome migrants and refugees and which have long demanded legislation focused on human rights. But this achievement did not happen without resistance.

Along with online petitions against the new law "for abandoning the National Security perspective of the Foreigner's Statute", street manifestations in São Paulo called for a full veto of the text, mentioning the danger of the Islamization of Brazil and terrorism (FELDMAN-BIANCO, 2018, p.19, *Our translation*).

"The principles that guided the application of the Foreigner's Statute were: national security, institutional organization, Brazilian political, socio-economic and cultural interests, and the defence of the national worker (art. 2)" (FONSECA; MEDEIROS; MIRANDA, 2021, p. 22, *Our translation*). As much as civil society points to the advances represented by the paradigm shift of the 2017 migration law, that is, a focus on human rights instead of national security or securitization and militarization, Feldman-Bianco (2018) pointed to distinct setbacks in the following excerpt:

Although the new law continues to maintain a focus on human rights, the presidential sanction with 18 vetoes reinforced the prevailing notion of the immigrant as a problem, accentuating the securitization and criminalization of the migrant, by removing the amnesty for migrants, the revocation of expulsions decreed before October 5, 1988, the mandatory stay of migrants already resident who have committed a crime in the country, the free movement of indigenous and traditional populations across borders, among other vetoes (p.19, *Our translation*).

It is worth remembering that the Brazilian government during the pandemic aligned itself with the agenda and position of the United States government at the time in conducting its domestic and international policies and continued to act in accordance with the same agenda in its way of conducting Brazilian politics as one all. During his administration, President Trump has shown himself to be hostile to the growing presence of immigrants arriving at US borders. During the administration that was present at the outbreak of the pandemic, Brazil withdrew from the Global Compact on Migration, which was an international response to the migration crisis.

With Covid-19 classified as a pandemic by the World Health Organization (WHO) in March 2020, "the Brazilian federal government has been issuing ordinances and legislating on its own (contrary to Brazil's own legal system) on migration issues" (FONSECA; MEDEIROS; MIRANDA, 2021, p. 14, *Our translation*). The measures taken by the government during the pandemic address issues and concerns relating to national interests.

The first exceptional and temporary measure (Ordinance 120/2020) on March 17, 2020 aimed to restrict the entry into Brazil of only immigrants from Venezuela. Considering that the epicentre of Covid-19 has never been in Venezuela, such a restriction can be seen as a measure to securitize migratory flows coming exceptionally from Venezuela and not essentially an instrument to deal with the spread of the virus.

A few days later, dozens more decrees were issued, progressively restricting the entry of nationals from certain countries and regions and finally restricting the entry of people of any nationality into Brazil in order to contain the spread of the virus. In July 2020, an ordinance (joint ordinance 1/2020) restricted entry only by land and waterway and authorized entry by air at the same time.

This ordinance deviates somewhat from containing the virus, but preferably sought to contain the migratory flows of certain specific groups of people who can only enter the country by land, specifically Venezuelans at the time. Fonseca, Medeiros e Miranda (2021, p. 25, *Our translation*) noted, through a Public Civil Action (ACP)<sup>4</sup> against "abuses and arbitrariness" committed by the federal executive branch, the presence of a provision in all the ordinances that is as follows:

The sanctions of civil, administrative and criminal liability, immediate repatriation or deportation and disqualification from applying for refuge for immigrants who fail to comply with the restrictions of the ordinance(s). These sanctions not only restrict the entry of immigrants into the country, but also open up the possibility of compulsorily removing those who enter the country illegally, which goes against the provisions of Law 13.445/17.

During the first months of the pandemic, those who tried to enter by land received deportation notices and there was a real increase in deportations in Brazil. Between April and July 2020 there were 744 cases of deportation, representing an increase of 9200% compared to the same period the previous year when the number was only 8 cases. In November 2020, the Federal Police website reported the immediate deportation of 96 Bolivians. And in January 2021 there was news of the deportation of 55 Warao indigenous people (32 of whom were children) (Ibid.)

In this way, the ordinances indicate that the Union did not establish the difference between a state of calamity caused by the pandemic and a State of Exception, as "the Public Defender's Office and other authors highlight, in the legal basis, the possibility and need for compatibility between health controls and migration in the border region, and the guarantee of human rights to immigrants" (FONSECA; MEDEIROS; MIRANDA, 2021, p. 26, *Our translation*). It was certainly necessary to seek solutions to contain the spread of SARS-Covid-19 in the country, but they should not be obtained at any price or cost.

### **Impacts of the Brazilian Government's Control Measures During the Covid-19 Pandemic in 2020**

According to data from the government's State Health Departments (2022), by August 2022 the confirmed number of COVID-19 cases reached around 34 million and the number of deaths was around 680 thousand. This has placed Brazil in third place in terms of the number of confirmed cases and second place in terms of deaths in the world. Within the same time frame, Venezuela recorded around 534,000 confirmed cases of Covid-19 and around 7,000 deaths, which places the country in 88th place in terms of the number of confirmed cases in the world. Haiti, on the other hand, recorded 32,000 confirmed cases and 838 deaths, placing the country 164th in terms of the number of confirmed cases worldwide (OUR WORLD IN DATA, 2022).

The largest migratory flows to Brazil in the last decade have come from Haiti and Venezuela, which is why attention should be paid to the numbers of confirmed cases from these countries. It is important to recognize that the data from the latter two countries is out of date or not up to date due to a lack of conditions and infrastructure to test the population, or for reasons of cases not being accounted for, or due to a lack of transparency in the management of state apparatus.

Regarding the importance of Venezuelan migratory flows to Brazil, data from the International Organization for Migration (IOM), for example, indicate that by 2020, 148,800 residence permits had been granted by Brazil to Venezuelans. Displacement routes are mostly overland, due to the border

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<sup>4</sup> Public Civil Action (ACP) was a proposal, made by the Public Defender's Office of the Union, the Federal Public Ministry, the Human Rights Network Association (Conectas Human Rights) and Cáritas Arquidiocesana of São Paulo, against the normative acts of the Union during the pandemic of Covid-19 that contradict legality and the constitution.

with the northern region of the country, in the state of Roraima - more precisely, between the Brazilian city of Pacaraima and the Venezuelan city of Santa Elena de Uairén. Most of them have been interrupted because of the border closures adopted by national governments as an attempt to impose barriers to the transmissibility of the new coronavirus (UEBEL; MÁRQUEZ; FRÖHLICH, 2021, p.115).

It was precisely in the cross-border region between Brazil and Venezuela that the greatest reduction in migratory flows was observed with the closure of borders on both sides and the consequent interruption of inter- and transnational mobility, increasing migratory vulnerabilities and cross-border contradictions (SILVA; SILVA, 2020 APUD UEBEL; MÁRQUEZ; FRÖHLICH, 2021, p.118).

In addition to the difficulties in crossing the borders, the Venezuelan migrants interviewed by the authors Uebel, Márquez and Fröhlich highlighted the main problems they faced after arriving in Brazil and the initial reception of Operação Acolhida<sup>5</sup>: 48.9% reported issues related to security; 56.5%, access to health; 78.3%, xenophobia; 84%, housing; 98.4%, unemployment, and 99.9%, food.

It was mentioned in the previous section that the Brazilian government's initial response was to close the land borders with Venezuela, in March 2020. A partir deste momento até março de 2021, foram editados 29 (vinte e nove) portarias interministeriais. From this moment until March 2021, 29 (twenty-nine) inter-ministerial ordinances were issued with the aim of restricting the entry of non-nationals into Brazilian territory alleging supposed "health reasons related to the risks of contamination and spread of the covid-19 coronavirus" (DEFENSORIA PÚBLICA DA UNIÃO, 2021) through a series of unconstitutional and illegal ordinances, which "innovated" by clashing with Law 13,445/2017 and Law 9,474/1997, and once again criminalized immigration; created the summary deportation institute, without respect for due legal process; and suspended the right (national and international) of access to the refuge institute by creating the disqualification of asylum requests (CASA CIVIL. REPÚBLICA FEDERATIVA DO BRASIL, 2021).

Some of these measures, which allow people to enter by air and prevent people from entering by land, also raise questions about the selective securitization of state control during this critical period, which has made it easier for a group of people who can afford it to enter the country, while making it harder for another group that needs protection and shelter to enter.

Without being able to request asylum or have access to any other form of immigration regularization, these migrants were unable to open a bank account, obtain a work permit and, therefore, obtain formal employment. As a result, these people were unable to rent housing or even buy food. However, the situation has been no less difficult for crisis migrants who were already here before the pandemic. With the arrival of the pandemic, they have been relegated to even more desperate situations, because even before the pandemic, migrants were dealing with other situations of vulnerability<sup>6</sup>.

In the same line, the issue of documents for crisis migrants who have not had their rights to migratory regularization completely suppressed, have nevertheless, due to the pandemic, been faced with appointments at the Federal Police (PF) service points, which, if they were already scarce, have

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<sup>5</sup> Humanitarian Logistics Task Force, established by Ministerial Directive No. 03/2018, consolidating the emergence of Operation Acolhida, with the aim of providing humanitarian aid to people in Roraima and its municipalities. It is an initiative of the Brazilian federal government in partnership with UN agencies such as UNHCR and IOM, in addition to the United Nations Population Fund (UNFPA).

<sup>6</sup> The author of the text was a social educator, between February 2020 and October 2021, at *Cáritas Brasileira Regional Santa Catarina*, which carries out social projects aimed at welcoming, integrating and socio-productive inclusion of international immigrants in the State of Santa Catarina in partnership with the International Organization for Migration (IOM), the United Nations (UN) agency for Migration. In this way, the author was able to take a closer look at the different difficulties faced by migrants during the pandemic, especially during the first few months of 2020.

dwindled even more during the pandemic. Among those who already had migration documents in Brazil, many had their documents overdue for more than a year. Apesar de a PF ter prorrogado, através da Portaria nº 21 da DIREX PF, a validade, até 16 de setembro de 2021, dos documentos de identificação de imigrantes Despite the fact that the PF has extended, through Ordinance No. 21 of DIREX PF, the validity, until September 16, 2021, of immigrant identification documents (CRNM, DP-RNM and other Brazilian documents), which expire after March 16, 2020, the negative impact on the lives of crisis migrants has been extensive. In practice, the documents were refused by some institutions (including financial ones, as in the case of access to emergency aid) and companies (in refusing to hire or renew an employment contract).

The lack of assistance for migrants at the Federal Police and the technological barrier that migrants have had to face are some of the obstacles that have exacerbated the situation of vulnerability during the pandemic (SILVA ET AL., 2020). It's worth noting that almost all processes for regularizing migrants' documents go through the PF. However, appointments can only be made via the internet in two steps: filling in an unintuitive online form and making the actual appointment to go to the agency at a later date. Getting an appointment is the most difficult stage of regularization. Few migrants said they had managed to get an appointment to go to the agency.

The technology problem also affected access to assistance benefits, such as emergency aid, which were requested entirely online. As an example, according to data collected in consultations carried out at the Federal Public Defender's Office (DPU) of the city Florianópolis, capital of the state of Santa Catarina (Brazil), in partnership with the Eirenè/NAIR/UFSC group, between October 2019 and March 2020, 72.9% of the population of migrants served did not have a computer at home, and 32.1% did not have access to the internet (IBIDEM, p. 95). Therefore, despite the existence of rights, migrants faced difficulties in accessing these rights, which relegated them to an effective state of exception. (AGAMBEN, 2004).

In the state of Santa Catarina, specifically, the closure of the Immigrant Service Reference Center in September 2019 (CRAI) (SILVA ET AL., 2020)<sup>7</sup> has left a vacuum, as crisis migrants keep arriving in the city with their different demands and difficulties of insertion and inclusion in the communities (ROSIER, 2020). Thus, as long as national and state public policies for reception and integration are not developed taking into account the situations of vulnerability to which migrants from the Global South are subject in Brazil, we will continue to see these people condemned to a state of exception.

## Final Considerations

There is a consensus among nations that security and development are mutually reinforcing. For example, "Borders have been constituted in contemporary history as systems of resource selection, including and excluding, according to the interests of States and Organizations" (RUMFORD, 2006, p.164; PARKER; VAUGHAN-WILLIAMS, 2009 APUD NASCIMENTO; SOUSA, 2020, p. 32).

Consequently, immigrants forced to leave their homes, being in destination countries, especially in the case analyzed in this text which is Brazil during the pandemic throughout 2020, did not receive the protection they needed and were unable to enjoy their rights both due to existing flaws in international legal documents and due to the commitment of states to ensure the basic human rights of these migrants.

The pandemic has aggravated the migratory context of those who were already in the country and those who were at the border trying to enter Brazil, because the government, through its various ordinances, has securitized the migratory issue by alleging health reasons, thus restricting the

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<sup>7</sup> CRAI operated from February 2018 to September 2019. For more information, see: SILVA, Karine de Souza; BORBA, Jonatan Carvalho de; DAVID, Ana Carolina Polo. Imigrantes em Santa Catarina: perfis e demandas no período de 2018 a 2019. In: SILVA, Karine de Souza; BORBA, Jonatan Carvalho de; MÜLLER, Juliana (org.). **Pessoas, Travessias e Encontros: dinâmicas atuais da migração sul-sul em Santa Catarina**. Florianópolis: Nyota, 2020. p. 25-56.

movement of people in need of protection and the responsibility of the state to fulfill its role in relation to these people.

In some cases, migrants received notification of deportation for being in the territory without State authorization. Situations like these leave migrants forced to move without protection in their territories of origin and destination. It is therefore crucial for governments to work together and revise national, regional and international official and legal documents in order to be able to effectively address the challenges posed by the displacement of people in times of crisis, as many governments lack the tools and instruments to frame and classify the different migratory flows according to the circumstances

As long as access to the rights provided for in Brazilian legislation is not guaranteed for all people, as provided for in the Federal Constitution itself, we will continue to see people with the right to many things, but without access to any in fact. As author Ferreira reminds us: "Migration management strategies must go beyond a security approach to preventing migration and emphasize the interrelationship between rights, freedoms and control." (2021, p. 92). Concluding this debate with the following statement by Williams (2008): "without reference to individual humans, security makes no sense" (p.7).

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