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## Migrants' entangled socio-political and biological lives during the COVID-19 emergency in Brazil

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### ABSTRACT

For migrants in Brazil, the COVID-19 global health crisis meant a considerable worsening of living conditions, with increased basic material needs. The reduction of individuals' existence to the mere search for survival had important repercussions on the activities of civil society organisations (CSOs) in the country, whose work became increasingly focused on the distribution of emergency assistance for these populations. Drawing on 25 interviews with actors from CSOs, this paper unpacks the entanglement between the political and the biological aspects of migrants' lives. It argues that the pandemic brought to the fore the prominence of biological life to the detriment of migrants' political and social lives in humanitarian responses to the health crisis. In this context, CSOs working with migrant populations in Brazil were pushed to reaffirm this dichotomy, while also contesting and reminding us that the impoverishment of migrants' political and social lives can endanger the biological life that they meant to prioritise.

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## Introduction

I say: Life defined only as the opposite of death is not life.

Darwish (2009, 95)

The COVID-19 health crisis led to worsening living conditions and an increase in basic material needs among vulnerable populations, including refugees and other migrants.<sup>1</sup> Migrants' often precarious incorporation into (informal) labour markets left them more exposed to the deleterious effects of the pandemic, especially in terms of access to income, nourishment, health care, social protection and governments' financial aid (FAO 2020; Zapata and Prieto Rosas 2020). Also, migrants faced additional challenges such as lack of information on appropriate preventive measures, due to language barriers and/or limited access to the internet (FAO 2020). Alongside overcrowded housing conditions and employment in essential

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occupations incompatible with remote work, these challenges also indicate that ‘immigrants [were] at a much higher risk of COVID-19 infection than the native-born’ (OECD 2020, 2).

In Brazil, the migrant population was one of the most affected by the COVID-19 pandemic, having to rely on civil society organisations (CSOs) to gain minimum support. Yet, the prominence of the humanitarian emergency cannot be considered without equally important reflections on its political impact on migrants’ rights. As De Genova (2021, 239) has argued, ‘in the midst of this pandemic, the global public health crisis first of all commands that we reflect anew on the relations between human life and state power’. How did the extreme valuing of biological life, forced upon us by a global pandemic, render invisible the importance of socio-political rights by reinforcing the humanitarian emergency as the primary focus of CSOs’ work with migrants? And how did this invisibility end up contributing to an endangerment of the same biological life one seeks to protect in the first place?

The arguments elaborated here are based on the findings from a project conducted by researchers from three institutions across three continents.<sup>2</sup> During the initial months of 2021, our team conducted a cross-regional analysis of the role of CSOs, such as non-governmental organisations (NGOs), faith-based and migrant-led organisations, in assisting refugees and other migrants in Brazil and India during the COVID-19 emergency (see Nair et al. 2021). In this paper, we analyse findings from Brazil, where we conducted 25 semi-structured online interviews with representatives from CSOs across the country’s five regions: North, Northeast, Midwest, Southeast and South. We also mapped and reviewed the history of CSOs’ work with mobile populations in Brazil and analysed the legal framework for the governance of mobility in the country.

Although gaps between migration policies and practices have long existed (Jatobá and Martuscelli 2018), often with detrimental effects for women (Cintra, Owen, and Riggiozzi 2023), they have widened significantly after the outbreak of the pandemic and subsequent lockdowns (Vera Espinoza et al. 2021; Zapata and Prieto Rosas 2020). As a result, the provision of emergency assistance became a major target for many organisations, as emphasised by all our interviewees, with new priorities emerging around food provision, health care and basic hygiene items. Important medium- and long-term goals, like promoting the integration of migrants into society, were sidelined due to the urgent concerns stemming from the health emergency (Nair et al. 2021).

Our main contribution can be understood, then, as an invitation to acknowledge migrants’ entangled lives as the necessary imbrication of biological needs and socio-political rights, as well as the role of CSOs in this dichotomy. In this paper we argue that the pandemic brought to the fore the prominence of biological life<sup>3</sup> to the detriment of migrants’ political and social lives in humanitarian responses to the health crisis. In this context, CSOs working with migrant populations in Brazil were pushed to reaffirm this dichotomy, while also contesting and reminding us that the impoverishment of migrants’ political and social lives<sup>4</sup> can endanger the biological life that they had to prioritise.

To develop this argument, the article is divided as follows. First, we assert the importance of investigating the treatment and valuing of migrants’ biological life at the expense of its social and political dimensions, noting how the theoretical reasoning on the politics of life proves useful in such endeavours. Second, we present the methodology and discuss our findings, shedding light on the impacts of the COVID-19 emergency and how CSOs dealt with the worsening of migrants’ living conditions during the first year of the pandemic in Brazil. Last, we detail the loss of rights in the country by considering a determined politics

of life that marginalised and endangered migrants amid the global pandemic. This analysis illuminates what may be rendered invisible in terms of the entanglement between biological needs and socio-political rights.

### The treatment of lives: theoretical reasoning

The distinction between biological and political life (between the simple fact of being alive and having a qualified meaningful life) has been widely discussed in the field of philosophy (Arendt 1958; Benjamin 1997; Deleuze 2001; Foucault 1990, 1991). In the area of mobility studies, it is important to highlight the contribution made by Giorgio Agamben (2007) on this matter. For Agamben, 'bare life' constitutes the core of his reflection on the vulnerable and exterminable life of the *homo sacer*, this 'obscure figure of archaic Roman law, in which human life is included in the order only in the form of its own exclusion' (Agamben 2007, 16). Modern politics, according to Agamben, is not properly characterised by the inclusion of *zoé* (the natural or biological life common to all living beings) in the polis, already indicated by the sacred texts of sovereignty, nor by the fact that biological life has become an eminent object of power calculations. The decisive factor of the modern political space is, above all, the process by which 'the exception becomes the rule', which means an 'area of irreducible indistinction' between political life and biological life (Agamben 2007).

From his reflection on the Aristotelian distinction between *zoé* and *bios*, Agamben (2007) argues, then, that *zoé* (the natural life of men) is included in the field of politics through the state of exception and its materialisation in the form of camps and detention centres. In these spaces, it is no longer possible to distinguish between biological and political life, facilitating state decisions on lives that can be exterminated, even if no specific crime has been committed. The biological life is then included in the political sphere, becoming an open target for state violence. It is not by chance that Agamben describes the refugee as a paradigmatic model of the contemporary sovereign order and exemplary of the phenomenon of 'bare life'. Since then, many authors have used this theoretical perspective to explain the vulnerabilities that circumscribe the life of refugees, asylum seekers and other migrants, very often classified as irregular or 'illegal'.<sup>5</sup> However, the debate raised by Agamben also led to a series of criticisms in the field of mobility studies.

For some authors, more than looking at the vulnerability of migrants, and the allegedly paralysing sovereign power that affects their 'bare life', it is necessary to consider the agency and resistance that end up revealing the political relationship between sovereign power and those actors whose lives and bodies are subject to the violent excesses of sovereignty (Mcnevin 2013). Some critics also emphasise the body of migrants not only as a depository for sovereign violence, but also as a productive agent, acting in resistance movements – even if this implies a kind of 'bio-agency' (Nyers 2006). As Nyers states, in the age of 'biopower', with 'bare life' inscribed in the calculations of sovereign power, refugees and migrants trapped in indefinite detention, for instance, may find themselves relegated to a kind of 'bio-agency', exemplified through hunger strikes. This does not mean, however, that their agency or resistance is less relevant or less political, especially if we understand that politics occurs 'out of place', in a space that, allegedly, was not supposed to be political (Nyers 2006).

What critics have in common is not only their reluctance to accept Agamben's notion of 'bare life' as a valid concept in the field of migration studies, but an unwillingness to reduce migrants to a condition predominantly marked by the simple fact of being alive. What

underlies this argument is closely related to the point made clear by Fassin (2018): biological life, survival, life itself, as the centre of attention in the treatment of migration and its major subjects (or any other social group for that matter) tends to be accompanied by a diminished importance of the political dimension of life. Therefore, one could easily comprehend the criticism of the concept of 'bare life' as a way of avoiding the reduction of migrants to their mere existence. As Fassin states, using the interrogation of Mahmoud Darwish: 'is life defined only as the opposite of death still life?' (Fassin 2018, 80). The criticisms raised by different authors in migration studies seem to be based on the Aristotelian definition of man as a 'political animal' – a term that has been used by political theorists as a touchstone not only to separate human beings from other living species, but also to situate us as superior by means of political life.

Fassin's purpose, then, is to consider the valuing of life as a physical and biological existence, whereas issues of legal protection and social justice are rendered obscured. In the author's words '[...] the rise in the recognition of physical life is frequently accompanied by a decline in the import of political life, the legitimacy of humanitarian emergency diminishes the power of the call for social justice [...]' (Fassin 2018, 80). Through the case studies of migrants granted asylum based on health issues rather than on past (fear of) persecution in South Africa and France, Fassin addresses the socio-political and biological aspects involved in the valuing of lives. His analysis demonstrates a fundamental change in the ethics of life, with a decline in its value as a socio-political phenomenon and its progressive valuing in biological terms.

In parallel with the valuing of life based on purely biological criteria, the late nineteenth century saw the development of humanitarianism, which underlined the importance of saving lives in situations of war, famine, disasters and epidemics. Thus, the valuing of biological and physical life is an essential part of the performance of humanitarian organisations. Of significant importance here are the new mottos used by international organisations, such as the Red Cross and Doctors Without Borders, that emphasise the centrality of saving lives – of both military personnel and civilians (Fassin 2018). The work of different types of humanitarian organisations, including CSOs (many of them financed by international organisations), is, then, increasingly devoted to alleviating suffering and saving lives in response to disaster, famine, epidemics, or other forms of crisis.

The rationale behind this image of victims to be rescued is, as Fassin (2018, 70) asserts, an extreme form of curtailing humanitarianism to 'the mere act of saving lives'. Although some humanitarian organisations include in their performance other political dimensions, reframing their work in terms of human rights, Fassin insists that 'the primary *raison d'être* of these organisations remains the existence of endangered lives in contexts of war, disaster, famine, or epidemic – lives to be saved' (Fassin 2018, 70). Even more important here is to grasp that this is not only the case for private actors, but, as Fassin also tells us, has been adopted by many other agencies. In this sense, insightful work from the field has provided compelling evidence of the ways in which the techniques and practices of humanitarian organisations can contribute to a politics of basic survival which disregards social, political and economic rights (Redfield 2005, 2006; Robins 2009; Ticktin 2006).

In the Brazilian case, it is important to keep in mind the key role that CSOs have historically played in assisting migrants in the country. Many of them, including those working with international organisations as implementing partners, developed in their early stages an important advocacy role<sup>6</sup> for migrant rights-based legislation (Oliveira and Sampaio 2020). At the same time, CSOs' work was increasingly centred on humanitarian assistance due to

the absence of consistent public policies over the years to integrate migrants socially and economically. The prominence of the physical and biological dimension of life, although already present in the trajectories of these organisations, was exacerbated by the COVID-19 pandemic (Nair et al. 2021). Once more, then, the call for political rights and social justice gave way to prioritising responding to the humanitarian emergency, normalising exception as a pervasive characteristic of our contemporary difficulty to make distinctions between biological and political life, often at the expense of the latter (Agamben 2007).

The centrality granted by Fassin to issues of law and justice leads to analysing 'what politics does to human lives' (Fassin 2018, 85) and to thinking about the contradictions between 'ethics of life' and 'politics of life', since the sacred character of lives is put into tension with the inequality that allows different treatment depending on the value attributed to each human life. What we propose here, as already suggested above, is a critical engagement with the political treatment of migrants' lives in contemporary society, and its precariousness, by taking into consideration concrete, local realities to temper and adjust this theoretical reasoning. The necessary reorientation of the work of many CSOs in Brazil, with the aim of attending to migrants' emergency needs during COVID-19, tended to privilege the biological dimension of life while obscuring the value of migrants' political life. The aim here is not to advocate for the (greater) importance of the latter, but to acknowledge the entanglement between the political and the biological. The following sections unpack the ways in which an absence of socio-political protection may easily endanger the biological life that humanitarian emergency responses seek to protect in the first place.

## Methodology

We conducted 25 online semi-structured interviews with representatives from CSOs across the country's five regions – North, Northeast, Midwest, Southeast and South – in February and March 2021 (see [Appendix A](#)). Interviewees were chosen via purposive sampling, based on the classification of the three main CSOs subgroups operating in the country: (1) NGOs; (2) faith-based organisations; and (3) migrant-led organisations. After mapping all CSOs working in the five regions in accordance with these main groups, we conducted a minimum of three interviews per region. Participants were first recruited through our established networks, then through snowball techniques. The final sample size was determined by saturation (Hennink and Kaiser 2022), once the minimum number of interviews per region had been achieved and all regions had been covered.

We conducted all interviews via audio/video conference (using Zoom, Meet, or WhatsApp),<sup>7</sup> in the interviewee's preferred language (mostly Portuguese and Spanish). On average, the interviews lasted 1 h, with a total of more than 25 hrs of recorded material. Informed consent was given by all participants. Although we identify interviewees' geographical location and the type of organisation throughout the analysis, participants' names have been anonymised to protect their privacy and ensure confidentiality. The research received approval from the Ethics Committees of Queen Mary University of London (QMERC20.154) and the Federal University of Minas Gerais (CAAE: 44923521.5.0000.5149).

The data collection instrument was organised around three broad sections: (1) the challenges faced by migrants in Brazil since the outbreak of the COVID-19 pandemic; (2) the role of CSOs in assisting migrants, their good practices and remaining gaps; and (3) perceptions and recommendations on how local and national governments could attend to migrants'

particular vulnerabilities. The interviews were transcribed, anonymised and coded into the emerging themes, in line with the data systematisation instrument we developed for the project. The latter required coding and input for every interview, with emerging themes discussed in group sessions. We used 'zoom in' and 'zoom out' techniques to go into more detail about each narrative and to gauge the differences and/or similarities between the different CSOs.<sup>8</sup> The project's report was shared with the participants (the English version was translated into Portuguese and Spanish), and the results were presented online to a consortium of participating and non-participating CSOs in Brazil.

## Migration and pandemic policies in Brazil

In the last two decades, Brazil has gone through significant changes in its migration profile, with the country re-emerging as an attractive destination for international migrants. This trend is mainly linked to the arrival of intra-regional flows from Haiti from 2010 onwards, and Venezuela (especially since late 2016), as well as Colombia, Bolivia and Uruguay (Cavalcanti et al. 2019). In recent years, Brazil has also received migrants and refugees from other Southern countries such as Syria, Palestine, Senegal and the Democratic Republic of Congo (Vera Espinoza 2018). Between 2011 and 2020, Brazil registered around 1 million migrants, primarily from other Latin American countries, and received more than 260,000 asylum applications, mainly from Venezuelan and Haitian citizens, and from other countries such as Cuba, Angola, Bangladesh, Senegal and Syria<sup>9</sup> (Cavalcanti, Oliveira, and Silva 2021).

Brazil is considered advanced in terms of its legal framework for the protection for refugees and other migrants (Jubilut 2006). In 1997, the Refugee Act (Law 9.474) incorporated into the national legislation the 1951 Refugee Convention and its 1967 Protocol and one of the clauses of the expanded definition of the Cartagena Declaration (serious and widespread violation of human rights). Brazil's New Migration Law (13.445/2017) is centred on the protection of migrants' rights and guarantees 'migrants' equal and free access to services, programmes and social benefits, public goods, education, comprehensive public legal assistance, work, housing, banking and social security' (Brazil 2017, Article 3 Section XI). In addition, the 1988 Brazilian Constitution guarantees universal access to the country's free and comprehensive health system. Migrants also have recourse to the federal social protection system, including conditional cash transfer programmes such as *Bolsa Familia*. Thus, refugees' and other migrants' social and economic rights are explicitly protected by Brazil's legal framework, regardless of legal status (Vera Espinoza et al. 2021).

Given that Brazil is also characterised by protracted social inequality, with large groups living below the poverty line,<sup>10</sup> legal protections for migrants were not enough when the country was hit by the global pandemic. Alongside great social and economic disparities, the Bolsonaro administration implemented what has been called an 'institutional strategy for the dissemination of the virus' (Ventura et al. 2021, 7), which played an important role in the record numbers of cases and deaths due to the coronavirus<sup>11</sup> (WHO 2022). The devastating disruptions caused by the pandemic were unevenly distributed, with socioeconomic factors having a significant role in the risks of infection, morbidity and mortality (Figueiredo et al. 2020). The COVID-19 pandemic had, then, a profound impact on the most vulnerable strata of Brazilian society, including migrants, deteriorating the already precarious living conditions of those with poor access to health and other basic services, such as safe drinking water and improved sanitation.

It is important to stress that migrants were disproportionately affected by the pandemic due to group-specific issues such as border closures, xenophobia, inability to obtain/renew documents, and obstacles to accessing accurate information and the state's financial aid schemes (Martuscelli 2021; Zapata and Moulin 2022). As has been stressed by Brigido et al. (2022, 156), '[migrants] are, historically, the first group to suffer from unemployment, social exclusion, and the interruption of economic and social assistance by governments in a scenario of crises and public calamity, such as the one brought by the pandemic'.

### *Impacts on migrants: surviving COVID-19*

The coronavirus outbreak in Brazil had a major effect on migrants' employment and their ability to meet basic needs, with families, and vulnerable groups such as women head of households and Indigenous Venezuelans, experiencing serious material hardships. Several interviewees reported migrants' inability to pay for food, rent or utility bills and to access medical care (Nair et al. 2021). Given the lack of federal coordination by the Bolsonaro administration, there were important regional differences in the management of the pandemic (Abrucio et al. 2020). In the north, the pandemic affected the three pillars of Operation Shelter (*Operação Acolhida*), the state's response to the influx of Venezuelans, in place since 2018.<sup>12</sup> The ordering of the border was impacted by border closures and migrants' inability to obtain documents; shelters had difficulty responding to isolation needs; and the interiorisation programme relocating Venezuelans to other Brazilian states, to join relatives or fill job vacancies, was severely curtailed (Figueira and Figueiredo 2020; Moulin et al. 2022). The consequences of the pandemic were amplified in the North and Northeast regions of Brazil, historically the poorest regions of the country, in terms of income loss, food insecurity and unemployment (Moura et al. 2023). They were also intensified by other pre-existing structural disparities, such as a scarcity of doctors and hospitals, as well as a reduced number of bank branches (Da Silva and Queiroz 2020). In the southern region, particularly in the states of Paraná and Rio Grande do Sul, migrants' widespread employment in meatpacking plants exacerbated their contagion rates, due to the precarious sanitary conditions in the workplaces and their continued operation during the health emergency (Baltar and Siqueira Baltar 2020).

Although in April 2020 the Brazilian government adopted some (temporary) measures to mitigate the effects of the pandemic, such as the granting of emergency aid<sup>13</sup> and a temporary ban on evictions, several interviewees reported migrants' evictions and difficulties in accessing benefits, a right explicitly contemplated in Brazilian legislation. Here it is important to highlight the fact that migrants who had recently arrived in the country did not have the necessary documents to apply for the aid scheme. As an NGO representative in São Paulo told us:

Regularisation appointments have been suspended by the Federal Police, leading to an increase in irregularity. Most migrants reported difficulties in accessing the aid scheme. To begin with, everyone who was undocumented (without a social security number) was excluded and others had their claims summarily denied, without any justification. (8 February 2021)

Interviewees in Boa Vista – on the northern border with Venezuela – and São Paulo also reported that growing housing insecurity and difficulties in paying rent had forced migrants into homelessness, home-sharing and going (or even returning) to government-run shelters.

In Boa Vista, for instance, migrants were evicted from informal settlements by the municipality's security forces. Although the right to housing is guaranteed by the 1988 Brazilian Federal Constitution, interviewees in three of the five regions – Rio Grande do Sul, São Paulo and Paraíba – reported that many migrants opened the doors of their own homes to welcome those who had been evicted during the pandemic.

The (few) relocation options offered by the government in different regions, particularly in the northern Brazilian states, where most migrants from Venezuela reside, did not prevent them from ending up on the streets. As representatives of CSOs repeatedly stated in our interviews, homelessness was often preferred in comparison to public shelters where migrants' autonomy and privacy is often severely curtailed. As a representative from a faith-based organisation in Boa Vista explained: 'migrants have repeatedly told me that moving back to the shelters [run by Operation Shelter] feels like they are regressing not one but several steps backwards' (19 February 2021), expressing a feeling of progressively losing it all since leaving their country of origin.

The increased number of migrants living in inappropriate housing conditions (with numerous families sharing the same space and not being able to follow social distancing guidelines), along with the lack of sufficient nutritionally adequate food supplies, translated into increased demand for medical care, as reported by our interviewees. However, these populations have uneven access to medical services in the country, due to migrants' fear of deportation (for those in irregular condition), language barriers, misinformation about their own rights and lack of training and awareness among health personnel about migrants' rights (Camargo, Cogo, and Alencar 2022; Chiaretti, Luchini, and Carvalho 2020; Martuscelli 2020; Martuscelli 2021).

This precarious situation raised questions about coronavirus infection rates among migrants, but there is no official disaggregated health data by nationality and migratory status in Brazil. The lack of quantitative data on this matter should not obscure, however, the narratives produced by frontline workers. According to a representative of a CSO in Manaus – the capital of the border state of Amazonas – their institutional vehicle had to be made available to transport patients or relatives of hospitalised people, but its driver suffered a nervous breakdown after the intense work of escorting dead bodies of COVID patients.

### *CSOs' responses to increased basic needs*

The worsening of living conditions in the country had a significant impact on the CSOs' working alongside migrants, affecting institutional daily activities as well as long term projects already in place. A representative of a faith-based organisation in Rio de Janeiro told us that the social distancing measures and increased emergency assistance needs led them to redirect their priorities and funding and had, for instance, a negative impact on an important training programme for migrant leaders in their local communities (see Nair et al. 2021).

Similar dynamics were reported throughout the country. The increased demand for food items and other basic materials, such as sanitisers and hygiene kits, also led to new institutional and logistical challenges related to securing and delivering large amounts of donations to families. Although many of these CSOs have historically been responsible for the provision of social services and legal assistance to migrants in Brazil, the COVID-19 pandemic led them to quickly adapt to respond to the growing material needs and exacerbated socioeconomic vulnerabilities faced by these populations.

The heightened emergency assistance demands also prompted some migrant-led organisations to find ways to engage in this type of activity, something that was not part of their operations before the pandemic. For instance, one of these organisations in São Paulo established new partnerships with the Brazilian Red Cross, the International Organization for Migration and the local municipality to distribute food items and hygiene kits among migrant households. Another migrant-led organisation in Porto Alegre designed a campaign to raise funds among migrants in a slightly better socioeconomic position, to circumvent the scarcity of resources. Although the ability to raise donations, however limited, may be welcomed in this precarious context, many interviewees expressed that it is not the type of activity they look forward to continuing in the long term, since, in the words of one interviewee, 'we do not want to keep distributing food parcels; we want to offer people a job' (representative from migrant-led organisation in São Paulo, 25 March 2021).

Interviewees unanimously reported their preoccupation with the government's inaction regarding targeted policies or programmes to properly assist migrants in Brazil during the COVID-19 pandemic. A representative of an NGO in Manaus stated that the pandemic attests to the fact that the 'Brazilian state became increasingly dependent on civil society and UN [United Nations] agencies' (9 February 2021). Given this pronounced absence of the state, 'there is an overload on CSOs that are covering the gap left by the government' (NGO representative in São Paulo, 12 February 2021).

The reported lack of government protagonism and the humanitarian emergency as a threat to migrants' lives made it almost impossible for CSOs to direct efforts towards durable solutions and the protection of rights other than access to basic material needs.<sup>14</sup> In Brasília, a representative of a faith-based organisation stated that although they wanted to provide services beyond emergency assistance, they were unable to do so: 'We wanted to systematically keep tabs on the migrant population infected with the virus, to make sure they got the attention they needed but we were overwhelmed with increased demands for other basic services' (25 February 2021).

Attending to the increased demands for emergency assistance was done to the detriment of advocacy work and other long-term socioeconomic integration programmes. Of the 25 organisations interviewed, only three, located in São Paulo, managed to do some advocacy-related work during the pandemic. As stated by the representative of a faith-based organisation in Brasília, there was not enough time and/or resources to implement advocacy-related activities, particularly because 'accompanying law amendments and networking with congressmen is a full-time activity' (25 February 2021). Across the country, different CSOs spoke at length about the unequal distribution of responsibility and the prioritisation of survival needs during the pandemic. As a representative from a faith-based organisation in Boa Vista put it: 'I have the feeling that our efforts as civil society amount to just a fire drill, and we don't really solve problems. That is because there is no public policy, we are only struggling to guarantee people's survival' (19 February 2021).

A determined 'politics of life' marginalises and endangers migrants in Brazil. We borrow here the term 'politics of life' from Fassin's critique on 'what politics does with human lives and how it treats them' (Fassin 2018, 85). During the pandemic, the Brazilian government marginalised and endangered migrants' lives through a series of acts that point to a continual loss of rights, particularly regarding – but not restricted to – the possibility of crossing borders to request protection and asylum (Zapata, Castro, and Vera Espinoza 2021; Zapata et al. 2023). However, it is important to notice here that the country's border closures were not

limited to the immediate impacts on international movement, but they also had other consequences related to (the creation of) migrant irregularity and, thereafter, new vulnerabilities in terms of access to formal employment and other social and economic rights.

### *Losing rights, endangering the body*

In the next several paragraphs, we elucidate the continuous and marked loss of migrants' rights in the country, which discloses what we consider to be an entanglement between the biological and political dimensions of life. We seek to grasp, then, how the denial of regularisation and movement rights may endanger not only, in Arendt's (2017) terms, the 'right to have rights', but also that same biological life deemed sacred by a focus on material relief. This physical life, detained at the crossing of the borders, relegated to unofficial dangerous paths or removed from the documented sphere of possibilities, is also threatened by a lack of attention to the political treatment of migrants' lives. It is, then, not the case that advocating for the importance of political life – much less its superiority – is the main aspect that differentiates us from other living beings; rather, it is to acknowledge the entanglement between the political and the biological. In other words, without ways to guarantee socio-political rights, one might easily endanger the body that humanitarian emergency responses seek to protect in the first place.

At the beginning of 2020 and during the COVID-19 global pandemic, different countries across the world started to implement border closures to prevent the spread of the virus, threatening the security and protection of asylum seekers and other migrants. In this context, Brazil emerged as a worrying case, particularly regarding border militarisation and closures that limited the right to seek international protection. In less than two years, the Bolsonaro administration implemented more than 30 ordinances (*portarias*) to seal the country's borders. These were jointly issued by the Civil House of the Presidency, the Ministry of Justice and Public Security, and the Ministry of Health (Zapata, Castro, and Vera Espinoza 2021).

The restrictions on foreign nationals' entry, especially via land and water, did not prevent immigrants from crossing the country's borders via unofficial routes, usually called '*trochas*'. As an interviewee from a faith-based organisation in São Paulo told us, although border closures contributed to a decrease in the number of refugees and other migrants formally admitted to the country, these restrictions were also responsible for a rise in the number of people reaching Brazil's territory with the aid of *coyotes* (smugglers). Therefore, it is important to note that while these ordinances have restricted fundamental mobility rights, they also have impacted the biological and physical life of those who had to flee their country. A representative from a faith-based organisation in Porto Alegre illustrated this concern:

When borders were closed, many people started to choose an alternate route, which means that they had to face specific vulnerabilities. In many cases they were exposed to violence along the way and, consequently, they have arrived in Brazil in a more fragile health condition. (18 February 2021)

Many of the CSO representatives interviewed in Brazil understand these restrictions on mobility rights as a form of setting in motion irregularity as an additional punishment for migrants with negative impacts on their effective access to housing and food security, health, employment and income. As a representative from an NGO in Porto Alegre told us, undocumented migrants were excluded from social benefits, such as the emergency financial aid,

and had 'great difficulty in finding dignified work, since most employers will not hire irregular migrants' (9 February 2021).

It is also important to consider less visible dynamics taking place at the northern Brazilian border as specific groups of migrants, such as Indigenous populations and Venezuelans, rely on constant border crossing to provide for themselves and their families. Therefore, the restrictions on mobility rights during the pandemic also impacted the income of specific groups which, as reported by a representative from an NGO based in Manaus, 'were prevented from taking part in informal border trade, which is often one of their main sources of income' (9 February 2021). The interviewee stated that this scenario also had negative impacts on the food security of these migrant groups since many of them were used to getting their staples through border trade.

Although negative consequences of restricting mobility rights and reinforcing irregularity are countless, it is worth noting another specific impact on the biological or physical life of migrants. According to a representative from an NGO in Brasília, undocumented migrants had to deal with considerably limited rights, 'which had several impacts on their access to social protection schemes, the possibility of registering their children in school, and their willingness to seek medical care and other essential services' (23 February 2021). Based on this account, we would like to emphasise migrants' health (in)security during the pandemic. The Brazilian public health system is an important instrument of social protection in the country, not restricted to nationals. However, obstacles to accessing the system were reported throughout the country, such as fear of discrimination and xenophobia, lack of adequate information, irregular status and linguistic barriers (Camargo, Cogo, and Alencar 2022; Chiaretti, Luchini, and Carvalho 2020; Martuscelli 2020; Martuscelli 2021; Sampaio et al. 2023).

Another key aspect of the endangered political and social life during the pandemic that impacted biological life is the criminalisation of those who dared to hope for a safe passage to Brazil. The multiple border closure ordinances issued during this period allowed levelling civil, administrative and penal charges and the unlawful deportation of people who may have needed humanitarian protection (Zapata, Castro, and Vera Espinoza 2021). Deportation threats and shelter invasions were an issue particularly in Northern cities, where migrants stayed in government- and civil society-managed shelters that were part of the humanitarian response to the crisis in Venezuela. As stated by a representative from an NGO in São Paulo:

Deportations have already taken place. It is not because the border is closed that people are not going to migrate, they are going to do so along an irregular path. There are many people in the North on the streets who are not being assisted. The Federal Police has already stated that there is no way of regularising those who entered while the borders were closed. (24 February 2021)

In March 2021, the National Human Rights Council issued a recommendation on the migration governance of Roraima and the rights of undocumented migrants during the pandemic (Comissão Nacional de Direitos Humanos 2022). The document condemned the invasion of a public shelter in Roraima, orchestrated by the Federal Police, the state Civil Police, and Roraima's State Prosecutor, which displaced approximately 55 people. Emphasis was also placed on the illegality of summary deportations, which violate migrants' rights in the country and disregard a constitutional guarantee (due process) that prevents governmental abuse.

The criminalisation of migrants not only contributes to a weakening of fundamental rights but may also endanger biological life by exposing them to precarious living conditions. As reported by a representative from a faith-based organisation in Boa Vista, housing vulnerability increased in the area as the municipal government enforced evictions in informal settlements without providing any financial support in return. According to this interviewee, rather than a 'relocation', migrants ended up on the streets of Roraima, lacking the means of survival. Therefore, migrants' deteriorating socio-political rights in Brazil literally translated into endangered bodies.

Last but not least, this entanglement between biological needs and socio-political rights also materialises in the restrictions on the right to seek asylum in Brazil during the pandemic (see also Zapata et al. 2023). As reported by several interviewees from CSOs, the border closures created a legal loophole that denies the possibility to request asylum. These pandemic ordinances 'do not explicitly honour Brazil's international commitment to protect people seeking refuge and/or in need of humanitarian protection (one of the emblems of Brazilian migration policy)' (Nair et al. 2021, 22). The content and implementation of the legal instruments that sought to limit human mobility (although with unsatisfactory results in view of increased border crossings) also threatened the human rights-based spirit of the Migration Law adopted in 2017, and set the country back to the security-oriented ethos of the dictatorship-era *Estatuto do Estrangeiro* (1980). As stated by a representative from a faith-based organisation in São Paulo, 'the spirit of the ordinances and the government's actions are in line with the old *Estatuto do Estrangeiro*' which points to great setbacks with regard to migrants' rights on the back of populist, nationalist policies (15 February 2021).

This situation was particularly alarming for certain groups, especially Venezuelans, and their basic human right to isonomy and fair treatment, since the restrictions were more stringent for people trying to enter the country from Venezuela by any means of transport (Zapata, Castro, and Vera Espinoza 2021). According to a representative from an NGO in São Paulo, 'the [border closure] ordinances are clearly discriminatory against Venezuelans since they set stricter restrictions for them in comparison to other nationalities' (24 February 2021). Another representative, this time from an NGO in Porto Alegre, emphasised this discrimination against Venezuelans and what he considered an 'aberration' in the refugee process as an impact of border closures – that is, 'the ineligibility to apply for refugee status', without a proper refugee status determination process (16 February 2021).

All interviewees were aware of the human rights violations taking place in the country, often sounding extremely disturbed by the great setbacks in migration governance. It comes as no surprise, then, that CSOs needed to assist migrants beyond the realm of the emergency response to prevent the loss of migrants' rights and its consequences over the medium and long term. As a representative from a faith-based organisation located in Brasília stated:

We often say that it is important not to exempt the state from its duties. It is comfortable for them to let civil society organisations take on everything. That is why we need more advocacy work – we cannot just be responding to emergencies; we need to demand lasting solutions from public authorities [...] We have a national law, but there is no implementation capacity in states and municipalities, where life is happening. (25 February 2021)

The case of migrants in Brazil analysed here shows the entanglement between biological and political life, rather than any precedence of one over the other. Although

survival is, indeed, 'a perpetually temporary outcome' (Redfield 2005, 346), it is also fundamental to the guarantee of any other socio-political right, since without the physical existence and proper maintenance of the body one cannot promote a dignified life. At the same time, as the CSOs interviewed reminded us, a focus on lasting solutions and the protection of the fundamental rights of migrants is essential not only to strengthen state capacity beyond the management of the crisis, but also to avoid the endangerment of the physical body. The main contribution of this paper can be understood, then, as an invitation to acknowledge entangled migrants' lives as this vital imbrication between biological needs and socio-political rights, which has been further highlighted by the global pandemic.

## Conclusion

The major deterioration of living conditions in Brazil during the COVID-19 pandemic was central to the reorientation of civil society's work towards migrants' survival. At the same time, however, it is of paramount importance to make explicit the prevailing threats to migrants' rights due to the government's non-compliance with national and international standards of protection. Here we have critically examined what is obscured and made invisible in the prominence of physical and biological life at the expense of the protection of people on the move. Drawing on the experience of CSOs supporting migrants in Brazil during the pandemic, this paper has shed light on infrastructural gaps and the unequal distribution of responsibilities which may limit CSOs' ability to perform advocacy work and long-term activities to defend and strengthen migrants' economic and socio-political rights.

We have shown what it means to prioritise 'life itself [...] over the social and political dimensions that differentiate human beings from other living beings' (Fassin 2018, 67). Rather than a strict condemnation of the physical and biological life, our approach provides evidence on how particular needs, especially those with a self-evident materiality, are highlighted whereas others are rendered invisible. In other words, we have addressed the indisputable dimension of survival and, by the same token, the ease of calling into question migrants' legal protection and social justice (Fassin 2018).

In the Brazilian case, the need to address migrants' basic needs and provide them with assistance is beyond dispute. At the same time, what may have been rendered invisible in the local reality we have analysed here is the fact that migrants' rights cannot be called into question or considered less urgent. Isonomy and fair treatment without discrimination against certain nationalities, the right to claim international protection, due process of law instead of summary deportations (or its threat) and access to public information are all basic human rights, as important as the right to food, water and shelter.

Therefore, restricting CSOs' work to the mere act of saving lives and alleviating suffering in contexts of war, disaster, famine or epidemic (Fassin 2018) – due to the state's outsourcing of its protection responsibilities – may be a dangerous way of rendering invisible other equally important dimensions of migrants' rights in the country – particularly when these same rights are under attack.

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## Notes

1. In this paper, the term 'migrants' is widely used to refer to people on the move with a range of legal statuses, including asylum seekers and refugees. Strict categorisations will be used when necessary, specifying different aspects of living a particular legal status if/when needed.
2. The Americas (Brazil), Asia (India) and Europe (United Kingdom).
3. The term 'biological life' is used here in the sense given by the Greeks to the word *zoé* which, according to Agamben (2007), refers to life as the element that all living beings, men and animals, have in common.
4. We use the term socio-political life in this paper as discussed by Isin (2008), and his conceptual tool of 'acts of citizenship'. Being considered political subjects goes beyond traditional citizenship roles such as voting and paying taxes (Castro and Moulin 2021). A socio-political life cannot be restricted to a formal approach, but it should be understood as a claims-making practice that surpasses legal status.
5. See, for example, Nair (2010), Vaughan-Williams (2009) and Zevnik (2009).
6. Out of the 25 organisations that participated in the study, nine did advocacy work as part of their regular operations. Two of these organisations are led by migrants, two are faith-based organisations, and four are NGOs. Their advocacy work includes participation in municipal human rights and migration councils, public hearings on migrants' rights and other national decision-making spaces to influence migration policies. These organisations are also part of a nationwide collaborative advocacy network.
7. To comply with pandemic-related social distancing measures, we conducted all interviews online. We were also cognisant of the health and socio-economic challenges our participants may have been experiencing at that time, as some of us have reflected elsewhere (see Vera Espinoza et al. 2023). Therefore, we also kept the interviews flexible and short, considering organisations' heavy workloads during COVID-19.
8. With this inductive approach, the key emerging empirical topics were contrasted with the larger theoretical context of our research.
9. At the onset of the pandemic, Brazil was the fifth largest recipient of flows from Venezuela, with over 253,000 refugees and other migrants from the neighbouring country (R4V 2024).
10. In 2020, 51 million people – about 25% of the Brazilian population – lived below the poverty line (IBGE 2021).
11. According to the Brazilian Ministry of Health, there were more than 700,000 coronavirus-related deaths in the country (Ministério da Saúde 2024). In January 2021, a critical lack of oxygen to treat hospitalised patients in the Northern city of Manaus transformed the Amazon capital into one of the world's COVID-19 hotspots.
12. For a comprehensive review of the Brazilian response to Venezuelan displacement, see Moulin and Magalhães (2020) and Zapata and Tapia Wenderoth (2022).
13. In April 2020, the Emergency Financial Allowance (*Auxílio Emergencial*) was created. The target population of the scheme were informal workers and people without a job, with a fixed income, or with a low income (those making up to half the National Minimum Wage per month). Access to the benefit is guaranteed by law to all migrants, including refugees and asylum seekers, regardless of legal status. However, many migrants could not access the benefit due to the state's (covert) 'discrimination by omission' that translated into difficulties accessing the government's online application system – which did not recognise migrants' ID format – misinformation, and other language and bureaucratic barriers (Vera Espinoza et al. 2021; Zapata and Moulin 2022).
14. It is important to stress that, during the pandemic, the Public Defender's Office (DPU) played a key role in supporting migrants' effective access to their rights. They included – but were not limited to – extrajudicial actions to guarantee migrants' right to health and social assistance, as well as their access to the emergency financial scheme (Chaves 2020). However, although the DPU works in partnership with many CSOs in the country, its legal role is that of promoting and defending the individual and collective rights of those in need, including migrants.

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