



## **Transatlantic Journeys**

An exploratory research on human trafficking  
from Brazil to Italy and Portugal

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from Brazil to Italy and Portugal

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## Foreword

In recent years, there has been an increasing recognition of trafficking in human beings as one of the most challenging issues of the 21st century and it has become a crucial element in the political agendas of many countries around the world, recognising its transnational dimension as a key factor for achieving success in anti-trafficking efforts.

The International Centre for Migration Policy Development (ICMPD) has, since 1993, co-operated closely with national governments and international organisations in various fields of migration-related issues, including combating trafficking in human beings. The anti-trafficking programme of the ICMPD aims at supporting governments in developing anti-trafficking policies, in implementing national strategies and action plans, and in promoting inter-governmental dialogue and in the exchange of good practices.

Aware of the importance of tackling the transnational dimension of trafficking in human beings, the EU and the Latin America and Caribbean countries (LAC), in the last few years, have initiated bi-regional cooperation in the fields of migration and the prevention of human trafficking. In 2009, ICMPD started cooperating with the Federative Republic of Brazil in the field of anti-trafficking within the framework of the EU funded project *“Promoting Transnational Partnerships: Preventing and Responding to Trafficking in Human Beings from Brazil to EU Member States”*.

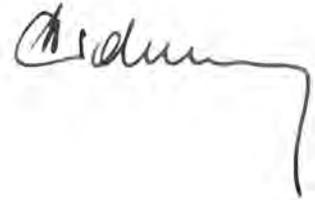
Given its historical link and close cultural ties to Europe, Brazil is a country of origin for migration to Europe, in particular, Italy and Portugal. Between 2001 and 2004, more residence permits were issued to Brazilians in Portugal than to any other group of immigrants. In 2008, Brazil ranked ninth in terms of the countries with the highest number of citizens of non-EU origin who had immigrated to the EU as a whole.

Accordingly, Brazilians represent a sizeable share in the mixed migration flow to the EU, which comprises diverse groups of migrants, some of whom may be particularly vulnerable to different forms of exploitation and/or trafficking. Yet little is known about these specific vulnerable groups, about the most common trafficking routes or about the push and pull factors that influence these vulnerable groups.

To address the above-mentioned knowledge gaps, this publication presents and analyses the findings of the exploratory research conducted in Brazil, Italy and Portugal. The

research also provides key recommendations in relation to transnational cooperation on trafficking in human beings between Brazil and EU destination countries that, in the future, can be used to formulate policies and operational frameworks for action. The aim of this research is to increase general knowledge about Brazilian citizens who have been trafficked or who have experienced forms of exploitation in Europe.

We hope that this publication can serve as a useful tool for governments and relevant anti-trafficking stakeholders for developing knowledge-based policies aiming at preventing and combating trafficking in human beings and for ensuring that victims receive proper assistance.

A handwritten signature in black ink, appearing to read 'Peter Widermann', with a long horizontal stroke extending to the right and a vertical line dropping down from the end.

Peter Widermann  
Director General  
ICMPD

## Acknowledgements<sup>1</sup>

First and foremost, ICMPD would like to express its gratitude to the main donor of the “*Promoting Transnational Partnerships: Preventing and Responding to Trafficking in Human Beings from Brazil to EU Member States*” project: The European Commission - EuropeAid and the generous co-funding contributions of the Portuguese Commission for Citizenship and Gender Equality (CIG), the Portuguese Immigration and Borders Service (SEF) and the National Secretariat of Justice, Ministry of Justice of Brazil (SNJ).

Special thanks to our **project partners and associates** that have been fundamental in the implementation of the project and its components:

- The Portuguese Immigration and Borders Service (SEF);
- The Portuguese Commission for Citizenship and Gender Equality (CIG);
- The Italian *Associazione On the Road* (OtR);
- The National Secretariat of Justice, Ministry of Justice of Brazil (SNJ);
- The Brazilian Federal Police.

Furthermore, ICMPD wishes to express its deep gratitude to all presumed trafficked persons, trafficked persons and key informants that shared their views and knowledge on this phenomenon with the members of the research teams. Without their kind contributions this work could not have been realized.

**In Brazil**, we would like to thank the research team composed by Dr. Marcia Anita Sprandel and Guilherme Mansur. In addition to the financial support of the European Commission, ICMPD would like to acknowledge and thank the National Secretariat of Justice, Ministry of Justice of Brazil for the kind financial and technical support that the researchers received. We would also like to extend our thanks to the local project partners’ focal points, Delegate Paula Dora Celestino Morales from the Brazilian Federal Police and Senior Inspector Isabel Burke, Police Liaison Officer from the Portuguese Immigration and Borders Service (SEF) based in Brasilia, for their great support in the context of this research and for their commitment in implementing the project. Furthermore, ICMPD would like to acknowledge the Peer Review Group that was formed and consulted in Brazil in order to contribute to the refinement of the final draft of the Brazilian research report. Our special thanks to: Adriana Maia, UNODC

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<sup>1</sup> See also the specific acknowledgments at the beginning of each research report.

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**In Italy**, we would like to thank first of all the *Associazione* On the Road and its focal point, Isabella Orfano, for the excellent cooperation in the framework of this partnership and for the great work and commitment in compiling the Italian research report. Special thanks to the professionals involved in the Italian research component: Enrica Capussotti and Isabella Orfano (research co-ordinators), Federica Dolente, Mara Heidempergher, Porpora Marcasciano, Leila Pereira Daianis and Fabio Sorgoni (local researchers). The ICMPD team would like to express its deep appreciation for all the efforts and professionalism they have showed while implementing this activity. Their experience and local expertise were fundamental to planning and conducting the research.

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## Introduction

### Project background

This exploratory research on human trafficking from Brazil to Italy and Portugal has been conducted in the framework of the project “*Promoting Transnational Partnerships: Preventing and Responding to Trafficking in Human Beings from Brazil to EU Member States*”, implemented by the International Centre for Migration Policy Development (ICMPD) in cooperation with the Portuguese Immigration and Borders Service (SEF), the Portuguese Commission for Citizenship and Gender Equality (CIG), the Italian *Associazione On the Road* (OtR), the National Secretariat of Justice, Ministry of Justice of Brazil (SNJ) and the Brazilian Federal Police. The project is generously funded by the European Commission and co-funded by the Portuguese Immigration and Borders Service (SEF), the Portuguese Commission for Citizenship and Gender Equality (CIG) and the National Secretariat of Justice, Ministry of Justice of Brazil.

The objective of the project, which was launched in April 2009 and will run for a period of two years, is to make a comprehensive contribution to combat trafficking in human beings by reducing the incidence of trafficking from Brazil to EU Member States, particularly Portugal and Italy, in the medium to long term. Through its activities, the project aims at contributing to the prevention of transnational human trafficking throughout Brazil, to support the capacity of the Brazilian Federal Police to counter transnational trafficking and its complexities, and to strengthen international cooperation between Brazil and the EU countries of destination.

The issue of human trafficking is increasingly of concern in Brazil, both internally and transnationally. Brazil is a country of origin for trafficked women and transsexuals for the purpose of sexual exploitation and for men trafficked for the purpose of labour exploitation<sup>2</sup>, in particular, from the Brazilian Federal States of Goiás, Minas Gerais and Sao Paulo, where this initiative focused its efforts. Italy and Portugal are recognised as key countries of destination for Brazilian victims of trafficking<sup>3</sup>. Notwithstanding the lack of effective and reliable data, these two EU countries seem to be targeted by a mixed migration flow of Brazilian citizens, integrated by legal or undocumented migrants and/or (potential) victims of trafficking.

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2 US State Department, “Trafficking in Persons Report”, 2008 and UNODC “Trafficking in Persons – Global Patterns”, 2006.

3 Appendices p. 46 UNODC “Trafficking in Persons – Global Patterns”, 2006

## Methodological considerations

The main purpose of this research was to identify vulnerable and at-risk groups as well as the relevant transnational trafficking routes from Brazil to EU Member States, especially Italy and Portugal. Special attention was paid to the push and pull factors and to discrimination issues, such as gender, age, sexual orientation and social class. In order to better achieve the expected results, three different research teams were set up, working independently in Brazil, Italy and Portugal.

The three research teams were asked to support their conclusions after having taken two methodological steps when approaching the research target groups: firstly, to conduct comprehensive desk research, as a preparatory phase before going out into the field; and secondly to conduct interviews with local stakeholders and identified and/or potential victims of trafficking in human beings (women, transsexuals and men) in an ethical and responsible environment and in accordance with the established interview guidelines. All three research teams used qualitative methods to implement this research. Due to the limited sample, the conclusions and recommendations of this research should not be read as an attempt to make any kind of generalization. The research teams conducted a total of 84 interviews in the three countries, 29 in Brazil, 34 in Italy and 21 in Portugal. As the research is based on this limited sample, the type of approach applied by the researchers was a qualitative one which allowed them to gain understanding and to detect the main issues involved in the topic. Furthermore, it should be noted that this is exploratory research given the scarcity of data and the limited bibliography on the specific issue.

This publication presents the findings of the three independent studies in the form of three separate research reports, rather than the results of one single study conducted in the three countries. It is also important to keep in mind that the time frame and the financial and human resources allocated were not equally distributed to the research teams from the beginning. The Italian research team received the biggest share of the project resources since Italian anti-trafficking authorities presented at least three strong indicators that this research – being exploratory *per se* - would have been effective and called for: firstly, there is a significant number of identified trafficking cases involving Brazilian nationals as victims in Italy; secondly, the coordinating role of the local project partner *Associazione On the Road* which has sound local knowledge of human trafficking and exploitation of prostitution in the targeted areas and strong ties with the

local actors; thirdly, the trafficking context involving Brazilian citizens in Italy is not as well known or depicted in specialized literature as it is in Portugal, thereby determining the need to fill knowledge gaps in the Italian territory.

In Brazil, the research was conducted by a research co-ordinator and a research assistant, both experienced anthropological researchers, previously working on topics such as migration and trafficking. The Brazilian study focused on three Brazilian States – Sao Paulo, Minas Gerais and Goias - indicated by the project's partners as the origin of many presumed trafficked/exploited Brazilian victims. The researchers conducted 29 interviews in the three Brazilian States mentioned above and in the Federal District, mostly with key informants already involved in anti-trafficking activities (police authorities, government employees, prosecutors, researchers and NGO representatives). The final draft was ultimately reviewed by a multi-disciplinary Peer Review Committee. This review significantly contributed to the refinement of the final research report by providing an accurate understanding of the findings gleaned from the interviews.

In Italy, the research has been coordinated by the *Associazione On the Road* and conducted by a multi-disciplinary research team, composed of academic researchers, outreach social workers and cultural mediators who were both Italian and Brazilian. It is important to acknowledge that the Italian research component was designed to shed some light on the situation of Brazilian citizens trafficked/exploited in Italy which has never been properly investigated before. Italian local anti-trafficking actors, such as social and outreach workers, have indeed recorded the presence of Brazilian women and transsexuals involved in prostitution rings in various local realities, but very little information was available until now about their living and working conditions. Therefore, this research represented an opportunity to provide an initial analysis of trafficking cases involving Brazilian citizens in the Italian sex market by reaching 21 Brazilian victims of trafficking or potential victims of trafficking and 13 key informants. The research covered the areas of Milan (Northern Italy), Bologna, Ravenna and surroundings (Northern Italy), Ancona, Ascoli Piceno, Rome (Central Italy) and Teramo (Southern Italy).

In Portugal, the research was possible thanks to the institutional efforts of the Commission for Citizenship and Gender Equality (CIG), a project partner. As the CIG is the coordinating body of the National Action Plan against Trafficking in Human Beings, it is in a very privileged position to assess and reflect upon the national context

relating to trafficking in human beings. It is an undisputed fact that there is a strong migration trend among Brazilian citizens towards Portugal, due to the historical connections that ties both countries. And the research – after conducting 21 interviews with key informants and victims of trafficking in Porto and Lisbon – came to some very puzzling and interesting results, as it was able to highlight the gap between the general perceptions of the local key stakeholders and the official data available on the trafficking phenomenon.

Because this research targeted presumed/actual trafficked persons, a final consideration on ethical issues can be made. Trafficking in human beings is a sensitive topic involving persons who may have suffered harsh violations of their human rights. Given this context, the three research teams have been very cautious when interviewing presumed/actual victims and when compiling the information gathered into the final reports, as some of the information released by the interviewees is potentially harmful for themselves and to others. Specifically, the WHO's ten guiding principles to ethically and safely conducting interviews with trafficked persons<sup>4</sup> and the UNIAP's ethical standards for counter-trafficking research<sup>5</sup> have been applied by the research teams.

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<sup>4</sup> World Health Organisation, *WHO Ethical and Safety Recommendations for Interviewing Trafficked Women*, Geneva, 2003.

<sup>5</sup> United Nations Inter-Agency Project on Human Trafficking, *Guide to Ethics and Human Rights in Counter-trafficking. Ethical Standards for Counter-trafficking Research and Programming*, UNIAP, Bangkok, 2008.

## Executive Summary

Even if this publication presents the results of three independent studies, it is possible to outline some common findings, especially in relation to the research objectives:

- Identification of vulnerable/at-risk groups;
- Identification of the main cities, Brazilian States and geographical areas of origin;
- Identification of the most relevant push and pull factors;
- Identification of discrimination issues, such as gender, age, sexual orientation and social class.

Bearing in mind the sample's limitations, a general profile of the Brazilian presumed/trafficked persons was still traced in the results of the research, in particular, in the interviews with key informants and the victims and presumed victims of trafficking. Indeed, the research teams found some common elements and possible indicators, such as poor educational background, low expectations of social mobility and an age group between 20 and 30 years old (e.g., 55% of the sample of presumed/trafficked persons in the Italian research belongs to this age group). In the particular case of the target group of transsexuals, the researchers also found strong signs of stigmatization and discrimination, supporting the general idea that once you are a transsexual the only way of securing a decent income is through prostitution. In the case of this particular group, Europe was identified and sold to them as the “dream destination”, where a better life is possible.

The study allowed us to illustrate new trends: according to the results of the research reports, Brazilian citizens trafficked to Europe used to be recruited in the big cities of São Paulo and Rio de Janeiro which attracted transsexuals from all over the country. This trend has apparently changed nowadays, given that the last three years showed a steady increase of transsexuals and women mainly being recruited directly from their home towns in the peripheral and poor areas of the North East of Brazil and the Amazonian region where little is known about the phenomenon of trafficking in human beings or about migrants' rights. Other Brazilian States of origin that emerged during the research are: Paraná in the South of Brazil, Goiás and Minas Gerais in the South-West, Pará in the North, PiauÍ and Pernambuco in the North-East.

The research reports, especially the Brazilian and the Italian reports, made it very clear

in their conclusions that not all cases of Brazilian citizens involved in the sex market could be defined as cases of trafficking in human beings. In the course of their interviews, the researchers collected important information from the members of the research samples suggesting that there are, indeed, several nuances in the case of Brazilian citizens involved in the sex market in Europe. This circumstance leads to the conclusion that similar cases could be classified in at least three different phenomenon: 1) there are those who act in a setting of independent prostitution, 2) there are those who are heavily exploited in prostitution rings, but are not trafficked and 3) there are those who are actual victims of the human rights' violations falling under the category of trafficking in human beings. The research also showed that these three situations can change constantly due to specific local circumstances such as employment shortages, work restrictions on migrants and gender and discrimination issues.

A further significant finding of the research is that the recruitment process seems to have evolved, in some cases, from the classical model that uses the typical features of trafficking in human beings, such as deception, abduction and/or physical threats/violence to a “more negotiated approach”, where victims and recruiters are often perceived as “partners in business” or “in crime”, making it even more difficult to distinguish between the above mentioned different phenomenon. Only if and when the so-called “partnership” does not work properly, a very severe system of subjection and control will spring back into place, revealing that “old school methods”, such as debt bondage, limited communication with fellow co-workers and clients, restriction of movement, isolation, etc., are still in use.

## **Part One: Brazil**

The main objective of the Brazilian study was to identify the push and pull factors, recruitment for the purposes of trafficking from Brazil to Europe – especially to Portugal and Italy as destinations – and the identification of the routes used between the point of departure and the point of arrival. The material analysed during the desk research and the interviews conducted provided the background for making a number of recommendations to improve the anti-trafficking response between Brazil and Europe.

The Brazilian research report consists of 4 main chapters:

Chapter 1 (*Introduction and Context*): This chapter contextualises the research conducted in Brazil with the local context and relevant legislation.

Chapter 2 (*Methodology*): This chapter provides the research framework by outlining the research objectives, methodology and scope.

Chapter 3 (*Research results*): Based on the interviews conducted, the research team draws up a list of topics which deals, among other things, with the reasons that led people to leave Brazil for Europe and which theoretically facilitate recruitment for the purpose of trafficking in human beings. These topics include: victim profiling; profile of deportees and persons who are refused entry; economic necessity and the decision to travel; emotional issues; the role of violence, prejudice and discrimination; reverse migration flows and the demand for Europe; recruitment and family networks; love and success stories; the wish to return to Europe; language as a facilitating factor for migrating to Europe (Portugal, Italy and Spain); family networks and networks of friends; marriage; transvestites' motives; mobility and routes; exploitation and discrimination.

Chapter 4 (*Conclusions and Recommendations*): This chapter contains the main conclusions and the related recommendations of the research. In this context, it is worth highlighting here a summary of the key recommendations provided by the authors of the Brazilian research<sup>6</sup>:

- There is a general need to strengthen the referral system by building a support service framework for victims and potential victims of trafficking and a well trained network of service providers, able to understand the topic and to respond to the needs of trafficked persons throughout the whole process from identification to social inclusion.
- Brazil and European countries shall develop cooperation agreements to define an integrated service flow which will allow trafficking victims, deportees and those non-admitted migrants to return safely.
- It is vital that trafficking in human beings be treated as a complex problem that needs to be addressed in a comprehensive manner taking into consideration the specific needs of affected vulnerable groups.

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<sup>6</sup> For the analysis of the main conclusions and the full list of recommendations see Part One, Brazil, Chapter 4.

- Understanding immigration and prostitution solely as problems to be fought against only increases the discrimination against and criminalisation of many Brazilian immigrants in Europe making them even more vulnerable to trafficking and exploitation.
- Victims of trafficking should not be treated as irregular immigrants. In general, the risk of increasing the stigma against prostitution and the fight against trafficking are understood to lead to the repression of immigration. The authors of the Brazilian research, therefore, consider it essential that there should be a permanent awareness raising campaign in relation to trafficking in persons.
- Brazilian Federal institutions such as the National Immigration Council and the Consulates abroad could play a major role as a partner for Brazilian citizens living abroad in providing a wider range of services and assistance.

## **Part Two: Italy**

The Italian research focuses on the features of trafficking in human beings from Brazil to Italy. It draws the different profiles of the presumed trafficked persons and trafficked persons from Brazil who were interviewed by analysing their geographical and social origins and the discrimination that facilitated the system for recruiting and exploiting them. The aim of the research is to understand the phenomenon and to contribute to the identification of the political, social and cultural initiatives necessary for protecting trafficked persons in general and Brazilian victims in particular and for fighting the criminal organisations that thrive on this hideous business.

The Italian research report is divided into five main chapters:

Chapter 1 (*Research framework*): This chapter provides the research framework by outlining the objectives, focus, methodology, scope, and limitations of the research.

Chapter 2 (*Trafficking in human beings in Italy: A brief overview*): This chapter briefly describes the key features of trafficking as it has developed in Italy since the late '80s in order to properly contextualize the research findings that are discussed later in Chapter 4. It outlines the main forms of the phenomenon identified and investigated so far, namely, forced prostitution, forced labour, forced begging and illegal crimes. Very short

descriptions of the different national systems of trafficking for sexual exploitation are also included.

Chapter 3 (*The Italian system of social protection for trafficked persons*): This chapter illustrates the Italian anti-trafficking legislation aimed at providing support and protection to trafficked persons and at prosecuting traffickers and exploiters. It also describes the short and long-term programmes of social assistance and protection for trafficked persons, the assisted voluntary return programme for those who choose to go back to their home country, and how the national anti-trafficking hotline works.

Chapter 4 (*Trafficking in human beings from Brazil to Italy: The research findings*): This chapter represents the core of the report as it presents the results of the study. It analyses the past and present life of the presumed trafficked persons and trafficked persons interviewed who provided information about their social and educational background, their trafficking and exploitation experiences, and their current life.

Chapter 5 (*Conclusions and recommendations*): This chapter contains the main conclusions of the investigation and the related recommendations directed towards improving the protection of trafficked persons and the prevention and repression policies and interventions for fighting the trafficking and exploitation of Brazilian citizens in Italy. Here, it is worth mentioning a summary of some key recommendations provided by the authors of the Italian research<sup>7</sup>:

- It is important to continue to research and investigate this specific phenomenon by enlarging the scope of the research, by involving broader geographical areas both in Brazil and in Italy and also by focusing on other target groups and other forms of exploitation.
- It is crucial that anti-trafficking campaigns address multiple target groups with different social backgrounds. Prevention campaigns must be carried out in different parts of Brazil and in distinct venues where potential trafficked persons may be found. Clear information should be given on the trafficking and exploitation process and on how to safely migrate to Europe, along with data on the multiple forms of discrimination, hostility and violence that vulnerable groups may face in Europe and/or Italy.

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<sup>7</sup> For the analysis of the main conclusions and the full list of recommendations see Part Two, Italy, Chapter 5.

- Anti-discrimination policies and measures should be developed and implemented at the political, economic, social and cultural level to ensure that the human rights of trafficked persons, who may be regular or irregular migrants, are fully protected.
- Specific training should be organised to sensitise professionals involved in anti-trafficking about the rights of transsexual persons.
- Common identification procedures should be used by anti-trafficking agencies to identify (potential) trafficked persons and refer them to accredited support agencies. Such procedures should be constantly monitored and revised in order to respond to the ever-changing trafficking strategies implemented by traffickers and exploiters.
- It is necessary to improve some measures in order to better meet the needs of trafficked transsexual persons supported by assistance agencies. It is crucial to provide more accommodation solutions to promptly support this very vulnerable target group.
- It is essential that political bodies act in order to harmonise legislation at the international level, to simplify procedures, and to reduce the costs of transnational cooperation. With this in mind, it is also crucial to strengthen cooperation between the Brazilian Federal Police and its attachés based in EU countries.
- Allocating adequate and regular funding to support anti-trafficking programmes carried out by NGOs and local authorities within the national assistance and integration programme is a priority that should be very high on the Italian political agenda.
- Regular data collection, collation and reporting is fundamental for building know how on how the phenomenon develops and, therefore, for designing and implementing successful anti-trafficking strategies and policies.
- It is fundamental to introduce annual public monitoring and evaluation of the social protection programme in order to assess the outcomes of the projects and the functioning of implemented procedures; to identify best practices; to set a minimum standard to make sure they provide quality services based on the respect of the assisted persons' human rights and the legislation in place; and to issue an annual report.

- It is necessary to implement a formal National Referral Mechanism (NRM) in order to ameliorate and co-ordinate, at national level, the anti-trafficking policies, strategies and schemes already in place.
- Actions should be taken to positively influence the Italian and European agenda on the impact that policy and legislation on certain areas such as border management, document security and migration control might have on trafficked persons.

### **Part Three: Portugal**

The objective of the present study was to gain better knowledge of the general features and scope of the problem of trafficking in human beings in Portugal and to draw an outline of this phenomenon in national and transnational terms.

Chapter 1 (*Introduction and background*): This chapter describes the Portuguese anti-trafficking framework and its main features. It sets out the legal framework and contextualises the issue of trafficking in human beings at national level.

Chapter 2 (*Executive summary*): This chapter provides the research framework by outlining the research objectives, the methodology, the analysis of the findings, the duration and scope of the research and lists the main findings and conclusions.

Chapter 3 (*Methodology and justification*): This chapter focuses, in details, on the methodological approach and the relevant challenges encountered.

Chapter 4 (*Presentation of main findings*): This chapter presents the main results of the research. The main governmental and non-governmental collaborating bodies are also presented and their role in the local anti-trafficking context is explained. Then, this chapter presents the collected data and information and provides a thorough analysis of them. In particular, it describes the local public policies and anti-trafficking framework; the types of identified trafficking purposes (the majority for the purpose of sexual exploitation); the nationalities of trafficked persons (mostly Brazilian citizens); the most common transnational trafficking routes (interior of Brazil -urban centres - Madrid/Paris -Portugal or Brazilian interior/urban centres -Central Europe -Portugal); the phenomenon of cross-border trafficking between northern Portugal and Spain for

exploitation in agricultural work (especially in the wine-growing areas of La Rioja, Navarra, Zaragoza and Alava); the main methods of recruitment; the types of coercion methods; the profile of the victims; the profile of the traffickers/exploiters; the support/response mechanisms.

Chapter 5 (*Recommendations for the improvement of existing THB structures in Portugal*): This is a short chapter that looks into internal cooperation amongst local actors formulating a set of recommendations in terms of enhanced cooperation between local institutions, increased awareness raising and the need to manage procedures in a timely fashion.

Chapter 6 (*Drawing some conclusions*): This chapter draws some general conclusions, such as the willingness of the local actors interviewed to play a role in interventions related to trafficking in human beings and to create a network able to effectively provide support for victims, from prevention to protection and integration.

Chapter 7 (*Final recommendations*): This chapter contains the main recommendations related to a few indicative areas of action that may be developed in the future. In this context, some key recommendations provided by the authors of the Portuguese research should be noted here:<sup>8</sup>

- The importance of developing an effective witness protection programme in Portugal, which should consider the situation of victims of trafficking who require effective protection.
- The designation of a focal point in each of the institutions working in the field of trafficking in human beings to develop a sense of general inter-institutional cooperation.
- Awareness raising should be a main vector of social change.
- The need to create a European-wide telephone support hotline with the same free number in all Member States, as a way to spread information more quickly and in a more generalised manner.

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8 For the analysis of the main conclusions and the full list of recommendations see Part Three, Portugal, Chapter 7.

- The need to have effective information on the different purposes of human trafficking, including trafficking for labour exploitation, which is, so far, less well known when compared to the available information on sexual exploitation.

To conclude, the three studies have showed that there are specific areas that might be further addressed in view of developing a common approach in anti-trafficking policies, such as:

- the need to reinforce transnational cooperation through the establishment of institutional partnerships amongst peer institutions;
- the need to implement common procedures for victim identification and referral in countries of origin, transit and destination;
- the need to explore synergies between anti-trafficking measures, migration policies, labour market policies and the regulation of the sex market;
- the need to better inform Brazilian citizens about the risks of trafficking in human beings and about migrants' rights;
- the need to further investigate the newest patterns in recruitment and exploitation.

**Part One:**  
Brazil

*"I think: when you've got no love,  
you've still got the road ahead."  
- Caio Fernando Abreu*

## Summary

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## Acronyms and Abbreviations

Art.	Article
ASBRAD	Brazilian Association for the Defence of Women, Children and Adolescents (Associação Brasileira de Defesa da Mulher, da Infância e da Adolescência)
ASTRAV	Association of Transvestites (Associação de Travestis - Goiás)
CAGED	General Register of the Employed and Unemployed (Cadastro Geral de Empregados e Desempregados)
CECRIA	Reference Centre for, Studies and Actions regarding Children and Adolescents (Centro de Referência, Estudos e Ações sobre Crianças e Adolescentes)
CBO	Brazilian Classification of Occupations (Classificação Brasileira de Ocupações)
CP	Criminal Code (Código Penal Brasileiro)
DIRPF	Income Tax Return (Declaração de Imposto de Renda de Pessoa Física)
DPF	Federal Police Department (Departamento de Polícia Federal)
FP	Federal Police (Polícia Federal)
FGT	Goiás Forum of Transsexuals (Fórum de Transexuais de Goiás)
GT	Working Group (Grupo de Trabalho)
HIV/AIDS	Human Immunodeficiency Virus (Síndrome da Imunodeficiência Adquirida)
IBGE	Brazilian Geography and Statistics Institute (Instituto Brasileiro de Geografia e Estatística)
ILO	International Labour Organisation (Organização Internacional do Trabalho)
IOM	International Organisation for Migration (Organização Internacional das Migrações)
LGBT	Lesbians, Gays, Bisexuals, Transvestites and Transsexuals
MFA	Ministry of Foreign Affairs (Ministério das Relações Exteriores, MRE)
MJ	Ministry of Justice
MSCJ	Consular Service and Legal Manual (Manual de Serviço Consular e Jurídico)
MTE	Ministry of Labour and Employment (Ministério do Trabalho e Emprego)
NGO	Non-Governmental Organisation
NETP	Anti-Trafficking Centre (Núcleo de Enfrentamento ao Tráfico de Pessoas)
PESTRAF	National Research on Trafficking of Women, Children and Adolescents for the purposes of Commercial Sexual Exploitation (Pesquisa Nacional sobre o Tráfico de Mulheres, Crianças e Adolescente para fins de Exploração Sexual Comercial)
PNAD	National Research by Home Sampling (Pesquisa Nacional por Amostra de Domicílios)
PNETP	National Plan to Combat Trafficking in Human Beings (Plano Nacional de Enfrentamento ao Tráfico de Pessoas)
PRF	Federal Road Police (Polícia Rodoviária Federal)
PRONASCI	National Public Safety and Citizenship Programme (Programa Nacional de Segurança Pública e Cidadania)
RAIS	Annual List of Social Information (Relação Anual de Informações Sociais)
SEF	Immigration and Border Service (Serviço de Estrangeiros e Fronteiras)
SINE	National Employment System (Sistema Nacional de Empregos)

**Part One:** Brazil

THB	Trafficking in Human Beings (TSH - Tráfico de Seres Humanos)
TRF	Regional Federal Court (Tribunal Regional Federal)
UNICAMP	State University of Campinas (Universidade Estadual de Campinas)
UNODC	United Nations Office on Drugs and Crime
US	United States
USA	United States of America
USAID	United States Agency for International Development

# Chapter 1:

## Introduction and Context

According to the 2009 Trafficking in Persons Report, published by the U.S. Department of State, Brazil is a country of origin of trafficked persons for the purpose of commercial sexual exploitation. The report uses data from UNODC, according to which a significant number of Brazilian women, mainly from the state of Goiás, are trafficked for commercial sexual exploitation abroad, especially in Spain, Italy, Portugal and the Netherlands.

The purpose of this work is to analyse the circuits involved in trafficking in human beings from Brazil to the European Union, especially Portugal and Italy, thus contributing to the reduction of its incidence in the medium and long term. The work endeavours to provide national actors with a set of instruments which can help address THB and with qualitative information allowing them to fight this crime and protect the victims in a more effective manner.

The research focused on three Brazilian States - Goiás, Minas Gerais and São Paulo – considered as places of origin of potential victims of trafficking, particularly women, transvestites and transsexuals.

### **Brazil: THB within the context of human rights**

The post-1988 Brazilian political scenario - the year in which the so called Citizen's Constitution was approved, marking the end of the military dictatorship which had begun in 1964 – is now raising issues concerned with human rights and the defence of minority groups. It is within this context that popular movements, the fight for the rights of women, children, rural workers, native peoples and Quilombolas<sup>1</sup> are gaining force.

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1 Quilombolas form ethnic-racial groups according to self-attributed criteria, with their own historical background. They have specific territorial relations and were traditionally involved in the fight against black slavery. In Brazil, these groups are entitled to tenure security under the Federal Constitution of 1988.

When Brazil ratified the Palermo Convention and its additional protocols in 2004<sup>2</sup>, the national political agenda dealing with topics such as forced labour and international emigration included other elements as the fight against slave labour, child labour and the commercial sexual exploitation of children and adolescents, and the protection of the rights of Brazilian emigrants abroad and of foreigners in Brazil.<sup>3</sup> Subscribing to the Convention meant that a new topic for the government and Brazilian society would be placed on the agenda: trafficking in human beings.

In October 2006, the National Policy to Combat Trafficking in Persons was approved under Decree No. 5948/2006, which sets out principles, guidelines and actions to prevent and repress trafficking in persons and to assist victims. In January 2008, the National Plan to Combat Trafficking in Persons (PNETP) was approved under Decree No. 6347/2008 with a view to implement the principles, guidelines and actions set out in the National Policy through its articulation with a number of public bodies and the setting of goals to be met within a two-year-period<sup>4</sup>.

The topic was already included in the national agenda through the consolidated debate on slave labour. What is new is the fact that the debate on prostitution, somewhat restricted until then, in terms of public policies in relation to HIV/AIDS, has been resumed.

In the National Plan, THB is defined as a violation of human rights:

“Trafficking in persons is the cause and the consequence of the violation of human rights. It is an offence against human rights as it exploits the human

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2 Decree No. 5015 of 12 March 2004 implemented the United Nations Convention against Transnational Organized Crime. Decree No. 5016 of 12 March 2004 implemented the Additional Protocol to the UN Convention against Transnational Organized Crime, on Combating Smuggling of Migrants by Land, Sea and Air. Decree No. 5017 of 12 March 2004 implemented the Additional Protocol to the UN Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

3 The country already had a National Plan to Address Sexual Violence against Children and Adolescents (2002), a National Plan for the Eradication of Slave Labour (2003) and a National Plan for the Prevention and Eradication of Child Labour and the Protection of Adolescent Workers (2004).

4 The PNETP was drafted by an Inter-ministerial Working Group, coordinated by the National Secretariat of Justice - Ministry of Justice, the Special Secretary for Human Rights and by the Special Secretary for Women's Policies, both under the aegis of the Presidency of the Republic, with the cooperation of the Federal Public Prosecutor, the Public Prosecutor for Labour and organized civil society, including international bodies, non-governmental organizations and specialists. The Ministry of Justice is responsible for its evaluation and monitoring.

being, degrades that person's dignity, and limits his/her freedom of movement. It is also the consequence of disrespect for human rights as the trafficking in persons is the result of socio-economic inequality, lack of education, few prospects in terms of jobs and personal achievement, unstable health services and the daily struggle to survive. (...) Addressing trafficking in persons is always considered (...) in its various modalities (...), from a human rights viewpoint.” (PNETP; p. 5-6)<sup>5</sup>

The PNETP defines three strategic axes for action: preventing trafficking, repression and accountability of its authors and assistance to the victims. It also defines a set of priorities, actions, activities, targets and bodies responsible for its implementation, which should be conducted in an integrated way by its different actors, thus avoiding any overlapping actions.

On the State level, there are Policies to Address Trafficking in Persons in the States of Pernambuco (Decree No. 31659 of 14 April 2008) and São Paulo (Decree No. 54101 of 12 March 2009). There are also State policies under development in other States of the Federation, such as Pará and Bahia.

The Federal Government has entered into agreements to set up Anti-Trafficking Centres (NETP) in States, as well as outposts in municipalities, thus implementing the provisions set out in the Portaria SNJ No. 31 of 20 August 2009<sup>6</sup>. Currently there are anti-trafficking centres in the States of Goiás, Pará, Pernambuco, Rio de Janeiro, São Paulo and Acre. The National Secretariat of Justice entered into agreements in December 2009 to set up new anti-trafficking Centres in the States of Bahia and Ceará, the latter having already established an Office to Combat and Prevent the Trafficking in Human Beings and for Victim Assistance, which will become a NETP. During the 12th United Nations Congress on Crime Prevention and Criminal Justice which took place in April 2010, it was announced that another three anti-trafficking centres would be opened (in Rio Grande do Sul, Paraná and Minas Gerais) and outposts (at the international airports of Rio de Janeiro/Galeão and Salvador).

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<sup>5</sup> See [www.unodc.org/pdf/brazil/publicacoes/PlanoNacionalTP.pdf](http://www.unodc.org/pdf/brazil/publicacoes/PlanoNacionalTP.pdf)

<sup>6</sup> According to Portaria SNJ No. 31, the main purpose of the anti-trafficking centres is to articulate and plan actions to address trafficking in persons, on an individual State level, and they will be implemented in partnership with the Federal Government, through the Office of the National Secretary of Justice, and State governments. The purpose of the anti- trafficking centre– NETP – is to address the three axes set out in the National Policy to Address Trafficking in Persons.

The main purpose of the outposts is to provide assistance to Brazilians refused entry or deported at the points of entry and they should be given names that do not explicitly bind them to addressing trafficking in persons in order to favour victim assistance and avoid stigmas of any kind. Nowadays, the Humane Support Centre for Migrants at Guarulhos Airport – São Paulo and the Support Centre for Travellers' Rights in Belém – Pará are both operational outposts in the airports. The Guarulhos Support Centre, currently coordinated by the Brazilian Association for the Defence of Women, Children and Adolescents – ASBRAD – is undergoing a change in management. Therefore, its coordination will be transferred, by way of an agreement between the National Secretariat of Justice and the Municipality of Guarulhos to the latter through its Social Assistance Secretary.

The Evaluation and Dissemination Advisory Group of the PNETP, created by Decree No. 6347 of 8 January 2008 came to an end in January 2010, after the conclusion of the PNETP I. The report on the National Plan is being finalised and will be submitted to the Presidency of the Republic, international bodies and to Brazilian society. In order to carry on anti-trafficking activities, the Federal Government is working on the draft of the PNETP II with a view to making the struggle against this crime effectively and permanently public policy.

As far as sex workers are concerned, the Brazilian Government is implementing a limited number of public policies focusing on health issues and HIV/AIDS. It also works in partnership with organisations representing and advocating LGBT rights<sup>7</sup>. The campaign “No need to be ashamed, girl, you have a profession” is an excellent example of this. It is based on cooperation between the Federal government and the “Davida” NGO, founded in Rio de Janeiro in 1992, which promotes the citizenship of prostitutes and is coordinated by Gabriela Leite, one of the main national leaders in this sector. Regulating prostitution as a profession (men, women, transvestites and transsexuals) has been the priority of this movement for decades, but it continues to find resistance in the National Congress.

In the area of protecting migrants, the Brazilian government, through the National Immigration Council<sup>8</sup>, produced a leaflet informing Brazilian men and women who

<sup>7</sup> It should be noted that in May 2009 the Brazilian government launched the National Plan for the Promotion of Citizenship and Human Rights of Lesbians, Gays, Bisexuals, Transvestites and Transsexuals, available at <http://portal.mj.gov.br/sedh/homofobia/planolgbt.pdf>

<sup>8</sup> This is a tripartite body, including representatives from the government, employers' associations and trade unions. Its purpose is to draw up migration policy and to coordinate and orient migration activities.

wish to leave the country about the risks of becoming involved in THB networks. The Ministry of Foreign Affairs, which has the Under Secretary General for Brazilian Communities Abroad, organised two large conferences called “Brazilians around the World”. Hundreds of representatives of Brazilian communities abroad were present at these conferences where THB was discussed and incorporated as a topic in the conference documents.

The Ministry of Foreign Affairs is part of the Inter-ministerial Working Group of the National Policy to Combating Trafficking in Persons and participated in the drafting of the National Plan to Combat Trafficking in Persons. Among the responsibilities and targets assigned to the MFA in the National Plan are the organisation of bilateral seminars, the inclusion of a chapter in the Consular Service and Legal Manual on assistance to victims of trafficking in persons and the training of consulate employees<sup>9</sup>.

## **Brazil: legislation**

There has been and continues to be a number of changes in Brazilian legislation. Nevertheless, there continue to be legal gaps as far as the fulfilment of the Palermo Protocol is concerned. Namely, because the Article in the Criminal Code which describes international trafficking in persons (Art. 231) only refers to sexual exploitation and does not include slave labour (set out in Art. 149) or recruitment for migration (set out in Art. 206). Furthermore, the Criminal Code has not yet defined international organ trafficking as a crime<sup>10</sup>.

The 2009 Trafficking in Persons Report, from the U.S. Department of State observes that, even though Brazilian law prohibits most of forms of trafficking in persons

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9 In 2007, the MFA, in partnership with ILO, organized training on assistance to victims of trafficking in persons for officials of the 15 Brazilian Consulates in Europe, where the incidence of trafficked in Brazilians is high. Since then, the topic has been included in the syllabus of all courses before reassignment undertaken in Brasília, an administrative requirement before officials can be transferred abroad. In 2008, a specific section was added to the MFA's Consular Service and Legal Manual (CSLM) containing guidelines regarding the treatment of victims of trafficking in persons. Assistance to victims of trafficking in persons by Consulates and Consulate Sectors should be carried out indiscriminately and without any need for the persons to disclose their profession. Guaranteeing documents and funds for their safe return to Brazilian territory is essential when bearing in mind the cases when victims' passports are confiscated to prevent them from escaping. Section 9 of the CSLM establishes that the anti-trafficking outposts should make regular surveys and keep an updated list of those organizations specialized in the assistance of victims of trafficking in persons which provide medical, psychological and care services as well as temporary shelter free of charge.

10 See Box in the Annexes with the Articles of the Criminal Code regarding THB and prostitution.

(see arts. 231, 231-A and 149), it does not adequately criminalise other means of coercion or non-physical fraud used to subject people to situations of forced labour, such as threats of deportation made against foreign migrants should they not continue to work systematically.

Article 231 of the 1940 Brazilian Criminal Code established provisions for the criminalisation of international trafficking in women for prostitution. These provisions were reformulated in 2005 when the “international trafficking in persons” came to be criminalised and the “internal trafficking in persons” (Art. 231-A) was included as an offence under the Code. Both these categories of offences only referred to trafficking for the purpose of prostitution.

In 2009, another reform in legislation changed the categories of offences to “international trafficking of a person for the purpose of sexual exploitation” (Art. 231) and “internal trafficking of a person for the purpose of sexual exploitation” (Art. 231-A). In both cases, the trafficking refers to the exercise of prostitution or other forms of sexual exploitation. Therefore, the changes made in 2005 and 2009 did not substantially alter the definition of 1940, as the more recent definitions continue to refer only to prostitution or other forms of sexual exploitation. In the case of this definition, it is important to stress the fact that the notion of exploitation should be understood in the sense of obtaining profit from prostitution carried out by other persons (and not necessarily in the sense of forced prostitution).

	<b>CC 1940</b>	<b>Law No. 11106 /2005</b>	<b>Law No. 12015/2009</b>
Art. 231	<p><b>Trafficking of women</b></p> <p>Art. 231 – To promote and facilitate the entry of a woman in national territory who is coming to exercise prostitution, or the exit of a woman who is going to exercise it abroad:</p>	<p><b>International trafficking in persons</b></p> <p>Art. 231. To promote, intermediate or facilitate the entry of a person in national territory who is coming to exercise prostitution or the exit of a person who is going to exercise it abroad:</p>	<p><b>International trafficking in persons for the purpose of sexual exploitation</b></p> <p>Art. 231. To promote or facilitate the entry of any person within the national territory who is entering for the purpose of exercising prostitution or any other form of sexual exploitation or the exit of someone who shall exercise it abroad.</p>

11 With the change from “women” to “persons” (Art. 231), transvestites or transsexuals who own collective houses could now be subject to criminalization as traffickers. With the classification of internal trafficking as a crime (Art. 231-A), the repression of the exploitation of prostitution and autonomous prostitution which occurs in the country but which involves inter-State transportation has reemerged.

	<p>Penalty – imprisonment from three to eight years.</p> <p>§1 - Should any of the instances set out in §1 of Art. 227<sup>12</sup> occur:</p> <p>Penalty – imprisonment from four to ten years.</p> <p>§2 - Should violence, serious threat or fraud be used, the penalty shall entail a prison sentence of between 5 (five) and 12 (twelve) years, in addition to the penalty for violence</p> <p>§3 - Should the crime be committed in order to make a profit, a fine shall also be imposed.</p>	<p>Penalty – imprisonment from 3 (three) to 8 (eight) years, plus a fine.</p> <p>§1 - Should any of the instances set out in § 1 of Art. 227 occur:</p> <p>Penalty – imprisonment from 4 (four) to 10 (ten) years, plus a fine</p> <p>§2 - Should violence, serious threat or fraud be used, the penalty shall entail a prison sentence of between 5 (five) and 12 (twelve) years, plus a fine, in addition to the penalty for violence.</p>	<p>Penalty – imprisonment from 3 (three) to 8 (eight) years.</p> <p>§1 - Any person who mediates, recruits or buys the trafficked person or, being aware of the person's status, transports, transfers or accommodates such a person shall be liable to the same penalty.</p> <p>§2 The penalty shall be increased by half if:  I- the victim is under the age of 18 (eighteen);  II- the victim, by way of illness or mental disability, does not have the necessary discernment to practice the act;  III- the accused is in ascending line of parentage, stepfather, stepmother, brother, stepchild, spouse, partner, tutor or guardian, mentor or employer of the victim or the accused has accepted to care, protect or look after the victim; or  IV- violence, serious threats or fraud are used.</p> <p>§3 - Should the crime be committed for the purpose of gaining economic advantage, a fine shall also be imposed.</p>
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12 Art. 227 – Inducing someone to satisfy the lust of another person :

Penalty – imprisonment from one to three years.

§ 1o Should the victim be over the age of 14 (fourteen) and under the age of 18 (eighteen), or should the accused be in an ascending line of parentage, descendent, spouse or partner, brother or guardian, or the accused has accepted to care, protect or look after the victim(Law No. 11106/2005):

Penalty – imprisonment from two to five years.

<p>Art. 231-A</p>	<p>--</p>	<p>Internal trafficking in persons</p> <p>Art. 231-A. To promote, intermediate or facilitate the transport, transfer, accommodation or shelter in national territory of a person who shall exercise prostitution:</p> <p>Penalty – imprisonment from 3 (three) to 8 (eight) years, plus a fine.</p> <p>Sole paragraph. The provisions set out in paragraphs 1 and 2 of Article 231 of this Decree-Law shall apply to this crime.</p>	<p>Internal trafficking of a person for the purpose of sexual exploitation</p> <p>Art. 231-A. To promote or facilitate the displacement of any person within the national territory to exercise prostitution or any other form of sexual exploitation:</p> <p>Penalty – imprisonment from 2 (two) to 6 (six) years.</p> <p>§ 1 Any person who mediates, recruits, sells or buys the trafficked person or, being aware of the person's status, transports, transfers or accommodates such a person shall be liable to the same penalty.</p> <p>§ 2 The penalty shall be increased by one half if:</p> <p>I – the victim is under the age of 18 (eighteen);  II – the victim, by way of illness or mental disability, does not have the necessary discernment to practice the act (amended by Law No. 12015, of 2009);  III - the accused is in ascending line of parentage, stepfather, stepmother, brother, stepchild, spouse, partner, tutor or guardian, mentor or employer of the victim or the accused, by law or by any other form, has accepted to care, protect or look after the victim; or  IV – violence, serious threats or fraud are used.</p> <p>§ 3 – Should the crime be committed for the purpose of gaining economic advantage, a fine shall also be imposed.</p>
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Within the scope of the Ministry of Justice, a Working Group on Legal Matters was set up, which besides the establishment of a National System to Combat Trafficking in Persons recommended further need to adapt once again the Criminal Code<sup>13</sup>. Regarding Article 231, there still remain doubts whether trafficking in person should refer only to trafficking for the purpose of *exploitation* (the position of the participants of the Working Group) or whether it should include *prostitution* (the position of the Public Prosecutor). Furthermore, the Working Group ascertained that there is a need to enhance the care and assistance provided to those deported and to persons refused entry. Their immediate care is considered fundamental to minimise situations of extreme vulnerability.

The Brazilian Criminal Code does not criminalise the exercise of prostitution. However, the exploitation of a house of prostitution and pimping are classified as crimes in the Criminal Code. This means that in Brazil prostitution is not a crime but its exploitation is. It should be noted that the profession of sex worker was included in the Brazilian classification of occupations of the Ministry of Labour and Employment under Code 5198-05<sup>14</sup>.

As far as legislation on migration is concerned, a new Migration Bill, geared towards the consolidation of all regulations regarding migrants as well as the granting of a special visa and protection for victims of trafficking in persons, was sent by the Federal Executive to the National Congress in July 2009 to be voted and eventually approved.

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13 One of the objectives of the Working Group on Legal Matters and of the drafting of an intergovernmental proposal for the improvement of Brazilian legislation on addressing trafficking in persons and associated crimes, established by the Portaria 194 of 12 February 2009, was to include trafficking for different purposes (forced labour or slave labour, removal of organs, etc.) in the definition of Trafficking in Persons.

14 The Brazilian Classification of Occupations (CBO) is the standard document giving a name and code to the title and contents of occupations on the Brazilian labour market. The enumerative function of the CBO is used in administrative registers, such as the Annual List of Social Information (RAIS), General Register of the Employed and Unemployed (CAGED), Unemployment Insurance, Income Tax Return (IRPF), among others. In household research, it is used to codify the occupation in the Population Census, in the National Research by Home Sampling (PNAD) and other research projects of statistics institutes such as the IBGE and counterparts in States and municipalities. The descriptive function is used in the replacement of workers' services such as that conducted by the National Employment System (SINE), in drawing up curricula and in the evaluation of vocational training, in the educational activities of companies and trade unions, in schools, in immigration services and in activities in which information on the contents of the work is required.

**5198: Sex Workers**

**Titles 5198-05 – Sex worker**

Garota de programa, Garoto de programa, Meretriz, Messalina, Michê, Mulher da vida, Prostituta, Trabalhador do sexo are several of the names given to sex workers in Brazil.

**Brief description:** They seek sex programmes; they service and accompany clients; they participate in educational actions in the field of sexuality. The activities are carried out according to rules and procedures which minimize the vulnerability of the profession.

This is Draft Law 5655/2009, Article 5 of which aims at offering foreigners, regardless of their migratory legal status, the protection measures granted to victims or witnesses of trafficking in persons and smuggling of migrants. Article 42 states that the Ministry of Justice may grant temporary residence for up to one year to any foreigner who is a victim of trafficking in persons, regardless of his/her migratory status. In the case of the victim who effectively and voluntarily collaborates with the investigation or in criminal proceedings, such temporary residence may be extended for an equal period of time, while the investigation or criminal proceedings are still under way, and may be transformed into permanent residence. Paragraph 5 of Art.42 clearly states that the victim of trafficking in persons, whose migration situation is irregular, shall not be held responsible for administrative offences set out in the Draft Law, nor shall that person be deported or repatriated.

## **Brazil: criminal investigations and convictions**

Brazil has a justice system which is divided into a Federal and State level, with subdivisions by speciality – such as civil or criminal law – and by fields – such as children and adolescents, the family, labour, etc. – which all deal with different aspects of trafficking in their respective areas. The Federal Police is responsible for investigating international trafficking in persons and internal trafficking when it involves more than one State of the Brazilian Federation. Within the Federal Police, the Human Rights Division is the specialised body for the investigation of crimes against human rights, including trafficking in persons. The Federal Road Police, in turn, deal with trafficking on Federal highways.

From 2004 to 2009, according to information from the Federal Police Department, at least 18 Federal Police operations were conducted against the trafficking of human beings, as represented in the table below:

<b>Date</b>	<b>Operation</b>	<b>Origin</b>	<b>Destination</b>	<b>Prison Sentences</b>
25/10/2004	Mucuripe	Fortaleza(CE) Recife(PE)	Dortmund (Germany)	11
03/12/2004	Castelo	Goiás	Spain	07

14/04/2005	Castanhola	Anápolis (GO)	Spain Portugal	07 (Brazil) 05 (Santander/SP)
05/08/2005	Babilônia	Goiás	Spain	07
21/03/2006	Tarantela	Goiás Mato Grosso do Sul Mato Grosso Minas Gerais	Italy	05
28/03/2006	Tarô	Belo Horizonte and metropolitan region	Zurich (Switzerland)	12
18/06/2006	Lusa	?	Porto (Portugal)	02
03/08/2006	Mediador III	Vitória (ES) Serra (ES)	Europe	21
06/09/2006	Castela and Madrid	Goiás	Spain	?
18/10/2006	Caraxué	?	Europe	10
22/01/2007	Sodoma	Vitória (ES)	Europe	03
28/06/2007	Sabinas	Mato Grosso do Sul São Paulo Maranhão	?	10
04/03/2008	Madrid	Barra do Garças (MT)	Spain	06
30/04/2008	Treviso	Espírito Santo São Paulo	Italy	07
25/12/2008	Férias/ Princesas do Sertão	Bahia	?	09
14/01/2009	Abrantes	Goiás	Lugano (Switzerland)	05 (Brazil) 01 (Switzerland)
17/05/2009	Luxúria	?	Italy Portugal	02
15/07/2009	Mediador IV	?	Italy	08

Source: DPF [HTTP://WWW.dpf.gov.br/DCS/Resumo\\_OP](http://WWW.dpf.gov.br/DCS/Resumo_OP) (accessed in January 2010)

With regard to the number of police investigations and convictions, we have the following information from the Federal Police:

- a) From 1990 to August 2009 – 765 police investigations were initiated, 137 alone in the State of Goiás (see Table attached).
- b) From 2004 to February 2008 - 41 people were convicted for trafficking in persons (20 men and 21 women).
- c) From 2004 to February 2008 – during criminal proceedings, 85 victims of trafficking in persons was identified by the Federal and State Courts, mostly women. All of them were Brazilian citizens.

## **Brazil: THB in academic literature and in commissioned research**

The topic of trafficking in persons has been the topic of academic research, often commissioned by international organization and/or the Federal Government. The *National Research on Trafficking of Women, Children and Adolescents for the purpose of Commercial Sexual Exploitation (PESTRAF)*<sup>15</sup> conducted by CECRIA (Centre for References, Studies and Action regarding Children and Adolescents), financed by the Organisation of American States (OAS), USAID and the Partners of the Americas, was disseminated on the national level in 2002 and focused the attention of the Brazilian public to the topic.

This research, which represented an initial effort to reveal the extent of THB in Brazil, described routes allegedly used for the purposes of international trafficking in persons, based on criteria established by its coordinators. PESTRAF pointed out the existence of routes in all the regions of Brazil preferably to Europe and also from Brazil to countries in South America, especially to French Guiana and Surinam, and to Asia. The research also highlighted the fact that potential victims usually come from the interior of States (small, medium and large cities) to major urban centres or to regions skirting Brazil's international borders.

In 2006/2007, the Research in Trafficking in Persons produced by the National Secretariat of Justice of the Ministry of Justice, UNODC and ILO qualified the debate. Volume 3 of this research entitled *International Trafficking in Persons and Smuggling of*

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<sup>15</sup> National Research on Trafficking of Women, Children and Adolescents for the purpose of Commercial Sexual Exploitation (PESTRAF). BRAZIL NATIONAL REPORT. Brasília, June 2002. Coordination: Maria de Fátima Leal. Available at <http://www.violes.unb.br/pesquisas/Relatorio%20Nacional%20PESTRAF.pdf>

*Migrants among Those Deported and Those Refused Entry and Who Return to Brazil via the International Airport of São Paulo*<sup>16</sup>. The study, coordinated by the anthropologist Adriana Piscitelli from the State University of Campinas (Unicamp), was based on interviews with persons who had been deported and/or refused entry conducted between the months of October and November of 2006 at Guarulhos (SP) airport.

In the sample of deported persons and those refused entry, the study identified a predominance of young people between the ages of 20 and 29. In terms of place of birth and residence, the States of Goiás and Minas Gerais led the contingent of interviewees. There were an almost equal number of men and women among those deported and those refused entry. Most of the men had been deported from or refused entry into the United States, whereas there was a higher number of women returning from Europe. Over half the people interviewed stated they received an income of 1 to 3 times the minimum wage in Brazil.

The qualitative interviews pointed towards a number of reasons and/or motives which led people who had been deported or refused entry to try their luck abroad, such as wanting to travel to get to know another country; intention to go to Europe/USA to work; seeking better working conditions and opportunities; wishing to migrate to a different type of country; need to pay debts resulting from their frustrated attempt (to travel); escaping from hostile environments and/or violent husbands.

The study outlined a profile for deported men, women and transgender and those refused entry and returned to Brazil. This framework of profiles showed that certain predominant socio-economic characteristics, like age, schooling and income tend to be common factors with a number of variations between men and women (however, according to the coordinator of the research, the number of transgender interviewed was too small to be able to make any comparisons). This framework finally showed that an equivalent number of people who either reported to have a low income in Brazil, or are potential migrants or tourists, were returned indiscriminately.

In relation to the indicators of trafficking in persons from the definition of the Palermo Protocol, the research is careful to point out methodological nuances and distances itself

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16 International Trafficking in Persons and Smuggling of Migrants among Those Deported and Those Refused Entry and Who Return to Brazil via the international airport of São Paulo. Programme Addressing Trafficking in Persons. Brasília: Ministry of Justice; International Labour Organization, 2007. 138 p. (Research in Trafficking in Persons, Part 3). Available at [www.unodc.org/pdf/brazil/op\\_14786\\_traf\\_pessoas.pdf](http://www.unodc.org/pdf/brazil/op_14786_traf_pessoas.pdf)

from definitive statements regarding the matter<sup>17</sup>. In any case, it was ascertained that victims or potential victims often wipe the notion of trafficking out of their minds and deny they have been exploited despite the extortionate amounts they paid for their trip abroad.

Therefore, their indebtedness for the trip, for example, is not necessarily considered as a definitive sign proving the existence of trafficking in persons: *“In some cases, someone’s boyfriend who paid for the ticket of more than one interviewee, or a friend who charged extortionate amounts of money for the ticket sent, also seem to suggest signs of trips associated with some kind of exploitation. Nevertheless, the material collected in the interviews does not allow us to go beyond suspicion”* (p. 70).

According to the research, the statements of the interviewees do not show signs of coercion, deceit, fraud, abuse of the person’s vulnerability or deprivation of freedom in the “invitation” process or when seeking contacts in order to travel, or to find placement or shelter. In general, these statements concern travel undertaken on a voluntary basis and mostly refer to loans that do not involve contracting debts.

The study also states in its conclusions that when the interviewees talk about travel to Europe, they make no references to organised crime networks. On the contrary, the references mostly concern informal networks made up of fellow countrymen, acquaintances, friends, relatives and, in the case of some women, Brazilian or foreign boyfriends.

In July 2008, the **Cadernos Pagu**, the biannual magazine of the Nucleus for Gender Studies (Unicamp), published, with the support of the ILO, the **Dossiê Trânsitos**<sup>18</sup> devoted to a discussion on international trafficking in people, the outcome of a large seminar in which academics, experts and policy makers took part at the State University of Campinas in 2008.

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17 According to the study, “understanding signs of trafficking in persons requires that one studies the different phases of the migrant’s(s’) displacement process in depth: recruitment, transport, transfer and accommodation or shelter, seeking out traces of threats, use of force, coercion, fraud, abuse of the person’s vulnerability in all or in any phases of the process. And one also has to understand the signs revealing whether any of the phases of this process are for exploitation purposes” (p. 69).

18 *Cadernos Pagu: [trânsitos]*. PISCITELLI, A.; VASCONCELOS, M. (Orgs.). Campinas: Campinas State University, 2008. 572 p. Available at [http://www.scielo.br/scielo.php?script=sci\\_issuetoc&pid=0104-833320080002&lng=en&nrm=iso](http://www.scielo.br/scielo.php?script=sci_issuetoc&pid=0104-833320080002&lng=en&nrm=iso)

The purpose of the publication was to provide more complex discussions on trafficking in persons in Brazil, presenting the viewpoints and opinions of people who were directly involved. The article *Human Rights and Gender regarding Migration and the International Trafficking in Persons*, signed by the Brazilian Association for the Defence of Women, Children and Adolescents (ASBRAD) was an important contribution to the topic. The organisation, as we have already seen, works with people who have been deported and refused entry abroad when they arrive at the outpost in the international airport of Guarulhos, the main point of return in Brazil, through the Humane Support Centre for Migrants.

As women and transgenders are the target group of the action carried out by this NGO, the insights developed in the article were not supposed to represent all the situations of those who were returned. Nevertheless, they provide a wide range of experiences of people who have returned after being refused entry abroad:

- a) Most deported people and people refused entry arrive on flights from Spain, USA, Portugal and England;
- b) Most of the reports of discrimination are related to gender criteria;
- c) It is not possible, from the reports of people deported and refused entry, to identify objective criteria for deportation and non-entry with regard to those who are turned back;
- d) People with no money who ignore the fact they are required to show return tickets and have a significant amount of money and/or credit card with them become more vulnerable to discrimination and to being turned back;
- e) At the border control in different countries, women are victims of discrimination as they are associated with the sex market;
- f) The reasons for migrating are not limited to socio-economic causes (the reports mention a great variety of reasons, from the desire to no longer live in a rural area to fleeing from violent husbands or fathers, paedophile boyfriends or from a conservative city with a prejudicial environment);
- g) Ill-treatment often results from the stereotype of the prostitute;

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- h) The indicators of trafficking identified at the Humane Support Centre for Migrants whether they are men or women do not refer to idealised models of “victims of trafficking in persons”;
- i) There are references to situations where, despite traces of the violation of rights, women were, in fact, deported for being irregular migrants.

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From the desk-research and the interviews conducted, it can be stated that:

- Brazilian legislation still requires to be fine-tuned when it comes to addressing international trafficking in human beings;
- Even though the Federal Police have undergone training to be able to correctly identify THB crimes, there is still imprecision about the difference between trafficking and commercial sexual exploitation of children and adolescents and the exploitation of prostitution;
- Even though Public Prosecutors have been confirming the investigations conducted by Federal Police by sending THB criminal cases to the courts, there are still very few convictions;
- Even though the Brazilian Government has been working on establishing policies and devising national and state action plans to address trafficking in human beings, there is still a lack of adequate structures where victims can be referred and sheltered;
- Academic studies undertaken and still ongoing indicate the true situation has not yet been uncovered, where trafficking networks are mixed up with traditional or “home made” migration networks, formed to support relatives and friends;
- The debate on THB in Brazil can only be conducted if the debate on emigration and prostitution is deepened;
- The debate on THB must take into account gender issues which are mentioned in connection with prejudice and discrimination;

- Difficulties in identifying victims of trafficking persist. People who share stories with trafficking elements do not usually see themselves as potential victims;
- Potential victims of trafficking continue not to be identified as such and, therefore, do not receive governmental assistance in the countries of origin or destination.

This ongoing research is part of the scenario of an ever-growing number of legislative debates, public policies and academic projects. We believe that the presentation and analysis of the discourse of the main actors involved in the work of prevention and repression of trafficking will enrich the debate and will render it much more systematic.



## Chapter 2:

# Methodology

In the research conducted between August and December 2009, we tried to identify vulnerable and at-risk groups, as well as the most relevant international routes, in addition to identifying the push and pull factors for these groups, focusing on particular types of discrimination (gender, age, sexual orientation and social class).

For this purpose, comprehensive desk research was undertaken, enabling us to map the THB phenomena in Brazil, since the ratification of the Palermo Protocol (2004). The research also gathered information on the institutional efforts made by past projects to investigate routes, recruiters and traffickers, criminal investigations and existing public policies addressing the problem and protection of the victims.

As a second research stage, 29 (twenty-nine) interviews were conducted in three Brazilian States and in the Federal District. The difficulties in contacting the victims, potential victims and recruiters were great. Furthermore, with the time and resources available, it was not possible to gain enough confidence and recognition required for rigorous field work.

The inclusion of the persons interviewed to undertake the research project in the field of THB can be divided into three specific groups: (a) legal professionals (including public prosecutors, police officers, judges), (b) professionals who work with those who are deported and/or refused entry abroad, at the Guarulhos airport outpost and (c) academic researchers. The first group of informants (a) refer, in both theory and practice, to THB victims in accordance with the definition of the Brazilian Criminal Code and the Palermo Protocol. The statements made by the Guarulhos professionals (b) refer much more to evaluations based on their professional practice with a broader sample of deportees and/or those refused entry, although in practice they are able to recognise THB indicators. The interviewed academic researchers (c) provided us with a context in which field work is mainly carried out among women and transgender who work in the sex market in Spain and Italy as autonomous prostitutes.

The results presented below are mainly the outcome of interviews with police authorities, civil servants, public prosecutors, researchers and NGO employees. All have a great deal of experience and different degrees of interaction and knowledge with victims or potential victims of trafficking

The research sample can, in no way, be presented as representative of the reality of international trafficking for sexual exploitation in Brazil. Those interviewed or read about reflect upon specific groups (women, transsexuals, sex workers) or focus on limited geographical areas. While this is quite relevant for identifying cases and routes, we wonder what the results of research conducted in different States and with other groups would have been.

Another important methodological challenge was that of differentiating between cases of THB and cases of autonomous prostitution within the sample of undocumented migrant workers, where the possibilities of survival are linked to a wide range of existing informal jobs. Although it can be said that specific cases of THB only come to light when institutionalised (namely, through criminal investigations and arrests), it is important to take into account the possibility that some cases of autonomous prostitution may end up as cases of the violation of rights including elements of trafficking, albeit that this is not always the case.

In other words, if the conceptual definition of THB is complicated, it is also complicated, in specific cases, to distinguish victims from non-victims. Individuals and social groups rarely recognise themselves by the names on the labels usually assigned to them. Therefore, the greatest challenge for subsequent research projects could be to try to work with specific individuals, without being influenced by the labels assigned to them (victim of trafficking being only another one of these labels).

## Chapter 3:

# Research Results

Based on the interviews conducted, we have drawn up a list of topics which deal, among other things, with the reasons that led people to leave Brazil for Europe and which theoretically facilitated recruitment for the purpose of trafficking in human beings. The arbitrariness inherent to this classification concerns the results of the interviews conducted with (a) legal professionals, (b) professionals who work with deported Brazilian men and women and/or those refused entry and (c) academic researchers. In other words, we have grouped representations which, although dealing with distinct social groups (identified victims of trafficking, persons deported and/or refused entry, and sex workers), share the greater universe of migration in order to work abroad.

That is why the research results should be read from the viewpoint that the statements reproduced do not necessarily refer to THB victims. One has to be careful not to jump to conclusions based on the following information. In effect, not all the information on deportees or those refused entry applies to the experience of sex workers; not all the information on sex workers can necessarily be applied to trafficking; and the information on THB victims obtained from legal professionals is limited to what was uncovered by the criminal investigations and legal cases.

Obviously, potential victims or THB victims, as defined by the Palermo Protocol, may be part of the sample of persons assisted by the Guarulhos airport outpost. ASBRAD professionals managed to identify indicators of trafficking in a number of situations, even though it is difficult to address some of them. Finally, even when an assisted person did not want to report a potential trafficking situation to the authorities, one cannot eliminate the possibility that that person may have been a victim of trafficking in human beings. Furthermore, in the particular case of people who were refused entry – but were recruited by trafficking networks – the fact they were refused entry may interrupt the flow of the trafficking process and prevent the crime from happening.

## Profile of trafficking in human beings victims according to the Brazilian Federal Police and the Public Prosecutor in Goiás

Federal Police Delegate Luciano Dornelas, based in Goiás, who has taken part in 33 anti-trafficking investigations, having heard 631 women, drew up the following table of classifications based on data collected in that State during interrogations in the Castanhola, Santana, Fassini and Castela II operations.

<b>Age</b>	Between 18 and 26 years of age
<b>Skin colour</b>	Dark
<b>Academic Qualifications</b>	Mandatory secondary education (normally 8th series, nowadays corresponding to the 9th Grade) <sup>19</sup>
<b>Financial Situation</b>	Low income, normally residing in the suburbs. Contrary to what is usually believed to be the case, most of the victims come from cities in the interior of the State. Only the recruiters live in Goiânia (Capital). The victims are not in a position to pay for a tourism package in Brazil, much less abroad. Most of the victims were unemployed before going abroad.
<b>Children</b>	Over 50% of the victims have 1 or 2 children.
<b>Marital Status</b>	Over 60% of the victims are leaving an unsatisfactory relationship (marriage, stable union, etc.)
<b>Fraud</b>	Minority. 94% of victims are aware that they are going abroad to work in the sex market.
<b>Threats</b>	According to information obtained in the interrogations, the behaviour of the recruiters inspires fear; mainly in relation to the return of the money paid for the tickets should the victims not embark. This situation, however, cannot legally be described as a threat.
<b>Minors</b>	Only the Fassini Operation registered the recruitment of 3 children and adolescents, 2 of them are currently living in Switzerland.

<sup>19</sup> The Brazilian education system is composed of primary education (of nine years, normally from the age of 06 to 15), secondary education of three years, and higher education.

In a subsequent interview, Delegate Luciano stated that the victims he interrogated had no higher education and came from the interior. Many did not know how to read.

Also in Goiás, although he recognises that there are quite a few exceptions, Prosecutor Saulo Bezerra pointed out a number of recurrences which he defines as structural: most of the women knew they were going to a life of prostitution; some had already exercised prostitution in Brazil, others had not; there are also recurrences in the large number of female households.

## **Profile of Deportees and Persons Refused Entry (Guarulhos)**

The Guarulhos Airport outpost team stated that most deportees and people refused entry in Europe are women. There are also transsexuals, albeit much fewer, although, according to these professionals, in terms of percentages, the possibility of them being THB victims may be higher. In their opinion, there is a greater possibility of cases of trafficking in the age group between 18 and 35. They also mentioned low education levels and several cases of illiteracy when assisting these people.

Concerning geographic origin, professionals of the outpost at Guarulhos Airport provided general data on the whole universe of deportees and people refused entry, including those returning from the United States: “In first place is Goiás, in second Minas Gerais, third São Paulo and fourth Paraná. Now there are also cases from Tocantins, Maranhão, Sergipe, Amazonas and Piauí.”

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This data on the profile of victims and deportees and persons refused entry cannot be considered conclusive. For example, strategies for travelling to Europe can be differentiated which would allow greater visibility – and subsequent analysis – of a particular group (those refused entry or deportees) in relation to those who manage to enter the continent and apparently remain there with less difficulty.

We would also like to point out a current trend: there is a predominance of women at the reproductive age, with low or medium schooling levels, from small towns in the interior of the country, from lower middle class families or poor families in the sample

of THB victims identified by legal professionals from Goiás and among the deportees and those refused entry identified by the professionals of the Guarulhos outpost.

## **Economic necessity and decision to travel**

The above mentioned police investigations point to victims or potential victims coming from poor or lower middle class families. In the understanding of the interviewed legal professionals, the decision to travel to Europe is connected with an economic calculation (family or individual) that they will be able to earn money in a strong currency so that, once it has been sent back to Brazil, it can be used to pay bills, support the family, buy a house, among other things. There is, for example, a report from Delegate Luciano of telephone tapping when a daughter phones her mother from Europe in tears saying that she can't bear being far from home any longer. Following this, she receives a request from her mother to stay a bit longer so the mother can finish some repair work that is being done to the house.

In their former places of residence, there were situations of unemployment and sub-employment which, added to the success stories of relatives and acquaintances abroad, lead people to seek low qualified jobs (nannies, cleaners, waitresses, carers) or to work in the sex market in Europe. The Public Prosecutor of Goiás, Saulo Bezerra, points to a motivation considered in his opinion to be fundamental: the “culture of prosperity”. He says that the last conviction for THB which occurred in the State was of a woman who set up a snack bar in the area where she lived which was an extremely poor part of the suburbs of the city of Goiânia.

In her defence, the convicted woman alleged that “she was always sought after” and she only gave leads to those who wanted to leave and were motivated by her example as someone who had left poor and came back with enough capital to open a snack bar and buy a good car. She also commented that the mothers sought her out to guide their daughters towards “prosperity” abroad. The Federal Public Prosecutor, Daniel Resende from Goiás, when commenting on the same case, stated that it is because of social, family and financial conditions (lack of assets) that people submit to a recruiter.

Authorities interviewed in Goiás believe the number of women who never exercised prostitution but who opt for the sex market is significant. In a poor neighbourhood

and with few choices of work with a fair wage, the adventure in Europe would be a quick solution to acquire money and increase their level of consumption.

In the interviews of the Guarulhos Airport outpost team references are also made to people who travel with no economic support whatsoever (the case of most people whose entry was refused): *“Sometimes, we see people who come as they have been refused entry and they ask for help to go up the escalator. They have never seen an escalator before in their lives. The staff at the Infraero Information Desk tells us that sometimes people come up and ask what bus they can get to go home. I think that these people are more vulnerable because they live so far away from where they can get information and have no way of accessing it”*.

The team at Guarulhos airport states that a good indicator of the poor economic situation of a family in Brazil would be the remittances. Another element highlighted by Dalila Figueiredo, from ASBRAD, and by the team of the outpost in Guarulhos is the weight the family has in the decision to leave the country: *“There are many cases where we understand that the family income is insufficient. In the case of the women, we can tell that most of them have children who are being looked after by another family member”*. What is said about the mother’s desire is also recurrent: *“Ah, my mother didn’t want me to go”*. *“My mother’s going to be happy they would not let me in”*. However, in the opinion of the professionals, in most cases the family supports the idea of travelling.

However, Adriana Piscitelli, in her research sample in Spain, identified the fact that most of the women she interviewed had owned their own house, albeit in the suburbs, or they were or continue to be worried about their children’s education and about the minimum amount of material and symbolic goods they could offer. This argument would, according to the researcher, also explain the ease with which many of them travel to Europe. A matter to be pursued in future research would be whether, within this second group of those with a higher economic standard, there are those who are more successful in navigating the displacement and mobility processes. One of the consequences of this is that the poorer groups that are more visible to refusal of entry and deportation would become more clearly identifiable in future research.

In any case, Piscitelli also understood the importance of remittances among Brazilian prostitutes who work autonomously in Spain. According to her, all of them, without exception, helped their families: *“everybody talks to their families and regularly sends money home, including the transvestites. They send it to their mothers but also to their fathers,*

*brothers and nephews. And they do loads of things for their families. Repairs to the houses, buy furniture and homes, in addition to the monthly remittances. Everybody sends monthly remittances. But in addition to this, money also goes to their nephew's school, dental treatments, etc."*

With regard to her research sample, however, the anthropologist denies any direct association between migration and "family projects", given that there is a very strong question of individual and personal strategy. Nevertheless, the researcher stated that the prostitutes continue to honour their family obligations: "some of them get a little annoyed at their family constantly asking for things, *because their brother isn't working, etc. But they hardly ever deny the family ties existing in Brazil*".

In relation to the participation of the families in the prostitutes' decision to migrate, Piscitelli did not identify any cases where the families pushed, sold or forced the women to go abroad. What often happened was the opposite with mothers, who had younger daughters, trying to stop them from travelling. In her opinion, this did not mean that later the remittances were not more than welcome.

It should be remembered that the number of families which have the woman as the main reference (responsible person or head of the family) has been growing substantially in Brazil, according to Synthesis of Social Indicators 2007, from the Brazilian Geography and Statistics Institute (IBGE). In 2006, according to the survey, 29.2% of families had a woman in this position. In 1996, it was 21.6%. In 20.7% of the total number of families which had a woman as the head of the family, there was also a spouse (in 1996 this percentage was much less, only 9.1%). The number of women who are indicated as the family reference increased considerably between 1996 and 2006, increasing from 10.3 million to 18.5 millions in this period.

The interviews from Guarulhos and Goiás indicate that there are differences between the women and transgenders who travel to Europe: whereas some embark knowing that they will be working in the sex market, others go for informal jobs. The following regard this latter case: "*Ah, I was going to be a waitress, I got there and it was a house of prostitution*". "*I was going to be a nanny and my cousin got me the job that she used to do, that was as a prostitute and I didn't know it*".

One question is left up in the air, deserving more in depth research in the future, and that is, how many of these people had previous experience as prostitutes? For the

Guarulhos outpost staff, sex work hardly ever appears in the stories they tell: *They say: "I worked at night". At the beginning, I was annoyed about it. I wondered about the reasons that led them not to accept the fact they worked as prostitutes. But then I gradually understood that many of them have not yet resolved this for themselves. It is quite common.*" Therefore, most people interviewed by the Guarulhos team who accepted the fact they worked as prostitutes hid this fact from their families.

The irregular migration situation to be faced in Europe appeared to be known by the deportees. According to the Guarulhos team, *"in the case of the deportees, most knew they would have no documents. They knew their situation would be irregular"*. However, ignorance concerning the consequences of undocumented immigration by Brazilians is perverse, particularly in contexts where immigration is increasingly being fought against and treated as a phenomenon of a criminal nature.

## Emotional issues and "glamour"

Based on the more general sample formed by deportees and person refused entry, the Guarulhos team identify fragile emotional situations among the factors leading people to leave Brazil: *"A relationship that went wrong, a deception in love. It is very normal for this to happen."* The ASBRAD coordinator pointed out the dream of marriage is fairly important in attracting them to leave. She thinks that, *"the dream of marriage, of living in a country with a feeling of well-being, where things are not missing, where people can have children without suffering from deprivations is quite common, even for those women who already have children and found out about a friend who managed to send money to Brazil, of being able to provide a better life for their families"*. The Guarulhos team also draws attention to generational issues: *"There is also a situation where you can expect no more from Brazil. This usually affects women who are thirty-five, forty years old. What they say is that abroad there is no limit, but in Brazil you are getting old. There, there's no problem at all. There we're not old. It is very common"*.

The question of glamour appears in a number of aspects: in the success stories, in the possibility of immediately accessing consumer goods (hairdressers, clothes, good restaurants, etc.), in the compensation that the money earned in Europe will mean for those groups which suffer more from discrimination. In the case of transvestites who work autonomously in Italy, for example, the anthropologist Flávia Teixeira indicates

that the element of class is essential in understanding to what extent the money which circulates in Europe changes the lives of transvestites in Brazil, by altering and empowering these people in family and local contexts: *“A house, a new car, everything that most of their brothers and sisters cannot have. Money means a lot to their assertion on a local level”*.

In the universe of deportees and those refused entry many state that they wish to change, to get to know the world, to do what “everyone is doing”, i.e., to travel to Europe in search of work. The ASBRAD coordinator recalled that, in an interview with persons who had been refused entry, one of the girls said that in her city, in Roraima, there were no women left, that they were “all in Europe”. Along the same lines, the Guarulhos team has two exemplary testimonials: *“Something I have noticed in people from Goiás is that, at a certain age, one needs to have some experience abroad, because the family has had it”*. “Someone once told me that the biggest city in Goiás was Brussels. Because in his or her city, she was the only person who had not been abroad, everyone else had already been there.”

In the case of THB victims, the Goiás State Prosecutor believes that recruitment happens through example. *“The traffickers send a pretty, well-dressed woman with the best cars or apartment who helps improve the standard of living of the family. People start to look at her as an example of success.”* Along the same lines, Delegate Dornelas, from the same state, believes that the FP do not have much of a chance to act when passports are issued: *“At the time they get their passports, the recruiters have already taken them out to lunch at the best restaurant, they have been to the hairdresser's, have bought clothes, i.e., they are already involved in glamour”*.

## **Fleeing from violence, prejudice and discrimination**

There are an endless number of testimonials among deportees and those refused entry which refers to previous situations of domestic violence, family repression, sexual abuse, prejudice and discrimination. Although this is probably not general, a more in-depth analysis should be carried out in subsequent research to ascertain whether life stories marked by these circumstances make people more prone to trying out life on the other side of the Atlantic, without any greater guarantees of success. In the evaluation of the Guarulhos outpost team, the lack of social protection in Brazil also often results in people finding themselves in an even more vulnerable condition after deportation or refusal of entry.

The Guarulhos team, for example, refers to the case of women and transgender who state at the beginning that their families are economically well-off. But *“next there is this story of the father who abandoned them when she was fifteen years old, that she has another seven brothers and sisters. A really bad situation.”* There are also examples of domestic violence and of separation.

The recruitment of people for underpaid and unprotected jobs in Europe is supported by these situations of fragility and emotional debility. One of the Guarulhos outpost team recounts: *“This question of methods of recruitment is so subtle. “Are you unhappy here? Why don't you try your luck abroad? It's so simple”. I think they identify this moment of fragility and they play with it emotionally. And so people just mention some facts and they manipulate these facts”.*

Transvestites and transsexuals who work autonomously in the European sex market have often left home at an early age because of the prejudice around them. Flávia Teixeira accounts how she accompanied the case of the expulsion of a girl. *“Her mother went inside holding her birth certificate to show that she had been born a boy. It was an extremely poor house and the mother said: that is the room I sleep in and the other room is where the two brothers lived. And she said: ‘there's no more room for him here, got it? Like this, where can he stay?’”.*

The anthropologist registers that the expulsion mechanism of transvestites is perverse. She heard mothers say they prefer to forbid their daughters behaviour than having to deal with the question of their sexuality. Some even wish their daughters would disappear in order not to deal with the fact they are transvestites. All these factors increase the vulnerability they are exposed to, both in Brazil and abroad.

It is within this context of prejudice and exclusion that the psychologist Beth Fernandes, from Goiânia, places trafficking in persons for sexual exploitation. In her opinion, it is a social issue which exceeds the distribution of wealth and capital and is closely linked to lack of social protection, where poverty is related to the oppression of gender and sexuality, added to social exclusion and economic relations: *“One in every thousand transvestites has an official employment contract or receives social benefits. We can deduce that the vulnerability of work and its precariousness in terms of unemployment increase the flow of these populations in trafficking in persons. And this unemployment is the main cause of submission, thus enhancing exclusion in the labour market, resulting in the increase of sex work and its exploitation”.*

The psychologist also registered the specific case of transsexuals<sup>20</sup> who would go to work in the sex market in Europe in order to make enough money for a sex change operation. Only recently has sex reassignment surgery been possible free of charge through the Brazilian National Health Care Service in a process which takes two years on average. According to her, there is still another process in order to legally change one's name. Elisabeth provides this us with this information: *“do you know why there are no longer transsexuals being trafficked? Because they no longer need to travel to get the money for the operation”*.

## **Reverse of migratory flows and the demand for Europe**

In the opinion of Elie Chidiac, International Affairs Adviser to the Goiás government from 1999 to 2003, most of the problems involving citizens of Goiás abroad were related to crossing the USA borders and only few related to Europe. From 2003 to 2005, however, there was a significant increase in terms of problems occurring in Europe. The explanations for this phenomenon are related to the measures adopted by the North-American Government after the terrorist attacks on 11th September 2001. It is in this context that, from 2005, Mexico began to require visas for Brazilian citizens and the migratory flow turned to Europe

However, there seem to be other elements at stake when talking about the sex market. Traditionally, emigration to the United States was not for this purpose. The presence of Brazilian prostitutes is more common in neighbouring countries, especially Argentina, Paraguay and Surinam. The specific moment in which the sex market in Europe began to be seen as attractive for emigrants and the host society is a controversial issue for researchers in this area. One theory concerns European tourists who visit the country and become involved with Brazilian women, some of them prostitutes, and then take them to Europe. This is, nevertheless, still a delicate area of research as it involves emotional relationships, related to the privacy of the actors<sup>21</sup> It can be surmised that the change in Brazilian emigration from the USA to Europe is a result of restrictive policies post 11 September, associated with the global economic crisis and the decrease in the exchange rate of the dollar.

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20 Fernandes distinguishes transsexuals from transvestites basically because of the wish to be a woman and to undergo a sex change operation, in the former case, and to keep their masculinity as a professional attribute in the latter.

21 Here, Piscitelli defends the fact that such complexity should be confronted in a very methodological manner, endeavoring not to isolate groups of prostitutes or other Brazilian women who seek a way to improve their lives in Europe by marrying Europeans or by working in unskilled jobs: *“one has to bring the experiences of the women who left Fortaleza to marry Italians with those of prostitutes who were prostitutes here and went to exercise prostitution in Spain, in addition to those who left Brazil to work in other areas (cleaning, caring for the elderly, etc.) and ended up by marrying Spaniards”*.

## Recruitment and family networks

The Brazilian authorities mention an initial moment in the history of THB in the country when foreigners would come to Brazil to recruit women to work as prostitutes in Europe. As assessed by Saulo Bezerra, Public Prosecutor of Goiás, *“initially there were many foreign men taking part in the recruitment process. With time however women began to take on the responsibility for organizing the travel.”* According to him, in Goiás, the Spaniards who were convicted of recruiting human beings were normally owners or managers of prostitution clubs in Spain who came directly to the State to recruit women. Currently, this recruitment process was subtle and done with the help of other prostitutes, according to the Public Prosecutor.

Nevertheless, in his opinion, there are fewer women involved in the process of recruitment, although, in the past, there were none at all. Saulo recognised that nowadays the network is looser and, therefore, more difficult to monitor and dismantle - *“in the past, when there were more foreigners, it was much easier to monitor”*. In his words, *“I have my doubts as to whether nowadays most women go abroad recruited by some outsider or whether it is a case of a female friend or relative. These women recruit a greater number of people than the organisations themselves”*.

Federal Public Prosecutor of Goiás, Mr Daniel Resende, says recruitment is something that is done through the grapevine, through already trafficked people who return with only one job to do and that is to provide victims for the business. In this sense, he argues that we are dealing with networks that transform people who have once been exploited into people recruiting others in a strategy which, besides facilitating contact, does not expose the true financiers behind the trafficking.

In the universe of deportees and those refused entry, arrangements are more of a family or neighbourhood nature, very similar to those for emigration. This is the case, for example, when a cousin, an uncle, a neighbour, having obtained relative success in Europe, sends the money for a ticket to fetch another member of the family or someone from their social network, to help them in their work or just to minimise their loneliness.

Dalila Figueiredo draws attention to the fact that women and transsexuals seen at the Guarulhos outpost, when questioned about whether anyone withheld their documents or whether they had undergone any type of violation, answered: - *“I know what trafficking in human being is!”* And this was even before the professionals had asked.

The Guarulhos team always tries to find a way to talk about trafficking in human beings as it is sure that in the case of refused entry, many of them will try again: *“We don’t talk about “trafficking in persons” at the beginning as this frightens them and people do not see themselves as involved in this in any way. Trafficking has always “got to do with those Polish girls but not with us Brazilians. We Brazilians get round it”.*

However, indicators of trafficking in human beings can be found in some of the interviews given at the airport:

1)

*“There was someone in inland Goiás who once told us that there were people in her city who were watching the bars to see who was unemployed. If someone spends their whole day in the bar it’s because they’re not working. That was the kind of approach that was used with her”.*

2)

*“Nowadays, it is very common for women to recruit women. What I mean is that the man is very far away. He only talks to the person who is already there: “Why don’t you invite some of your girlfriends to come?”*

According to the professionals at Guarulhos, Brazilian women hardly ever identify themselves as victims of trafficking and consider that trafficked women are always others (especially African women): *“One Brazilian woman told me that Nigerian women are the ones who suffer more from criminal organisations. Because these organisations normally persecute these women’s families and they suffer a lot of violence from the man who is looking after them in Spain. In other words, from someone who is part of the organisation. But their viewpoint was that Brazilians suffer less than the others”.*

Dalila Figueiredo considers that the perception that the Brazilians suffer less than African women is due to the fact that the Brazilians are normally contacted by someone they know: relatives, neighbours, workmates, etc. *“What we have to understand is that because the organisation is this type of organisation of “friends”, acquaintances, relatives, cousins, uncles and aunts, godmothers or neighbours complicates the criminal process a great deal. I have a case here where the girl was recruited by the father of her son. In this case, there is a criminal case initiated against him in the federal courts but she never appears at the hearings. Why? Because he’s out there free, he has never had to go to prison”.*

The specificity of this type of organisation would, in her opinion, be the fact that personal relations apparently supplant and overlap criminal organisations and this brings with it a huge number of ramifications. Even though it does not exclude the possibility of networks aimed exclusively at perpetrating the crime of THB – she quoted a case in Brasília where a person was killed for having reported a criminal organisation – but Dalila thinks this is not the rule in Brazil.

Nonetheless, Delegate Luciano gave some examples of criminal organisations specialised in trafficking. There was, for example, the case of a military policeman who recruited girls from Goiânia and his “office” was installed in a garage with a false wall. Behind it there were computers and his wife also took part in the scheme. According to him, *“the Federal Police knew about it through authorised phone tapping and managed to hear the threats made by military policemen to the girls”*. In this case, they managed to arrest and convict the couple, who were charged with THB.

Another complex question is the organisation of the travel and the cost of the ticket. In the experience of the Guarulhos team, *“normally the person who calls pays and is the first link to the debt. That is the first debt. And the person who pays is normally the employer or boyfriend or friend, sister-in-law, etc. It is very common for the family who is already there to pay the flight”*.

The debt incurred with this trip, characterised as an important factor in the identification of THB, also appears to be played down among the deportees and those refused entry. It seems rather like a necessary economic investment used in the strategy to work in Europe. The Guarulhos team enhance this perception by referring to a number of cases where the women and transgender pay their debts and manage to return or else remain in the country working as prostitutes: *“We saw a deportee who was making her second trip. She was a victim her first time abroad but she managed to escape. This happens a lot. They get out of their situation alone and run away with the help of a foreigner and an attachment with this foreigner is created. And often that person finally opts to continue as an independent and autonomous sex worker”*.

The payment of the debt, according to Dalila Figueiredo’s account, appears as the moment when they gain autonomy: *“In England, a girl took almost one year to pay her debt. When, however, she attained autonomy and she had an offer to go to Ireland, she was deported. Despite the debt and despite her friend terrifying her with the British police (stating that at any moment she could be arrested), the informant did not consider herself a trafficking*

*victim*". Although, in Dalila's opinion, the conditions under which she travelled and lived revealed a potential situation of trafficking, the woman felt very angry about her deportation which happened just when she had paid her debt and she could have started to save some money for herself.

The research did not find a unique model of recruitment. "Home-made" models and more structured models most probably coexist. One way to obtain more detailed knowledge on this subject would be to make an analysis of the police investigations under Article 231 of the Criminal Code, from 2004 to now. It is a job that still needs to be done.

## **Love and success stories**

In the universe of deportees and those refused entry, the Guarulhos team registered situations in which the people get to know foreigners, fall in love and wish to travel to Europe: *"For example, there was a girl I assisted that was refused entry who told me she had met a Spaniard on a beach. This Spaniard approached her and asked if he could date her. So, he finally invited her to Europe and paid her ticket to go abroad. We realise that these things often happen. There are some cases of this over the Internet"*.

We often hear things like *"he really wants to stay with me, he accepts me the way I am"* or *"I was never given any affection or attention by my family and he said he would give me affection, he promised he would, so I believed him"* and those who talk about marriage plans, in the words of one of the professionals *"a foreign prince"*. Although some of these situations may lead to the exploitation of Brazilians in Europe, we are far from having sufficient evidence to state that such situations lead to cases of THB.

The members of the outpost team in Guarulhos told us about the case of a Brazilian prostitute who fled the brothel by climbing over the wall and was left with no contact in the region. And then she remembered an Italian she had met in Brazil. She asked for his help and later married him. But it was far from a happy ending: *"She became a victim of domestic violence. He even dragged her by the hair and left her in a brothel, and told her: "You just stay there and what you earn is mine"*. According to the team, *"in these cases, it is very complicated for a person to identify themselves as victims because the emotional relationship leaves everything very hazy. So, it takes times before a person realises that it really was trafficking, that they went there because someone paid for it..."*

In relation to the influence that success stories have on the decision to emigrate, the Goiás Public Prosecutor, Saulo Bezerra, quoted the Mayor of a small city in the State when he commented on the case of some girls who married foreigners or girls who come on holiday from Europe and *“leave the other crazy girls to go too”*.

The Guarulhos outpost team also mentions a number of stories like this: *“when one heard of a girlfriend who had gone to England and had already managed to send money back and buy an apartment for her mother”*. For them, testimonials about positive experiences abroad play an important role in the decision to emigrate.

Adriana Piscitelli considers that stories of failure are still told in the immigrants' cities of origin: *“What happens is that what motivate people are success stories. The failures are also told in these people's cities of origin but they are not really listened to.”*

## **The wish to return to Europe**

ASBRAD president, Dalila Figueiredo, told us about a number of women who underwent an enormous amount of difficulties and who, as soon as they had paid their debt (mainly with their tickets) were deported. According to Dalila, these girls plan to return to Europe: *“She had already suffered so much and at the time she was earning her own money, she was prevented (...) that is a person who had already travelled, who had seen the world. She had been through so much. It's quite reasonable for her to want to return”*.

The same can be understood from the opinions expressed by the Guarulhos team: *“I saw a woman who came to Brazil just to have her baby. She had her baby, stayed the time of her maternity leave and decided to go back. And she was denied entry but she didn't even go to Goiânia. She stayed in São Paulo because she was going to try again the following day.”* In addition to the economic aspect, the return to the lack of adequate social, psychological, legal and economic assistance probably plays an important role in the decision of the deportees or those refused entry to try again.

Also, in relation to this topic, Dalila points out other reasons: *“except in the case of that person who has gone through terrible situations of violation and is, therefore, very traumatised, only in very few cases do people not want to return or try again”*.

## The language

Another reason for choosing European countries to emigrate to concerns the language. Dalila Figueiredo said that some European countries such as Spain and Portugal are targeted due to the similarities between the languages.

Saulo Bezerra, from Goiás, also believes that the potential victims first of all try Portugal and Spain because of the language, but he also says that many want to go to Switzerland for economic reasons. Delegate Dornelas from the Goiás Federal Police states, for example, that thirty minutes of paid sex in Portugal or Spain would cost 50 Euros whereas in Switzerland prostitutes would receive 150 Swiss Francs for 10 minutes, which is a lot more.

It should, however, be noted that the lack of knowledge of the language of a number of European countries is often a factor which increases their vulnerability. According to Guarulhos' professionals, most of those refused entry did not know the language of the country they wanted to go to: *“They come with stories that they went there to learn and some didn't study but they managed to get by just the same. This also may result in violation of their rights at the time the person disembarks abroad. At the time the person enters the country, there is an immediate confrontation with the border control agents, quite often because of the fact they do not speak the language”*.

Another case recounted by the airport outpost team supports this theory of vulnerability resulting from their ignorance of the language of the country of destination: *“So I asked her if she was provided with an interpreter, as it is her right to have one, and she answered that there was a girl who spoke Spanish. She then showed me the papers she had signed and I asked: ‘do you know what you signed?’ She said: ‘No’. And her papers had been signed by a person who said she was a Portuguese interpreter. The question of language leaves a person much more vulnerable”*.

## Family networks and networks of friends

The Guarulhos team pointed out the importance of family networks: *“My cousin and other guys are there,”* so they naturally go to Portugal. *“Portugal is always a good choice for a first experience and then move to another country where they pay more. So, Portugal is the first step in that experience”*.

Dalila Figueiredo recounted the case of a girl, whose friend had offered her the opportunity to go to England, and paid for her ticket and managed to get her a passport and papers. Piscitelli also mentioned the case of a girl invited by her sister to work as a prostitute in Europe *“For example, one of them finished her degree in Brazil but didn't have a job. Her sister didn't charge her anything to get to Spain but technically it could be considered she was recruiting, which reveals the contradictions still present in the THB field”*.

In fact, the difficulties concerning the definition of trafficking contained in the Palermo Protocol and in different national laws become obvious when you look at actual cases. It should also be noted that the family network does not always mean protection. The Guarulhos team, for example, told us about the case of a girl who was living in Europe and invited a cousin to look after her baby, afterwards exploiting the cousin: *“The girl ended up being exploited within the scope of her own family. She received no wages to look after the child and worked too hard. In these cases, it is difficult to acknowledge her as a victim because she is being fed and is living at her cousin's place, etc. That's the kind of thing we hear”*.

## **Demand for women**

In this chapter, we are not going to discuss supply and demand for the sex market in Europe. Rather, we are going to give an insight into something that is potentially more important for future studies: the marriage market in areas with older single men, namely, from families in the countryside.

Adriana Piscitelli commented on the case of a Brazilian prostitute who married the youngest son of a Spanish family that had a small property. He looked after goats and had never had a girlfriend. In this specific case, when the flow of Brazilians to the region began, several of them were introduced to him and the boy finally chose a girl as his wife.

In Galicia, where this happened, the clients are mostly uneducated country folk who need the prostitutes to speak in Portuguese so they can be understood. Many do not get married, live alone and use prostitution as an emotional outlet.

The anthropologist stated that the profile of the Brazilians who were in Galicia were very different from the Brazilians who were, for example, in Barcelona and Madrid. In addition to being older, they had more curves and did not look after their appearance as much as the others: *“They wore shorts, tops and were very affectionate. Affectionate in a sexual way but also very familiar with the clients”*.

Although Adriana Piscitelli's work concerns autonomous prostitution and could not be used in trafficking cases, the demand for women may be an important object for future research.

## Transvestites' motives

For Piscitelli, the experience of those transvestites who exercise autonomous prostitution is somewhat different given that in their case, *“prostitution is like a path they follow in finding their identity as transvestites. This relates to the question of recognition, of feeling appreciated. And as far as this is concerned, it is not only a question of earning money. They are obviously going to help their families but it is more a question of finding a place in the hierarchy of the world of transvestites. Those who have been successful in Europe are highly considered in Brazil. And this is related to the symbolic universe of their own world”*. According to what was said at a meeting at the Department of Social Welfare held in Belo Horizonte, under the coordination of Elisabeth Leitão, Under Secretary of this body, we hear that *“the dream of a teen transvestite is not to be an actor or football player; it is to be all dressed up and set up abroad”*.

In the case of transvestites, success stories play a fundamental role. An example is the case of R.S., interviewed in Macondo (MG). She told us that she started her life as a prostitute abroad in the '90s. She went to Italy and was successful on the streets of Milan and Rome and managed to accumulate a significant amount of money. Her networks of friends and transvestites were extended to include those who were already established in Italy. For these transvestites, the financial return appears to be reasonable and the trip, the violence and humiliation are all forgotten when they return with enough money to buy a house, car, clothes and the ideal body.

By helping their relatives, friends and other transvestites both economically and socially, they also manage to assert themselves in their place of origin. The significance of the money gained in Europe in this case transcends a simple financial-type relationship and comes to denote the strengthening of previously established social ties. The money earned by these transvestites in Europe has an important symbolic value as it transforms their lives and relationships with their families in Brazil, by changing and empowering them. Beth Fernandes, for example, tells us about the case of a transvestite from Goiás who lives in Switzerland today: *“When she lived here, her father would beat her with a stick. Now he kisses the ground she walks on as he has already bought six houses for the family”*.

The cases examined by Piscitelli and the interview held in Macondo involve autonomous prostitution and are not cases of THB. However, this information is worthy of note given that it could help in further studies on transvestites and transsexuals who fall into the THB networks.

## Mobility and routes used

The routes used for exiting the country are almost always through international airports with direct flights to Europe, such as Guarulhos (São Paulo), Galeão-Tom Jobim (Rio de Janeiro), Guararapes (Recife) and Presidente Juscelino Kubitschek (Brasília). At a meeting held in Belo Horizonte (MG), officials from the local administration, commenting on the increase in the number of THB cases involving people from that State, added that only recently had they started direct flights to Portugal which may have led to an increase in emigration trends.

In the world of deportees and those refused entry, Dalila Figueiredo, from ASBRAD, explained that the routes change a lot and at any time. She is of the opinion that *“all this movement in Europe to make legislation against immigrants stricter results in things changing even more quickly and people reorganising things to get round the new rules”*.

The ASBRAD team describes different cases of deportees and people refused entry who do not even leave São Paulo but who assert that they are going to try to return to Europe as soon as possible *“the next day”*. This type of situation is a warning regarding possible cases of THB: *“If you can buy a ticket on the next day it's because you have money there, right? This is a rather hazy point. It's the boyfriend ..... who never appears but he sends the money”*.

In terms of travelling inside Europe, the Guarulhos team often hears that it is mainly between countries such as Switzerland and Spain with prostitutes travelling quite often: *“she is always looking for the brothel of the season, the one that will make most money. For example, I remember a girl who changed all her plans because of a very traditional feast in the interior of Spain. (...) And there is also the question of turnover. Clients want new prostitutes and they move from one house to another, looking for the ones offering novelties”*.

The references to displacement strategies we heard about were connected with the possibility to extend the time allowed in the country: *“They say that by going to Switzerland*

*they leave the European Union and can go through Switzerland back to the EU and stay there for another three months. I really don't know how it works but I know they normally rely on it."*

Another factor pointed out by the airport team is recruitment for THB in Europe: *"And she went there to find a job, she couldn't find one and she ended up by being lured by an Arab who invited her to go to Denmark to work as a maid, but it was really prostitution. The deceit and exploitation did not take place from Brazil to Spain but from Spain to another country"*.

Questioned about the possible routes used, the Guarulhos team answered that their immediate priority is the protection of the victim and not obtaining specific data about routes: *"Our approach is so fast that there is no time to find out everything. Most of the flow is to Spain but we haven't noted anything specific. (...) And another thing, we consider our priority to be information on the violation of rights and trafficking in persons."*

Among the transvestites who exercise prostitution autonomously, the level of mobility appears to be greater and in some cases with periods of work in Italy which coincide with their three month tourist visas. In this case, the visas are in order but tourists are not allowed to work. Nevertheless, more field research is required to study this in greater depth. In an interview conducted with a transvestite with over twenty years experience in the sex market, we were told that she had already been to Italy over thirty times and the reason was never to stay or settle in Italy. On the contrary, her interest is in being mobile and being able to accumulate money, always travelling between Italy and Brazil. Furthermore, getting into Italy has become increasingly more complex. In order to enter the country, stratagems are used which make the trip extremely expensive given that alternative transport and local guides and intermediaries have to be paid.

When visiting the house of some transvestites, their evident mobility was drawn to our attention: *"I'm going tomorrow", "I'm going the day after tomorrow", "one of us went yesterday", "one of us went the day before yesterday"*. This seems to indicate that there was nothing to keep them in the house, no ties whatsoever. Mobility is intense and people were apparently free to come and go as they pleased, whether travelling in the country or on international trips.

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22 Once again, despite this strategy allowing transvestites not to become irregular migrants in Europe, the work, even if informal, is not compatible with a tourist visa.

Another important question in relation to the question of routes is that one cannot analyse the exit of women and transvestites to Europe without thinking of previous displacements, demographically characterised as “internal migration”. According to the Public Prosecutor Saulo Bezerra, one of the reasons Goiás has a higher percentage of victims of trafficking, is the geographic location of the State, as it is central and easy to travel from to other points in Brazil and to Brasília. A police operation that was interesting because it corroborated this was undertaken by the State of Goiás' Police Office for Women which rescued six possible victims of internal trafficking, only two of them being from Goiás – others coming from Minas Gerais, Mato Grosso and Maranhão.

## Exploitation and Discrimination

As far as deportees and those refused entry are concerned, the ASBRAD coordinator pointed out the high level of discrimination suffered by Brazilian women that try to enter Europe who are treated as prostitutes. According to her, discrimination sometimes does not depend on economic criteria but is simply linked to the association made by the authorities between Brazilian women and the sex market abroad.

Reports from the Guarulhos team also point to this possibility: *“Normally the people who are treated properly are an exception. It is more common that they have terrible stories to tell. And others who understand things this way: Ah, he insinuated that I was a prostitute and so I won't get in'. It is very common to hear this from Brazilian women. 'I am not going to let you enter. What are you coming to do here?'. Already assuming it is going to be sex work. A certain x age group, x cleavage, x dress, both there and here, determines the way the authorities treat you”.*

The same team relates that deportations are traumatic and that many people arrive back desperate and depressed: *“I saw a person who only had a man's blazer on her back that someone had given her, high heeled sandals on a very cold night. And she had no passport and asked if she could be accompanied on the following day on the bus. In this case, we have to shelter her so she can decide what to do”.* *“Those who have been refused entry normally return to the State they came from. The biggest problem is with deportees because most of the time we hear that the family has no money. And so what can I do? The situation of deportees is most critical because they come with no money, no documents, no luggage, nothing.”*

Dalila Figueiredo's perception is that there are also signs of corruption by authorities in different countries in Europe who ask for money to allow them in and not send them to migrant detention centres, etc. For her, *“even though it happens time again, corruption by the authorities is difficult to prove and investigations rarely reach their end, often because of the stress that a situation like this puts those who report it”*.

For the Guarulhos outpost professionals, stories on exploitation, when they appear, usually refer to the abusive prices charged by Europeans for people identified as irregular immigrants, prostitutes or transvestites: *“What happens again and again is that things are much more expensive because they are irregular immigrants in Europe. They manage to rent a place but that place costs twice as much as a national of that country would pay. And this goes on in several countries”*.

Being a foreigner and, above all, an undocumented immigrant is one of the major difficulties faced by deportees from Europe who are seen at the Guarulhos outpost: *“There is another problem, the irregular Brazilians are afraid to help others. I think this makes Brazilians abroad feel even more vulnerable. The fact they do not have a support network makes them feel more fragile. Foreigners, regardless of how good they are, are always in a better situation than you. The relationship is never an equal one. There is always a feeling of insecurity when one is an immigrant. That is not what they were used to in Brazil”*.

In the same way and in regard to discrimination, Adriana Piscitelli argued that until a short time ago she would have diagnosed the main problem of discrimination with women who work on the sex market in Europe as being related to prostitution. Prejudice was basically against prostitutes. She mentioned a few cases of deportation and expulsion. Now, her diagnosis is, however, that prostitution is one of a number of factors of discrimination and that immigration is becoming of certain significance in this area. *“In Antequera, the police were waiting at the school gate in order to catch the parents with their children. In other words, we have situations that have nothing to do with prostitution but have to do with the persecution of Brazilian immigrants”*. Prostitution is decreasing which, in her opinion, has to do with migration policies becoming stricter and with the recent economic crisis.

In relation to transsexuals and transvestites, Dalila Figueiredo considers that prejudice against the stereotype is very strong. Dalila commented on an interview she had with a transsexual who had come from Goiânia and who worked in a men's club in Italy. She said that in order to earn a hundred Euros, she would have to go through hell and she

had been the victim of many rotten people, who had kept her money. She had already been held hostage by someone so she could conquer some kind of autonomy, which describes a situation of THB.

When she arrived in Brazil, this transvestite experienced more discrimination and disrespect, as Dalila points out: *“Now, why did I talk to her? Because her suitcase didn’t arrive. And we were before a group of tourists and the tourists just skipped the queue and complained about their luggage. But I didn’t let them. What’s going on? It is discrimination. She has to be attended when it’s her turn. (...) The other day I also heard a guy from a Brazilian airline who said that she (transsexual) deserved to screw herself up, as if he cared, because she left Brazil to make a good life for herself abroad and hoped that her case didn’t turn up. Then I went to the baggage claim (her suitcase was pink) and the girl was rude to me and said: Ah, come back tomorrow, it may be here by then. And the transsexual recognised her suitcase there! She suffers from a great deal of discrimination. That is why it is important to raise awareness with airport agents (...) But, on the other hand, transsexuals can often react and sometimes we have to help out. They are true warriors, they react”*.

The anthropologist Flávia Teixeira also brought up a number of details about changes in the treatment of the migration issue from the perception of the transvestites themselves who are autonomous prostitutes in Italy. The researcher says that, since 2008, transvestites have stayed longer in Brazil because of Italian policies restricting immigration. According to her, transvestites talk a lot about this in order to try to understand what is actually happening in Italy at the moment. The idea that Berlusconi’s government used to be good and suddenly started to persecute them is very common and widespread. They say the same thing about Mitterand in France who, they say, acted in the same way and *“ruined the country”*.

The question of the repression of migration became a big part of their daily lives from 2008 on when they started talking about *“banishment orders”* – which are notifications issued by the Italian authorities to leave the country. According to Teixeira, transvestites are in a vulnerable situation in Italy, not only because they are prostitutes or because they are irregular migrants, but also because they do not know anything about the bureaucracy in the country. Many of them hardly speak the language and the only thing they know is that they are irregular migrants.

The researcher commented that the transvestites who are part of her research work live in apartments in Italy and they normally have 2 or 3 rooms which they share among

themselves. The apartments are usually leased directly from Italian landlords, who charge much more because they are irregular migrants. Furthermore, the transvestites pay up front and have no guarantee that they will be able to remain there until the end of their stay.

Teixeira says that there is a constant fear of being reported by neighbours or friends or acquaintances, reports that could be made for any reason at all. For the researcher, they cannot even state whether they are Brazilian citizens or not. It is, therefore, uncommon to involve the Brazilian Consulate. They very rarely use any kind of migrant service.

The researcher says that when someone says that transvestites live in conditions of extreme poverty in Italy she is somewhat surprised and this should be played down a bit. According to the anthropologist, it would be interesting to compare extreme poverty in Europe with extreme poverty in Brazil. Because if the reason for it is because of the collective houses, it should be remembered that the houses are collective both there and here: *“this does not necessarily mean conditions of extreme poverty. The collective houses are common in the world of transvestites, mainly because of expulsions from their home of which they are often victims”*.

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Two points should be highlighted in relation to the previous points: (1) the difficulty in accessing the Brazilian Consulate and (2) the apparent lack of protection by the European authorities who, as set out in the Palermo Protocol, should protect them in cases of trafficking in human beings.

As far as the role of the Consulate is concerned, it was reported by some key informants that Brazilian migrants are often afraid to seek the help of consulate authorities or even disappointed when they do so. A deportee who had fled from one situation of sexual exploitation, resembling a potential trafficking case to another in her marriage sought out the Consulate out of sheer desperation, without however any success: *“I remember her telling me that once they had separated, he hit her in the middle of the street as she entered a LAN house, saw the emergency phone number of the Consulate, phoned her and the person who replied said that it was not a case for the Consulate. It was a case for the police and that they wouldn’t do anything. And that is why these kinds of comments are important, because they show the Consulate’s limits. At the same time it shows the type of necessity that the Consulate does not respond to. But someone needs to be accountable for these types of situations”* (Humane Support Centre Team).

In relation to the lack of protection, the information obtained during this research points to an apparent lack of capacity of the authorities regarding the identification and protection of victims or potential trafficking victims. The cases described below by the Guarulhos professionals are important in this sense:

1)

*“I remember two situations in which two girls who were deceived. They were called to work as waitresses, but when they got there they saw it was prostitution. And they managed to escape. They managed to get their passports back, one fled over the roof top and the other was helped by a Portuguese man. She fled to Switzerland and then went to Portugal because of it. But they fled alone, of their own free will. In this case, the Portuguese man who had helped her was a client and she remained in that situation for five days before she managed to get away. And the other girl just fled: she went out in the middle of the night and jumped over the wall.*

*And the other one who jumped over the wall went to find an Italian she had met in Brazil, (...) they got married (...). But she ended up being a victim of domestic violence (...) She finally managed to escape again and went to the Consulate and then came back to Brazil with the help of the International Organisation for Migration (IOM<sup>23</sup>). She finally got help but not from the Consulate. I remember her saying that she phoned an SOS number. As she had separated from her husband she was no longer entitled to work on a regular basis and, at the same time, she couldn't leave the country because her legal separation process was still under way. She came here, without her situation being resolved and at no time during this did she consider herself a victim of trafficking, despite the assistance she received to return”.*

2)

*“We also saw the case of a person who managed to get out alone, with the assistance of IOM. And she was given psychological support which helped her as when she returned she was already dealing with the situation better. In this case, she returned with the help of a Swiss NGO. Sometimes people arrive with the help of NGOs. The help is normally to get away from that situation. But once they do they have no more assistance”.*

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23 Since mid 2007, the number of Brazilian emigrants returning mainly from Europe has increased significantly. IOM (International Organisation for Migration) Southern Cone, through their office in Buenos Aires, assists those returning to Brazil in coordination with missions in Europe. In this sense, the head office in Buenos Aires, in conjunction with their offices in Ireland, Belgium, Switzerland and Portugal, coordinates the voluntary and assisted return of Brazilian citizens who reside in Europe and who, for different reasons, decide to return to their country.

In this way, a number of women and transsexuals appear to be moving from situations of exploitation related to the sex market to marriages and relationships with European men. Some testimonials refer to problems in this transition. This fact was highlighted by the Guarulhos team:

*“There was the case in which a person got out of the situation of trafficking after they had paid their debt, became hostage to a servile marriage and then came back with no money at all. And she had been in Spain for over ten years (...) In this case, what happened was that she got no support in Spain and entered other horrible situations of servile marriages. And she arrived here and there was very little we could do as she was so fragile. We tried to get her an appointment for urgent psychological care, but she did not want to go. She wanted to go to Anhanguera<sup>24</sup>. She said: “I’ll get a lift to Anhanguera because I want to go home”. And she was from Tocantins. We had had contacts with her family because the family phoned saying: “Look, she’s going to come back”. She had had no contact with her family and we served as mediators as she had not been to Brazil in over ten years”.*

These cases are not common and they are difficult to identify and to receive any intervention from the authorities, when necessary. It would, nevertheless, be important to conduct aid campaigns and create services aimed at women and transsexuals, both in Europe and Brazil, who are victims of domestic violence abroad.

When they realise that the people want to return to Europe, the team at the Guarulhos outpost, work to empower them to be able to consider this return in more depth, to plan it properly and to be informed of the rights and duties of migrants: *“This happens a lot in their return plan because they did not get in but will try again. So we try to empower them to ensure that they are not so vulnerable when they return. So, when people are refused entry they have to make a new plan for their lives because their attempt to migrate was not a success. From information on a more secure plan for their return, better orientation, etc..(...) We don’t use that word but say: “Look, there are people who do this. There are people who invite you there but sometimes it is not like they say it is going to be. Then you’ll get your passport stolen”. We end up working as a kind of a preventive way in these cases of refused entry”.*

According to them, they have been asked: “Why are you at arrivals and not at departures?”. Their answers points to the maturity of a small team that is very secure

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<sup>24</sup> Anhanguera Highway is a highway in the State of São Paulo, officially called SP-330. It is part of the BR-050 system connecting Brasília to Santos.

that the support to deportees, those refused entry and potential victims of trafficking, is not an easy task but one that can nonetheless be done especially because they learn to respect the suffering, individuality and knowledge of the people they support in a joint pursuit for solutions:

1)

*“Firstly because everyone is entitled to come and go. Secondly, because it’s not convenient as people have sold their homes, they have planned everything. You can’t stop them. In the case of people refused entry, what we try to do is to show them situations in which they could be less vulnerable. So we give them the contacts of the Consulate, of the Ministry of Foreign Affairs, etc... We try and give them as many contacts as possible and tell them they should learn the language so as not to be so exposed. We try to empower them. We ask them if they have this or that to see if they realise what they need. We try to warn them instead of telling them not to go. They have already decided they are going. That’s a fact! And people take advantage of this time to accept hints about what to do. When we talk about the Consulate, they normally think it is too remote for them. The Consulate is never a reference. Generally, the reference is a friend who has gone and is there now. So we talk about the economic situation, the crisis, the change and we try and put the Consulate somewhere in the middle. To get to know the country, do some research; learn a bit of the language. All of this helps them feel more autonomous”.*

2)

*“We always acknowledge the fact that people are autonomous. We don’t say: “do this, do that”. We have to respect their autonomy. What we do here is talk: “look, you can do this or that”. You can choose one way or the other. So we think just how far we can go without infringing on their autonomy. That has to be very clear. Because when this happens, they will take heed of the guidance given and choose the most secure way ahead. As long as they understand that they are part of the process because if not they are not going to think and will carry on doing what they know how to do, i.e., get by on their own, but very often this involves a lot of suffering.”*

In their work they have also learnt that there is no standard victim profile and that people are masters of their own destiny and are entitled not to share it, even with those who are offering protection:

*“What we learn from our work is that there is no standard type of trafficking victim. None. It’s obvious that there are repetitions from time to time but still we cannot say: this is the profile.*

*Firstly, these people have had the capacity and the courage to leave the country. And they have their own autonomy, desires and wishes. So during any consultation things have to be constructed with them and what they are thinking has to be taken into consideration. If this doesn't happen the consultation is worthless. And in the case of trafficking in persons, there is always someone who does not want to report, but needs help. And for that reason many people don't want to resolve things. Because they only want to use the facilities without reporting anyone. This still requires further discussion. (...)*

*Even more so in our case, as we only find out whether the person was a victim after the first conversation. Another type of course is often required, a shelter is needed. Because her trip is not yet over. She didn't want to tell. She needs shelter. So the follow up has to take this complexity into account.(...)*

*We can't force her story out of her. It doesn't mean she doesn't have a story to tell. She does. But we need to converse and make her feel comfortable and then the story will come”.*

## **Interview with R.S., Macondo**

Quite an important interview for the research was conducted at a house of transvestites in Macondo. According to the specialised literature and authors who work on the topic of transvestites, it is quite common for them to live in collective houses.

Such a residential arrangement seems to be a result of the fact they are expelled from their families which victimise them, generally during adolescence, when they take on the identity of a transvestite. Once they leave home they often live in fairly violent and hostile environments. Collective houses are places of affection and, therefore, important for their emotional well-being. In this case, it is common for an older transvestite to be the owner and the others rent it, paying a monthly amount aimed at covering food and lodging<sup>25</sup>.

The house is located in the last street of a suburban neighbourhood. The transvestites were quite welcoming even though the time we called on them was not the most appropriate – late afternoon, when they are normally getting ready for work, the care of their bodies requiring a certain amount of time.

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<sup>25</sup> R\$ 10,00 reais/day.

Born in a small town in the interior of the State of Minas Gerais, R.S. began to work at the age of nine, as a *bóia-fria*<sup>26</sup>, during the harvesting of coffee, oranges, corn, etc. Her family was quite large, her father used to beat the children a lot and her education was hard and severe.

At a very early age, R.S. also began to prostitute herself in Macondo, a medium-sized town close to his city of birth. She bought her first house at the age of fifteen, with money from prostitution. Still an adolescent, she continued to be a prostitute and managed to save some money.

R.S. defines herself as a hard-worker and a “go-out-and-getter”. Many of the things she has today were obtained through hard work and by abstaining from boyfriends and drugs. In her opinion, these are the two worst enemies of transvestites who exercise prostitution both in Brazil and abroad. When she was a prostitute in Macondo, she told us, she would take bread and salami to the streets and wouldn't even buy water, even using her own bottle from home as a way to save money.

From the '90s, R.S. began her path as a prostitute abroad. She goes to Italy, is successful on the streets of Milan and Rome and manages to save a significant amount of money. The networks of friends and transvestites grow and also with a great deal of hard work she manages to settle in Italy.

During her international travels, R.S. makes use of every opportunity to earn money, and not only with prostitution. For example, on the cold streets of Milan, prostitutes and transvestites usually take whisky and energy drinks to put up with their routine until the morning. R.S. said she used to buy boxes of Logan whisky and pour it into small bottles, which she would sell to the other girls for a higher price but still cheaper than that sold in the shops in the region. In this way, she managed to cover part of her expenses.

The prostitutes normally hang out at a motorway some distance from Milan, with vegetation nearby. This “spot” or zone was bought by Brazilian transvestites for about 40 thousand Euros (it used to belong to two sisters who were prostitutes from Romania). The tricks are normally done there, quite quickly.

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26 An expression used in Brazil for workers who leave home at dawn to work on the harvests of large estates in the region, receiving daily wages and no social or labour benefits. It is normal for children, from a very young age, to accompany their parents in this task. They take their lunches with them, and as they are prepared before they leave home they are cold by lunch time. That is why they are called *bóia-fria* (cold food).

Prostitution was only done with Italians as R.S. considers other foreigners “dangerous”, especially Albanians and Moroccans. Police persecution, resulting from irregular migration or their activity, is constant. Transvestites and prostitutes need to be careful and, if necessary, to run and hide.

The transvestites say that they feel exploited by the population and the Italian authorities: they pay more for all types of services (from food and clothes to the leasing of vehicles) and they need to put down a deposit and many other types of collateral randomly chosen by the tradesmen. This exploitation by the trades, police and owners of establishments is presented by the transvestites as constant. Such declarations, if proven, show that there is a hierarchically unequal, albeit, traditional relationship between the local society and Brazilian transvestites. It should be noted that the interviewee did not show any sign of having reflected upon her experiences and her condition as an irregular migrant in the country.

Following Flávia Teixeira’s argument, “*the double stigma of being a prostitute and “undocumented migrant” makes the prostitutes very vulnerable in Italy*”<sup>27</sup>. In fact, the Italian approach of closing borders to irregular immigration resulted in more pressure and difficulties for the daily lives of transvestites in the country: in addition to vigilante patrols made by Italian plain-clothed civilians, some cities get together to buy the transvestites tickets so they can be deported as quickly as possible. In these municipalities, according to R.S., the mayor himself coordinates the collection, through coupons.

The cases of violence and inhuman treatment in prisons are also common. R.S. told us that, at a certain time, she and other transvestites were detained; they spent over 24 hours without food or water. Then they received bread with rotten salami. According to her, it is normal for transvestites to have to prostitute themselves with policemen in exchange for food.

Another transvestite present at the interview said that some Italian policemen, outside their working hours, suggested that they could do a trick free of charge and, in exchange, they would let them go when there was a raid. She refused as she knew that in the case of a raid they would be the first to arrest her as the local authorities normally set quotas for the number of transvestites arrested in one night or weekend.

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27 TEIXEIRA, F. B. “L’Italia dei Divieti: entre o sonho de ser européia e o babado da prostituição” In Dossiê Gênero no Tráfico de Pessoas. Cadernos Pagu (UNICAMP), No. 31, 2008, p. 288.

In relation to the intervention of the Brazilian Consulate, R.S. was somewhat ironic, saying that the role of the Consulate was to help arrest transvestites. The Consulate is seen by her as a dangerous place, given that there are Italian police at the entrance just waiting to pounce on irregular migrants. R.S. told us that when transvestites need the Consulate, they wait until the police leave and then all run into the building.

The transvestites describe how they manage, albeit with great difficulty, to work and save money. They rent a small apartment, with a bedroom, living room and kitchen. The neighbours are old people. The next-door neighbour is a man who likes the prostitutes; the neighbour downstairs is a lady who is in a wheelchair and “*she doesn't bother anyone*”. They only have problems with the neighbour upstairs who knocks on the floor when she hears loud conversation. The transvestites define their relationship with the neighbours as “*good*”. When they go to Italy they take presents for them and help them to take out the rubbish, among other little helpful tasks. The neighbours pay them back by warning them about the vigilante groups (from 6 p.m. to 8 p.m.) aimed at identifying and reporting irregular migrants to the authorities.

The closeness the transvestites from Macondo feel towards Italy is quite striking. In addition to speaking Italian, they say they know the traffic of the cities they settle in, like Milan, Rome, etc., very well. The presence of Italy in their daily lives is remarkable and the country is a truly important place in their representations. This can be seen in their home in Macondo, in the Italian expressions they use every day and in the Italian music they listen to.

R.S. and the other transvestites who live in the house travel together at Carnival and visit the waterfalls in the region together and have barbecues at the weekend. According to them, “*when we go out alone we suffer from a lot of prejudice. All of us together is fun, nobody bothers us. We take our drink, the meat to grill and we all have a super time*”.

For these transvestites Italy appears as an outpost of a territory which began to be outlined on the streets of Macondo and other Brazilian towns and that crossed the Atlantic when the obvious facilities of mobility resulting from globalisation opened doors for them to new streets, new territories.

There are no tricks at the transvestites' house in Macondo. Its residents work as prostitutes at night and use the house as their residence. According to their statements, when they come back from Europe, most transvestites do not want to live with relatives or family in other regions of the State or country. They prefer to stay in their collective house and rest with other transvestites.



## Chapter 4:

# Conclusions and Recommendations

### Need to strengthen victims' assistance and to build networks

With regard to Brazil, there is an obvious need to build a support service network for victims and potential victims of trafficking in human beings. Such a perception appears mainly in the interviews given by Dalila Figueiredo and the Guarulhos team:

*“Even though the assistance to victims has improved it is still far from perfect, i.e., the support network is still quite weak. There is a need for a Migrant Support House or shelter at Guarulhos to provide these people with better services (...) and an emergency service when needed”. “Who is going to see this person again in Tocantins or Maranhão? Where is the network?”. “I am not here to judge people. I just think: What is happening to this country? Public policies are not enough? I don’t want you to think I am some kind of dreamer nor do I want to prevent people from coming and going. On the contrary, if you have a dream, then go for it, but travel safely, know the risks... Now, how many people can we talk to? Only a few”.*

The ASBRAD coordinator thinks that there has been progress made in addressing trafficking in human beings in Brazil but not at a sufficiently fast pace. And in her opinion, this is happening because Brazil is the size of a continent: *“To create a network that can include people from many different places in Brazil is not easy”.*

In fact, the problem of not having a well trained network, able to understand the topic and respond to it from the beginning to the end is a serious problem according to Dalila. She considers that the prejudice which exists mainly in relation to prostitutes is not exclusively a European issue. In Brazil, to overcome the prejudice of public servants and people in general is also a very challenging issue.

Be it a challenge or not, the network still has to be created. Because, she points out, the most serious cases normally involve people from regions where there are very few social facilities. *“And the fact there is no one there to assist them and who they can rely on is problematic”.*

In the Guarulhos team's assessment, there are problems in creating networks both in Brazil and in Europe:

1)

*“Our relationships with foreign organisations are still at a very early stage so it is difficult to have a counterpart in Europe. There was a seminar in Madrid which addressed this but it didn't get anywhere”.*

2)

*“Many people are taking really heavy medication and they need to be referred to a psychiatrist. The most important thing is to know how to give the right support to these people and get them to agree they will continue with their treatment or start new treatment from scratch. And, of course, when they do not have any support in the country where it happened, the chances of them falling into a situation of violence once again are very high.”*

The Public Prosecutor, Saulo Bezerra, from Goiás, points to the difficulty there is in giving people who come for support a rapid response. Help in these cases has to be very fast and quite often there are neither funds nor formal intervention mechanisms. He also says that obtaining consular assistance in European countries is extremely difficult. There are difficulties such as the lack of resources to finance the return of a trafficked person or any kind of service abroad at all (including those concerning the intervention of the Brazilian Consulates).

Brazil and European countries should enter into cooperation agreements to define an integrated service flow which will allow victims of trafficking, deportees and those refused entry to return safely. In the same way, public social assistance policies must support these citizens in re-building new life projects.

The interviews held in Minas Gerais, and the results of the research point to the need to create an anti-trafficking centre in that State.

## **Need to increase training and campaigns**

Another point highlighted by the interviewees was the need to intensify empowerment and awareness. In this sense, Dalila Figueiredo asks: *“How did that person get to Europe?”*

*So, how can we say that trafficking is still invisible?'* According to the ASBRAD coordinator, this happens because people do not yet have appropriate tools to understand that these are trafficking situations.

By announcing that Salvador (BA) is going to open an anti-trafficking outpost at the airport, Dalila commented that it is necessary to train agents and raise their awareness in order to learn not to discriminate against the victims who return to Brazil. *"During their rounds and in talks with public agents, many said that we, ASBRAD, should stay at departures and talk to those people wearing white transparent trousers, with a low neckline and tell them that they can prostitute themselves freely here but abroad they will be arrested. It's complicated. This topic concerns moral issues and is, therefore, difficult to broach"*.

In relation to repressive measures and referrals of THB victims, Dalila considers that in many Federal Police operations, women are arrested who were prostitutes in Brazil and had been offered work abroad, without any signs of trafficking. She thinks that sometimes the impression one gets is that their intervention does not cover the most serious problems: *"I think that there should be permanent training provided for the Federal Police. Repression is not part of the work we do. Things should not be mixed up. Many people who return and have seen their rights violated by some foreign authority find a reference in the Brazilian Federal Police. The need for training and conversation is constant because these things need to be fine-tuned. How to receive the report, who they should seek out, how, when. Maybe it would be a good idea to include the topic of repression in the guidance we give. Today, it is totally separate. The idea would be to integrate actions"*.

The Public Prosecutor, Saulo Bezerra, recognises that up to a short time ago the authorities were not at all aware of THB. The objective of the 1st Conference on Responding to Trafficking in Human Beings which was recently organised in Goiânia was to raise the local community's awareness of the question of trafficking in persons and to specifically respond to the question of which victims they should protect.

The Public Prosecutor considers that up until now campaigns responding to trafficking in human beings in the State of Goiás have failed because they did not take into account the specificities of each region (different municipalities or different areas within a given municipality). Furthermore, the specificities of each group (transvestites, transsexuals, prostitutes, etc.) must also be taken into account for preventive campaigns to accomplish their objectives.

## Need to improve and better understand the legislation

In her interview, Adriana Piscitelli mentioned the difficulties and implications in recognising the person as a victim of trafficking. This recognition, in theory, implies asylum and the regularisation of their situation in the country of destination. In practice, however, this is not what happens as European countries have a certain difficulty in tackling these situations. Piscitelli believes that the mechanism is, on the contrary, quite perverse. In her opinion, Spain has serious cases of THB and has no sufficiently well developed instruments to deal with them. And so the people who are real victims of trafficking will never be recognised as such.

Furthermore, according to the researcher, a combination must be made between the Palermo Protocol and the laws of each country. Piscitelli considers that, in the different contexts in which she has worked, the Protocol, with its problems, is instrumental to specific interests related to migration and prostitution, which are: a) to get rid of as many irregular migrants as possible; and b) in general terms, with the growth of the abolitionist stance, to get rid of prostitution.

Within this context, people who are in fact victims of trafficking end up receiving very little shelter. According to the anthropologist, *“an extremely perverse structure has been created, which does not protect those who are victims and expels those who are not”*. Her viewpoint is that this is why trafficking in human beings has become such a delicate issue.

However, Piscitelli mentions that when she was faced with Nigerian women she saw in a shelter in Spain, she had no doubt at all that they had been trafficked. And she thinks that purely and simply criticising the Protocol is not a way out as this would not help victims at all. On the other hand, to maintain the Protocol as it is, with its instrumentalisation in relation to national interests, would certainly not favour the Brazilian women she has been working with.

According to the researcher, it is not only a matter of an investment in resources. One has to look at the effects that this combination of legal rhetoric is having on the different universes. *“For example, when amendments to the laws in Brazil favour the repression of prostitution, for both transvestites and women, we are really dealing with displacement of people to exercise prostitution. And at the same time, we see terrible cases of trafficking in persons and there’s no way these people can be looked after”*.

The researcher supports anti-trafficking measures, even if based on the Palermo Protocol, and draws our attention to the fact that we should pay attention to what is happening in terms of the combination of the Protocol and national laws and the reality of specific individuals who exercise prostitution. For these people, this combination has often been perverse as it has only resulted in the repression of prostitution and more recently, repression of migration as well, but mainly by European countries. Piscitelli understands that inside Brazil there are no practical measures limiting the flow of migration in that direction, although in Europe and other places, these measures restricting migration are explicit.

The researcher, therefore, believes that the European attitude is somewhat ironic as it seems to forget the millions of famished and illiterate families it exported to countries such as Brazil “a very short while ago”.

For Saulo Bezerra, Public Prosecutor of the State of Goiás, Brazilian and Spanish legislations are problematic as they do not forbid prostitution but neither do they regulate it. This results in an enormous difficulty in monitoring the working conditions of prostitutes, in addition to the obvious difficulty in legally proving that there is “exploitation”. Elie Chidiac, in turn, emphatically defended the regulation of the profession of prostitution. Also from the State of Goiás, the Federal Public Prosecutor, Daniel Resende, in his analysis of the Palermo Protocol, concludes that international legislation on trafficking in human beings does not properly address the consequences that the trafficking process have on victims.

Finally, in his comments on joint police operations between Brazil and Europe, Saulo Bezerra presents what he considers a number of difficulties related to the areas of repressive intervention: the question of time zone, absence of sufficient mechanism for this cooperation to be permanently undertaken and the existence of legislations which do not coincide.

## **Research challenges**

There is an obvious need to conduct more research on trafficking in human beings in Brazil, Italy and Portugal. In the case of Brazil, it is important to conduct research that would cover a period of field work in a number of municipalities considered as a trafficking recruitment spots. A study of a traditional community, without formally

focusing on trafficking in human beings, would perhaps help us understand the social, family, economic and political mechanisms which can explain the reason why cities that are sometimes very small have a high number of women or transsexuals living abroad.

Another fundamental aspect of research seems to be the police investigations initiated by the different anti-trafficking operations conducted by the Brazilian Federal Police. This material may contain important leads about the existing trafficking networks and the context of trafficked and potentially vulnerable people. Such an investigation could help prevention activities, as well as responding to trafficking in human beings.

In Minas Gerais, Public Prosecutor Maria de Lurdes Rodrigues Santa Gema also pointed to the need for studies on the exit of adolescents in order to play football abroad. According to her, there are frequent cases of illiterate parents who give their permission, with their fingerprints, for their children to go abroad, without really knowing what they are authorising. It would be important to obtain more concrete information about these flows for a more careful diagnosis to be made on this type of migration of young people and adolescents abroad.

## **Final recommendations**

The main objective of the Brazilian team was to identify the push and pull factors, the recruitment for the purposes of trafficking from Brazil to Europe – especially to Portugal and Italy as destinations – and the identification of the routes used between the point of departure and the point of arrival. The material analysed during the desk research and the interviews we conducted allow us to make a number of suggestions to improve the anti-trafficking response between Brazil and Europe.

- Structured support networks for victims of trafficking, migrants, deportees and those refused entry. The victim support teams at airports have very little time and limited resources to carry out their work in this area. The absence of well-structured and equipped shelters with medical and psychological services, social and legal assistance and a specialised team in trafficking in human beings may mean the decision or not to immediately return to Europe. People must be given the choice to stay in Brazil or return to Europe in safety and as regular migrants.

- Agreements should be signed between the entities taking care of victims of trafficking, deportees and those refused entry in Brazil and NGOs and European institutions working in this area. This would be truly helpful when working in victim's assistance.
- It is vital that trafficking in human beings be treated as a complex problem, meaning that it must be understood as a question that affects different groups in different ways. The material analysed points to specificities concerning individuals and groups which involve possible overlapping with situations of domestic violence, labour exploitation, traditional migration networks and people involved in transnational sex, among other possibilities of potential victims being recruited by trafficking networks. In other words, we cannot treat trafficking in human beings homogeneously. Public policies should take into account the specificities of such groups (like transvestites, transsexuals, prostitutes, etc.) and the subsequent specificity of their representations.
- There are a number of different reasons that motivated Brazilian citizens to go abroad. The labour market is highlighted as one: emigrants can earn more in a stay in Europe than in Brazil. The family has often a great influence in their decision to go abroad whether it is because it needs economic aid or, and especially in the case of transgender, they are expelled from home at an early age. The successful experiences recounted by people who return from Europe are also important factors. References to lack of affection, involving promises of a relationship with foreigners emerged. Another question which appeared was generational: women over 35, 40, considered old in Brazil, say that in Europe they can still have good professional and emotional prospects. Furthermore, references were made to aspects perceived as positive by the local groups of some regions of the country concerning the importance of living a European experience. Transvestites spoke of the glamour of working abroad, especially in Italy. The possibility of some transsexuals going to work in Europe to undergo a sex change was mentioned. This has probably decreased with sex reassignment surgery now being carried out by the Brazilian National Health Care Service (SUS).
- Understanding immigration and prostitution solely as problems to be fought against only increases the discrimination against and criminalisation of many Brazilian immigrants in Europe, which makes them even more vulnerable.

- Victims of trafficking should not be treated as irregular immigrants. In general, the risk of increasing the stigma against prostitution and the fight against trafficking are understood to lead to the repression of immigration. We, therefore, consider it essential that there should be a permanent awareness raising campaign in relation to trafficking in persons.
- We also suggest that cases of trafficking in human beings should be incorporated into public policies designed for Brazilians living abroad. Although the MFA is a partner of PNETP, Brazilian migrants often avoid using its services. Also, when sought, the Brazilian consular system does not seem to provide the services demanded by the migrants. The inherent complexity of the trafficking crime requires the consular system to be more consistently and closely to Brazilian citizens living abroad.
- Brazilian migrants do not recognise the Brazilian Consulate as a partner and often do not seek its assistance. Furthermore, when it is sought out, the Brazilian consulate network does not provide the services sought by the migrants. The complexity inherent in the crime of THB requires that the consulate network act more consistently and closely to the Brazilian citizens living abroad.
- The National Immigration Council could play an important role in responding to trafficking and in defending the rights of Brazilian workers abroad, either by drawing up policies and campaigns or through Brazilian Workers' Houses (a programme which provides for the establishment of legal assistance offices and information services on labour issues in the countries with a large number of Brazilian migrant workers).
- The right to mobility, regardless of signs of trafficking, cannot be threatened. This thought is manifested by authorities and NGO members supporting trafficking victims. It reveals the importance of not creating public policies which would act to prevent people from leaving the country. People should be informed about their rights and duties as Brazilian citizens abroad and about THB risks.
- Perhaps the main lesson learnt from the research is the perception of the outpost in Guarulhos (SP) that information is fundamental to empower and give victims and potential victims of trafficking autonomy: *"(...) everyone is entitled to come and go (...) because it's not convenient as people have sold their homes, they have*

planned everything. You can't stop them. In the case of people refused entry, what we try to do is show them situations in which they could be less vulnerable. We try to empower them. Get to know the country, do some research; learn a bit of the language. All of this helps them feel more autonomous”.

- Furthermore, it is never too much to repeat that Brazilian citizens who live abroad, be they trafficking victims or not, should find support from the Brazilian authorities to ensure their rights. Even though victims of trafficking in human beings should count on the specified protection of the Palermo Protocol, Brazilians in general cannot be left to their own devices when they undertake their international emigration projects. The Brazilian government in this case is responsible for the development and improvement of programmes to prevent the exploitation resulting from trafficking in persons or any other form of violation of human rights.



## Annexes

### Articles of the Criminal Code (Decree-Law No. 2848 of 7<sup>th</sup> December 1940) concerning trafficking in human beings and prostitution

<p><b>Chapter VI On Crimes Committed Against Individual Freedom</b></p>	<p><b>Section I On Crimes Against Personal Freedom</b></p>
<p>Art. 149</p>	<p><b>Reduction to a condition comparable to that of a slave</b>  Art. 149. Reducing a person to a condition comparable to that of a slave, by either subjecting that person to forced labour or an exhausting day's labour or to degrading working condition or by restricting that person's movements resulting from a debt to the employer or representative: (Law No. 10803 of 11 December 2003)  Penalty – imprisonment from two to eight years plus a fine, in addition to that corresponding to violence. Law No. 10803 of 11 December 2003)  §1 – Any person shall be liable to the same penalties should they: (amended by Law No. 10803 of 11 December 2003)  I – restrict the use of any means of transport by the worker in order to retain such worker at the workplace; (amended by Law No. 10803 of 11 December 2003)  II – overtly keep vigilance at the workplace or take possession of documents or the personal property of the worker in order to retain such worker at the workplace. (amended by Law No. 10803 of 11 December 2003)  §2 – The penalty shall be increased by one half should the crime be committed: (amended by Law No. 10803 of 11 December 2003)  I – against a child or adolescent; (amended by Law No. 10803 of 11 December 2003)</p>

	<p>II – for reasons of race, colour, ethnic origin, religion or origin. (amended by Law No. 10803 of 11 December 2003)</p>
	<p><b>Title IV</b> <b>On Crimes Against the Organization of Labour</b></p>
	<p><b>Luring for the purposes of emigration</b>            Art. 206 – Recruiting workers, by way of fraud, for the purpose of taking them abroad. (Law No. 8683/1993)            Penalty – imprisonment from 1 (one) to 3 (three) years and fine. (Law No. 8683/1993)            Luring workers from one place to another on national territory            Art. 207 – Luring workers with the purpose of taking them from one place to another on national territory:             Penalty – imprisonment from one to three years and a fine. (Law No. 9777 of 29 December 1998)            §1 – Those who recruit workers outside the workplace on national territory, through fraud or by charging the worker an amount of money or not offering such worker guarantees to return to the place of origin shall be liable to the same penalty. (amended by Law No. 9777 of 29 December 1998)            §2 – The penalty shall be increased from a sixth to a third should the victim be under the age of eighteen, elderly, pregnant, indigenous or physically or mentally challenged. (amended by Law No. 9777 of 29 December 1998)</p>
<b>Title VI</b> <b>On Crimes</b> <b>Against</b> <b>Sexual</b> <b>Dignity</b>	<p>Chapter II, On Sexual Crimes Against the Vulnerable</p>
Art. 218-B	<p><b>“Favouring prostitution or any other form of sexual exploitation of the vulnerable (amended by Law No. 12015/2009)</b>            Art. 218-B. Subjecting, inducing or attracting to prostitution anyone under the age of 18 (eighteen) or who, by way of illness or mental</p>

	<p>disability, does not have the necessary discernment to practice the act, facilitating it, preventing anyone from giving it up or rendering it difficult for anyone to give it up : (amended by Law No. 12015/2009)</p> <p>Penalty – imprisonment from 4 (four) to 10 (ten) years. (amended by Law No. 12015/2009)</p> <p>§1 – Should the crime be committed for the purpose of obtaining economic advantage, a fine shall also be imposed. (amended by Law No. 12015/2009)</p> <p>§2 – Those: (amended by Law No. 12015/2009)</p> <p>I – who practice carnal intercourse or other libidinous act with anyone under the age of 18 (eighteen) and over 14 (fourteen) in the situation described in the main section of this article shall be liable to the same penalty; (amended by Law No. 12015/2009)</p> <p>II – owners, managers or persons responsible for the place in which the practices referred to in the main section of this article are carried out shall be liable to the same penalty. (amended by Law No. 12015/2009)</p> <p>§3 – Should any instances set out in sub paragraph II of § 2 occur, the licence of the premises and that regarding the operation of the establishment shall be obligatorily terminated. (amended by Law No. 12015/2009)</p>
	Chapter V, On Pimping and Trafficking in Persons for the purpose of Prostitution or Other Forms of Sexual Exploitation
Art 227	<p><b>Mediation to satisfy the lust of another person</b></p> <p>Art. 227. Inducing someone to satisfy the lust of another person: Penalty – imprisonment from one to three years.</p> <p>§1 – Should the victim be over the age of 14 (fourteen) and under the age of 18 (eighteen), or should the accused be in ascending line of parentage, descendent, spouse or partner, brother or guardian, or the accused has accepted to care, protect or look after the victim: (Law No. 11106/2005)</p> <p>Penalty – imprisonment from two to five years.</p> <p>§2 – Should the crime be committed with the use of violence, serious threat or fraud:</p>

	<p>Penalty – imprisonment from two to eight years, in addition to the corresponding penalty for violence.</p> <p>§3 – Should the crime be committed with the purpose of making profit, a fine shall also be imposed.</p>
<p>Art 228</p>	<p><b>Favouring prostitution or any other form of sexual exploitation</b> (Law No. 12015/2009)</p> <p>Art. 228. Inducing or luring anyone into prostitution or any other form of sexual exploitation, facilitating it, preventing anyone from giving it up or rendering it difficult for anyone to give it up: (Law No. 12015/2009)</p> <p>Penalty – imprisonment from 2 (two) to 5 (five) years and a fine. (Law No. 12015/2009)</p> <p>§1 – Should the accused be in ascending line of parentage, stepfather, stepmother, brother, stepchild, spouse, partner, tutor or guardian, mentor of the victim or should the accused have accepted to care, protect or look after the victim: (Law No. 12015/2009)</p> <p>Penalty – imprisonment from 3 (three) to 8 (eight) years. (Law No. 12015/2009)</p> <p>§2 – Should the crime be committed with the use of violence, serious threat or fraud: Penalty – imprisonment from 4 (four) to 10 (ten) years, in addition to the corresponding penalty for violence.</p> <p>§3 – Should the crime be committed for the purpose of making profit, the fine shall also be imposed</p>
<p>Art 229</p>	<p><b>House of prostitution</b></p> <p>Art. 229. Maintaining, for oneself or for a third party, an establishment in which sexual exploitation occurs with or without the intention of making a profit or the direct mediation of the owner or manager (Law No. 12015/2009)</p> <p>Penalty – imprisonment from 2 (two) to 5 (five) years, plus a fine.</p>
<p>Art 230</p>	<p><b>Pimping</b></p> <p>Art. 230. Taking advantage of prostitution exercised by others, participating directly in their profits or living partly or totally off the earnings of those who exercise it: Penalty – imprisonment from 1 (one) to 4 (four) years, plus a fine.</p>

	<p>§1 – Should the victim be over the age of 14 (fourteen) and under the age of 18 (eighteen), or if the crime is committed by someone in ascending line of parentage, stepfather, stepmother, brother, stepchild, spouse, tutor or guardian, mentor or employer of the victim or anyone who has accepted to care, protect or look after the victim: (Law No. 12015/2009)</p> <p>Penalty – imprisonment from 3 (three) to 6 (six) years, plus fine. (Law No. 12015/2009)</p> <p>§2 – Should the crime be committed with the use of violence, serious threat, fraud or any other means which suppresses or renders the open manifestation of the free will of the victim difficult: (Law No. 12015/2009)</p> <p>Penalty – imprisonment from 2 (two) to 8 (eight) years, without prejudice to the penalty corresponding to the violence. (Law No. 12015/2009)</p>
Art 231	<p><b>International Trafficking in Persons for the purpose of Sexual Exploitation</b> (Law No. 12015/2009)</p> <p>Art. 231. To Promote or facilitate the entry of any person within the national territory who is entering for the purpose of exercising prostitution or any other form of sexual exploitation or the exit of someone who shall exercise it abroad. (Law No. 12015, of 2009)</p> <p>Penalty – imprisonment from 3 (three) to 8 (eight) years. (aw No. 12015/2009)</p> <p>§1 – Any person who mediates, recruits or buys the trafficked person or, being aware of the person's status, transports, transfers or accommodates such a person the same penalty shall be liable to the same penalty. (Law No. 12015/2009)</p> <p>§2 – The penalty shall be increased by one half if: (aw No. 12015/2009)</p> <p>I – the victim is under the age of 18 (eighteen); (amended by Law No. 12015/2009)</p> <p>II – the victim, by way of illness or mental disability, does not have the necessary discernment to practice the act; (amended by Law No. 12015/2009)</p> <p>III – the accused is in ascending line of parentage, stepfather, stepmother, brother, stepchild, spouse, partner, tutor or guardian,</p>

	<p>mentor or employer of the victim or the accused has accepted to care, protect or look after the victim; or (amended by Law No. 12015/2009)</p> <p>IV – violence, serious threats or fraud are used. (amended by Law No. 12015/2009)</p> <p>§3 – Should the crime be committed for the purpose of gaining economic advantage, a fine shall also be imposed. (amended by Law No. 12015/2009)</p>
<p>Art. 231 A</p>	<p><b>Internal trafficking in Persons for the purpose of Sexual Exploitation</b> (Law No. 12015 of 2009)</p> <p>Art. 231-A. To Promote or facilitate the displacement of any person within the national territory to exercise prostitution or any other form of sexual exploitation: (Law No. 12015/2009)</p> <p>Penalty – imprisonment from 2 (two) to 6 (six) years. (Law No. 12015/2009)</p> <p>§1 – Any person who mediates, recruits or buys the trafficked person or being aware of the person's status transports, transfers or accommodates such a person shall be liable to the same penalty. (amended by Law No. 12015/2009)</p> <p>§2 – The penalty shall be increased by one half if: (amended by Law No.12015/2009)</p> <p>I – the victim is under the age of 18 (eighteen); (amended by Law No. 12015/2009)</p> <p>II – the victim, by way of illness or mental disability, does not have the necessary discernment to practice the act; (amended by Law No. 12015/2009)</p> <p>III – the accused is in ascending line of parentage, stepfather, stepmother, brother, stepchild, spouse, partner, tutor or guardian, mentor or employer of the victim or the accused, by law or by any other form, has accepted to care, protect or look after the victim; or (amended by Law No. 1201/2009)</p> <p>IV – violence, serious threats or fraud are used. (amended by Law No. 12015/2009)</p> <p>§3 – Should the crime be committed for the purpose of gaining economic advantage, a fine shall also be imposed. (amended by Law No. 12015/2009)</p>

**Police investigations initiated during the last eighteen years**

		Police Investigations Initiated In The Last 18 Years																		Total		
		1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
AC		0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	1	3	3	4		13
AL		0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0			3
AM		0	0	0	0	0	0	0	0	1	0	1	1	1	3	3	3	2	1	1		17
AP		0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	5	5	1	2		14
BA		0	0	0	0	0	0	0	1	0	0	1	0	0	2	3	7	10	9	6	2	41
CE		0	0	0	0	0	1	0	0	1	0	0	0	0	1	2	0	4	2	2		13
DF		0	0	0	0	0	1	0	0	2	3	3	3	1	2	0	0	0	0	1		13
ES		0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	3	6	3			13
GO		0	0	0	0	0	0	4	1	3	2	12	12	11	13	14	30	12	12	13	4	143
MA		0	0	0	0	0	0	0	0	0	0	1	0	1	1	0	2	1	3	2		11
MG		0	0	0	0	0	0	1	1	0	1	5	11	3	2	8	7	18	13	4	2	76
MS		0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	4	2	1	2		11
MT		0	0	0	0	0	0	0	0	0	0	0	0	1	2	0	2	0	10	8		23
PA		0	0	1	1	0	1	1	0	0	1	1	0	1	2	4	3	1	5	4		26
PB		0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1		2
PE		0	0	0	0	0	0	0	0	1	1	1	1	3	2	11	2	3	4	5		34
PI		0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1		2
PR		0	0	0	0	0	0	0	0	1	3	3	2	2	10	5	4	2	4	3		39
RJ		1	3	2	2	4	3	3	0	2	3	2	7	2	7	6	3	10	9	4		73
RN		0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	5	3	3		15
RO		0	0	0	0	0	0	0	0	1	0	0	1	5	0	1	2	0	5	4		19
RR		0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	10	4	3	1		23
RS		0	0	1	0	1	0	0	2	0	3	0	3	0	2	1	4	2	0	4	2	28
SC		0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1		1	6
SE		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1			1
SP		0	2	0	1	1	1	1	2	0	3	3	3	6	5	9	20	11	9	11	4	94
TO		0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	3	2	2	3		12
<b>Total</b>		<b>1</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>10</b>	<b>7</b>	<b>11</b>	<b>20</b>	<b>35</b>	<b>48</b>	<b>39</b>	<b>56</b>	<b>72</b>	<b>119</b>	<b>105</b>	<b>111</b>	<b>89</b>	<b>15</b>	<b>765</b>

Source: FPD (updated to 20/08/2009)



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Decreto Nº 5.948, de 26 de outubro de 2006, aprova a Política Nacional de Enfrentamento ao Tráfico de Pessoas.

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**Part Two:**  
Italy

*They told only a piece of the story,  
they showed you only the beautiful things,  
the nice photographs, the nice landscapes.*  
- (Interview no. 11)

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## Acronyms and Abbreviations

CIE	<i>Centro di Identificazione ed Espulsione</i>
CPT	<i>Centro di Permanenza Temporanea</i>
EU	European Union
FtM	Female to Male
GAATW	Global Alliance Against Trafficking in Women
GLBT	Gay Lesbian Bisexual Transsexual
ICMPD	International Centre for Migration Policy Development
IOM	International Organization for Migration
MIT	<i>Movimento di Identità Transessuale</i>
MtF	Male to Female
NAP	National Action Plan
NGO	Non-governmental organisation
NRM	National Referral Mechanism
ONIG	<i>Osservatorio Nazionale sull'Identità di Genere</i>
SAIFIP	<i>Servizio di Adeguamento tra Identità Fisica ed Identità Psicica</i>
SCEP	Separated Children in Europe Programme
STP	<i>Straniero Temporaneamente Presente</i>
TAMPEP	European Network for HIV/STI Prevention and Health Promotion among Migrant Sex Workers
TRM	Transnational Referral Mechanism
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Emergency Fund
UNICRI	United Nations Interregional Crime and Justice Research Institute
WHO	World Health Organisation



## Introduction

Trafficking in human beings is a multi-faceted phenomenon that has increasingly spread all over Italy since the late 1980s. Over the years, its features have constantly changed but its final aim has firmly remained the same: the severe exploitation of persons on the part of criminal individuals and organisations to make high profits with minimum risks. The countries involved, the recruitment methods, the routes, the forms of exploitation have been modified as a result of a wide range of variables but the ultimate outcome has always been and still is the violation of the human rights of trafficked persons.

Since the early '90s, first, a number of Italian Non-governmental organisations (NGOs) and local authorities and, later, the central government have developed anti-trafficking measures to provide support to trafficked persons. In 2000, the national programme of social assistance and integration was set up by law and is currently available throughout the country through the work of hundreds of anti-trafficking professionals and volunteers.

Contrary to many other countries, literature on trafficking in human beings in Italy has been produced since the phenomenon started to become more visible and counteractions have been set in motion. Several studies – mostly on trafficking for the purpose of sexual exploitation – have been carried out, investigations on given national communities involved in trafficking, as well as handbooks on anti-trafficking interventions and professional profiles have been published. The body of knowledge on the systems of trafficking and exploitation involving victims from Albania, Romania, Moldova and Nigeria is fairly rich. However, very little is known and investigated about other national communities that may be caught up in trafficking cases.

Carried out within the framework of the EU-funded project *Promoting Transnational Partnership: Preventing and Responding to Trafficking in Human Beings from Brazil to EU Member States*, the study hereinafter presented specifically investigates whether trafficking in human beings involves Brazilian citizens in Italy and suggests prevention, protection, and prosecution policies that may be implemented both in Brazil and in Italy. In Italy, there is a void surrounding information concerning the involvement of Brazilians in the trafficking phenomena; a void that is sometimes filled with references, images, and stereotypes of Brazilian women and transsexuals exploited in the sex industry.

Throughout the years, social operators and researchers have recorded the presence of Brazilian women and transsexuals working as indoor and outdoor prostitutes in many Italian towns but little information about their living and working conditions has been gathered. Some Brazilian citizens joined the Italian programme of social protection aimed at trafficked persons, however, no comprehensive data have been produced on this national group. Through this study it has been possible to partially fill in the above mentioned void and provide an initial analysis of the cases of trafficking of Brazilians exploited in the Italian sex market.

This research is mainly based on the stories of Brazilian transsexual persons who have been found to be especially affected by trafficking in Italy and on the know-how of professionals working in the anti-trafficking field. Even though some women and one man were also interviewed, the findings are chiefly based on the narratives of the transsexuals met during the study. In Italy, they often experience the sum of three main negative social stigmas: being transsexuals, being prostitutes, and being irregular migrants. The following pages will portray and analyse the consequences of these interrelated stigmas and their connections with the trafficking process and experience.

We truly wish that the conclusions of this investigation will, on the one hand, contribute to further exploration of the phenomenon and issues related to trafficking from Brazil to Italy and, on the other, to developing and improving anti-trafficking policies and interventions targeting Brazilian nationals both in Brazil and in Italy. This study is, therefore, intended to be an exploratory pilot work that paves the way towards more comprehensive studies that are certainly needed to fully comprehend all forms and aspects of trafficking in persons from Brazil to Italy.

The report consists of five chapters, the present introduction, an annex, and the bibliography.

Chapter 1 (*Research framework*) provides the research framework by outlining the research objectives, focus, methodology, scope, and limitations.

Chapter 2 (*Trafficking in human beings in Italy: A brief overview*) concisely describes the key features of trafficking as it has developed in Italy since the late '80s in order to properly contextualize the research findings discussed in Chapter four. It outlines the main forms of the phenomenon so far identified and investigated, i.e., forced prostitution,

forced labour, forced begging and illegal crimes. Very short descriptions of the different national systems of trafficking for sexual exploitation are also included.

Chapter 3 (*The Italian system of social protection for trafficked persons*) illustrates the Italian anti-trafficking legislation aimed at granting support and protection to trafficked persons and at prosecuting traffickers and exploiters. It also describes the short- and long-term programmes of social assistance and protection for trafficked persons, the assisted voluntary return programme for those who choose to go back to their home country, and how the national anti-trafficking hotline works.

Chapter 4 (*Trafficking in human beings from Brazil to Italy: The research findings*) is the core part of the report as it presents the results of the study. It analyses the past and present life of the presumed trafficked persons and the trafficked persons interviewed who provided information about their social and educational background, their trafficking and exploitation process, and their current life.

Chapter 5 (*Conclusions and recommendations*) contains the main conclusions of the investigation and the related recommendations to improve the protection of trafficked persons and the prevention and repression policies and interventions to fight trafficking and exploitation of Brazilian citizens in Italy.

The Annex (*Working definitions and terminology*) provides the definitions of the main terms used in the research so as to share a common understanding of the words and concepts employed throughout the report.

In conclusion, we would like to thank Federica Dolente, Mara Heidempergher, Porpora Marcasciano, Leila Pereira Daianis, Fabio Sorgoni – local researchers – for their committed work and the ICMPD colleagues for their valuable comments and feedback, in particular, Fabiana Gorenstein, Enrico Ragaglia, Elisa Trossero and Veronika Bilger. An additional very special thanks to Fabiana Gorenstein for her unceasing efforts and dedication in supervising the sound execution of the investigation. Most of all, we express our deep gratitude to all presumed trafficked persons, trafficked persons and key informants who accepted to be interviewed and shared parts of their life stories and working experience with us. Without their generous contributions this work could not have been accomplished.



# Chapter 1:

## Research Framework

### Research objectives

This is the first exploratory Italian research on trafficking in human beings from Brazil to Italy. Before this study started, very little knowledge on the topic was available: neither *ad hoc* research nor extensive police investigations focused on Brazilian citizens trafficked and exploited in Italy. To fill this gap and, thus, gather information on trafficking in human beings involving Brazilian citizens in Italy, the present innovative research was carried out to specifically achieve the following objectives:

- a) to identify the vulnerable and at-risk groups of Brazilian people who may be potential victims of trafficking to Italy;
- b) to discover the main trafficking push and pull factors that may affect the identified vulnerable and at-risk groups;
- c) to detect the trafficking and exploitation means and procedures used;
- d) to develop a set of recommendations to improve prevention, protection, and repression policies and interventions to support trafficked persons and fight organised crime.

The collection and analysis of this information can significantly contribute to accomplishing the general objectives of the *Promoting Transnational Partnership: Preventing and Responding to Trafficking in Human Beings from Brazil to EU Member States* project, which are to prevent transnational trafficking from Brazil to Europe; to build the capacities of the Brazilian Federal Police to understand trafficking and its complexities; and to strengthen international cooperation between Brazil and the European countries of destination.

## **Research focus**

The research focuses on the features of trafficking in human beings from Brazil to Italy. It draws the different profiles of the interviewed Brazilian presumed trafficked persons and trafficked persons by analysing their geographical and social origins and the discriminations that facilitated the system of recruitment and exploitation. The research then describes:

- how presumed trafficked persons and trafficked persons were recruited and how they travelled to Italy;
- how they work(ed) and live in Italy;
- how the system of exploitation they faced functioned;
- how they escaped from the exploitative conditions and entered the social protection scheme (if they did);
- how they currently live; and
- how they perceive themselves.

This body of knowledge is very relevant, on the one hand, to understand the phenomenon and, on the other, to contribute to the identification of the political, social and cultural actions necessary to protect trafficked persons in general and Brazilian victims in particular and to fight the criminal organisations that thrive on this hideous business.

According to the research proposal, the main focus of the study was the trafficking in human beings involving Brazilians in Italy for all purposes of exploitation. As matter of fact, this study mainly focuses on trafficking for sexual exploitation. This is the result of several factors:

- it is the most visible and well-known form of trafficking in Italy since the early '90s, even if comprehensive data on this phenomenon are not available;
- data on other forms of trafficking involving Brazilians are very scarce;
- all Brazilian trafficked persons who joined the social protection scheme had been exploited in prostitution;
- many Brazilian transsexuals and women work in the Italian sex market;
- the researchers have noteworthy expertise especially in studies and practices related to trafficking for the purpose of sexual exploitation.

Taking into account this state-of-the-art, the research team then decided to focus its attention on the cases of Brazilian citizens exploited in the prostitution market once trafficked to Italy.

## Research methodology

This is a qualitative study based on information gathered through desk research on trafficking in human beings in Italy and, most of all, on data collected through 34 interviews carried out with two distinct samples of respondents.

**Table 1: The research sample**

<b>Presumed trafficked persons and trafficked persons and fields of exploitation</b>	<b>Key informants</b>
5 Women (indoor prostitution)	3 Police officers
15 Transsexuals (indoor and outdoor prostitution)	2 Consulate officials
1 Man (construction and catering)	8 Anti-trafficking agency professionals
<b>21</b>	<b>13</b>

The first sample is composed of 21 Brazilian citizens who were trafficked or are presumed<sup>1</sup> to have been trafficked to Italy, namely 15 transsexuals and 5 women who had been engaged in prostitution, and one man who worked in the construction and catering sectors. The research team agreed to keep the only presumed trafficked man interviewed in the sample even if he may be considered a “non representative subject”. The researchers believed that giving voice to his experience was a means to strongly highlighting the fact that, on the one hand, Brazilian men may also be trafficked and, on the other, the need to further investigate this issue.

<sup>1</sup> A “presumed trafficked person” is an individual who is presumed to be a victim of trafficking but who has not been formally identified by the relevant authorities or has declined to be formally or legally identified.

All the women joined the Italian social protection programme for trafficked persons<sup>2</sup>; 6 out of 15 transsexuals entered the same programme while the rest were working in the sex sector and were alleged to be heavily exploited in prostitution, presumed trafficked persons or exploiters. As a matter of fact, 4 persons interviewed are suspected of participating (or having participated in the past) to some degree in controlling and exploiting newcomers employed in the sex market. The man was still in the exploitation circle when interviewed.

At the time of the interviews, 6 persons (5 transsexuals and 1 woman) held a residence permit for humanitarian reasons (“Article 18 permit”); 3 persons (2 women and 1 transsexual) had applied for the same permit; 4 transsexuals held a residence permit for labour reasons; 2 women applied for Italian citizenship after their marriages to Italian citizens.

The overall sample of interviewees is thus mostly composed of transsexual persons. This is the result of several factors: the high percentage of Brazilian transsexual migrants in the Italian prostitution market; the participation of researchers from transsexual associations in the research team; the need (and opportunity) to fill the large gap in knowledge regarding the exploitation of transsexual related to trafficking in Italy. It is important here to stress that the term “transsexual” refers to a person whose gender identity differs from his/her own biological sex and sometimes decides to adapt his/her anatomic sex to his/her own gender identity through hormonal therapy and/or surgery (“sex reassignment surgery”)<sup>3</sup>. All transsexuals interviewed for this study were MtF<sup>4</sup>.

The sample of presumed trafficked persons and trafficked persons is made up of Brazilians who arrived in Italy between 1988 and 2009. Considering such a broad time frame, this sample clearly represents different generations and distinct life experiences,

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2 For a detailed explanation of the Italian system of social protection for trafficked persons, see Chapter 3.

3 V. Ruggieri, A.R. Ravenna et al., *Transessualismo e identità di genere. Indagine clinica e sperimentale*, Edizioni Universitarie Romane, Rome, 1999. See also: M. Nicotra, *TransAzioni, corpi e soggetti FtM. Una ricerca psicosociale in Italia*, Il dito e la Luna, Milan, 2006; P. Marcasciano, *Tra le rose e le viole. La storia e le storie di transessuali e travestiti*, Manifestolibri, Rome, 2002.

4 A transsexual person may also be referred to as “female-to-male” (FtM or F2M) for a female transitioning to become a male and “male-to-female” (MtF or M2F) for a male transitioning to become a female. Please note that “transsexualism” is often included under the umbrella term “transgender”, which refers to persons whose gender identity does not conform to their gender assigned at birth and to traditional gender roles, for example, cross-dressers, drag queens, and gender queers. However, transgender is a term which is continuously evolving and some transsexuals refuse to use it.

including those of individuals that might have acted as recruiters of other fellow nationals or might have profited from their position of power, for instance, by controlling the place of work and renting apartments to recent migrants in exchange for rather large sums of money.

Information on the functioning of the system of trafficking and exploitation of Brazilians in Italy was collected through semi-structured interviews that focused on four main topics:

- 1) economic, social and cultural profile of the interviewee;
- 2) reasons to migrate, recruitment, and journey to Italy;
- 3) arrival, living and working conditions in Italy;
- 4) evaluation of the trafficking and exploitation experience and future plans.

The second sample of interviewees is composed of 13 relevant key informants: 3 law enforcement officers, 2 officers of the Brazilian consulates in Rome and Milan, 8 professionals working as outreach workers and psychologists in the social protection programmes of anti-trafficking agencies (NGOs, associations and social services). The key informants provided crucial information to understand the mechanisms and the composite relations that determine trafficking and sexual exploitation of Brazilian nationals in the Italian sex market.

The key informant semi-structured interviews investigated six thematic areas concerning trafficking and exploitation of Brazilians in Italy, namely:

- 1) social, economic and cultural background of presumed trafficked persons and trafficked persons;
- 2) forms of recruitments in Brazil;
- 3) journey from Brazil to Italy and mobility throughout Italy;
- 4) living conditions and forms of exploitation in Italy;
- 5) criminal organisations, exploiters and the organisation of control;
- 6) actors and factors supporting and/or preventing the exit from the exploitation system.

The research team was composed of six researchers with different professional profiles working in the geographical areas covered by the study:

## Part Two: Italy

- one Italian sociologist working as a professional researcher with long-standing experience in investigations on trafficking related issues (Rome);
- one Italian sociologist also working as a social worker for several NGOs engaged in the fields of anti-trafficking and prostitution, vice-president of the main Italian organisation for transsexuals (Bologna);
- one Italian sociologist with long-standing experience as a co-ordinator of outreach units in different parts of Italy;
- one Italian-Brazilian cultural mediator working for an anti-trafficking NGO (Milan);
- one Brazilian social worker working in the field of anti-trafficking, president of a local transsexual association (Rome).

Three interviewees were also interviewed as key informants.

The involvement of social workers with long-standing professional experience in outdoor and indoor outreach work has been fundamental for the outcomes of this research. They were able to contact and interview persons whose voices are rarely heard. Moreover, the study greatly benefited from the contribution of two researchers/social workers of the main associations promoting transsexuals' rights in Italy – *Movimento Identità Transessuale* (MIT)<sup>5</sup> and *Associazione Libellula*<sup>6</sup>. Both associations are part of the assistance and social protection programmes for transsexual trafficked persons, and provide health support and legal advice to sex workers and transsexuals in general.

The language issue was also taken into consideration when selecting the research team members: 3 researchers out of 6 speak Portuguese and are familiar with the Brazilian culture and they interviewed the trafficked persons and some key informants in their native language. Also having two researchers who are active members of the GBLT (Gay, Bisexual, Lesbian, Transsexual) community proved to be an effective means, on the one hand, for contacting and interviewing the transsexual interviewees and, on the other, for having a better understanding of the issues concerning the transsexual community. Methodologically speaking, language and gender identity have been important tools in establishing a direct communication with the interviewees, who are generally more comfortable when speaking their own language and in relating to persons with an in-depth understanding of their situation.

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5 [www.mit-italia.it](http://www.mit-italia.it)

6 [www.libellula2001.it](http://www.libellula2001.it)

Finally, all interviews were carried out with due attention to ethical issues as outlined in the WHO's ten guiding principles for the ethical and safe conduct of interviews with trafficked persons<sup>7</sup> and in the UNIAP's ethical standards for counter-trafficking research<sup>8</sup>. The researchers conducted their interviews once they had obtained the informed consent of the interviewees and had granted them confidentiality and the right to privacy and anonymity, always making every effort to avoid harming or re-traumatizing the respondents while posing any question. Before the interview, each respondent was informed about the research goals and how the information would be used. It was also stressed that they could decline to answer any questions they felt uneasy about. In most cases, the interviews were recorded and transcribed with the permission of the interviewees. In the case of presumed trafficked persons and trafficked persons, the interviews were conducted in the protection schemes' facilities or in the respondents' homes; while key informants were generally interviewed at their work place. Furthermore, respondents were not required to provide any identifying information and, whenever they did, such information was concealed and, when needed, reported in the final study in ways that do not harm the interviewees or their significant others.

## Research scope

Italy is characterised by strong social, economic, and cultural differences within its national borders and migration is clearly influenced by these territorial variations. Regular migrants mostly reside in the North of Italy (62%), while 25% live in the Centre and 12,8% in the South<sup>9</sup>. This territorial subdivision of the migrant population also reflects the country's distribution of wealth: most labourers work in the Northern and Central manufacturing and service industries (medium-sized and small factories, tourist and care sectors, transport and construction). In the South, migrant workers are employed mostly in agriculture, tourism and in the private care sector. No official data are currently available on irregular migrants working in Italy.

7 World Health Organisation, *WHO Ethical and Safety Recommendations for Interviewing Trafficked Women*, Geneva, 2003.

8 United Nations Inter-Agency Project on Human Trafficking, *Guide to Ethics and Human Rights in Counter-trafficking. Ethical Standards for Counter-trafficking Research and Programming*, UNIAP, Bangkok, 2008.

9 Caritas/Migrantes, *Immigrazione. Dossier Statistico 2009. XIX Rapporto*, Arti grafiche, Rome, 2009. Data refer to the people registered as residents; the overall number increases when adding persons holding a residence permit but who have not yet been formally registered. Caritas, is the most authoritative institution in monitoring the presence of migrants in Italy due to its long-lasting collaboration with the Ministry of the Interior that annually provides the official data to the Caritas researchers compiling the yearly report.

## Part Two: Italy

Given this scenario, the findings of the desk research, and the knowledge of the research team, four geographical areas of Italy were selected for the study, namely:

- Milan (Northern Italy)
- Bologna, Ravenna and surroundings (Northern Italy)
- Ancona, Ascoli Piceno (Central Italy), Teramo (Southern Italy)
- Rome (Central Italy).

These areas are very different in terms of territorial size, social and economic features, presence and patterns of the regular and irregular migrant population. However, they share the following crucial elements for the study: forms of trafficking and exploitation, especially trafficking for sexual exploitation; a significant number of Brazilian migrants<sup>10</sup>; anti-trafficking NGOs and local authorities with well-established contacts with the target group of this study.

**Figure 1: Map of Italy and the geographical areas of the research (black circles)**



<sup>10</sup> According to the most recent official data (as of 31 December 2008), regular Brazilians living in Italy numbered 41,476, out of which 13,425 were men and 28,051 women (see <http://demo.istat.it>). The overall number of Brazilian nationals living in Italy is likely to be higher; however, no data or estimates are available on irregular Brazilian citizens.

Milan is the biggest city in the North of Italy. The city has around 1,300,000 inhabitants that triples when the population of the metropolitan area is included; in Milan documented migrants amount to 14% of the city population, and 1 out of 4 is a minor. The city's economy is mostly based on the financial and service sectors. Milan is one of the places of arrival and from where Brazilian women exploited in the sex market move on to other locations.

The area around Ravenna, located on the Adriatic coast, is wealthy. Mass tourism is one of the main economic resources, followed by manufacturing and commerce, while agriculture, a traditional economic sector, is undergoing a crisis like in the rest of Italy. In the Emilia-Romagna region, regular migrants are about 9.7% of the total population, while in the province of Ravenna they amount to almost 10% of the population<sup>11</sup>. In the last two decades, this area has attracted numerous Brazilian transsexuals, who have permanently settled in the small villages nearby the coast. Only a small percentage holds a residence permit.

Along the same Adriatic coast, the cities of Ancona, Senigallia and Falconara are found in the Marche region. In this region, regular migrants represent 8.3% of the total population<sup>12</sup>. Tourism and highly specialised small-medium industries – footwear and furniture factories, the leather industry and shipbuilding – constitute the main economic activities. Further south, along the border between the Marche and Abruzzo regions, there are two valleys, the Tronto and the Vibrata. The former is a wide territory that also includes part of the province of Ascoli Piceno, where there are 27,696 regular migrants (7.1% of population)<sup>13</sup>. The latter, the Vibrata Valley, instead, belongs to the Abruzzo region and is composed of 12 municipalities and has about 79,000 inhabitants. It is located in the province of Teramo where 20,922 regular migrants are registered, which amount to 6.8% of the population. The Teramo province has a higher presence of migrant residents when compared to the rest of the Abruzzo region (average 5.2% of the whole population<sup>14</sup>). It is a wealthy area, whose economy is based on tourism and manufacturing.

Rome has about 2,725,000 residents that almost double when the population of its conurbation is included. In the Lazio region, where Rome is located, foreign residents represent 11.6% of the total population (third presence after Lombardia 23.3% and

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11 Data as of 1 January 2009, see [www.istat.it](http://www.istat.it)

12 [www.istat.it](http://www.istat.it)

13 Idem.

14 Idem.

Veneto 11.7%) while they represent 8.1% in Rome. The most represented nationalities are Romanian, Filipino, Polish, Albanian, Peruvian, Bangladeshi, Ecuadorian. In Rome, 2,879 Brazilian residents are registered, while the overall number in Italy amounts to about 39,000 people<sup>15</sup>.

## **Research limitations**

While carrying out the study, some limitations were encountered and taken into account in the process of gathering, collecting, and analysing the collected data.

The research sample of presumed trafficked persons and trafficked persons may be unrepresentative due to its limited size and, thus, may not fully represent the general group of Brazilian persons trafficked and exploited in Italy. This is a shortcoming that is often found in studies concerning trafficked persons and vulnerable groups due to several factors, such as, difficulties in interviewing trafficked persons in general and trafficked persons of given national communities in particular because only a few of them have been identified and assisted or decline to be interviewed; their unwillingness to be outspoken about many aspects of their trafficking experience; the self-representation that interviewees may wish to convey.

The sample of presumed trafficked persons and trafficked persons may also be unrepresentative because it mainly consists of transsexuals, very few women and only one man. The selection procedures and the research team composition may have influenced the sampling frame. The respondents are, in fact, individuals who joined the social protection schemes or access the outreach and support services provided by NGOs and local authorities, with which the researchers have working relationships. Trafficked persons who experience severe isolation and control are, therefore, not included in the sample.

Finally, the very limited knowledge of the phenomenon of trafficking in human beings involving Brazilians in Italy has also played a restraining role especially in the identification of a sound number of key informants holding different professional positions who could further contribute to our understanding of the mechanisms regulating trafficking and exploitation of Brazilian citizens in Italian territory.

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<sup>15</sup> [www.caritasroma.it/Prima%20pagina/OsservatorioORM.asp](http://www.caritasroma.it/Prima%20pagina/OsservatorioORM.asp)

In conclusion, due to its novelty and relatively small sample, this research is certainly exploratory research, which is pointing to issues and patterns that are important for understanding trafficking for sexual exploitation involving Brazilian citizens. In the following pages, several research hypotheses and interpretations will be presented; they would need to be further explored through future studies with a broader scope, a greater number of interviewees and wider geographical areas involved, both in Italy and in Europe.



## Chapter 2:

# Trafficking in human beings in Italy:

## A brief overview

Trafficking in human beings has a long-standing history in Italy. Before becoming one of the main ports of entry for thousands of migrants, including trafficked persons, looking for a better future in wealthy Western Europe, Italy was one of the major source countries of poor individuals legally or illegally migrating abroad. Between 1876 and 1976, 27 million Italians migrated to improve their living conditions; some turning to smuggling and trafficking in those days to reach a foreign country. In the first decades of the twentieth century, human traffic involved Italian women and girls recruited in poor villages and towns and, through the ports of Genoa, Trieste, Naples, Brindisi, Catania and Messina, they were trafficked mainly to Alger, Tripoli, Porto Said Benghazi, Malta, Montevideo, Buenos Aires and San Francisco, to be exploited in prostitution. Also young boys were recruited and trafficked chiefly to France, Great Britain, the United States and South America to be severely exploited as chimney-sweepers, glass workers, beggars and street vendors<sup>16</sup>.

In the 1970s, Italy became a country of transit or destination and, in the early 1990s, it turned into a main transit or destination country for thousands of migrants. After the fall of the Berlin wall (1989) and the subsequent disintegration of the communist Eastern European regimes, trafficking in human beings significantly increased in Italy and in Europe. Poverty, unemployment, economic globalisation and radical neo-liberalist policies are key elements that exposed and still expose people to fragility, coercion and exploitation. The rupture of social solidarity, family breakdown, poor education, discrimination based on gender, ethnicity and class, and the demolition of welfare systems are also push factors that trigger trafficking. In addition, political and geopolitical processes, such as regional wars, humanitarian and environmental crises, political corruption and violence, and unsuccessful migration policies in Western Europe play a role in the development of trafficking. The representation of the Western model

16 G.A. Stella, E. Franzina, "Brutta gente. Il razzismo italiano", in *Storia dell'emigrazione italiana. Arrivi*, Donzelli Editore, Rome, 2002, pp. 293-294.

of life, centred on consumerism, undoubtedly reinforces the desire for a wealthier life in persons living in poorer societies. The stories of older migrants – who usually tell about their success and hide their failures – encourage this aspiration as well as the desire for emancipation from poverty and/or a negative family or social environment.

The demand for cheap labour is one of the major pull factors for trafficking in Western countries. In Italy, unprotected economic sectors have historically played a fundamental role in the national economy, and it is precisely in these sectors that different forms of trafficking and exploitation have easily grown over the last 20 years. Furthermore, restrictive European and Italian migration policies have to a certain extent contributed to pushing migrants to fall prey to criminal organisations or individuals that thrive on trafficking in human beings and smuggling of migrants, which have been fully-fledged businesses since the '90s.

Official data on trafficked persons exploited in Italy are available but they are scattered and not comprehensive. They only concern trafficked persons who joined the national assistance and integration programme through the Department for Equal Opportunities; data on trafficking cases and convicted traffickers gathered and stored by the *Direzione Nazionale Anti-mafia*<sup>17</sup>; data on residence permits for humanitarian reasons registered by the Ministry of the Interior. Since December 2008, Italy officially has a national Observatory on Trafficking in Human Beings funded by the government through the Department for Equal Opportunities<sup>18</sup> but so far no official reports and data have been issued.

In Italy, prostitution is the best known and investigated field where trafficked persons are exploited. Knowledge on other forms of trafficking is still limited but still relevant because it contributed, on the one hand, to conceptualising the main theoretical framework concerning forced labour, organ trafficking, exploitation of begging and forced illegal crime, and, on the other, to gathering crucial information on unknown or scarcely known phenomena for the purpose of developing new anti-trafficking responses.

In order to place the findings of the present study in the current Italian state-of-the-art

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<sup>17</sup> For the description of the above mentioned programme, see Chapter 3.

<sup>18</sup> Decree of the Minister for Rights and Equal Opportunities – Presidency of the Council of Ministries, 21 March 2007.

in terms of trafficking in persons, a very short description of the main forms of this phenomenon identified in Italy is provided in the following pages<sup>19</sup>.

## Forced prostitution

Trafficking for the purpose of sexual exploitation in prostitution initially concerned few areas of Northern Italy. In the 1990s, the main cities and suburbs of Northern and Central Italy (e.g., Turin, Milan, Venice, Padua, Bologna, Modena, Florence, Perugia, Rome, Ascoli Piceno, Teramo) were the major places of destination of trafficked women to be exploited in prostitution. Very rapidly, though, the phenomenon spread all over Italy. Women are the main target of traffickers who recruit the majority of them in Nigeria, Albania, Eastern European countries (Romania, Bulgaria, Hungary), and the former Soviet republics (Moldova, Ukraine, Russia, Kazakhstan, Kyrgyzstan, Uzbekistan) and, to a less extent, in North Africa (Morocco and Tunisia), South America (Brazil, Colombia, Ecuador), and China.

The trafficking routes<sup>20</sup> to Italy continuously change as a result of the criminal dynamics and *modi operandi* of traffickers and exploiters. In the early 1990s, the Channel of Otranto (Apulia) was the main port of entry for women coming from the Balkans and Eastern Europe. In the 2000s, the coasts of Calabria and Sicily became the main arrival areas. The North-eastern border between Italy and Slovenia is another important corridor for Eastern Europeans to reach Western Europe. After entering Europe by flying to Spain or to the Netherlands, women from Nigeria usually reach Italy through the North-western border, which divides Italy from France. A large number of trafficked persons also arrive by plane; most of them are from the more distant countries of Africa and South America.

Women between 18 and 30 years old are the main group subjected to trafficking for sexual exploitation in Italy. Female minors are also trafficked to be exploited as prostitutes;

19 For a comprehensive description of the different forms of trafficking, see F. Carchedi, I. Orfano (eds.), *La tratta di persone in Italia. Vol. 1. Evoluzione del fenomeno ed ambiti di sfruttamento*, Franco Angeli, Milan, 2007.

20 UNICRI, *La tratta delle minorenni nigeriane in Italia. I dati, i racconti, i servizi sociali*, Industria Grafica Editoriale, Turin, 2010; UNICRI, *Trafficking of Nigerian Girls in Italy*, Industria Grafica Editoriale, Turin, 2004; E. Ciconte (ed.), *I flussi e le rotte della tratta dall'est Europa*, Grafiche Morandi, Fusignano, 2005; F. Carchedi (ed.), *Prostituzione migrante e donne trafficate. Il caso delle donne albanesi, moldave e rumene*, Franco Angeli, Milan, 2004.

they are considered highly profitable even though criminal groups have to face higher risks to traffic and exploit them. As a result, traffickers have developed several strategies to deal with police repression: they often move their young victims within and across different areas and regions; they entrap them in indoor prostitution (apartments and hotels) with no freedom of movement and strictly control them<sup>21</sup>. Minors forced into prostitution usually come from Albania, Romania, Moldova and Nigeria.

More recently transsexual persons, usually from South America, have also started to be trafficked and exploited in the sex industry. Men are rarely trafficked for sexual exploitation although some studies point out the further development of the sex market involving young men and boys from Eastern Europe and North Africa<sup>22</sup>, some of whom may be trafficked.

Forms of recruitment, subjection and exploitation vary according to the time period and to the national groups involved. As a matter of fact, different national systems of trafficking and exploitation have been identified over the years as the following paragraphs will very briefly describe.

The *Albanian system* is one of the oldest trafficking systems operating in Italy. Albanian traffickers used various methods to recruit and exploit their victims: few women were kidnapped; many were recruited by using false promises of marriage or/and a legal job. Then, women were forced into prostitution through physical and psychological violence, strict control and threats of reprisals against their family. The individual exploiter or the criminal groups had complete control over the life and work of trafficked women. Currently, the number of Albanian trafficked women is smaller and the system of control is more “negotiated”; for instance, traffickers share a small percentage of the earnings with the exploited women<sup>23</sup>. They also enjoy a higher degree of autonomy and participation in the system as a result of their rebellion against the violence they were subjected to. Some Albanian women are now involved in the exploitation process: they supervise other trafficked women, control their job and profits.

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21 F. Carchedi and F. Frisanco, “La tratta di donne adulte e bambine. Uno sguardo d’insieme”, in F. Carchedi (ed.), *Piccoli schiavi senza frontiere. Il traffico di minori in Italia*, Ediesse, Rome, 2004.

22 V. Ferraris, “Prostituzione maschile in Italia: minori e giovani adulti”, in *Kinda. Ricerca sulla prostituzione maschile dei giovani stranieri*, Mcl, Turin, 2004; A. Pini, “La prostituzione maschile”, in On the Road (ed.), *Porneia. Voci e sguardi sulla prostituzione*, Il Poligrafo, Padua, 2003.

23 F. Carchedi, V. Tola (eds.), *All’aperto e al chiuso. Prostituzione e tratta: i nuovi dati del fenomeno, i servizi sociali, le normative di riferimento*, Ediesse, Rome, 2008; V. Maida and M. Mazzonis, “Il traffico di donne. Il caso albanese”, in F. Carchedi (ed.), *Prostituzione migrante e donne trafficate... cit.*

The *Nigerian system* is the other “traditional” form of trafficking for sexual exploitation in Italy. Since the early 2000s, Nigerian women can be found on the Italian streets after having experienced long journeys, crossed different national borders, and faced several dangers to reach Italy. The Nigerian system is mostly based on “debt bondage”, that is, the debt the trafficked women must pay back to the “*mamam*” or “*madam*”, i.e., the (female) exploiter. Also Nigerian women are recruited with false job promises and are highly exploited. They are forced to work long hours to pay off their debt that keeps increasing due to the high costs of daily living (rent, food, clothes, etc.) imposed on them and the fines charged whenever they contravene the *mamam*’s rules. The subjection of Nigerian women is obtained by using two main strategies. Firstly, they are blackmailed through the misuse of religious rituals (e.g., *voodoo and ju-ju*); secondly, they are bound to a contract often signed in their home country that obliges them to pay the debt. Once the money is paid back, the Nigerian trafficked women are free to go back to their homeland or to stay in Italy without any further obligation<sup>24</sup>. In recent years, there has been an increase in the number of “*mamam*” involved in the exploitative system in both Italy and Nigeria; they are often former trafficked women who join the criminal system by helping their former *mamam*. As a result, an increase in debt bondage and in the use of more violent methods of management and control of trafficked persons has been recorded.

The *Eastern European and the former Soviet systems* have developed since the late 1990s, when women from Slovenia, Bulgaria, Poland, former Yugoslavia, Russia, Ukraine, Moldova and Belarus started to be trafficked and exploited in Italy. These systems of trafficking and exploitation are characterised by the co-operation existing between different criminal organisations. Recruitment is done by fellow nationals (friends, employers in employment agencies, etc.); their journey is organised by local criminal groups linked to international criminal organisations; the exploitation in Italy is managed by individuals or groups who do not necessarily share the same nationality as the trafficked women. Albanian criminal groups often exploit Romanian and Moldovan women in collaboration with Romanian organisations. This model of subjugation and exploitation is somewhat different from the “traditional” model applied to Albanian women in the 1990s. Eastern European women have often reached a good level of schooling and are fairly aware of the objectives to be achieved by emigration; they are, therefore, able to “negotiate” better work and living conditions with their traffickers.

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24 UNICRI, *Trafficking of Nigerian Girls in Italy... cit.*

These women can try to obtain a higher degree of economic and personal independence as well as try to end the relation with the traffickers without retaliations<sup>25</sup>. Eastern European women can also be found within the criminal organisations<sup>26</sup>.

The *Romanian system* started to blossom in the 2000s when an ever-increasing number of Romanian women and girls arrived in Italy, often knowing they would work as prostitutes but being deceived about the living and working conditions they were to face. This system underwent several changes after January 1, 2007, when Romania joined the European Union. Potential trafficked persons are generally recruited by acquaintances, friends or strangers. A significant role is also played by travel agencies that offer their clients trips to Italy inclusive of a “prostitution tour” to show potential workplaces to women who had previously indicated their preference between indoor or outdoor prostitution<sup>27</sup>. Such a system has guaranteed that the criminal groups involved have a constant flux of women for short and medium periods.

The *Southern American system* has, since the mid-1990s, involved women coming mostly from Colombia and Brazil, but also from Ecuador and Peru. Both the recruitment and journey are often organised by friends or acquaintances, who do not conceal the type of job available in Italy, but instead lure their victims by promising huge profits and good working conditions. Cases of trafficking for sexual exploitation involving South-American persons have been detected but no significant literature on these national groups has been compiled in Italy.

Over the years, these national systems of trafficking and exploitation have undergone several changes and restructures as a result of the following variables:

- law enforcement actions implemented in Italy, in the country of origin and/or transit;
- social protection schemes available in Italy, in the country of origin and/or transit;
- type and the nationality of criminal organisation(s) involved;
- rivalry existing between different criminal groups;
- type of relation established between the trafficked person and the traffickers;
- degree of readiness of potential trafficked persons to move abroad and their ability to negotiate different degrees of exploitation;

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25 F. Carchedi (ed.), *Prostituzione migrante e donne trafficate... cit.*

26 E. Cicone, *op. cit.*

27 F. Carchedi, V. Tola (eds.), *op. cit.*

- better knowledge of the phenomenon at national and international level;
- implementation of restrictive migration policies at the European level that curb the space of “legal” immigration and favour criminal groups engaged in illegal activities.

It is thus very clear that trafficking in persons is an ever-changing phenomenon that should be constantly and accurately monitored to be counteracted so that proper assistance and support to trafficked persons can be provided.

## Forced labour

Knowledge of trafficking for the purpose of forced labour is still limited in Italy. Very few studies on this form of trafficking have been carried out<sup>28</sup> and the main data gathered are based on the stories of trafficked persons assisted by the programme for social assistance and integration or on the works of investigative journalists. Agriculture, construction, the garment industry, the catering industry and domestic work are the main sectors where exploitation of trafficked persons may take place. Migrant workers can end up in forced labour when recruited in their country of origin and transferred to Italy or when already in Italy after having lost or changed their job. The unprotected sectors of the economy and the illegal economy are sectors where forced labour can easily thrive. Irregular migrants looking for a job may fall prey to recruiters and/or employers who are especially in search of seasonal or temporary workers. They can be a cheap, reliable, and easy-to-blackmail workforce.

In the last three years (2007-2010), during which the economic crisis has particularly hit migrant workers<sup>29</sup>, the mobility of the labour force has increased between different economic Italian districts: workers travel following seasonal employment mostly in

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28 F. Carchedi (ed.), *Il lavoro gravemente sfruttato. Il profilo sociale delle vittime, i servizi di protezione e le norme*, Maggioli Editore, Santarcangelo di Romagna, 2010; R. Stagliano, *Grazie. Ecco perché senza gli immigrati saremmo perduti*, Chiarelettere, Milan, 2010; F. Carchedi, F. Dolente, T. Bianchini, A. Marsden, “La tratta di persone a scopo di grave sfruttamento lavorativo”, in F. Carchedi, I. Orfano, (eds.), *op. cit.*; G. Mottura, E. Pugliese, F. Carchedi (eds.), *Il lavoro servile e le nuove schiavitù*, Franco Angeli, Milan, 2003.

29 In Italy, the residence permit is tied up with the employment contract; Article 18 of Law No. 189/2002 states that foreign workers who lose their jobs may be registered as unemployed for the remaining period of validity of the residence permit and for a period of not less than 6 months. In reality, also due to the scarce opportunities offered by the official labour market, unemployment may lead to occupation within the undeclared job market and thus to the end of the person's legal stay in Italy.

tourism and agriculture. Recent incidents<sup>30</sup> have shown that, in the agricultural sector, which is widely controlled by criminal organisations and is largely affected by the so-called “grey economy” and undeclared work, both regular and irregular migrants are subjected to the worst forms of exploitation and subjugation.

Migrant workers trafficked for labour purposes are mainly men coming from a wide range of countries in Africa, Eastern Europe, the East and Far East. Women are also trafficked for forced labour but to a lesser extent; they generally are from Eastern European and some South-American countries. Similarly to other countries, Italy is experiencing a sort of “ethnic specialisation” of certain segments of the labour market and, thus, for instance, domestic workers are mainly women from the Philippines, Romania, Ukraine and Ecuador; garment workers from China; cattle attendants or farm workers from India; fishermen from Tunisia; truck drivers from Albania and Romania. This ethnic division of labour can also be found among trafficked persons exploited in the labour market.

Identification of trafficked persons exploited in the labour market by the competent authorities (police, labour inspectors, trade unions, labour associations, etc.) is still a major problem resulting from the lack of knowledge and tools concerning trafficking<sup>31</sup>, some steps forward have, however, been taken in recent times. An efficient struggle against the hidden economy, a continuous monitoring of labour relations, the strengthening

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30 On January 8th and 9th, 2010, migrant workers from Africa rebelled against the ‘*ndrangheta* (the regional *mafia*), which controlled their jobs, and against their inhuman living and working conditions in Rosarno, a small village in Calabria devoted to the cultivation of citrus fruits. Workers were paid 22 Euros for 10-14 hours of work. The employers paid one Euro per crate of tangerines and 50 cents per crate of oranges; workers had also to pay 10 Euros for their jobs and 3 Euros for being driven to the fields where they worked. In addition, they lived in crumbling former factories without water, gas and electricity and were segregated from the rest of the white Italian population. The clashes between migrants and Italians, which started after a migrant was shot with an air rifle, provoked the wounding of dozens of migrants, who were then taken to the centres of identification and expulsion (CEI) by the police. About 10 out of the thousands of workers were granted a residence permit on humanitarian grounds. After the riots, a group of migrants moved to Rome where they self-organised in order to ask for labour and citizenship rights. See their blog at: <http://alar.noblogs.org>

31 Between 2008 and 2010, the Italian Department for Equal Opportunities and ILO in collaboration with the Ministry of Labour – General Directorate for Coordination of Inspection Activities, the General Command of Carabinieri, the National Council of Economy and Labour, the main trade unions and some selected anti-trafficking NGOs and local authorities implemented “Freed - Transnational Multi-Stakeholder Action to Combat Trafficking in Human Beings for the purpose of Labour Exploitation. Identification and Protection of Victims”. This is a EU-funded project that contributed to exploring the phenomenon of trafficking for labour exploitation in Italy, establishing and strengthening co-operation between the relevant stakeholders and practitioners; and improving practitioners’ skills.

of the social climate of acceptance of migrants would permit a gradual reduction of severe forms of exploitation<sup>32</sup>, also including trafficking in human beings.

## Forced begging and illegal crimes

Trafficking in persons for the purpose of forced begging and illegal crimes takes place in various big and small towns in Italy, but no national official data are available to quantify and better qualify this phenomenon. The current data are provided by a few studies focussing on selected cities (i.e., Milan, Turin, Rome, Naples) and by reports on projects that offer support and assistance to trafficked persons. Since the '90s, several Italian areas have experienced a significant increase in young and adult migrants begging on their streets, nearby traffic lights, in front of supermarkets, and in parking lots. Many beggars ask for money in exchange of “services” such as cleaning car window screens or selling small goods (paper tissues, lighters, key chains, sponges, etc.), thus, camouflaging their begging activity through a sort of a new form of street vending. Some beggars are trafficked, especially minors and adults with disabilities. However, it has to be emphasised that it is often difficult to draw a clear line between forced begging and begging as an economic resource. In fact, there are family economies based on begging that cannot be confused with forced begging or trafficking of minors.

Some trafficked people are employed in illegal activities, mainly linked to the drug market, product counterfeiting and illicit street vending. Several migrant minors – in most cases from the Maghreb – are involved in the drug market as street drug dealers. It is still unclear though how minors enter the illegal circuit, namely, whether they are trafficked, coerced or voluntarily choose to perform this illegal activity. Romanian boys and girls (Roma or not) generally commit burglary (pick pocketing, apartment break-ins, etc.). These forms of trafficking mainly involve minors, who are, at the same time, often forced to engage in other activities, including prostitution<sup>33</sup>. They can arrive in Italy either alone or with their traffickers or exploiters. In some cases, families are involved in the recruiting process. Unaccompanied minors with no or few contacts with members of their communities or controlled by a person outside their family circle are more vulnerable to forms of severe exploitation or slavery-like conditions. In several

<sup>32</sup> F. Carchedi, F. Dolente, T. Bianchini, A. Marsden, *op. cit.*

<sup>33</sup> V. Ferraris, “Dalla tratta al traffico allo sfruttamento. I minori stranieri coinvolti nell’accontonaggio, nelle economie illegali e nella prostituzione”, in F. Carchedi and I. Orfano (eds.), *op. cit.*

instances, begging is the first step of exploitation, followed by petty crimes, such as theft, pick-pocketing and drug dealing. Minors involved in these activities are often moved to different cities and are subjected to strict forms of surveillance<sup>34</sup>.

Other forms of trafficking have not been identified in Italy. No evidence of trafficking for organ transplantation has been found even though some studies highlighted the fact that it is a growing phenomenon at the international level<sup>35</sup>. So far only a few investigations by journalists have proved that there are some Italians who have travelled to other countries to receive an organ transplant taking advantage of poor donors. Nor is there any formal evidence of trafficking for the purpose of illegal adoption.

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<sup>34</sup> Idem.

<sup>35</sup> G. Altieri, “*Il commercio dei corpi: la tratta a scopo di espianto di organi*”, in F. Carchedi, I. Orfano (eds.), *op. cit.*; N. Scheper-Hughes, *Il traffico di organi nel mercato globale*, Ombre Corte, Verona, 2001; M. Naim, *Illecito. Come trafficanti, falsari e mafie internazionali stanno prendendo il controllo dell'economia globale*, Mondadori, Milan, 2006; N. Scheper-Hughes, “The Global Traffic in Human Organs”, in *Current Anthropology*, no. 41, 2000.

## Chapter 3:

# The Italian system of social protection for trafficked persons

### Anti-trafficking legislation

Since 2003 trafficking in human beings has been a serious offence provided for under the Italian Criminal Code through the enactment of Law No. 228/2003 “Measures against Trafficking in Persons” (Article 601 “Trafficking in Persons” of the Criminal Code). Such provision complies with the main elements of the UN Protocol since it covers all forms of trafficking, slavery and servitude and contains elements of the crime – violence, abuse of authority, profiting from a situation in which the other person is in a situation of physical or psychological inferiority, as well as internal and cross-border trafficking:

*“Art. 601. Whoever carries out trafficking in persons who are in the conditions referred to in Article 600, that is, with a view to perpetrating the crimes referred to in the first paragraph of said article; or whoever leads any of the aforesaid persons through deceit or obliges such person by making use of violence, threats, or abuse of power; by taking advantage of a situation of physical or mental inferiority, and poverty; or by promising money or making payments or granting other kinds of benefits to those who are responsible for the person in question, to enter the national territory, stay, leave it or migrate to said territory, shall be punished with imprisonment from eight to twenty years.”*

Law No. 228/2003 also provided for the replacement of the offence of “slavery” with Article “Placing or Holding a Person in Conditions of Slavery or Servitude” (Article 600 of the Criminal Code), that now reflects the current components of such an offence:

*“Art. 600. Whoever exerts on any other person powers and rights corresponding to ownership; places or holds any other person in conditions of continuing enslavement, sexually exploiting such a person, imposing coerced labour or forcing said person into begging, or exploiting him/her in any other way, shall be punished with imprisonment from eight to twenty years. Placement or maintenance in a position of slavery occurs*

*when use is made of violence, threat, deceit, or abuse of power; or when anyone takes advantage of a situation of physical or mental inferiority and poverty; or when money is promised, payments are made or other kinds of benefits are promised to those who are responsible for the person in question.”*

Both offences are punished with imprisonment from eight to twenty years. The penalty is harsher, increased by one third to 50%, if the offences are perpetrated against minors under eighteen or for sexual exploitation, prostitution or organ removal purposes.

Before the Anti-trafficking Law (2003) was passed, other legal provisions were used and are still used to investigate and prosecute cases of trafficking and to provide support to trafficked persons. In 1998, the enactment of the Immigration Law represented a major turning point in the fields of social policies and the fight against trafficking in human beings. Through Article 18 of it, the Italian government began to promote the social inclusion of trafficked people through a yearly funded programme for social assistance and inclusion and to grant residence permits for humanitarian reasons, regardless of the victim's co-operation with the competent authority:

*“1. Whenever police operations, investigations or court proceedings involving any of the offences set out in Art. 3 of Law No. 75/58<sup>36</sup>, or in Art. 380 of the Code of Criminal Procedure,<sup>37</sup> or whenever the social services of a local administration<sup>38</sup>, in the performance of their social assistance work, identify situations of abuse or severe exploitation of a foreign citizen, and whenever the safety of the said foreign citizen has been seen to be endangered as a consequence of attempts to escape from the conditioning of a criminal organisation which engages in one of the afore-cited offences, or as a consequence of statements made during preliminary investigations or in the course of court proceedings, then the chief of police, also acting on the proposal of the Public Prosecutor, or with the favourable opinion of the same Public Prosecutor, may grant a special residence permit enabling the foreign citizen to escape from the situation of abuse and conditioning perpetrated by the criminal organisation and to participate in a social assistance and integration programme.”*

The Immigration Law includes provisions to strengthen the fight against smugglers,

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<sup>36</sup> The law on exploitation of prostitution of others.

<sup>37</sup> Cases in which the police must arrest the offender.

<sup>38</sup> City Councils or Regions.

traffickers and exploiters through Art. 12 “Provisions against Irregular Immigration”. According to this Article, whoever smuggles an undocumented person is punished with imprisonment for 1 to 5 years and a fine of 15,000 Euros for each person smuggled. If smugglers gain direct or indirect profit from smuggling an undocumented foreigner, they are punished with imprisonment for 4 to 15 years and a fine of 15,000 Euros per smuggled person. The penalties are increased if five or more persons were smuggled; the smuggled migrants suffered “inhuman or degrading treatment” and their life was endangered; the deeds were accomplished “to recruit people to be prostituted or in any way for sexual exploitation or they concern the entry of under-age persons to be employed in illicit activities for the purpose of favouring their exploitation”; the offence was committed by three or more persons or by means of international transportation services or through the use of false, counterfeited or illegally obtained documents. The punishment is decreased “if the offender concretely collaborates with the police or the judicial authority to gather important evidence to reconstruct the facts, and to identify and arrest one or more persons responsible for the crimes.” Furthermore, the law has provided for stricter measures relating to border control policies and expulsion of irregular migrants found on Italian soil.

Law No. 75/1958 – “Cancellation of Regulations on Prostitution and the Fight against the Exploitation of Prostitution” (known as “Legge Merlin”, after the senator who proposed it) is always used for cases of trafficking for sexual exploitation. Article 3 comprises a series of crimes aimed at sanctioning all activities which would, in any way facilitate, abet and procure prostitution. All offences, even though differing in terms of gravity, are punished with imprisonment from 2 to 6 years and a fine ranging from five hundred thousand to twenty million lire. Para. 2, no. 6 envisages the offence of “inducement to move to a given location or place to carry out prostitution” providing penalties for those who induce another person to move from one place to another, within the same country or to another country, in order to engage in prostitution; while no. 7 punishes the activity of national or foreign “associations and organisations dedicated to the recruitment and exploitation of prostitutes, and the aiding and abetting by said organisations or associations.

Other provisions often employed in trafficking cases are:

- Article 600-*bis*, Criminal Code – “Child Prostitution”
- Article 600-*ter*, Criminal Code – “Child Pornography”
- Article 600-*quarter*, Criminal Code – “Possession of Pornographic Material”

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- Article 600-*quarter*, Criminal Code – “Virtual Pornography”
- Article 600-*quinquies*, Criminal Code – “Tourist Initiatives Aimed at the Exploitation of Child Prostitution”
- Article 600-*sexies*, Criminal Code – “Aggravating and Attenuating Circumstances”
- Article 600-*septies*, Criminal Code – “Accessory Penalties”
- Article 604, Criminal code – “Offence Committed Abroad”
- Article 605, Criminal code – “Kidnapping”
- Article 416, Criminal code – “Criminal Association”
- Article 416-bis, Criminal code – “Mafia-type Association”.

In 2008 and 2009, the Italian Government adopted the so-called “*Pacchetto sicurezza*” (security package) (Law No. 125/08, Decree No. 159/08, Decree No. 160/08 and Law No. 94/2009) that enacts a set of security-oriented measures, which harm the rights of migrants, including presumed trafficked persons. Inter alia, the security package introduces an “illegal immigration offence” (*Reato di clandestinità*): if a foreigner enters or stays illegally in Italy, she/he will be fined (5,000 to 10,000 Euros), deported and a criminal case may be opened. This security approach has an impact on the most vulnerable irregular migrants (e.g., trafficked and exploited persons) who are afraid to reach out as this may require them to be visible and thus run the risk of being arrested, for instance, during police patrols. Other provisions of the security package (i.e., residence permit fee, detention, integration agreement, obstacles to remittance flows, citizenship tax, legalisation of vigilante groups) severely worsen the conditions of regular and irregular migrants.

Even though Italy has a comprehensive system to support trafficked persons and to fight trafficking, no National Action Plan (NAP) against Trafficking is currently in place. However, the Inter-ministerial Commission for the Support of Victims of Trafficking, Violence and Exploitation has recently appointed a working group aimed at drafting the Italian national referral system (NRM) and the first NAP against trafficking in human beings, which will be launched in December 2011. As a matter of fact, the Italian Department for Equal Opportunities led a European project in co-operation with the International Centre for Migration Policy Development (ICMPD) aimed at developing guidelines for the establishment of a Transnational Referral Mechanism (TRM) for trafficked persons<sup>39</sup>. This work will be adapted to the Italian context to comply with the legislation and the practices and procedures already in place.

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<sup>39</sup> ICMPD, Italian Department for Equal Opportunities, *Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe: TRM-EU*, OstWest Media, Vienna, 2010.

The Italian legislative system provides for two special programmes for trafficked persons:

- A short-term programme (“Article 13 Programme”) is provided by Art. 13 of the Anti-trafficking Law (No.228/2003) “Launching of a special support programme for the victims of the offences envisaged by Articles 600 and 601 of the Criminal Code;
- A long-term programme (“Programme of Social Assistance and Integration” or “Article 18 Programme”) is provided by Art. 18 of the Immigration Law (Legislative Decree No. 286/98) “Residence permits for social protection”.

Both programmes are technically and financially run by the Inter-ministerial Commission for the Support of Victims of Trafficking, Violence and Exploitation, that is chaired by the Chief of the Department and is composed of representatives of the Ministry of Justice, Ministry of the Interior, Ministry of Labour, Health and Social Policies, Under-secretary for Family Policies, United State-Regions Conference, National Association of Italian Municipalities. The Commission’s main tasks are to propose anti-trafficking policies, evaluate, fund and supervise the Article 13 and Art. 18 projects.

Each year the Department for Equal Opportunities launches a call for proposals to fund the programmes operationally managed by NGOs and local authorities. It is important to underscore that each grant – by law – is co-financed by the Department for Equal Opportunities and by local authorities. As a matter of fact, the NGOs applying for the funding must involve a co-funding local authority as project partner and, in order to be eligible for the funding, the NGO or the association must be enrolled in the register of NGOs and bodies carrying out assistance to migrants set up by the Executive Regulation of the Legislative Decree No. 286/98 at the Presidency of the Council of Ministers.

In Italy, there is no reflection period<sup>40</sup>. In practice, though, an informal reflection period has been created by the daily practice of NGOs/local authorities and law enforcement agencies to allow assisted persons to assess their personal situation and make their own decisions after having been duly informed about the available options.

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<sup>40</sup> The reflection period is an adequate period of time to allow the presumed trafficked person to recover and make an informed decision about her/his future in full compliance with human rights regulations. It should be granted regardless of a person’s willingness to co-operate as a witness and should be followed by the granting of a temporary residence permit. Co-operation with the competent authorities shall be voluntary and never obligatory in order to acquire the status and rights of a trafficked person. Such a period is foreseen by the Council of Europe’s Convention on Action against Trafficking in Human Beings (2005), cfr. Article 13.

## The Article 13 short-term programme

The Article 13 Programme offers a series of protective and initial support measures to Italian, European and foreign victims of slavery, servitude and trafficking. Between 2006 and 2009, 97 projects were funded and 438 trafficked persons assisted throughout Italy. According to the law, trafficked persons can benefit from a three months programme that, when applicable, may be extended for a further three months. They are provided with accommodation, social assistance, and health care services. Once the programme is over, the assisted persons can continue to be helped under the Article 18 programme.

## The Article 18 long-term programme

The Article 18 grants a residence permit for humanitarian reasons, the so-called “Article 18 permit”, which applies to European and foreign citizens in situations of abuse or severe exploitation where their safety is seen to be endangered as a consequence of attempts to escape from the conditioning of a criminal organisation or as a result of pursuing criminal action against the traffickers. Persons granted the Article 18 permit are obliged to participate in a social assistance and integration programme offered by various local NGOs and local public authorities funded by the above-mentioned Inter-ministerial Commission. They are also afforded access to social services and educational institutions, enrolment with the State’s employment bureau and are provided access to employment.

Two separate ways of obtaining the residence permit currently exist. The first one is via a judicial procedure (“judicial path”), in which the Public Prosecutor has an important role to play, and the second is a social procedure (“social path”), involving local authorities, associations and NGOs as main reference points.

The “judicial path” implies that the trafficked person will co-operate with the police and the prosecutor. She/he will be instrumental in bringing charges against the perpetrator by filing a complaint.

The “social path” does not require the formal report to the *Questura* but submission of a “statement” (containing provable key-information) by an accredited Article 18 agency or by the public social services of a City Council on behalf of the trafficked person. This is because some trafficked persons do not have relevant information about the criminal

organisation; or the criminals have already been prosecuted; or “simply” because, at the beginning, they are too scared for their own or their relatives’ safety to press charges. Nonetheless, these factors do not diminish their “victim status” and the need to receive help and support. In the Italian experience, many women who began the social path, after having been reassured and having gained new trust in institutions and legality, came to the decision to file a complaint against their traffickers and/or exploiters.

It is possible that, due to the statutory obligation of accusation on the part of the *Questura* when a *notitia criminis* is found, a person within the social path is also asked to testify, but not at the very beginning.

Both in the “judicial path” and in the “social path”, a trafficked person or the prosecutor can also request a special evidence pre-trial hearing (*incidente probatorio*) when there are specific conditions that may jeopardise the trafficked person’s safety or the evidence.

Both methods lead, in the end, to a residence permit for education or for work, allowing the foreigner to remain in Italy in conformity with the regulations governing the presence of non-European Community foreigners.

This is an important starting point, not only because it places the main emphasis on the protection of trafficked persons and on providing a means of escape from exploitation, whether sexual or labour, but also because, from the point of view of fighting crime, obtaining the trust of an exploited individual and providing him/her with the opportunity to start a new life in Italy is the first step in overcoming fear, threats of vengeance by traffickers, distrust towards institutions and fear of deportation which often prevent the trafficked person from reporting his/her exploiters.

The Article 18 permit is renewable and does not oblige the person to go back home once the programme is over. In fact, if the person has a regular job at the end of the programme, he/she can remain in Italy in accordance with the conditions of his/her work contract and can eventually apply for permanent residency.

Trafficked persons can directly access a programme of social assistance and integration or they can be referred to an agency running an Art. 18 project through several channels and/or the support of different actors such as: law enforcers, social services providers, voluntary organisations, acquaintances, friends, clients, partners, *Numero Verde Nazionale contro la Tratta* (anti-trafficking hotline), outreach units, drop-in centres and so on.

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Not every project necessarily provides all types of services directly. In several cases, in fact, the wide range of activities and services is assured by the projects' network. The projects function as reception centres and assistance providers that offer a so-called "individualised programme of social protection" tailored to the needs of the person sheltered and in compliance with the law.

Within each individual programme various activities and services are provided to the assisted person:

- board and lodging
- social counselling
- psychological counselling
- social and health care services accompaniment
- free legal advice and assistance
- social activities
- Italian language classes
- education
- vocational guidance
- training activities
- job placement.

In some cases a person can be hosted in various phases of her/his individual programme by different projects throughout Italy.

It is possible to state that the most effective tool implemented so far in Italy to fight human trafficking is undoubtedly Art. 18 of the Immigration Law. This article has proved to be an effective instrument in supporting trafficked persons, investigating the phenomenon of trafficking, and punishing the traffickers. Most of all, it has acknowledged the status of victims of trafficking to thousands of migrant people – women in particular – and provided them with special assistance, protection and a residence permit for humanitarian reasons.

No comprehensive and detailed data on the social protection programmes and the beneficiaries are available. However, upon request, the following general information has been provided by the Italian Department for Equal Opportunities. In the last decade (2000-2009), 573 Art. 18 projects and 97 Art. 13 projects (2006-2009) were funded and run throughout Italy.

Between 2000 and 2008, 14,689 trafficked persons were assisted through the Art. 18 programme, 986 of them minors.

Most assisted trafficked persons were from Nigeria and Romania, followed by citizens of Moldova, Russia, Ukraine, Bulgaria and, to a lesser extent, Belarus, Brazil, Colombia, Ecuador. More recently, trafficked persons have started to come from more distant countries such as Kazakhstan, Kyrgyzstan, Uzbekistan, China, etc.

Sexual exploitation is still the most registered form of trafficking (about 80%). However, persons trafficked for other purposes (forced labour, begging, petty crimes) are increasingly being assisted through the social protection programmes in Italy.

## **Assisted voluntary return**

Since 2001, the *Progetto nazionale per assicurare il ritorno volontario assistito e la reintegrazione nel Paese di origine delle vittime della tratta* (National project to ensure the assisted voluntary return and reintegration in the country of origin of victims of trafficking) has been available to trafficked persons who wish to go back home. It is managed by IOM (International Organization for Migration) Italy and funded within the “Solidarity and Management of Migration Flows” Programme.

This programme offers beneficiaries the following activities:

- information and counselling
- case assessment
- medical assistance (in both countries)
- referrals
- arrangement of travel and papers
- reception in countries of origin through IOM focal points
- accommodation (family, residential or non residential measures)
- support towards social and labour reinsertion (for 6 months).

The Italian legal framework provides a risk assessment procedure that takes place before assisted return to the country of origin or to a third country. Through such a procedure, the trafficked person’s situation is carefully assessed in order to identify any imminent

or future risks to her/his safety and that of her/his significant others and family and to establish the possibilities for social inclusion in the place of destination<sup>41</sup>.

## **Numero Verde Nazionale contro la Tratta 800-290.290 (Toll-Free Hotline)**

The *Numero Verde Nazionale contro la Tratta* 800-290.290 (Toll Free Number against Trafficking) is a national hotline directed towards trafficked persons, clients, social and law enforcement agencies and the population at large. Financed by the Inter-ministerial Commission for the Support of Victims of Trafficking, Violence and Exploitation, the Numero Verde is composed of a single central main office that functions as a filter for the calls and 14 territorial branches located in 14 different regional or interregional areas throughout Italy. In most cases, the territorial branches of the *Numero Verde* are managed by the same NGOs and public institutions responsible for the implementation of projects funded within the Art. 18 Programme.

All local branches:

- provide information in various languages on several issues (immigration law, social and health services, programmes of social assistance and integration, etc.);
- provide psychological support;
- provide legal advice;
- assess if the conditions for the application of the Article 18 procedures are in place;
- provide information about the available accommodation solutions;
- place or refer presumed trafficked persons to the accredited Article 18 agency located in the geographical area where the person resides.

Information is provided in the various languages spoken by the target group, including: English, Albanian, Russian, French, Spanish, Rumanian, Bulgarian.

Between August 2000 and March 2010, the *Numero Verde* received 545,681 calls. The

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<sup>41</sup> For a detailed description of the functioning of this procedure, see ICMPSD, Italian Department for Equal Opportunities, *op. cit.*, pp. 76-91.

callers mainly asked for the following services: information about the helpline and measures provided, interpretation, referrals to the territorial branches, signalling of trafficking cases.

In 2011, the structure of the Numero Verde will change, however, the mission and the core activities of this important tool will not be altered.



## **Chapter 4:**

# **Trafficking in human beings from Brazil to Italy: The research findings**

This chapter presents the main findings of the study that will help to delineating the major features of trafficking for sexual exploitation of Brazilians in Italy.

The key informants, the presumed trafficked persons and the trafficked persons interviewed will describe different experiences of trafficking, prostitution and sexual exploitation; their voices will explain the social background, the reasons for migrating, the dreams and expectations as well as disappointments and violence they faced or the persons they supported faced.

The study will illustrate the role of recruiters and the recruitment places in Brazil; the journey and the debt bondage mechanism established; the living and exploitative working conditions in Italy; the forms of psychological and physical dependence exploiters developed with their victims; the role played by the social protection programme for trafficked persons. It will also analyse complex and cross-cutting issues, such as the interrelations between exploitation and trafficking, discrimination and migration, which play a significant role in worsening the conditions of trafficked persons and migrants in Italy.

Given the fact that the research sample is mainly composed of transsexual persons, this study greatly contributes to fill the gap regarding knowledge of (potential) trafficking for sexual exploitation of Brazilian transsexuals in Italy. Although they started arriving in Italy in the late 1970s and early 1980s, Italian researchers devoted little attention to this national community. Moreover, focusing on this specific subject will help challenge the common understanding of trafficking and anti-trafficking actions in general. In fact, as some Brazilian scholars argue, traditional forms of economic and social assistance and exchanges common within the Brazilian transsexual community can be misread as trafficking in persons and the resulting narratives can be distorted. In particular, one

prominent scholar<sup>42</sup> states that this misinterpretation is also provoked by recent changes in the Brazilian anti-trafficking legislation that has transformed practices previously seen as belonging to transvestites' sociability into crimes. Therefore, this chapter will point out the complexity of drawing clear lines between different phenomena that might intersect and overlap at specific conjunctures in given time periods.

## Places of origin

The presumed trafficked persons and trafficked persons interviewed mostly arrived in Italy after 2005 from big Brazilian cities, such as São Paulo, Rio de Janeiro and Salvador, Bahia, and from different states: Paraná in the South, Minas Gerais in the South West, Pará in the North, Piauí and Pernambuco in the North-East. São Paulo and Rio attract transsexuals from all over the country and there they are recruited and sent to Italy and Europe.

In recent times, young transsexuals and women are directly recruited in their home towns in the peripheral and poorer areas of Brazil such as the North East:

*“In the last three years, we have met people coming from the North East, from Amazonia... I guess there is a trend to recruit people from the more peripheral areas.”*  
(Int. 28, key informant)

Throughout the years, this trend was also registered in other trafficking systems in Europe. For instance, once they trafficked many fellow citizens recruited in the larger cities and the phenomenon of trafficking started to become known in the area and discussed at public opinion level, Albanian and Eastern European recruiters moved to rural and marginal areas to find girls and women to exploit in the Italian sex market<sup>43</sup>.

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42 F. do Bonsucesso Teixeira, “*L’Italia dei Divieti: entre o sonho de ser européia e o babado da prostituição*”, in *Cadernos Pagu*, no. 31, 2008, pp. 275-308.

43 C. Minguzzi, “Il traffico di donne adulte e di minori. Il caso rumeno” and V. Maida, M. Mazzonis, *op. cit.*, in F. Carchedi (ed.), *Prostituzione migrante e donne trafficate... cit.*

**Figure 2: Map of Brazil and geographical areas and main cities of origin of the interviewed trafficked persons (in white)**

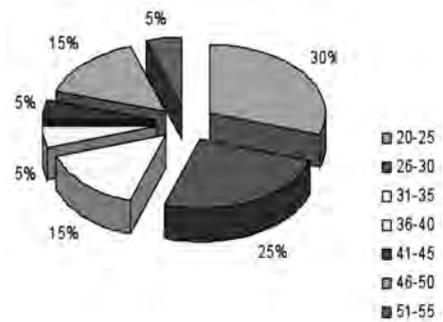


## Age groups

Different age groups are represented in the research sample of presumed trafficked persons and trafficked persons. Most women and transsexuals are between 20-25 and 25-30 years old. There are few women between the age of 30 and 35 and few transsexuals in their forties and early fifties. The youngest interviewee is 23 and the oldest is 52 years old.

**Table 3: Age groups of presumed trafficked persons and trafficked persons in the sample**

Age	No. of presumed/trafficked persons
20-25	6
26-30	5
31-35	3
36-40	1
41-45	1
46-50	3
51-55	1
<b>Total</b>	<b>20*</b>



\* One respondent did not provide information on her age.

The interviewed key informants underlined a substantial decrease in the age of Brazilian persons exploited in the sex market. Studies registered this trend among all national groups as one of the results of increasing market competition and the clients’ request for younger prostitutes<sup>44</sup>. In particular, young transsexuals are more exposed to severe exploitation, subjection and trafficking. The increased demand for and supply of transsexual prostitutes, the huge profits made in the sex market, together with the survival of old prejudices and the negation of sex workers’ rights, are among the causes that expose young transsexuals to exploitation and trafficking.

Some interviewees might be exploiters of younger fellow nationals. This assumption is based on some observations made by the researcher who has also been working as an outreach worker over the last 15 years: the older persons lived with 3-4 younger flatmates who seemed to follow the interviewees’ orders; when asked, they could not clearly explain the presence of younger persons in the apartment; the researcher could

<sup>44</sup> See E. Bedin, C. Donadel, “La tratta di persone a scopo di sfruttamento sessuale in strada e negli ambienti al chiuso”, in F. Carchedi, I. Orfano (eds.), *op. cit.*

not get into direct contact with the hosted younger men who were not allowed to speak for themselves. However, there is no clear evidence that the older interviewees are “*cafetinas*”, namely exploiters who play a crucial role in the trafficking and exploitation system as will be explained in full detail later.

The relationships between the older and the younger persons may mirror the traditional forms of economic transactions existing within the transsexual community. As argued by a key informant, forms of exploitation, support and friendship mingled as a part of transsexual sociability in Italy and elsewhere before trafficking in persons became one of the main concerns of the international community, and they cannot be automatically related to criminal behaviour. The research findings confirm the proximity of different phenomena: renting apartments, borrowing money, control of the sex market belong to the Brazilian transsexual experience in Italy and some of these practices may not belong to the trafficking system.

Transsexuals who explicitly refused to act as *cafetina* and, thus, to reproduce the system of exploitation were also registered among the oldest age group of the research sample.

An intergenerational conflict emerges in the stories of the interviewed transsexual persons. People living in Italy for 15-20 years blame younger transsexuals for being responsible for the deterioration of living and working conditions: noise, day time prostitution, alcohol and drugs abuse are cited to justify the hostility of the Italian police and population against transsexuals. The conflict between contiguous generations is a traditional trait underlined by anthropologists all over the world. In this specific case, the conflict could also justify forms of maltreatment and control against younger newcomers by older transsexuals.

The number of women interviewed is smaller compared to that of transsexual persons; they are between 25 and 36 years old and, in the interviews, intergenerational conflicts do not surface. But according to a key informant, one of the older women is a *cafetina* controlling and organising the work of younger fellow nationals. Age and length of stay in Italy, thus, seem to be relevant elements in shaping hierarchies and exploitation.

The only man interviewed is 31 years old; he arrived in Italy in 2007 after a Brazilian family of Italian descendant organised his accommodation and employment in the construction and catering sectors.

## Educational background

Most interviewees completed or almost completed their mandatory education level; vocational schools were those most often attended, while only a few held a university degree. The completion of schooling does not necessarily reflect the acquisition of sufficient cultural and professional skills to find a fitting place in the job market. Indeed, some key informants who have greater familiarity with Brazilian society underlined that trafficked persons have a low level of education and cultural capital regardless of their scholastic qualifications. From the stories collected it emerges that young women and transsexuals were recruited in the peripheral areas and were incapable of deciphering information such as, the amount of Euros they had to pay back and the life they were asked to fit into. A better cultural capital could have helped them to be more suspicious of the representation of European countries as open to and welcoming of foreigners. In fact, although there is no automatic correlation between formal education and cultural capital, both can help to negotiate a better life and better working conditions.

Due to its small size, the sample of women interviewed cannot be easily compared to the sample of transsexual persons. However, some trends identified for the latter community can also be found among the women.

The reported stories of transsexual persons in the education system in Brazil underscore that school may be a place of harassment for them. Almost all interviewees recalled moments when their “diversity” was stigmatised and sanctioned by their peers. They also recalled experiences of friendship and recognition with other gays and young women but the school was described as a rather hostile place. In addition, transsexuals criticised their teachers’ fear of dealing explicitly with homosexuality. Silence and omissions were the main strategies used in respect to (homo)sexuality and gender identification. This silence is problematic because it contributes to the idea of the transsexual “community” as the only space where the youngest can find respect and help:

*“I never had friends at school. Girls avoided me and boys were too violent for me. (... ) There was a boy who was friendly, he caressed me once but the other boys started to say he was effeminate too... so he felt outside the group and he never looked at me again...” (Int. 1, transsexual)*

*“In school they tease you, they say you are effeminate... One day I decided to go to the ladies toilet and a big mess started... the head of school called my mother to say there was a problem, my mother got angry... there were always problems, ‘your son has done this, your son has done that...’, I couldn’t stand it any more...” (Int. 11, transsexual)*

*“I liked to study but at a certain point it was impossible for me to carry on... because I wanted to dress like a woman and it wasn’t simple to do it (...) then, I decided to stop going to school. At school, people are prejudiced, and there is violence. There were places where I couldn’t go any more. My school was on the top of the hill and to reach it I had to go by a group of violent boys who threw stones at me. So, every day I was forced to make long trips to avoid them... (...) And my teachers understood everything about me and pretended not to see anything...” (Int. 12, transsexual).*

All transsexual interviewees placed the awareness of their gender orientation in opposition to their biological sex in their childhood. They recalled they were very young, even before adolescence, when they felt their femininity and desire to live as a woman. Information and support have, therefore, to be provided for very young boys and adolescents. If the human rights of gay and lesbian children in schools are routinely ignored, the rights of transgender children are not even recognised as existing<sup>45</sup>:

*“I felt different when I was around 10 years old... (...) But I did not change my clothes. I changed my way of talking, walking, acting but I didn’t change my male clothes out of respect for my grandmother...” (Int. 19, transsexual)*

*“When I was 10 years old, it was already clear I wasn’t a normal boy... I was feminine. My older brothers tried to force me to be something I wasn’t, they wanted me to be a real man but... When I was 13 years old, I dressed up as a woman. (...) I had to fight to make them accept me...” (Int. 7, transsexual)*

*“I was a happy child... then, when I was 4 years old, I realised I felt like a woman. I told my father and he hit me again and again... (...) I wanted to dress up like a*

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<sup>45</sup> The issue is almost completely neglected at scientific, political and educational level. A rare discussion appeared in *The Guardian*, 17 February 2009, after Phil Beadle published the article “On teaching: Phil Beadle on the rights of transgendered children”, see [www.guardian.co.uk/education/2009/feb/17/transgenderism-children](http://www.guardian.co.uk/education/2009/feb/17/transgenderism-children). The experience and the studies of SAIFIP (*Servizio di adeguamento tra identità fisica ed identità psichica*), one of the main Italian public health departments dedicated to sex reassignment surgery and counselling, confirms that transsexuality may be perceived at a very young age.

*woman, to take hormones but I had heard that the worst thing in the world was being a queer...". (Int. 8, transsexual).*

## Social background

According to the information gathered through the interviews, Brazilian women trafficked to Italy are very often young single mothers who migrate to support their children and family; frequently, they are themselves the daughters of young single mothers. For some of them, their living conditions worsen after separation and divorce. They often come from a large family with a violent and alcoholic father and a mother forced to raise her children alone. Unemployment and poorly paid jobs often cause periods of economic crisis and individual weakness.

In the larger sample of transsexuals interviewed, a wide range of social backgrounds is represented. The majority come from families of the lower-middle and working classes employed as shopkeepers, workers and drivers. Others come from families with very different economic resources deriving from small entrepreneurship, agricultural work and chronic unemployment. In spite of their social background, the transsexual persons interviewed share a similar social destiny: many of them run away from their families at a very young age and are currently either employed in temporary and low skilled jobs or in prostitution.

The difficulties transsexual persons face in the home, in school and during their adolescence continues while they are growing up. The interviewees underlined that it was impossible to start a career if they wanted to show their real identity:

*"The main discrimination was after my degree as a surgeon's assistant. I made two applications, after they saw me they said 'No', that I had to have my hair cut, I had to dress in male clothes... They didn't allow me to work. After that I met people working in the entertainment sector, I started to work there too, I became the boss of a night club in my city and I started this life...". (Int. 13, transsexual)*

Interviewed transsexuals declared that the entertainment industry and prostitution were the only two available labour sectors for them in Brazil and, in many cases, also in Italy<sup>46</sup>.

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<sup>46</sup> Ageform, *Trans-azioni. Indagine sui fabbisogni e le buone pratiche per l'inclusione socio-lavorativa di persone transessuali*, Regione Emilia-Romagna, Bologna, 2002; *Transessualismo: dall'esclusione totale a un'inclusione parziale*, Regione Emilia Romagna. Bologna, 2000.

Poor education and low economic and social conditions are the most common elements expected to be found to explain the existence of prostitution and trafficking in social terms – and they proved to be fundamental in conditioning choices – but the interviewees also described quite common families and social backgrounds. The voices collected underline the most visible or violent acts of discrimination, but also the culture of silence that marginalises men and women who do not feel they belong to their biological sex.

## Push and pull factors

Difficult economic circumstances, unemployment, wish to improve the family's economic status, aspiration for a wealthier life, desire of buying a house in Brazil<sup>47</sup>, and to gain enough money to start an economic activity are the main push and pull factors listed by the interviewees to explain their decision to migrate to Italy.

Before leaving Brazil, most interviewees had temporary and poorly paid jobs as shop assistants, hairdressers, call centre operators. The decision to leave was often taken when a specific crisis occurred: the loss of a job, a divorce or separation, the sudden death or illness of a family member, the worsening of an economic situation. In these periods of crisis, a person who was thought to be as a “friend” suggested to move to work in Italy:

*“I decided to leave when I was undergoing a big crisis with my boyfriend. He was too jealous and violent... the situation risked ending badly. In that moment, a friend told me I could go to Italy... I thought about it a little and, then, I decided to accept, everything was already set, I had the right contact for coming...” (Int. 12, transsexual)*

*“In the last two years, I was unemployed, I had no money. I had a house but shared it with another ten persons... I looked for a job but I didn't work as a prostitute. When this man found me, I was in a really bad situation...” (Int. 19, transsexual)*

*“My mother was diagnosed with cancer and we needed money. In Brazil, if you don't have money you aren't well treated... At the same time, I was becoming a transsexual and in my city there are many people who have been in Italy. Thus, to help my mother and my family I came to Europe...” (Int. 6, transsexual).*

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<sup>47</sup> This desire is confirmed by several people working in the field. According to Gabriela Leite, founder of the Brazilian NGO Davida, the first money gained in the sex market is used for buying a house, see “Entrevista: Gabriela Leite”, in *Democracia Viva*, no. 31, 2006.

The successful stories of persons who had already migrated was fundamental in making the decision to leave. In all interviews, there is at least one reference to a friend or a neighbour who had bought a house after working in the sex market in Europe:

*“I saw people already living in Italy coming back after 4-5 months and buying cars, houses, jewels... Then, I asked myself: ‘What am I doing here?’. (...) It was 1988-1989... I told myself ‘I am young, I am beautiful...’ but I didn’t know how things worked. They only told a piece of the story, they showed you only the beautiful things, the nice photographs, the nice landscapes. In a small town like mine to see all those things you said: ‘My God!’... So, I came, I paid 18,000 dollars...” (Int. 11, transsexual)*

Older transsexual persons also moved abroad to earn money to pay for their surgery and recognition as a woman<sup>48</sup>:

*“The main reason for leaving was economic. I wanted to find a job and to earn lots of money for my surgery. With my salary in Brazil the surgery was impossible. (...) A friend of mine encouraged me to come, she had been here and she was well-off so I thought: ‘If she was successful, why can’t I be? (...) Also other friends suggested that I come’...” (Int. 4, transsexual)*

Both for transsexuals and women, economic, social and cultural discrimination emerged as significant pushing factors. Life in Europe is believed to be simpler, with higher salaries and better opportunities than in Brazil. Moreover, European and Italian societies are thought to be less violent and threatening:

*“I knew that in Europe it was different, people in Brazil said so, on Brazilian TV I could see that Europe was beautiful. Then, my brother went to London and he said: ‘Come, here it is beautiful’... I waited for a while and, then, I left...” (Int. 10, transsexual)*

*“I hoped that in Europe a woman would be better treated. And they also tell you that you will meet the man of your dreams, you will marry someone... Then, I said ‘All right!’, in 1994, the cafetina took me to the airport...” (Int. 8, transsexual)*

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<sup>48</sup> Nowadays, the sex reassignment surgery is performed by public hospitals in Brazil and is available for free in specific centres.

*“In Italy there is less violence... In Brazil you cannot go around with a mobile or a computer...” (Int. 18, woman).*

Controversial opinions concerning current Brazilian society were also expressed. For some interviewees, the high degree of violence is still a reason for leaving the country, hoping to find more respect and less brutality in Europe:

*“In Brazil, the police come on the streets 2-3 times a week and, when they catch you, they massacre you. Once, I have been beaten with a truncheon 21 times on my legs... on the silicone... a massacre. In addition, there are the assaults of the gang of boys... (...) and you must know that, if there are sports events and people get drunk, it is dangerous for you to stay on the street...” (Int. 12, transsexual)*

Others emphasized that in recent years the rights of transsexual persons have significantly improved and police behaviour has changed:

*“This person told me that now in Brazil the police have got a special unit to deal with transsexual persons... they follow a special procedure for women and transsexuals; she also said that, at the institutional level, they worked for integration more than in Europe... of course, we have to see if it works and where... But it seems a big change when compared with the experience of older transsexuals who came to Europe to escape Brazilian machismo...” (Int. 32, key informant)*

In the 1970s and early 1980s, many transsexuals also left Brazil to escape from the dictatorship and its constraints:

*“We slept during the day and went out during the night because, during the day, we couldn't exist. If we went out during the day, the police would arrest us. This is why people started to migrate, it was 1976, they went to Paris (...). Besides, we couldn't have money, we couldn't own a house, we were all forced to live in hostels...” (Int. 14, transsexual)*

The decision to leave is usually quick: the interviewees migrated shortly after they decided to go to Italy. In two-three weeks a passport was issued and the person was on a flight to Europe:

*“I took two months to decide to leave... I left for economic reasons...” (Int. 3, transsexual)*

*“My colleague’s cousin approached me in November and in February I decided to leave. I decided alone...” (Int. 17, woman)*

*“I wanted money for my surgery... it took me one week to decide...” (Int. 4, transsexual)*

## **Recruitment**

The interviewees were approached in very diverse venues: at the workplace, in the neighbourhood, in a disco, in a night club. The recruitment system, though, followed similar patterns: a family member, a friend or an acquaintance played a fundamental role; they approached the potential trafficked person and suggested to her/him to go abroad. Sometimes, the recruiter and the exploiter were the same person; in other cases, the recruiter worked in Brazil for an exploiter living in Italy. In most cases, the money for the journey was lent:

*“I used to talk to a colleague of mine about my problems, about my father’s illness, about the fact he lost his job... Then, the cousin of my colleague started to call me at the shop telling me I could go to Italy...” (Int. 17, woman)*

*“Around the age of 20 I started to perform as a drag queen in clubs in São Paulo, sometimes in Rio. In the club, I met a young Brazilian man who said that in Italy you make a lot of money in entertainment...” (Int. 1, transsexual)*

*“I was home and he came to fix my neighbour’s computer. He saw me and asked: ‘Have you ever been to Italy? Do you want to go?’ and I answered: ‘I don’t know, I don’t know you’... he asked if I had a job and I said ‘No’... Thus, he suggested to go to visit a friend of his who had been in Italy, he worked in Italy as a hairdresser... His friend told me: ‘You are tall and dark, you are beautiful. You’ll have success in Italy... you try and if you cannot bear the job after 3 months you come back... you can trust him’... He had already got a ticket for a person who withdrew, so he took me instead...” (Int. 20, woman)*

According to the interviewees, many young transsexuals are recruited in the prostitution milieu in Brazil and local *cafetinas* are fundamental actors in the organisation of trafficking. While older transsexuals often refer to the entertainment industry as a place of work and recruitment, for younger ones the sex market seems to be the principal recruitment setting. All interviewed women stated that they did not work in the sex industry in Brazil. According to key informants, Brazilian women they meet in indoor prostitution generally worked as prostitutes before coming to Italy. The sex market in Brazil therefore seems to be a large basin constantly providing new people to feed the Italian prostitution industry and, in some cases, the sex trafficking business:

*“In the apartments I met women who had already worked as prostitutes and they all came from Minas Gerais... They said they had started when they were 16 years old... (...) And there was a big group of women who were neighbours and classmates”. (Int. 26 key informant)*

The last quotation also highlights the crucial role played by migration networks in the field of trafficking and/or sexual exploitation. Recruitment has both a transnational dimension and a very local one. It works through a local set of connections (e.g., family, neighbourhood, village) to bring a victim to Europe for exploitation.

The recruiters were usually Brazilians, mostly women and transsexuals, living in Brazil or travelling between Italy and Brazil. Some recruiters were a family member (generally a sister or cousin) or (most often) a friend already in Italy who promised their “victims” immediate economic improvements. They often worked for or had a love relationship with a *cafetina* residing in Italy. In some cases, a colleague or an acquaintance acted as a mediator (usually female) between the potential trafficked person and the recruiter. The exploiter was then a third person who loaned the money for the journey to Italy.

According to the study's limited sample, Italians – who can sometimes be either boyfriends or husbands – seem to play a role mostly in the exploitation system in Italy:

*“We know there are Italians who help, Brazilians do not know enough to be independent in Italy...” (Int. 23, key informant)*

*“Italians rent apartments, they are taxi drivers... They say they don't know there is exploitation... We cannot accuse them of any crime...” (Int. 22, key informant)*

One key informant described a scenario in which Italian people and enterprises have a more active role in the recruitment system. She supported women from Brazil who told her that Italians took them to the Tronto Valley. She also assisted a few Brazilian women formally working as dancers in a club nearby Teramo and controlled by two Italian exploiters. No other interviewee highlighted significant roles played by Italians, whereby this aspect needs to be further investigated. This study did not focus on prostitution in clubs, discos and massage parlours, which could be places more directly controlled by Italians. Little is known about how the work is organised in night clubs and the relations existing between workers and exploiters. According to some key informants, Brazilian women are recruited as dancers and then exploited in the sex market:

*“We need to start an information campaign in the North East, in Rio, in São Paolo because from there this flow of women arrives hoping to work as dancers in Italy... They are deceived. This year I saved five women like them. I sent three of them back to Brazil while two are still here...” (Int. 31, key informant)*

The same key informant also underlined the prominent role that the tourism sector and its linked activities may play in trafficking women for the sex market<sup>49</sup>. Firstly, sex tourism attracts thousands of men from Italy to Brazil every year. This phenomenon has an impact on the economy and lives of several persons at various levels. It sets in motion relations and dreams, as well as publicising the positive image of well-off Italian men ready to spend and enjoy life. Secondly, there might be a connection between sex tourism and criminal organisations involved in trafficking in human beings. Thirdly, there might be Italian enterprises using the tourism sector for alternative goals. According to a key informant, some Italians owning “stabilimenti balneari” (bathing establishments) recruited Brazilian women to force them into prostitution:

*“This is a recent episode. An Italian family with a bathing establishment told a Brazilian woman to come to work there, and, then, she was introduced to Italians... (...) The daughter of the Italian woman rebelled against her mother and helped the Brazilian woman get her passport back...” (Int. 31, key informant)*

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<sup>49</sup> In Brazil, some scholars explored the co-relations between sex tourism, migration and prostitution and further studies are needed to trace potential links between trafficking in human beings and sex tourism. For an interesting cultural analysis (that does not address trafficking), see A. Piscitelli, “*Sexo Tropical em contextos do Primeiro Mundo: migração de brasileiras para Itália no Contexto do turismo sexual*”, in *Revista Estudos Feministas*, no. 3, 2008, pp. 717-744. Also Brazilian cinema dealt with the topic: the documentary *Cinderelas, Lobos e Um Príncipe Encantado* (2009), by Joel Zito Araújo, explores sex tourism and racism both in Brazil and Europe.

According to one interviewee, forms of internal sex tourism are developing along Italy's east coast. During the summer, Italian men travel to these tourist areas to purposely consume sex with women and transsexuals from other countries, "races" and ethnicities. It is a complex and contradictory field. A study showed that sex tourism might open spaces for economic and social emancipation for the women involved. It argues that, for instance, for the Brazilian women interviewed, sex tourism was a vehicle to leave the sex industry and to legally enter Italian society<sup>50</sup>.

There are controversial opinions about the role played by families in the recruitment and exploitation system. Most of the interviewees declared they had decided autonomously to migrate. Many transsexuals had already left (or had been pushed out of) their household when they were recruited; some reported their family's disagreement about them travelling to Europe. To the contrary, the interviewed key informants think that some families in Brazil are involved in the recruitment of women and transsexual persons for the sex industry. In the case of some transsexuals, the family would also support the male to female transition of their kin in order to benefit from the significant earnings made by transsexual prostitutes in the sex market:

*"The family pushes them to gain more money, to be economically independent. They do not force into prostitution but they somehow induce them to this step... And they must know what happens in Italy, they get so much money that they must know... And we have met women who were brought here by their sisters. One of them initially refused to work as a prostitute and she got such pressure from her sister..." (Int. 21, key informant)*

*"We noticed that families pushed them to prostitution. It is like they noticed their son was different and decided to exploit this difference. It is like they pushed him to change, to become a transsexual because she can be exploited... we noticed that because of the kind of relationship they keep with their family, they go back for Carnival, send money, they talk of their family. We understand they are accepted and sometimes it is like they have been pushed..." (Int. 28, key informant)*

In the above quotations it is unclear if a family or a family member had a role in trafficking or if they are stigmatised because they accept remittances generated within the sex industry. All interviewees send money home to their families. As a matter of fact, past disagreements and conflicts do not prevent them from sending money to Brazil, and it is even a way to exert power and control over their relatives.

50 A. Piscitelli, "Sexo Tropical..."... *cit.*

Transsexual interviewees assigned a central role in the trafficking system to cafetinas and described the transnational connections between them. In Brazil, cafetinas assessed the potential success of a transsexual person in the Italian sex market and evaluated the financial investment needed to recruit, transfer to and exploit her/him in Italy.

Although there are similarities in the ways sex work and sexual exploitation are organised in both countries, debt bondage is only mentioned as a product of migration. Moreover, the working and living conditions in Italy highlight a high degree of subjugation:

*“Cafetinas are in Italy and in Brazil. For instance, the cafetina of São Paulo selects the new, the beautiful, those she knows are a very profitable deal. Then, she calls Italy and the deal is done. I only had to work and they shared the money” (Int. 11, transsexual)*

*“The cafetina told me: ‘Let’s go and apply for a passport! Because you make a lot of money, you raise a lot of money’...” (Int. 8, transsexual)*

*“Yes! Transsexuals who first arrived in Italy organised the exploitation. Then, maybe they tell you another fairy tale...but this is the truth” (Int. 15, transsexual)*

According to some interviewees, nowadays, in Brazil, cafetinas look after very young transsexuals, around 12 years old, to whom they provide hormones. These young people are placed on the sex market in Brazil and eventually sent to Italy:

*“Cafetinas see how transsexuals are doing in Brazil. If you work, if you earn money, then, you are amongst the first ones to be sent to Europe” (Int. 8, transsexual)*

*“A young boy who starts to become a transsexual knows that the only way to survive is prostitution. They cannot stay long in their city living like women so they move to Rio and São Paulo and end up with some pimp...” (Int. 30, key informant)*

This trend is also recorded in Italy, where social operators meet very young people – in terms of age and of male to female transition (MtF) – working on the streets:

*“Ten years ago, transsexuals were older, now they are very young; you see that exploiters need new goods for the market. You see that these young transsexuals have no training, they still look very male, they must have begun the transition a short time ago, taken and thrown on the street as if they needed a new labour force...” (Int. 28, key informant)*

A strong connection between the beginning of the male to female transition and entry into prostitution seems to exist for transsexuals. This link has various motivations: the impossibility to find a “regular” job, the increase of prejudices to face and the weakening of rights when the actual transition starts, the insertion into a group that historically used sex work as a form of subsistence and identity construction. This connection is reinforced by the migration experience and the cultural and structural reasons governing the demand for Brazilian and Southern American transsexuals in Italy.

Recruitment was mostly based on forms of deception about the working conditions, the living standards and the debt the recruited persons have to pay. Most trafficked persons were told that they had to pay back about 15,000 Euros to the person organising their trip to Italy; they were also told that the money could be quickly earned in 3-4 months. Interviewees underlined that, while in Brazil, 15,000 Euros was a vague sum for them since they were not fully aware of its real value. Moreover, the desire to leave and the energy required to actually accomplish such a plan are (and had to be) stronger than any possible concern.

The transsexual persons, who joined the social protection programme and were granted the Art. 18 residence permit for humanitarian reasons, underlined the lies they were told about their life in Italy, about the money they had to repay and could earn:

*“I’d never thought of leaving Brazil. But then we met this person who told us that by working two years in Italy she had bought two houses in Brazil, that she was very happy in Italy and that the same would occur to us...” (Int. 6, transsexual)*

*“The person who invited me bought the ticket but I didn’t know how much it cost... Now I know that it is between 600 and 1,100 Euros but she claimed 2,100 Euros for the ticket and 13,000 Euros as a partial payment... and she wanted me to work as a prostitute... (...) I knew it was a bad job but she promised I would earn so much money that I thought ‘I’ll go there for one year and then I’ll come back with enough money to start some sort of business... I didn’t expect it would be like this...” (Int. 3, transsexual)*

Most interviewees knew they had to work in the sex market, but only once they were in Italy they discovered that their debt rose and they had to pay extra money for living and working. They underlined their strong sense of disillusion and disappointment on their arrival in Italy: their expectations were false and they had been told lots of lies:

*“I knew I would have to work as a prostitute but I thought it would be for a short time... A friend already here described Italy as a country full of polite and kind people who liked Brazilians. She presented Rome as a beautiful city where it was pleasant to work and live. She called me and said: ‘Come here’ (...) my money was not enough for the ticket so an Italian friend of hers lent me money saying that I’d give it back with my work. I travelled with him. Only in Italy he told me that I had to pay 12,000 Euros for the ticket, the subsistence, plus 3,000 Euros for permission to work on the street. Initially, I had to pay back 200 Euros every week but, since I wanted to be free as soon as possible, I gave as much money I could...” (Int. 4, transsexual)*

Most interviewed women and transsexuals had been contacted by the recruiters, and not the other way around. This apparently contradicts some studies which argue that Southern American women contact the person or the organisation that arranges their migration project<sup>51</sup>. Probably, different patterns coexist.

None of the interviewees mentioned specialised travel or employment agencies that acted as recruiters or mediators.

## **Journey**

The issuance of the passport is usually fast – less than a month – for people who have a clean record. Most interviewees travelled with legal passports and entered Italy or other non Schengen European countries on a tourist visa.

The interviewed women flew directly from Brazil to Milan; they showed their return ticket and about 500 Euros to the customs officials to justify their stay for tourist purposes. This money was loaned by those organising the journey and it was given back to an organiser’s accomplice as soon as the woman passed the check point of the customs area in the airport. Generally, women travelled alone and, at the airport, they were received either by their friend or by someone sent by the exploiter; in both cases, they were taken straight to the apartment where they eventually lived and worked:

*“Everything is simple; to come to Italy is very simple. Everyone who arrives has a friend who has brought you here. Malpensa [Milan airport] is open to everyone, there aren’t*

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51 E. Bedin, C. Donadel, *op. cit.*

*any checks, they didn't even ask me where I was going. If we are here it is because they let us in... Recently, I've heard many people say that a friend, a friend of a friend, a cousin arrived... thousands" (Int. 17, woman)*

The use of the above mentioned strategies are confirmed by the police:

*"Today it is very simple. They fly to Rome or to Milan, there someone is waiting at the airport who collects the money they use to cross the border. (...) In Brazil, someone loans the money to show to the customs, in Europe someone else takes it back..." (Int. 23, key informant)*

*"Women arrive with a return ticket, their passport, money... someone told me the organisation even gives them a suitcase and an elegant dress to be unnoticed at the border..." (Int. 29, key informant)*

These patterns are also used in other labour fields. A study on Brazilian women trafficked for exploitation in the care sector in Apulia described their arrival in Italy via Milan with the money lent by the organisation and how they were met at the airport by someone who took the money back and put them on a train heading to Lecce<sup>52</sup>.

For transsexual persons the journey was longer and involved more European countries, thus, exposing them to more risks and requiring a higher debt to refund. The identified journey patterns were diverse depending on the age and the year of arrival of the interviewed transsexuals.

A first group of people travelled from Brazil to Zurich, Amsterdam or Brussels; for them, the entry point to Italy was located in Switzerland. They are now in their forties and early fifties and arrived in Italy in the mid-1980s and early 1990s. In Lugano, there were *passeurs* who brought migrants, often hidden in cars, to Italy. The names of the *passeurs* were known within the migrants' networks; the *passeurs* were local people, Italians or Brazilians. Sometimes, people were stopped at the border and had to try several times to reach Italy. The interviewees recalled a river that is well-known because several persons died while crossing it:

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52 A. Trovè, *Mercato del lavoro femminile e nuove schiavitù*, dissertation, University of Salento, 2007.

*“I flew from Rio to Zurich. In Zurich, there were four of us and they took us to this river, we had to cross it. Many died crossing it. When I arrived, it was winter, it was so cold! (...) On the other side, there was a driver who helped you to cross the border with Italy. The same driver took you to work at night. It was just one network, one mafia. We knew the timetable and what we had to do. We had to wait until it was dark and, then, with our backpack on our head, we had to cross the river on foot. All our things were in the backpack and we had to be careful not to drop it. Then, on the other side, you changed your clothes...” (Int. 11, transsexual)*

*“We landed in Amsterdam and took a train to Lugano. There, we phoned a young man who came to our hotel, put us in a car and smuggled us into Italy. He left us in Milan and there we took a train to Rome...” (Int. 8, transsexual)*

*“I went from Belem to São Paulo and, then, we flew with a friend to Brussels. There, we took a train to Zurich and then we tried to get to Lugano, where there was a passeur. But, at the border, the police stopped us twice, and the second time they crossed out every page of our passports... We stayed there for three days because we didn't know what to do. (...) Luckily my friend knew what to do. We climbed over a wall, crossed the railway and walked for so long that my feet ached. (...) We didn't know if it was Switzerland or Italy... we got to a bus station and called a taxi but we were still in Switzerland. We managed to arrive in Lugano and called the passeur who helped us reach Italy... he got 300 Euros per person...” (Int. 13, transsexual)*

Other transsexuals recalled when they entered Europe (in the 1980s and 1990s) as an adventure full of mystery and hope:

*“Transsexuals came to São Paulo from all over Brazil. They came, made some money and flew to Europe because we all knew Europe was a better place for working and living... For the first transsexuals it was an adventure, like a discovery. Then, the word-of-mouth advertising started: ‘In Paris, it is much better, you work a lot...’, ‘She bought a house, the other bought jewels, she saved 10,000 dollars...’. The boom was in 1979, when all transsexuals left for Europe. All to Paris, Italy was not known yet. But Chirac, Paris's mayor, issued a law against transsexual prostitution in the streets so people moved to Lyon, to Marseilles but they couldn't find good situations. Therefore, they started to move to Spain and Italy, but Italy expelled most of them. Only in 1985 Italy started to be a simple entry... Transsexuals arrived from Spain to Genoa by boat, you could see these boats crowded with transsexuals, beautiful, beautifully dressed, blond hair, with their dogs...” (Int. 14, transsexual)*

*“My friend helped me to come in the mid-1980s. She paid my ticket to Barcelona but I wanted to come to Italy. At that time, it was easier, quieter. I took a boat from Barcelona to Rome. I know people had to pay to come but I didn’t, I was lucky with my friend...” (Int. 16, transsexual)*

The current routes to Italy pass through Hungary and other Central European countries, such as Poland, Romania and Bulgaria. The interviewees used their passports and had tourist visas for their entry through non-Schengen countries<sup>53</sup>. Most of them flew to Budapest and, then, reached Italy by train or by bus; when necessary, local persons hired by the criminal organisations drove them to Italy. They did not report any specific problem or emergency faced during the journey or the border crossing; however, interviewees said it is easier to enter Italian territory by bus, by train or by car. While most younger interviewees entered Europe via Budapest, according to one key informant, at the present time very popular ports of entry are Sofia (Bulgaria) and Bucharest (Romania):

*“Now they arrive where the Schengen treaty is not active yet, like Bulgaria and Romania, and then they take a private taxi to Italy. (...) They arrive at the border at night because there are less checks and the driver gives some money to the customs officer. (...) In Bucharest and Sofia there are Italians who own hostels and wait for them. This is all part of the travel package...” (Int. 27, key informant)*

Bulgaria and Romania are outside the Schengen area, while Hungary joined it on January 1, 2008. The new destinations of Bulgaria and Romania might be a strategy to avoid the more controlled Schengen borders. The police know about the route via Budapest but they cannot provide additional explanations:

*“Five years ago they flew from Brazil to Paris and then took the train to Italy. (...) Now, there is a group in Rome that organises the journey from Brazil to Budapest; in Budapest there is an Italian that we haven’t identified yet who drives them to the Italian border. At the border there is his cousin who takes them to Rome...” (Int. 22, key informant)*

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<sup>53</sup> Under the Schengen Agreement, once granted a Schengen visa it is possible to transit from one country to another in the Schengen Area without border controls and further formalities. The Schengen Area includes the territories of 25 European countries but it does not coincide with the European Union.

## Part Two: Italy

One interviewee also recalled a direct journey from London to Pisa using a tourist visa issued in England:

*“I came from London dressed as a woman and I didn’t have any problem. At the customs they asked me what I wanted to do here and I answered: ‘I don’t know, I must go back to Brazil, a friend of mine has bought the ticket for me’. They asked: ‘Where is your friend?’ [I said:] ‘She is coming’... So they stamped my passport and said ‘Good luck, say hello to Florence!’ (...) I was lucky, they looked at me and giggled, I played dumb”. (Int. 10, transsexual)*

The last quotation explicitly refers to the discrepancy between, on the one hand, transsexual appearance and gender identification and, on the other, the male gender specified in the passport. In the interviews, transsexuals rarely reported if they travelled with male or female clothes or outlined the strategies they employed at the customs check not to be stopped because of this formal incongruity.

A few interviewees also referred to the high mobility of some Brazilian nationals between Italy and Brazil, whose role in the recruitment system was not plainly described. Moreover, it is not clear if they held an Italian residence permit, if they used real or false passports, and if they needed to corrupt civil or police officers for travel documents to be issued. However, in several interviews, there are allusions to frequent commuting and corrupt civil servants issuing new passports in Brazil:

*“In 1994, I left with someone who used to go back and forth between Italy and Brazil...” (Int. 8, transsexual)*

*“In my opinion, there are civil servants who give passports in exchange for money. In fact, I am surprised at the great ease with which they always acquire new documents, especially the older women; they go back and forth between Italy and Brazil, they always get a new passport in a very short time, a new document that is not stamped by the Italian border police” (Int. 26, key informant)*

Some interviewees explained how the high mobility of women between Italy and Brazil is linked to the possibility of easily getting new passports:

*“For women it is very simple to avoid the law. They go back to Brazil and say they lost their passport and another one is ready. Here immigration control is very weak, they*

*stamp your passport and you enter, there isn't a register... (...) Every three months they go back, get a new passport, come back and they are always regular migrants. If you have a good income, you can do this...* (Int. 25, key informant)

Therefore, a “market” for the issuance of new regular passports may have developed to avoid any evidence of previous entries into the European Union and to provide for a legal stay. The high cross-border mobility experienced by some respondents may also highlight the existence of a rather structured Brazilian transnational criminal network. In the last decade, foreign criminal organisations managing trafficking for sexual exploitation in Italy have developed a cross-national modus operandi. Different national organised crime groups may co-operate at distinct stages of the trafficking and exploitation process as a sort of criminal “joint venture” which aims at maximising the profits. According to the information gathered about Brazilian organisations, inter-European criminal networks generally operate in specific parts of the trafficking process, such as, during the journey from Brazil to Italy. Whenever a trafficked person has to pass through a third country, a local, Italian or Brazilian person organises the stay in that country. As already pointed out, this is more evident for transsexuals who travel to Budapest or to Zurich and are eventually brought to Italy by car or by bus. An inter-European network also operates when Brazilian transsexuals move to Italy from other European countries, such as England, Spain and Portugal:

*“In London I was friends with a Brazilian who moved to Italy and she told me to come here because it was better, there were more jobs and there was also a place for me. She called a friend, a Brazilian man, who paid for my ticket”. (Int. 10, transsexual)*

The information on the Brazilian criminal organisations engaged in trafficking in human beings in Italy and in Europe is still insufficient to draw a comprehensive picture. The nature and functioning of transnational Brazilian organised crime involved in trafficking cases certainly need to be further investigated by the competent authorities and scholars.

## **Debt bondage**

The arrival in Italy marked a fundamental change in the narrative of the interviewees: false promises and dreams collapsed when faced with reality.

Once in Italy, trafficked persons found out that the debt for the travel arrangements and the ticket was not their only bondage to their exploiters. They had to pay the *cafetina* for everything – from food and rent to papers and internet advertisements and the “workplace” – and they depended on the *cafetina* for a place to live, their work and contact with clients:

*“I arrived and found myself in a small, ugly, dark town and I said to myself: ‘It’s Italy!’. I immediately regretted coming but I had to do what I had to do. So I started my new life. I had to immediately give 200 Euros for the rent, 200 Euros a week for a room shared with three other transsexuals, while she [the cafetina] had a room on her own in the same apartment. (...) I arrived in Viareggio at noon, we went to the market to buy something, including the condoms, and, that night, I had to go to work. I started to work right away after a three day-journey! As soon as I was there, she also told me that 16,000 Euros were not enough because I gave too much trouble; since I had given her a headache she increased my debt by 2.000 Euros! I said ‘All right’.... But, then, I discovered the reality, she bullied me and I told her ‘Stop!’ I told her ‘stop’ also because the first night out I only earned 40 Euros so all that money was not so simple to make! The whole night for 40 Euros, very, very cold, nobody you know, you don’t know the language...” (Int. 12, transsexual)*

The interviewees had an average debt of about 15,000 Euros to pay back. The minimum debt recorded was about 8,000 Euros and the maximum 20,000 Euros. The expenses were itemised as follows: 200 Euros a week for rent, 350 Euros for each classified ad with a photograph, 300-400 Euros a week for bills and food, plus other expenses for clothes, condoms, etc.:

*“They told me they have to pay 15,000 Euros for the journey, then, there is the house, the workplace, etcetera, etcetera... In the end, they have to give about 30,000 Euros” (Int. 27, key informant)*

*“When we arrived in Rome we went to an apartment that was ready for us. They told me: ‘In Brazil we are friends but not here. Here we are all bitches, here nothing is free, everyone has to pay 1,000.000 lire [about 500 Euros] rent every month. The rent was 2,000.000 lire but the four of us had to pay 1,000.000 lire each... Then, 2,000.000 lire went in her pocket...” (Int. 8, transsexual)*

*“She said that I had to give her 8,000 Euros, she paid my flight... I lived with her for four months. The first month, I paid her, I was working a lot and I paid her immediately. I worked outdoors and slept in her apartment. I had to pay the debt but not only... I had to give all my money to her for my make-up, shoes... she gave me some money but I couldn't have money for myself... she told me that I could only have some money after the debt was paid...” (Int. 9, transsexual)*

Debt bondage clearly plays a crucial role: trafficked persons must pay a significant sum of money that increases on their arrival in Italy, forcing harsh working conditions on them and long working hours.

Some Brazilian scholars said that debt should not automatically be interpreted as evidence of trafficking. They argued that the money loan is common between transsexuals and the “debt” can at times be part of an informal economic transaction, whose interest rates are not necessarily higher than those applied by banks<sup>54</sup>. This line of thought is confirmed by a study that observed that the costs of legal recruitment are in some cases higher than those charged by traffickers or other informal networks. The fees of legal recruitment agencies are often so high that people have to borrow money to fully cover them<sup>55</sup>. These interpretations underscore that each case has to be carefully analysed and put into context.

Transsexuals who arrived in Italy a decade ago paid back their debt in about six months. The length of time needed was clearly subjective and depended on several variables, such as the amount of the debt, the workplace assigned, the clients’ “tastes”, and so on. Now, the time necessary to extinguish the debt is longer for younger transsexuals, who have to deal with the general economic crisis that has decreased sex work rates.

This trafficking and exploitation model resembles the Nigerian one<sup>56</sup>. The Brazilian *cafetina* and the Nigerian *mamam* seem to have similar characteristics: they were formerly trafficked and/or exploited persons in the sex market who, subsequently, started to control other persons. Both models are based on debt bondage that constantly increases

<sup>54</sup> See A. Piscitelli (ed.), *Tráfico internacional de pessoas e tráfico de migrantes entre deportados(as) e não admitidos(as) que regressam ao Brasil via o Aeroporto Internacional de São Paulo*, Secretaria Nacional de Justiça do Ministério da Justiça – ILO, Brasília, 2007.

<sup>55</sup> R. Skeldon, *Migration and Development: A Global Perspective*, Longman, London, 1997.

<sup>56</sup> See Chapter 2.

due to the additional costs charged. Brazilians and Nigerians are forced into harsh working conditions<sup>57</sup>. Religion plays an important role in both national communities, even though it has different repercussions on their trafficking experience. Voodoo or ju-ju rites are mainly used as a means of coercion against Nigerian women, who are compelled to obey the decisions of their traffickers' and exploiters' as a result of their religious beliefs and fear of the possible retaliations if they do not fulfil the voodoo-related obligations. Candomblé or other religious rites are sometimes used by some *cafetinas* to gain extra money out of the offerings made by the persons they exploit. The study findings clearly underline that even though religious beliefs are instrumentally employed by both mamans and *cafetinas*, they have a very different impact in the trafficking exploitative schemes. As a matter of fact, voodoo<sup>59</sup> or ju-ju rites are often crucial tools for the exploitation of Nigerian girls and women, while candomblé is not.

Two other important differences between the Brazilian and the Nigerian systems were also identified. Firstly, while Nigerian women's debt may amount to up to 70,000-80,000 Euros, Brazilians have to pay about 15,000-20,000 Euros and expenses that

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57 For a description of the Nigerian system, see UNICRI, *La tratta delle minorenni nigeriane in Italia... cit.*; --, *Trafficking of Nigerians Girls to Italy... cit.*; A. Bernardotti, F. Carchedi, B. Fiore (eds.), *Schiavitù emergenti. La tratta e lo sfruttamento delle donne nigeriane sul litorale Domitio*, Ediesse, Rome, 2005; F. Carchedi. et al., *I colori della notte. Migrazioni, sfruttamento sessuale, esperienze di intervento sociale*, Franco Angeli, Milan, 2000.

58 Candomblé is an African-Brazilian religion that worships several deities derived from several African peoples (the Orishas, Voduns, Nkisis, Tabela Orixas-Voduns-Nkisis), which have individual personalities, skills and ritual preferences. It developed in Brazil based on the knowledge of African priests who were enslaved and brought to Brazil, together with their mythologies, their cultures and languages, between 1549 and 1888. Even if originally confined to the slave population, banned by the Catholic Church, and criminalised by some governments, over the years Candomblé came to include many elements from Christianity (e.g., crucifixes, Catholic saints), that nowadays are preserved only as cultural references. The rituals involve the possession of the initiated by the deities, offerings and sacrifices of the mineral, vegetable and animal kingdoms, healing, dancing/trance and percussion. Candomblé has flourished over four centuries and is currently a major established religion, with followers from all social classes who may also have additional faiths since religions are not seen as mutually exclusive in Brazil. According to this religion, every person is born with one or more "patron" deity that are identified by priests. The Candomblé priesthood is organized into symbolic and spiritual families; each of them owns and manages a house that, in most cases, is headed by a woman called "mãe-de-santo", or *ialorixá/mam'eturia Nkisi/Doné, babalorixá/Tataria, Nkisi/Doté, babalaos, babas, babaloshas, or candomblezeiros*. Candomblé is also practiced in other Latin-American countries, such as, Uruguay, Argentina, Venezuela, Colombia, Panama, Mexico, and, to a lesser extent, in some European countries.

59 Voodoo is a traditional polytheistic religion of coastal West Africa, from Nigeria to Ghana that worships many spirits and other divine essence. Patterns of worship follow various dialects, gods, practices, songs, and rituals. The practice of offering an animal sacrifice is common as a way to show respect and thankfulness to the gods. Worshippers also believe in ancestor worship and hold the idea that the spirits of the dead live side by side in the world of the living. They also utilize items that have spiritual properties. Voodoo talismans called "fetishes" are objects such as statues or dried animal parts that are sold for their healing and spiritually rejuvenating properties.

may double the original sum of the debt. Secondly, the prostitution fee of Brazilians, especially transsexuals, is higher than that of Nigerian women. As a result, Nigerian women have to work for their *mamam* for many years whereas Brazilian transsexuals and women work for less than a year to pay back the *cafetina*.

The key informants also mentioned a specific form of exploitation concerning Brazilian transsexuals: the *caixinha*. The same term was used to refer to at least two different forms of economic exploitation. In one case, *caixinha* indicated a sort of kitty made by the persons living in an apartment; they had to put extra money in a common fund that was usually taken by the *cafetina* by using the most diverse justifications (e.g., the house is untidy, something has been broken, etc.). The *cafetina* thereby makes use of a common practice – the *caixinha* – to squeeze more money out of the persons she controls:

*“Caixinha is a completely subjective excuse, we haven’t seen this even with Albanians who were the cruellest...” (Int. 22, key informant)*

In the second case, the *caixinha* is explained as a sort of self-organised “bank” for the person living after the debt is paid:

*“When someone has almost finished paying back the debt, they organise the caixinha. The people living in an apartment have to put in 250 Euros each every week up to 7,000 Euros. Then, the oldest takes all the money, and the caixinha starts again, following the same rules. They told me of this system here in Italy” (Int. 4, transsexual)*

The end of the debt is a fundamental passage for women and transsexuals who described it in many different ways. Some stressed their freedom, others underlined the constraints due to their condition as undocumented migrants. These different perceptions of the event can be explained through a multiplicity of personal stories and personalities, the degree of economic success of their migration project, and the time of arrival in Italy. Therefore, while there is a tendency to emphasise the “freedom” obtained after repaying the debt – and many interviewees, mostly transsexuals, stressed that they paid back the debt in 4-5 months “working like crazy” – there are also cases of persons in longer lasting situations of precariousness and dependence. For these persons a real change is interconnected with the granting of the residence permit:

*“I paid the debt as soon as possible because I wanted to be free. Also because if the police send you back to your country and they know you have paid, you are correct, they send you back to Italy. I paid in two months. After that I was free, I’ve found a boyfriend and I went to live with him...” (Int. 8, transsexual)’*

*“And I’ve found America.<sup>60</sup> I achieved more confidence after I got my residence permit as a domestic helper, my boyfriend applied... this moment was really beautiful, I’ve found America” (Int. 11, transsexual)*

*“It might be possible that there are people who came here in a freer way... but all the people I know are in a dirty trick, in which people exploit other people, people take advantage of others. Everything is done in order to survive. They spy on each other, they fight... Someone puts ads in a newspaper and the others report her to the police because she is an illegal migrant... When you have no residence permit you are weaker... we are all foreigners but if you are lucky to have the right documents you stay on the other side of the fence... they are the ones who call the police, not Italians” (Int. 12, transsexual)*

These statements introduce an important differentiation between documented and undocumented migrants within the community of Brazilian transsexuals. It emerges that the legislation on immigration might be an instrument used by exploiters to perpetuate the exploitative system they manage.

## **Living and working conditions in Italy**

The interviewees described awful living conditions: 3-4 persons usually lived in a one bedroom apartment, using the living room as a place to sleep. Although transsexual persons generally shared a house in Brazil and living conditions in Italy did not automatically become worse, most interviewees described their new accommodation negatively.

In the case of women in indoor prostitution, they both lived and worked in the apartment:

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<sup>60</sup> “Trovare l’America” (To find America) is a saying that expresses a particularly happy and fortunate event.

*“Women live in small and bleak apartments, with one bedroom and a kitchen in which there is also a double bed. On average, there are 3-4 women per apartment, last year they were also 6 in each apartment. We have also seen apartments in basements, really awful situations. They stay in the apartment with the windows closed and the shutters down. I’m always touched by the heat, the stale stench and the absence of natural light”. (Int. 26, key informant)*

*“I was terrified the first time I saw the flat. It was a very small one bedroom apartment in which 4 persons were already living. We all had to work for the same exploiter. The house was clean because the cleaning lady came every day but there were too many people. I was afraid because I was the newcomer and there was no privacy”. (Int. 4, transsexual)*

Therefore, the deterioration in living conditions results from the trafficking experience but also from the factors produced by contemporary migrations: their status as irregular migrants exposes them to serious vulnerability in respect to the housing market; and landlords (usually Italians), householders (Italians or Brazilians with a residence permit), *cafetinas*: all of them have to make a profit:

*“Italians rent a one room apartment for 1,200 Euros. They know you don’t have a residence permit and they rent the flat without a contract” (Int. 18, woman)*

*Cafetinas* either sign the rent contract or are in charge of collecting money for the rent. Interviewees highlighted that they often asked for a sum of money higher than the actual rent.

There is no privacy at all and people are forced to share small spaces. On their arrival in Italy, flatmates, places and conditions are decided exclusively by the person controlling the migrants' lives.

For women, the confinement in the same apartment where they live and work, a relational life limited to other national co-workers and clients, a mobility organised according to the market needs and controlled by someone else created a sense of displacement that is a very useful form of control and subjugation. The predictable displacement due to migration was increased by entering a universe circumscribed to their workplace and relations:

*“I think that when they travel within Italy there is someone organising the trip for them. Because these women are unable to even take the underground to come and see the doctor, they always use taxis in Milan. (...) They are unable to travel alone in the city, they don't know where they are. During the Italian language class I showed them a map of Milan asking them to point out where they lived, and they couldn't do that, they couldn't recognise where they were living. When I showed them the map they couldn't say where Italy was. That is to say they have no idea where they are...”. (Int. 26, key informant)*

*“They don't go out of the house. Often the cafetina does the shopping. And the hairdresser, the manicurist, the dress and shoe sales people go to the apartments... Even the 'priest' goes to the apartment to celebrate religious rituals. If they go out, it is to work...” (Int. 28, key informant)*

While women were confined to apartments, transsexuals had to work outdoors. Only an older transsexual, residing in Italy for many years, worked in an apartment, often with well-known clients. However, all trafficked transsexual persons had worked outdoors before being interviewed. Both women and transsexuals, whether indoor or outdoor, worked long hours; women generally had one day off a week, usually Sunday. The interviewees denounced the cold in the streets, the risk of violence and aggression. They also pointed to how their lives had worsened as a result of the central and local government legislation against undocumented migrants and outdoor prostitutes. Therefore, women and transsexuals working outdoors suffered from a campaign of criminalisation aimed at expelling irregular migrants from the streets and the country<sup>61</sup>:

*“I came here to work as a prostitute but it took me sometime to understand how it works here. It was not like they said. I was forced to work from 9 a.m. to 3 a.m. I had two places to work, one in Livorno during the day and the other in Pisa at night. And I had to pay the rent, 200 Euros for eating, 200 for condoms, for make-up, etc... the money was never enough...” (Int. 12, transsexual)*

*“Only here, only on the street you discovered what Italy really was, what you had to do for the car, the house, the nice shoes, the jewels. And they controlled you all night*

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<sup>61</sup> Analysing this campaign, F. Teixeira argues that anti-prostitution measures are confused with anti-trafficking ones and vice versa and that, in the background, there is the stigmatisation of prostitution *per se*, in F. Teixeira, *op. cit.*

*ong, they knew everything about your work, they knew how much money you earned. Cafetinas took the money and said: 'You can keep this for cigarettes and condoms, the rest is mine' (Int. 11, transsexual)*

## Forms of control

The interviewees explained the different means of control used by *cafetinas*: debt bondage, limited communication with fellow co-workers and clients, restriction of movement, isolation, displacement. Isolation was particularly used with women, since the transsexual persons interviewed had a higher mobility due to their outdoor work, even though they could go only to their work places.

Other forms of control involved psychological and physical abuse, threats against the victim or relatives, psychological and emotional dependency:

*"Women are intimidated; they are told if they don't pay their family will be hurt..." (Int. 26, key informant)*

The interviewees did not report episodes of direct physical violence against themselves or their relatives by *cafetinas*; instead, they reported having witnessed violent acts by *cafetinas* against other transsexuals, which scared them off. For instance, some referred to men of other nationalities, such as Romanians and Moroccans, who were paid to beat up transsexuals who did not pay or behave properly:

*"I had some occasional friends but the cafetina warned me not to waste my time. I asked why I should give her all this money since I paid for my own ticket and I didn't borrow money. 'All right', she answered, 'I take off 800 Euros so you owe me 14,800 Euros and, if you don't pay, you are a dead queer!'" (Int. 1, transsexual)*

Key informants reported the use of violence as a fundamental means of control and subjugation, at least amongst the transsexual groups in Rome:

*"Transsexuals are subjected to violence, immense violence. I won't tell you the details because they are horrible..." (Int. 22, key informant)*

The confiscation of documents is another ordinary means of control. The status of being an undocumented migrant helps *cafetinas* control and exploit their victims, as confirmed by many interviewees.

Also forms of psychological and emotional dependence emerged involving both women and transsexuals. The “community” plays a contradictory and ambivalent role in the lives of trafficked persons. Scholars enlightened the contradictions surrounding the concept of “community” used to construct the idea of a homogeneous group that does not exist in “reality”. A community is effective as far as its members identify with common traits, which are perceived as stronger than their differences, so that internal power relations are hidden and repressed. Despite these criticisms, the sense of belonging to a community is often cultivated and it helps make sense of life experiences. The interviewees, mostly transsexuals, referred to their “community” to explain their choices and feelings. The community provided recognition, help, friendship, and a network to work in; only few interviewees explicitly refused to live and identify with the “community” of transsexuals living in their city. But the very same community also “produces” *cafetinas*, who use their power against other community members. Therefore, *cafetinas* who are the product of the ideological and material structure of the group as well as of the economic, political, social and cultural inequalities are perceived as friendly figures who provide jobs, houses and earnings.

Forms of psychological and emotional dependence between the *cafetina* and the subdued persons are even more evident for transsexual persons as a reaction to social discrimination and stigmatisation. The transsexual “community” is both the space of exploitation and the only place of acceptance. The need to reproduce a space of care and assistance seems to be reflected in the language used. The *cafetina* is called “mother” and the persons she supports and/or exploits are called “daughters” and identified with “their mother’s” name:

*“Transsexuals are helped to come and they are called ‘the daughters’ of the person who helped them come, who provided them with a house and a job... This ‘mother’ comes to the apartment and collects the money...” (Int. 24, key informant)*

*“Exploitation is devious, the cafetina is seen as a nice and helpful person... Women say the ‘cafetina gave me an opportunity’, they are nice because they provide a house for me, shopping... cafetinas are seen as mothers or aunties...” (Int. 26, key informant)*

Once again when comparing the Brazilian and Nigerian systems of exploitation, the psychological dependence between the trafficked persons and the *cafetina* brings the two models closer. Nigerian women are also identified as the “daughters” of the *mamam*, thus using a terminology that highlights the ambiguity of a relationship built on an obvious disparity in power and resources.

As far as violence is concerned, Italian literature on trafficking provides more evidence of violent behaviours against trafficked Nigerian women than Brazilian trafficked persons. This could depend on the broader extension of the long-standing Nigerian system, which controls a larger number of trafficked women, or, instead, on the higher degree of violence employed by the *mamams* compared to *cafetinas*. But the lesser degree of visibility of Brazilian exploitation organisations might also contribute to hiding forms of violence against women and transsexuals.

In the interviews some transsexuals talked about the abuse of drugs and alcohol. None of the interviewees referred to drug problems in their adolescence or during their life in Brazil. Instead, the use/abuse of cocaine and alcohol is strictly connected with prostitution work in Italy. To the contrary, the Brazilian women interviewed did not mention the use of drugs.

Cocaine is used as an anti-depressant and to help sexual performances; alcohol is used to warm up and to deal with clients. Moreover, since hormones may cause mood disorders, psychotropic drugs are taken to counterbalance these side-effects:

*“I have to drink to go out to work, if I don’t drink I cannot even talk to the client. Instead, I can also work without drinking if I’m in my apartment. On the street I have to drink, it makes me feel stronger...” (Int. 9, transsexual)*

A study<sup>62</sup> on the multiple connections between prostitution and drugs in Italy underlines that heroin is mostly used by male and transsexual prostitutes, that cocaine is the most widespread drug in the sex market and that alcohol is consumed abundantly by Eastern European women and by street prostitutes. The study also highlights that some exploiters may use drugs to control trafficked persons. Brazilian interviewees did not report cases of *cafetinas* using drugs as a means of control and subjection. Instead,

<sup>62</sup> Associazione On the Road, *Prostituzioni... stupefacenti! Un percorso di ricerca nelle multiple identità, tra prostituzione e dipendenze*, On the Road Edizioni, Martinsicuro, 2003.

drugs and alcohol are taken by younger transsexuals who are accused of having worsened the living conditions of all transsexual persons because of their deviant behaviours:

*“Today we have lots of problems with the police because of all these transsexuals that have arrived. They are frantic, they drink too much and make a mess. In the bars they fight and break bottles... and we all are jeopardized”. (Int. 13, transsexual)*

*“Now all are drug addicted, all steal and fight, and I don't want to deal with them. (...) Younger transsexuals were born 'into prostitution', money, drugs...”. (Int. 15, transsexual)*

These accusations underline the transformations of the relation between transsexual prostitutes and drugs. The interviewees did not explain if the clients play a role in promoting drug abuse. The alcohol and drug abuse among this target group is, therefore, an issue that needs to be further investigated in order to be better contextualised and demonstrated.

The interviewees recalled hormone supply as a means of control; undocumented transsexual migrants cannot have access to the Italian health system for their hormone treatments<sup>63</sup> and, thus, they turn to *cafetinas* and/or documented transsexuals for help. According to one interviewee, the injection of silicone can also be used as a way of controlling others. She mentioned the presence of *bombadeiras*<sup>64</sup> but she did not explain their role in the Italian context, if and how *bombadeiras* participated in the exploitation system:

*“Hormones are real problems. If they took hormones in Brazil, it is much more difficult to have them in Italy... There is a 'grey' market for hormones... and you must be careful when you take them without doctors... Cafetinas use this black market, they provide hormones and they want to be paid...” (Int. 28, key informant)*

<sup>63</sup> The Italian Immigration Law (Decree Law No. 286/98) guarantees healthcare for regular and undocumented migrants who can access the Italian National Health System for emergency and essential care through the STP code (*Straniero Temporaneamente Presente*, i.e., Foreigner Temporarily Present on Italian territory) without any risk of being referred to the police.

<sup>64</sup> *Bombadeira* is the person who injects silicone into transsexuals who want to have a more feminine body. Usually, this practice is done outside the scope of medical control and it can have awful physical consequences. The role of *bombadeiras* in Brazil is described in the documentary by Luis Carlos de Alencar (*Bombadeira*, 2008) and in the book by D. Kulick, *Travesti: sex, gender, and culture among Brazilian transgendered prostitutes*, University of Chicago Press, Chicago, 1998.

*“In Italy, I wanted hormones but the cafetina didn’t ... then, she got angry because my friend took hormones anyway, my friend had started long ago and couldn’t hide it...” (Int. 9, transsexual)*

*“It is difficult to show that cafetinas exploit other people... they hide the traces of the money taken from the girls. Therefore, the simplest way, simplest as a form of expression, is to follow the hormones market, because it is forbidden to import hormones into Italy and they do that to sell hormones to their girls, they sell them for 3-4 times higher than the original price...” (Int. 30, key informant)*

The above citations make clear that, in the migration process, the body of transsexual persons may be transformed into a battleground. On the one hand, transsexual persons expressed the desire to have a female appearance to be achieved through various techniques, on the other, they needed/desired to earn money and, thus, they are entrapped in the exploitation chain built on prostitution. In this scenario, *cafetinas* might both provide hormones and oppose them because they jeopardize the penis erection and, therefore, the “value” of transsexuals in the sex market. Since transsexuals who have not undergone sex reassignment surgery are sought and paid more by clients, *cafetinas* might oppose surgery to preserve their source of higher profits.

By directly agreeing with the clients on the nature of the sexual performance, the *cafetinas* exercised a form of additional control on exploited persons. This practice was denounced by some women interviewed who presented it as a highly humiliating experience they were forced into at the beginning of their staying in Italy:

*“At the beginning, when you live in the house of someone else, it is very difficult. She is the boss, you must do whatever she wants, even with clients... You must do things that you don’t want to do because she orders it...” (Int. 18, woman)*

## **Exploitation vs. exploitation**

Amongst the interviewees, there are different opinions about the existence of trafficking and the degree of exploitation of Brazilian women and transsexuals in Italy. And sometimes it is difficult to draw a clear line between trafficking, other forms of abuse, and/or informal transactions based on loans and help. The ambiguities arising from the

research are due to the complexity of the field under examination and the richness of the sample of persons interviewed for this study who interweave a multiplicity of life stories, experiences, choices, and power relations.

The interviewees who are granted a residence permit for humanitarian reasons described a trafficking system that is in line with the parameters of the Palermo Protocol<sup>65</sup>. The existence of trafficking amongst Brazilian transsexuals is confirmed by key informants who carried out police investigation in Rome, as well as by social operators working in NGOs that offer social protection to trafficked persons and assistance to prostitutes in different areas of Italy. Police officers described transsexual persons subjected to brutal coercion and severe exploitation. In some cases, they compared Brazilian exploiters to their Albanian counterparts who are known for being the most violent criminals. Together with psychological and physical violence, economic exploitation was identified as the major form of subjugation:

*“Both transsexuals and women know what they are going to do in Italy but it is with transsexuals that I’d talk about real trafficking, about ‘slavery’... because they are treated much worse than women... They are deceived with the debt plus there is the caixinha, that we find only amongst Brazilians; caixinha is an excuse to make money used by cafetinas and even Albanians do not use something like this to make money...” (Int. 22, key informant)*

According to the interviewees, trafficking of Brazilian women and transsexuals is organised within their national group. There is a general agreement that *cafetinas* are prostitutes who have improved their position within the chain of exploitation and that some of them may still work in the sex market. Women and transsexuals are usually exploited as two distinct groups: *cafetinas* rule one group or the other reflecting their own gender identification; only occasionally some *cafetinas* controlled both transsexuals and women. From the interviews it is not always easy to understand if trafficking is organised around autonomous, although interconnected, *cafetinas* or if there are large and structured criminal groups. Only in Rome key informants described the existence of a hierarchically structured criminal organisation. According to the police, each apartment hosting 4-5 transsexual persons was controlled by a *cafetina*, called “*pappone di strada*” [street pimp], who was working for a more powerful exploiter. As for the

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<sup>65</sup> The Palermo Protocol provides a rather broad definition of the phenomenon centred on the idea that the trafficked person is deprived of freedom, earnings and alternative choices.

Nigerian system<sup>66</sup>, this differentiation of roles increased the amount of money the trafficked persons had to pay to persons located at different hierarchical levels. In Rome, the bottom of the hierarchy comprised around 100 persons living in apartment buildings in the via Cassia area. Trafficked transsexuals lived in high-priced one-room apartments rented by Italians. This organisation was controlled by Brazilian transsexuals whereas Italians played a secondary role as drivers and landlords. This system was discovered during an investigation five years ago and more recent data were not available; new police investigations are under way in Rome but the results were not accessible when this study was being carried out. The budget cuts that police units had to face undermined their counter-trafficking operations and, consequently, the possibility of collecting updated information and data on the phenomenon.

The interviewees only occasionally described the shape and the size of the exploitative system. However, according to most interviewees the trafficking and the exploitation systems were organised around small groups headed by a *cafetina*. They are called “spontaneous” groups, which are built through word of mouth and around older prostitutes<sup>67</sup>.

In the area of Teramo, police confirmed the existence of forms of trafficking organised on a small scale. Two women and one transsexual denounced a Brazilian exploiter who brought them to Italy. They described a sort of “self-made exploiter” who learned from a friend how to recruit and force persons into the sex market in Italy by falsely promising them they could go back to Brazil if they did not like prostitution.

The system of exploitation has changed over the last 20 years. Older transsexuals recalled a time when working was simpler, violence was less, and exploitation was weaker. They argued that help and solidarity are part of the transsexuals’ past, while competition for money and resources is a dangerous reality of the present:

*“Things have changed; in the 1990s we were different. Now everyone exploits someone else. Each of them has 2-3 other transsexuals in the apartment and then they complain because there is not enough work... but they bring the others! (...) I’ve never given money to other transsexuals... Now I need money and I share the house with two*

<sup>66</sup> Scholars defined the organisational development of the Nigerian system of trafficking for sexual exploitation as “cluster structure”. It reflects a multiplication of controlling figures who are organised in hierarchical roles and levels, see I. Orfano, “La tratta di persone in Italia... *cit.*”

<sup>67</sup> Interview no. 24, key informant.

## Part Two: Italy

*Romanian girls, they help pay the rent. But I don't want transsexuals, they are dangerous, they send you to jail" (Int. 15, transsexual)*

*"It has changed a lot. In the past there was help between transsexuals, more recently there is exploitation and subjection..." (Int. 14, transsexual)*

Other interviewees were less nostalgic and more disillusioned about the past. Their stories did not picture a "golden age" in which relationships were less constrained by money and economic interests:

*"We all have to pay to come in Italy. I gave 18,000 dollars to the person who brought me here. None come free of charge. (...) At that time [early 1990s] they took our passports, the first years in Italy you were completely displaced, you couldn't even go out of the house. Because there was someone controlling the territory, both here and in Brazil. (...) And the transsexuals that were already in Italy organised this system! (...)" (Int. 11, transsexual)*

The deterioration of economic, social and cultural conditions in Italy provoked the worsening of the forms of control and exploitation of Brazilian newcomers. Brazilian prostitution, involving mostly transsexuals, has always been very lucrative but the current economic crisis, coupled with high competition due to the increased number of Brazilian transsexuals on Italian streets, has partially cut the high earnings of the past. Current difficulties are also interconnected with the social and cultural degeneration of Italian society. Strong xenophobic feelings have increased in Italian institutions and in the population, determining physical and symbolical acts of violence against migrant citizens. All these factors may have led to deterioration in the living conditions and forms of exploitation of Brazilian transsexuals.

The study has also recorded the opinion of interviewees downplaying the existence of trafficking in human beings from Brazil.

A police officer working in the area of Milan remarkably downsized the forms of exploitation women and transsexuals are subjected to, although, during the interview, he presented facts and points of view that cast doubt on his statements. First of all, he admitted investigations never involved Brazilians, confirming that, in many Italian territories, the police ignore the potential existence of a Brazilian system of trafficking. Secondly, he expressed strong prejudices against women and transsexuals:

*“In general, Brazilian women don’t think much of sexual intercourse, they have a tendency for excessive sexuality, and in Brazil they had a husband and many lovers and maybe they were even prostitutes...” (Int 29, key informant)*

This quotation underlines how social and individual prejudices and stereotypes can influence the perception of given phenomena and shape knowledge about them.

Few transsexuals stated that Brazilians cannot be forced to act against their will. Moreover, they described a reality based on an informal economy and loans suiting both those who lent the money and those who borrowed it to leave. They confirmed that newcomers had to pay for the place of work but downplayed the existence of a criminal system. Their words, which can be interpreted as a means of hiding their own participation in the exploitation system, to some extent confirm the reality described by a former study on Brazilian transsexuals in Italy<sup>68</sup>. This study did not play down the gravity of trafficking, but it argued that transsexual networks and their financial support might resemble those of migrants employed in other labour sectors. In this context, the social stigmatisation of prostitution could label as negative practices those practices accepted for other work sectors. A transsexual interviewed stated that the weekly rent of 350 Euros paid to friends was fair if compared to the high rents imposed on undocumented migrants by the housing market<sup>69</sup>. As already underlined, the informal loan system functioning among Brazilian transsexuals should be analysed against the loan systems of banks and other legal institutions to verify who really offer better conditions. Also the cost of legal recruitment can be higher than the amount charged by exploiters<sup>70</sup>.

Therefore, the point is not to underplay the multiple forms of subjugation related to trafficking for sexual exploitation but to be open in order to recognise and connect: a) unofficial forms of financial exchange that do not necessarily lead to trafficking, and b) the context in which exploitation takes place, where at times the boundaries between legal and illegal institutions and behaviours mingle.

Moreover, the interpretation of prostitution as an exploitative activity is critical. Sex workers campaign for rights, new wave feminist documents and studies have emphasised sex workers’ agency and resistance and the role of prostitution as a vehicle for economic

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68 F. Teixeira, *op. cit.*

69 *Idem.*

70 R. Skeldon, *op. cit.*

improvement, mostly for women migrants and their families<sup>71</sup>. The experiences of some interviewees confirm these reflections:

*“I had to pay the rent to a transsexual who lived somewhere else. But when I felt more part of the Italian reality, I changed apartment. I lived in Rome for two years, then, I went back to Brazil to buy a house. After that, I was back to Italy, to Lido di Classe, where I bought a house after eight months. Now, I feel better. I keep working a lot because after a while you are addicted to money... but now it is different, now with your work you can only buy the doorknob...” (Int. 13, transsexual)*

The refusal of (presumed) trafficked persons to identify themselves as “victims” added additional complications to the recognition of the phenomenon<sup>72</sup>. Though there is a general agreement that trafficking for sexual exploitation has developed negotiated forms of contract between the different subjects involved, the stereotypical image of the “victim” as a passive person is still very common in the anti-trafficking discourse. Some key informants underlined the independence and self-awareness of Brazilian women and transsexuals working in the sex market; they pointed out that, when compared to Nigerian trafficked women, Brazilian trafficked persons are freer, less subjugated to their exploiters, emotionally and physically stronger and more self-confident. This representation is even stronger for transsexuals that were described as originally “male” and thus carriers of a “natural” agency. Gender stereotypes clearly mediate these perceptions, conditioning the interpretation and understanding of transsexual roles and trafficking itself.

## **Geography of exploitation**

The study allows us to draw a sort of cartography of exploitation concerning Brazilian trafficked persons in Italy.

In Rome, there are various areas where transsexual prostitution takes place; each area corresponds to a group that apparently controls its own network across Europe and Italy. Police investigation discovered that:

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71 Most studies on sex workers’ agencies combine the global dimension with local case studies, see K. Kempadoo, J. Doezema (eds.), *Global Sex Workers: Rights, Resistance, and Redefinition*, Routledge, London, 1998; L.A. Jeffrey, G. MacDonald, *Talk Back: Sex Workers in the Maritimes*, University of British Columbia Press, Vancouver, 2007.

72 Italian scholars and social workers engaged in the anti-trafficking field point out that the concept of “victim of trafficking” is not useful any more to understand how trafficking works and can be fought, see E. Bedin, C. Donadel, *op. cit.*

*“There are two groups, one located in the area of the Mattatoio and Via Longoni, the other in the area of Acqua Acetosa and the Stadio Olimpico. The second group was involved in a big investigation five years ago, and we arrested the boss who was well-known within the community. They made people fly to Paris and, then, take the train to Rome. The first group uses Budapest, there they are in contact with an Italian who helps them get to Italy. (...) There is also a group in Via Cristoforo Colombo but we don't have lot of information about them. (...)” (Int. 22, key informant)*

The group placed in the Acqua Acetosa and Stadio Olimpico areas was connected with cafetinas in the area of Perugia (Central Italy), while the group of the Mattatoio used Viareggio (a seaside town in Tuscany) as a second head quarters.

Connections are very important because they help develop a fundamental resource of the system: mobility. The latter is used to meet market demands, to escape police control and to punish exploited persons:

*“If you do something wrong, you are moved somewhere else. In Rome, there is this connection with Viareggio, maybe there are also others. (...) We met transsexuals coming from Milan but none coming from Emilia-Romagna...” (Int. 22, key informant)*

The study found out that police in Rome dealt with transsexuals who were somehow connected with people in Viareggio and in Milan.

Moreover, mobility is influenced by the tourist season. During the summer, women and transsexual persons move and are moved to more profitable holiday areas:

*“Prostitution is organised this way: they work in the city during the winter and move to the coast during the summer...” (Int. 27, key informant)*

This investigation confirmed that prostitution is located in peripheral areas and in central zones in decay as well as in avenues of high mobility.

According to the research findings, Brazilian women had a high degree of mobility between different apartments in Milan, between Milan and the suburbs, and between Milan and the tourist resorts of the Adriatic coast. This mobility was controlled by cafetinas or self-organised by women who paid the debt and/or obtained the residence permit and, thus, enjoyed more independence. Sometimes, boyfriends and husbands, either Italian or Brazilian, collaborated to and/or exploited the sex work of women:

## Part Two: Italy

*“I always worked in Milan; I went to Pero, but it was very close. I travelled a lot with my boyfriend to Milano Marittima, to Reggio Emilia. Here, in Milan, I’ve been in many different apartments. It is simple to find apartments, everyone rents you an apartment. Here it is only difficult to find a normal job...” (Int. 18, woman)*

*“I know that many women travel quite often within Italy, they mostly go to Pordenone, Cuneo, Vicenza, Ravenna, Turin, Genoa. Before, there was a ring in Reggio Emilia but I don’t hear of it any more. Once there were problems with the police in one of the blocks of apartments in Milan, women went quickly to Florence and stayed there for two weeks” (Int. 26, key informant).*

There are also large groups of Brazilian women working in the sex market in Turin, Brescia and Mantova, in the Veneto region, whilst a few work in the Liguria region<sup>73</sup>.

On the Italian eastern coast, between Ravenna and Teramo, there are groups of transsexual persons well-rooted in specific areas and villages. The case of Lido di Classe, very close to Ravenna, is discussed every summer because of the presence of around 100 transsexual persons in a village of about 440 Italian residents<sup>74</sup>. In Lido di Classe and in nearby villages, there are transsexual residents as well as persons who temporarily move there for the summer. Transsexual residents arrived 15-20 years ago and attracted others. Some of them showed a strong attachment to the area:

*“I’ve been in Italy for 20 years... and I’m Romagnola [the inhabitant of that area], I feel at home here, I also talk with this local accent... (...) After I paid my debt, I decided to live here. I travelled to Rome, Bari, Bergamo, Verona but here is the place where I wanted to stay” (Int. 11, transsexual)*

Another interviewee underlined that a decade ago she decided to live in this area because it is calmer and less violent than Rome:

*“In Rome it is very different, in Rome there are more people, more transsexuals. I worked at the Eur [southern area of the city] and lived close to Termini station [main train station]. Rome was too violent, I met people who wanted my money, but what I earn is mine!” (Int. 16, transsexual)*

<sup>73</sup> Interview no. 25, key informant.

<sup>74</sup> It is sufficient to google “Lido di Classe” on the internet to find the most disparate articles, many full of stereotypes and prejudices against transsexual persons.

Very diverse elements, such as migration patterns, citizenship rights and the organisation of exploitation, are touched upon in the last two quotations. Most transsexuals interviewed for this study have spent much of their time in Italy and would like to settle down in the country on a more legal and stable basis. The studies carried out in Italy<sup>75</sup> underscored both the high mobility of transsexuals and women between the two countries and the short-medium term migration projects of most migrants. Although most migrants left with the idea of going back to their home country, many of them stayed in Italy having found either a better or the only place to live. Sentimental, economic or family reasons are cited in order to explain the necessity and/or desire to live in Italy. The long-term or permanent settling in the destination country questions political responsibilities and integration practices. Transsexuals from Brazil are already living in Italy and, as exemplified in the above quotations, some of them expressed a sense of belonging which was a common feeling among interviewees. Some have been living in Italy for 20 years and it is misleading to simply treat them as migrants: many have a residence permit (although it is more difficult for transsexuals to get one compared to women and men), they have their personal and working relations established in Italy and, therefore, they are already citizens of the country. But their presence is hidden and neglected. Instead, their voices and lives call for the reshaping of the concept of citizenship itself, opening it to “new” parties and working practices – such as sex work – that so far have been excluded and discriminated<sup>76</sup>.

Moreover, the interviewees described the existence of different relations and working practices in Italy. Some transsexual interviewees living in the Ravenna area explicitly talked about their refusal to act as *cafetinas*. They described their disconnection from other transsexuals and their repudiation of the exploitation system; the eastern coast of Romagna is described as a quieter place to stay than Rome, where exploitation and violence do not necessarily condition peoples' lives. From these interviews, it seems that various experiences, life choices and relations coexist, and need further investigation in order to better understand the role of trafficking in the broader reality of transsexuals migration from Brazil to Italy.

75 E. Bedin, C. Donadel, *op. cit.*

76 The shaping of new forms of gendered citizenship, which also takes into account transsexual persons' rights, has been debated mostly in connection with specific national case studies. When transsexuality is coupled with migration the issue is obviously more contentious and problematic. Amongst many, see V. Mackie, “The Transsexual Citizen: Queering Sameness and Difference”, in *Australian Feminist Studies*, No. 35, 2001, pp. 185-192; S. Hines, T. Sanger (eds.), *Transgender Identities*, Routledge, London, 2010; S. Hines, “(Trans)Forming Gender: Social Change and Transgender Citizenship”, in *Sociological Research Online*, Vol. 12, No. 1, 2007 ([www.socresonline.org.uk/12/1/hines.html](http://www.socresonline.org.uk/12/1/hines.html)).

Brazilian transsexuals also live in other areas of the Italian eastern coast. According to the social operators interviewed, there are whole neighbourhoods in the Ancona, Senigallia and Fano areas where only transsexuals reside. They are often degraded areas, places built for economic speculation and immediately abandoned; in some cases, they are tourist villages left empty during the winter:

*“Transsexuals live in well-defined communities within the territory; we can see small communities in villages that during the summer are tourist places and in the winter are inhabited almost exclusively by transsexuals, or within the cities... (...) for instance, there are neighbourhoods inhabited by transsexuals in Ancona, Senigallia and Fano... or between Ancona and Senigallia there is a tourist village in which there are mostly Brazilian transsexuals and a few women... It is a run-down place, on the top of a hill, you must want to go there, in the area clubs with Brazilian music flourish, persons live and work there...” (Int. 33, key informant)*

Several interviewees reside in sorts of ghettos which are known as prostitution areas. This physical separation contributes to their control and exploitation by Brazilians and Italians.

## **Police identification and investigation**

Comprehensive police investigations on trafficking of Brazilian persons are very limited and the cooperation between different national law enforcement agencies is still insufficient. As a matter of fact, the police officers interviewed did not have extensive information to share on cases of international investigation on human trafficking involving Brazilians. On the other hand, other key informants provided some information about inter-European migrant networks that also include *cafetinas*. However, how such networks organise and manage trafficking for sexual exploitation is still largely unknown.

Most trafficked persons interviewed for this study entered the Italian social protection programme through three main channels: law enforcement agencies, anti-trafficking NGOs, and the national anti-trafficking hotline (800-290.290). In most cases, therefore, the interviewees were identified by police officers during patrols and raids and by social workers during their outreach work on the streets or in apartments. The study has also

registered the importance of the national anti-trafficking helpline which three interviewees called to find support so they could escape from their exploiters.

Some key informants underscored that very few Brazilian trafficked and/or exploited women and transsexuals press charges against their exploiters. Police officers in Rome and Milan stressed that this lack of reporting is highly problematic because it hinders the police investigation. In Rome, in 2009, only two trafficked Brazilian transsexuals reported their situation to the police.

Recent studies emphasize that the decreased number of criminal complaints is not only due to changes in the organisation of trafficking – less violence, more negotiated forms of exploitation between victims and exploiters – but to the decreased economic resources for fighting trafficking<sup>77</sup>. Government cuts weakened law enforcement and anti-trafficking agencies that support trafficked persons. Funds are insufficient to start police investigations as well as for outreach units to extensively contact (presumed) trafficked persons.

*“Our strength was to work on the street, meeting people on the street and in apartments; we went to look for them and didn’t wait for them to come to us. Only in this way is it possible to spread information, to build relationships... But we need resources to organise our work and public funds have been cut; because of the economic crisis they have cut all social programmes...” (Int. 31, key informant)*

This lack of economic resources is the consequence of a constant decrease in funds allocated for social policies, prevention and repression activities at the national and local level.

Police key informants also pointed to the excessive amount of work, procedures, and money needed for transnational police cooperation. They called for a simplification of international procedures at the European and international level.

No structured cooperation between the Italian police and their Brazilian colleagues to tackle trafficking has been established so far. The detachment of an official of the Brazilian federal police to the Brazilian consulate in Rome might contribute to developing useful co-operation, also for future investigations on trafficking.

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<sup>77</sup> F. Dolente, F. Gaspari, *Senso ed efficacia del metodo della riduzione del danno nel lavoro con le vittime di tratta e prostitute migranti: il caso del Servizio Roxanne*, unpublished paper, 2010.

The lack of investigations on trafficking for sexual exploitation is also due to the agenda of the law enforcement agencies, their skills or will to identify trafficked persons. The study registered the voice of a trafficked person who was arrested by the police as an undocumented migrant and sent to the Centre of Identification and Expulsion (CIE) in Rome<sup>78</sup>. Only the social operators of the *Associazione Be Free*, who work inside the CIE, informed her of the possibility applying for a residence permit for humanitarian reasons under Art. 18 and, thereby stopping her repatriation. This is not an isolated case since most trafficked persons in detention centres are not identified as such but merely as undocumented migrants. This approach does not only underline the urgent need to train police officers in trafficking related issues but it also highlights that for the Italian as well as for other European governments fighting undocumented migration is the real priority, even at the cost of denying the rights of trafficked persons ratified by international agreements: “the direction of current policy risks not so much solving the problem of trafficking, but rather ending the right of asylum in Europe, one of the most fundamental of all human rights<sup>79</sup>”.

Why do women and transsexuals rarely report their condition to the police? According to key informants, there are several reasons for their silence.

Most of them arrive in Italy with a short-medium term migration project; their goal is to save money for themselves and their family to live well, to buy a house, to start an economic activity. They work to accomplish this project and reporting to the police would mean abandoning their plans and dreams.

Moreover, many of them do not trust the police. Transsexual persons may have had negative experiences with the police in Brazil and/or in Italy; some interviewees mentioned episodes of violence, blackmailing and discrimination involving police officers.

They are afraid of *cafetinas*. Transsexuals believe that *cafetinas* are too powerful to be defeated even by the law. And this feeling is confirmed by the fact that investigations as

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78 CIE (*Centri di identificazione ed espulsione*, tr. Identification and expulsion centres), formerly called CPT (*Centri di permanenza temporanea*, tr. Centre of temporary stay), were established in 1998. They are detention centres where irregular migrants are forced to live until they are expelled or repatriated.

79 J. Morrison, *The political implications arising from trafficking and smuggling of refugees into Europe*, in the Documentation of the European Conference “Children First and Foremost – Policies towards Separated Children in Europe”, Save the Children, Sweden, p. 29.

well as trials are long and the law seems not to fully protect victims of a crime. Some interviewees recalled cases of *cafetinas* who managed to escape to Brazil or quietly lived in Italy awaiting their trial.

There are women and transsexual persons who believe they are not exploited. They expressed gratitude to the person who help(ed) them earn money and they perceive of the economic transactions with the *cafetina* as part of a fair exchange. Exploitation is thought of as a strategy for improving their living conditions. This “help” is clearly provided within highly unbalanced power relations that use the different social, legal, economic positions of the persons involved – documented migrant versus undocumented and/or older *versus* younger and/or well-off *versus* poor, etc. – to influence the terms of the contract.

According to some key informants, the problematic recognition of the exploitation by trafficked persons is also due to the dominant values of current society: since money is the main achievement and status symbol for individuals, the huge quantity of cash produced in the sex market is perceived as an empowerment tool rather than a means of exploitation. Besides, both in Brazil and in Italy, “the gift economy (or culture)” is not very popular anymore; exchanges are legitimately disciplined by money and both migration and trafficking are also the product of this attitude. Therefore, economic inequality and social injustice, though central, explain only partially the success of this model of relations. The cultural and value system shaping our societies must also be taken into consideration in order to understand and fight subjugation and economic exchanges based on abuse.

Transsexual persons tend to report their exploiters to the police when they think they are subjected to too much violence and injustice. In the sample, there are several cases of rebellion against *cafetinas* who cheated about the amount of money paid for the debt:

*“I gave her most of the money for months and then she said: ‘You have only paid 1,000 Euros!’ No, I couldn’t stand it...” (Int. 6, transsexual)*

*“Money was never enough! For Christmas he demanded 1,000 Euros per night... And then he didn’t give us money for food, for sparkling water... He threatened to send us to work on the streets so we said ‘Enough!’” (Int. 19, transsexual)*

*“In Spain, I lived and worked in the same apartment; in the apartment you live in with others girls and you can stay for only 21 days; you can go out only 1 hour a day. (...) In Brazil we agreed that I would have worked for two weeks to pay the debt, and for two weeks for me. But they took all the money... (...) the other girls had more freedom, I was the youngest and I was more tightly controlled. Every evening the transsexual responsible for the apartment paid the other girls for the work of the day. She has never given money to me...” (Int. 6, transsexual)*

Also Brazilian women tend to file a complaint against their *cafetina* when they are subjected to violent control and/or their earnings are taken. It is, then, when persons feel betrayed and that the agreement has been broken that they ask the police and/or the support of NGOs for help. Furthermore, persons who were deceived about the kind of job available in Italy are more willing to make a report to the police.

## **Social protection programme**

Very little data on Brazilians entered into social protection programmes for trafficked persons were found. According to data provided by the Italian Department for Equal Opportunities – the governmental body responsible for the programme – between 2005 and 2008, 127 Brazilian persons joined the programme, namely:

- 89 women;
- 13 men;
- 25 transsexuals.

Unfortunately, no data prior to 2005 were available because, before that year, the number of Brazilian trafficked persons was aggregated with those from other South-American countries. Data after 2008 are still not available.

The Italian social protection programme is a rather comprehensive mechanism that provides a wide set of services and assistance. However, it still needs to improve and increase measures specifically aimed at meeting the needs of assisted transsexual persons. For instance, some key informants underlined the lack of shelters to host transsexual persons who joined the programme of social protection. Currently, there are only two *ad hoc* shelters in Italy (one in Bologna and one in Rome) run by accredited transsexual

associations that have worked for years to have these shelters finally established. Still, the capacity of the shelters is insufficient to host all transsexual trafficked persons.

The major obstacle the social protection programme has to face is the transphobia dominating Italian society and its institutions. For instance, social operators face several problems in locating transsexual persons in vocational training courses. Transsexual people are obviously aware of these problems which influence their life strategies. One of the interviewees described her experience in a vocational school as follows:

*“I’m a person who likes to fight but I gave up [the course] because I was defeated from the start. (...) The problem is being a transsexual. People think we aren’t human beings. They only associate transsexuals with prostitution, delinquency, dirt.”(Int. 11, transsexual)*

The difficulties increase exponentially when transsexuals look for a job in the Italian market. The social workers interviewed expressed their frustration in trying to find a job for the transsexual persons assisted:

*“Transsexuals can obtain the Art. 18 residence permit but this is based on the idea that they have to leave prostitution and change their life. But how can they change? What job can they get? Hairdresser? All hairdressers? Thus, it is very difficult to find a job and they give up, they go back to prostitution...” (Int. 22, key informant)*

As a matter of fact, most interviewed persons share the common opinion that it is crucial that support and assistance measures need to fully meet the needs of the assisted individuals as well as to strongly invest in public awareness raising about trafficking related-matters.



## Chapter 5:

# Conclusions and recommendations

The present study highlighted that women and transsexual persons are the main social groups involved in trafficking in human beings from Brazil to Italy; and traditionally “female” jobs, such as prostitution and care work, are the principal labour sectors in which they are exploited. New studies might discover the presence of Brazilian persons, and men in particular, trafficked for forced labour in other economic sectors. Currently, Brazilians in Italy are then part of the “*feminization*” of contemporary migration<sup>80</sup>. Women are not only the main social group migrating to Italy<sup>81</sup>, but the jobs they are asked to perform are traditionally included in the reproductive sphere labelled as feminine: care work in households and hospitals, as maids, baby sitters, and nurses; and in entertainment and sex work<sup>82</sup>.

In the research sample, no cases of trafficking for domestic servitude were included. However, through the desk research, a few cases were found. For instance, in Lecce, a small town in the South of Italy<sup>83</sup>, eight Brazilian women were identified in this category as trafficked persons and assisted through the social protection programme. Trafficking was organised by a small Brazilian family-run organisation that recruited women to

80 The “feminization of migration” is a well-known characteristic of contemporary mobility. It indicates the growing number of women who migrate independently in search of jobs and also the new awareness of scholars and policy-makers about the presence of women in migration processes, their role as remittance senders and the importance of gender in shaping migration patterns. See AA.VV, *Women on the Move: Contemporary Changes in Family and Society*, 77, Unesco, 1986; E. Kofman, A. Phizacklea, P. Raghuram, R. Sales, *Gender and International Migration in Europe: Employment, Welfare, and Politics*, Routledge, London, 2000; F. Anthias, G. Lazaridis (eds.), *Gender and Migration in Southern Europe: Women on the Move*, Berg, Oxford, 2000.

81 According to the most recent official data (as of 31 December 2008), regular Brazilians living in Italy numbered 41,476, out of which 13,425 were men and 28,051 women, see <http://demo.istat.it>

82 The “feminization” of the international labour market is a deeply debated phenomenon. Scholars underline two main patterns: how an increasing number of women are filling the jobs opened up by globalisation and how qualities usually confined to reproductive labour – flexibility, no job security, lower wages, care capabilities – are now requested in productive work. Domestic labour is thus the prototype of contemporary capitalism, and women migrants the prototype of the current labour force employed in the gendered globalised labour market. These topics are discussed in B. Ehrenreich, A.R. Hochschild (eds.), *Global Woman: Nannies, Maids, and Sex Workers in the New Economy*, Metropolitan Books, New York, 2003; C. Marazzi, *Il posto dei calzini. La svolta linguistica dell'economia e I suoi effetti sulla politica*, Bellinzona, Casagrande, 1994; C. Morini, *La serva serve. Le nuove forzate del lavoro domestico*, Derive Approdi, Rome, 2001.

83 A. Trovè, *op. cit.*

exploit as domestic helpers in Italy. The organisation constantly controlled their work and withheld their wages.

Labour and consumer markets are socially, culturally and politically constructed and the rules determining what people buy and others sell shape migration flows as well as trafficking. While trafficked and migrant women are mostly employed in the care and sex markets, transsexuals are often confined to the sex industry and their presence responds to gendered and “racialised”<sup>84</sup> structural and cultural patterns<sup>85</sup>. Moreover, racialised and exotic notions of sexuality shape the ways in which the global sex market works, determining the flows of sex tourism, the success of specific “foreign” groups in domestic sex markets and the types of supply and demand. As far as Brazilian women are concerned, the role of stereotypical understandings of “*sexo tropical*” plays a significant role in pushing Italian men to Brazil for sex tourism and in conditioning, both positively and negatively, the integration of Brazilian women they met in the Brazilian sex industry in Italy<sup>86</sup>.

Current literature has also considered the role of inequalities in conditioning gender relations, and their intersection with other social categories, such as nationality, ethnicity and class, which clearly have an impact on determining migration flows and trafficking. Gender inequalities between Italian women and men determine the massive arrival, from the east and the south, of women to be employed in Italian households<sup>87</sup>. Care labour left by Italian women – above all, assistance of the elderly and domestic work – is not taken on by or shared with Italian men but assigned to foreign women who leave their families to work in Italy and in the West<sup>88</sup>.

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84 “Race” is not used as a factual category but it refers to its criticism developed in cultural and post colonial studies.

85 Care and sex workers in Italy and Europe are mostly migrants; data on sex work are constantly updated by the Project TAMPEP (European Network for HIV/STI Prevention and Health Promotion among Migrant Sex Workers): <http://tampep.eu/index.asp>

86 A. Piscitelli, “*Sexo tropical em um país europeu: migração de brasileiras para a Itália no marco do ‘turismo sexual’ internacional*”, in *Estudos Feministas*, 15 (3), 2007, pp. 717-744.

87 For a cultural analysis of patterns in the relations between Italian and migrant women, see E. Capussotti, “Modernity Versus Backwardness. Italian Women’s Perceptions of Self and Other”, in L. Passerini, D. Lyon, E. Capussotti, I. Laliotou (eds.), *Women From East to West. Problematizing Migration, Gender, and Inter-nationality in Europe*, Berghahn Books, London, 2007, pp. 293-319.

88 For an analysis of the international division of reproductive labour or “care chain”, in which the increasing dependence of families on migrant domestic workers is described, see R. Parreñas, *Servants of Globalization: Women, Migration, and Domestic Work*, Stanford University Press, Stanford, 2001 and *Children of Global Migration: Transnational Families and Gendered Woes*, Stanford University Press, Stanford, 2005.

Therefore, the demand for labour in two traditionally feminine spheres, care and prostitution, which connote contemporary migration, is also the context in which trafficking from Brazil has to be placed. The interrelation and overlapping between different forms of mobility, migration and trafficking is crucial; methodologically and theoretically, these processes should always be analysed and interpreted together. Drawing similarities and differences between close and, to some extent, overlapping phenomena, such as trafficking and migration and between different jobs (mostly traditionally “female” jobs) unveils the role of political, social and cultural paradigms in conditioning the perception of trafficking.

Transphobia, homophobia, gender and social inequalities, stigmatisation of prostitution, racism: they are all key elements that were raised in different parts of this study. In Brazil, prejudices in families, schools and local communities, the great difficulty to find a regular job pushed transsexuals out from their environment suggesting to them to join other transsexuals in their districts. The interviewees described experiences where recognition and help coexisted with violence and exploitation. But if this mixture of aid and exploitation can be experienced by all persons, the transphobia that shapes social organisation exposes transsexuals to specific isolation and weakness.

While migrating, new discriminations, inequalities and problems are added to the previous ones. Better earnings provided by the Italian sex market are counterbalanced by the combined negative effects of heteronormativity<sup>89</sup> and the “national privilege”<sup>90</sup>. Scholars argue that Brazilian transsexuals in Italy are subjected to a double stigma: as undocumented foreigners and as prostitutes. This double stigmatisation exposes them to extreme vulnerability<sup>91</sup>. Their being outside codified gender norms, as transsexuals or homosexuals, increases their vulnerability and discrimination. Heterosexual norms

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89 Heteronormativity indicates the set of norms that regulate society around the idea that only two gender (female and male) and woman-man sex relations are legitimate. The term was first used in M. Warner, “Introduction: Fear of a Queer Planet”, in *Social Text*, No. 4, 1991, pp. 3-17. For an analysis on how the politics of heteronormativity influence political and economic choices, see P. Griffin, “Sexing the Economy in a Neo-Liberal World Order: Neo-Liberal Discourse and the (Re)Production of Heteronormative Heterosexuality”, in *British Journal of Politics and International Relations*, no. 2, 2007, pp. 220-238.

90 Nation states are constructed and legitimised by the idea of “national privilege”; only recognised citizens are granted access to the complex system of rights, from the vote to public jobs to welfare assistance. In the last three decades, in European societies, the slogans of national privilege were used by xenophobic movements to claim the expulsion and discrimination of “non-national” residents, namely, migrants. See E. Balibar, I. Wallerstein, *Race, nation, classe: les identités ambiguës*, La Découverte, Paris, 1988.

91 F. Teixeira, *op. cit.*

shaping Italian legislation on families, migrations, labour rights, etc., have a very concrete effect on the life of citizens: for instance, homosexual marriages are not recognised for family reunification or for citizenship acquisition. Heteronormativity also regulates the labour market. It is significant that the only transsexual person in the research sample who found a job in Italy after the programme of social protection had a sex reassignment surgery in Thailand. Most likely to fit again within female-male gender norms helped her find employment in the labour market.

*Inter alia*, two recent decisions of the Italian government on immigration matters contribute to exacerbate these social prejudices. In 2009, the Italian Parliament transformed undocumented migration – so called “*condizione di clandestinità*” – into an offence (“*reato di clandestinità*”) in the Criminal Code (Law No. 94/2009). Irregular migrants would now be subject to criminal trial and sent to jail because of their condition as *sans papiers*. This decision was supported by the most popular Italian mass media which launched several campaigns against “illegal” immigration accused of increasing criminality and unemployment.

The Italian government has also assigned the function to legislate on citizens’ safety to local authorities. Amongst the first measures enacted by several mayors was to prohibit outdoor prostitution: the police can fine prostitutes and their clients if they are found on the streets. As a result, streets have increasingly become unsafe for persons engaged in prostitution. NGOs and all agencies providing assistance and support to prostitutes and trafficked persons took action against the criminalisation of outdoor prostitution whose main effect is to push prostitutes further down towards the margins and into the hands of exploiters<sup>92</sup>.

Prejudices against transsexual persons do not even spare people involved in different roles in the fight against trafficking and exploitation in Italy. “I don’t want to investigate them because they are disgusting”<sup>93</sup> or “There must be a trauma in your childhood to become gay”<sup>94</sup> are some of the comments collected, which create a veil that also obscures the understanding of the phenomenon.

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92 Unità di strada (ed.), *Ordinanze anti-prostituzione. Rapporto di Monitoraggio*, July 2009 (available at [www.ontheroadonlus.it/index.php?option=com\\_content&task=view&cid=297&Itemid=9](http://www.ontheroadonlus.it/index.php?option=com_content&task=view&cid=297&Itemid=9)).

93 Interview no. 29.

94 Interview no. 22.

Criminalisation of prostitution and transphobia can be interconnected, as experienced by one interviewee. She decided to leave the sex market and asked a Catholic NGO for help that, in turn, asked her to resume the male identity in order to be supported. She was asked to cut her hair, to wear trousers, and to abandon any sign of female identification. As a result, the interviewee decided to keep working as a prostitute instead of betraying her gender identity.

Given this scenario, Brazilian transsexual persons in Italy often experience the sum of three main negative social stigmas: being transsexuals, being prostitutes, and being undocumented migrants.

Therefore, the study of trafficking concurrently requires the interconnection of different elements – trafficking, migration networks, various labour sectors, market supply and demand – and the identification of their specific features. In fact, specificities – regarding individuals, social groups, power relations, behaviours, and their consequences – contribute to identifying a slippery and complex phenomenon like trafficking in human beings.

Trafficking is indeed a complex phenomenon and its complexity must be placed at the core of any investigation, including the present one. Even the definition of trafficking developed by the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the so-called Palermo Protocol, 2000) has been extensively debated and criticised for the vagueness<sup>95</sup> in the way it fails to consider the complexity of the different forms of trafficking. For instance, as far as trafficking for sexual exploitation is concerned, “some NGOs hold that the concept of trafficking, as defined in the protocol, cannot be applied to adults who work freely and voluntarily in the sex industry. Others rely on a broad interpretation of the idea of “abuse of a ‘victim’s vulnerability’ to construct that any migrant prostitute who has relied upon a third party or parties in the course of moving to work in the sex trade as a victim of trafficking. The protocol’s failure to explicitly define difficult terms such as ‘exploitation’, ‘coercion’, ‘vulnerability’ and so on is equally problematic for those who are concerned with persons trafficked into a sector other than the sex industry”<sup>96</sup>. The lack of official data and the constant transformation of the phenomenon increase the struggle over multiple interpretations.

95 Critiques are contained in GAATW (Global Alliance Against Trafficking in Women), “The UN protocol: lost opportunity to protect the rights of trafficked persons”, in *Newsletter of the Global Alliance Against Trafficking in Women*, no. 15, Bangkok, 2000.

96 B. Anderson, J. O’Connell Davidson, *Trafficking. A demand led problem? A multi-country pilot study*, Save the Children, Stockholm, 2002, p. 9.

But it is still difficult to translate theoretical and methodological assumptions into a concrete and varied research sample; Quite often trafficking and migration are studied as different fields and respond to different questions and interests, a model this study did not ignore. However, the conceptual framework described above can help to identify the multiple manifestations and contradictions that give form to the phenomena of trafficking of Brazilians in Italy.

The study carried out highlighted several issues that need to be taken into account when developing policies and strategies addressing Brazilian persons trafficked and exploited in Italy. Therefore, the following paragraphs present the main conclusions of the research and the related recommendations to improve prevention, protection, and repression policies and strategies to fight trafficking and exploitation of Brazilian citizens in Italy and to prosecute those criminals who profit from a very vulnerable group of persons whose human rights are severely violated through different forms of abuse and coercion.

○ *Research*

This study certainly represents an important starting point for the collection and analysis of information concerning the trafficking processes and exploitation systems involving Brazilian citizens in Italy. Through the interviews of a small sample of key informants and trafficked persons it has been possible to identify, on the one hand, the main features of the individual and social backgrounds of the trafficked persons, their recruitment and exploitation and, on the other, the profiles of the recruiters, traffickers, and exploiters. It is thus very important to continue to investigate this specific phenomenon by enlarging the research brief, by involving broader geographical areas both in Brazil and in Italy and by focusing on other target groups (i.e., women and men) and other forms of exploitation (i.e., forced labour, domestic servitude et alia). It is also essential to implement diversified, multidisciplinary and multi-approach studies, with special regard to other forms of exploitation that may also involve Brazilian nationals. At the same time, it would be very useful to establish Italian-Brazilian research teams to jointly investigate human trafficking-related matters. This would contribute not only to improving knowledge on the phenomenon but it would also allow Italian and Brazilian NGOs and authorities to better meet the needs of the Brazilian trafficked persons assisted by them.

- *Prevention*

The study highlighted that most Brazilian persons trafficked to Italy grew up in impoverished economic and social settings, with a poor education and low cultural capital. However, some trafficked persons came from a caring family and a positive social context. Many of them are transsexuals and, to a less extent, women from different parts of Brazil. In some cases, they had already worked in the prostitution market before migrating to Italy allured by false promises of a better life. Given this scenario, it is crucial that anti-trafficking and anti-exploitation campaigns address multiple target groups with different social backgrounds. Prevention campaigns must be carried out in different parts of Brazil and in distinct venues where potential trafficked persons may be found. Certainly, targeting schools and local community sites and meeting points is fundamental. Clear information should be given on the trafficking and exploitation process and on how to safely migrate to Europe along with facts on the multiple forms of discrimination, hostility and violence that vulnerable groups may face in European/Italian societies. Part of any prevention strategy should be the development of actions and programmes to address the root causes of trafficking both in the countries of origin and destination of human trafficking and to overcome the strong economic and social inequalities existing between different areas and territories.

- *Fight against discrimination*

Discrimination has been identified as a common feature in the life experiences of most trafficked persons interviewed. To act against xenophobia, transphobia and homophobia, gender inequalities and prejudices against sex workers, both in Brazil and in Italy, it is crucial to fight all forms of trafficking and exploitation. Anti-discrimination policies and measures should be developed and implemented at political, economic, social and cultural level to ensure the full protection of the human rights of trafficked persons, who may be regular or irregular migrants. Awareness raising campaigns targeting both public opinion and selected target groups promoting migrants' rights, homosexual and transsexual persons' rights, sex workers rights, and gender equality should be carried out by also placing them in the wider context of anti-trafficking initiatives. The study showed that people working in key positions in the police and in the assistance sectors sometimes had stereotypical and hostile opinions against prostitution and transsexuality, which they stigmatised on a moral basis. Specific training should be organised to sensitise these professionals on transsexual persons' rights.

○ *Identification and training*

Identification is still a key issue that needs to be tackled by anti-trafficking strategies and procedures. Even though many initiatives have been developed in recent times, much still needs to be done to effectively identify potential trafficked persons and trafficked persons. The study highlighted that many trafficked persons, Brazilian victims included, are still too often identified as irregular migrants and as such held in detention centres in order to be repatriated. Common identification procedures should be used by anti-trafficking agencies to identify (potential) trafficked persons and refer them to accredited support agencies. Such procedures should be constantly monitored and revised in order to respond to the ever-changing trafficking strategies implemented by traffickers and exploiters. In Italy, although a few anti-trafficking agencies have developed identification procedures to be used at the local level, it is clear that there is a need to implement regular training programmes and refresher courses aimed at all anti-trafficking professionals (government officials, law enforcement agencies, the judiciary, NGOs, local social welfare organisations, trade unions, labour inspectorates and other labour-related agencies) so that trafficked persons can be properly identified and assisted according to common standard operating procedures.

○ *Social protection programme*

Even though Italy has a rather efficient social protection scheme in place, some gaps still exist in order to have a fully functional system in place. More specifically, the study underscored that it is necessary to improve some measures so that the needs of trafficked transsexual persons supported by assistance agencies can be met more fully. Currently, the capacity of shelters or other types of accommodation to host transsexuals is still very limited. It is, therefore, crucial to provide more accommodation solutions to promptly support this very vulnerable target group. Social workers engaged in the anti-trafficking field underlined the difficulties faced when enrolling transsexual persons in a vocational course or placing them on the labour market due to the discriminatory environment and the resulting lack of job opportunities. As already underlined, it is, therefore, essential to develop anti-discrimination policies and measures that grant transsexual trafficked persons access to social and labour inclusion in Italian society.

○ *Repressive strategy and police investigation*

The study emphasised that the implementation of a repressive strategy through continuous police raids and forced repatriation does not favour the accomplishment of the aims set by the Italian Anti-trafficking Law. On the contrary, the raids do not contribute to the fight against trafficking; they impede contact with trafficked persons by outreach units; they push trafficked persons into indoor premises and, thus, weaken their position and their possibility to be reached by social workers and law enforcers; and favour distrust towards law enforcement agencies and Italian institutions. A more pro-active approach is thus crucial to investigate the phenomenon and protect trafficked persons. The significant decrease in economic resources allocated to law enforcement agencies has certainly limited police investigation on trafficking in human beings. As a result, police officers have little updated information on trafficking and, in several cases, they do not have enough training and are, therefore, unable to identify (potential) trafficked persons. This lack of knowledge and skills severely hinders a comprehensive understanding of the Brazilian system of trafficking and its expressions in Italy, in Europe and between Italy and Brazil. Transnational police cooperation is still too limited and often difficult due to different legal frameworks, the lack of financial resources and investigative tools to establish transnational investigation teams. Therefore, it is essential that political bodies act to harmonise legislation at the international level, to simplify procedures, and to reduce the costs of transnational cooperation. The latter should be a key activity for any successful anti-trafficking strategy. From this viewpoint, it would also be crucial to strengthen cooperation between the Brazilian Federal Police and its attachés based in EU countries.

○ *Funding*

Allocating adequate and regular funding to support anti-trafficking programmes carried out by NGOs and local authorities within the national assistance and integration programme is a priority that should be very high on the Italian political agenda. Currently, the funding allocated is not sufficient to provide proper assistance to trafficked persons. The funding for law enforcement agencies is also vital in order to allow them to investigate the criminal activities of criminal groups and individuals profiting from trafficking and exploitation and to identify (potential) trafficked persons.

○ *Data collection and reporting*

In Italy, there is still a serious lack of comprehensive and reliable data about all aspects of trafficking in human beings and the national communities involved. As a matter of fact, the available information is still scattered and limited. Regular data collection, collation and reporting is fundamental to know how the phenomenon develops and, therefore, to design and implement successful anti-trafficking strategies and policies. Since December 2008, Italy has officially had a national Observatory on Trafficking in Human Beings funded by the government through the Department for Equal Opportunities<sup>97</sup> but neither information about it nor official reports have been issued so far. It would thus be crucial to have such an Observatory fully functioning and operational as soon as possible as a valuable tool to assess the state of play of trafficking in persons in Italy and, consequently, to contribute to the development of anti-trafficking strategies and policies.

○ *Standards setting: monitoring and evaluation*

It is fundamental to introduce annual public monitoring and evaluation of the social protection programme in order to assess the projects' outcomes and the functioning of implemented procedures; to identify the best practices; to set a minimum standard to make sure it provides quality services based on the respect of the assisted persons' human rights and the legislation in place; and to issue an annual report.

○ *National and Transnational Referral Mechanisms*

It would be necessary to implement a formal National Referral Mechanism (NRM) in order to ameliorate and co-ordinate the anti-trafficking policies, strategies and schemes in place at national level. This mechanism would allow for fruitful cooperation among the different agencies engaged in the field and the institutional players, based on a clear division of roles, competencies, and responsibilities. An institutional anti-trafficking structure with multidisciplinary and cross sector participation would ameliorate the current positive but improvable response to the multifaceted forms of human trafficking. Furthermore, it would also facilitate the monitoring and the evaluation of the scheme and measures in place. In order to establish efficient cross-border

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<sup>97</sup> Decree of the Minister for Rights and Equal Opportunities – Presidency of the Council of the Ministries, 21 March 2007.

cooperation between governmental institution, intergovernmental agencies and NGOs of countries of origin, transit and destination of trafficked persons, a Transnational Referral Mechanism (TRM) should also be established. The NRM and the TRM should be, inter alia, the main outputs of the first NAP against trafficking in human beings that will be drafted in the course of 2011 by the national Working group appointed by the Inter-ministerial Commission for the Support of Victims of Trafficking, Violence and Exploitation managed by the Italian Department for Equal Opportunities.

○ *Legal framework*

Actions should be taken to positively influence the Italian and European agenda that still focuses its legislation and policies on border management, document security and migration control. This approach severely affects trafficked persons even in the case when proper use of the anti-trafficking legislation is in place. Their human rights are not respected and they are merely treated as irregular migrants to be swiftly expelled from the country. Furthermore, in Italy, the application of the law is not fully and uniformly implemented throughout the country. Some Police Headquarters, in fact, apply only the “judicial path” and, in some cases, they do so only if it is “judicially useful”, thus, on the one hand, not entirely respecting the law and, on the other, significantly diminishing the effectiveness of the system but, most of all, not respecting the trafficked persons’ rights and needs. Furthermore, in some cities, it would be necessary to ensure the prompt and efficient issuance of residence permits to victims.



## Annex:

# Working Definitions and Terminology<sup>98</sup>

**Assistance:** Measures, programmes and services aimed at the recovery of trafficked persons that might include, but are not limited to, appropriate housing; medical, psychological and material assistance; educational, training and employment opportunities; legal counselling and assistance. First, short- and long-term assistance may be offered by non-governmental, governmental or international organisations in countries of destination, transit and origin and they may involve one or multiple services.

**Assisted Victim of Trafficking:** A person who has been identified as a victim of trafficking and who has agreed to accept assistance from a non-governmental, governmental, international or other relevant organisation (also referred to as “assisted trafficked person” or “assisted person”).

**Cafetina/cafetão:** In Portuguese, a pimp, that is, a person who exploits the prostitution of others. In this research, cafetina/cafetão may determine the living and working conditions of the people they exploit, also often through a system of fines and retaliations.

**Candomblé:** It is an African-Brazilian religion that worships several deities derived from several African peoples (the Orishas, Voduns, Nkisis, Tabela Orixas-Voduns-Nkisis), which have individual personalities, skills and ritual preferences. It developed in Brazil based on the knowledge of African priests who were enslaved and brought to Brazil, together with their mythologies, their cultures and languages, between 1549 and 1888. Even if originally confined to the slave population, banned by the Catholic Church, and criminalized by some governments, over the years, Candomblé came to include many elements from Christianity (e.g., crucifixes, Catholic saints), that nowadays are preserved only as cultural references. The rituals involve the possession of the initiated by the

<sup>98</sup> This is an adapted version of the Working and Definitions and Terminology Annex from ICMPPD, Italian Department for Equal Opportunities, *Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe: TRM-EU*, OstWest Media, Vienna, 2010.

deities, offerings and sacrifices of the mineral, vegetable and animal kingdoms, healing, dancing/trance and percussion. Candomblé has flourished over four centuries and it is currently a major established religion, with followers from all social classes who may also have additional faiths since religions are not seen as mutually exclusive in Brazil. According to this religion, every person is born with one or more “patron” deity who is identified by priests. The Candomblé priesthood is organized into symbolic and spiritual families; each of them owns and manages a house that, in most cases, is headed by a woman called “*mãe-de-santo*”, or *ialorixá/mam'etu ria Nkisi/Doné, babalorixá/Tata ria Nkisi/Doté, babalaos, babas, babaloshas, or candomblezeiros*. Candomblé is also practiced in other Latin-American countries, such as, Uruguay, Argentina, Venezuela, Colombia, Panama, Mexico, and to a lesser extent, in some European countries.

**Child:** A person under 18 years of age (also referred to as a “minor”).

**Country of Origin:** The country a trafficked person comes from (also referred to as “source country”).

**Country of Transit:** The country a trafficked person travels through to reach her/his final destination.

**Country of Destination:** The country that is the ultimate destination of a trafficked person (also referred to as “receiving country”).

**Cultural Mediator:** A foreigner him/herself, the mediator is a professional who functions as an intermediary between the needs of migrants and the response of public services and NGOs to facilitate the placement of foreign citizens into the hosting social context. He/she works respecting neutrality, professional secrecy and equidistant mediation between institution and user (also referred to as “cultural-linguistic mediator”).

**Data Protection:** This must be guaranteed through the regular implementation of security measures for the protection of personal data collected, stored, and used in full compliance with the pertinent laws that protect the right to privacy of any individual.

**Empowerment:** It is the process of improving the capacity of a person to gain the knowledge, skills and attitude to cope with her/his private and professional life and make self-determined choices and changes. In order to do so, a person must have access to information and resources for taking full, properly informed decisions and have a wide range of options to choose from.

**Heteronormativity:** Heteronormativity indicates the set of norms that regulate society around the idea that only two gender (female and male) and woman-man sex relations are legitimate.

**Human Rights:** Fundamental and universal rights and freedoms that all human beings are entitled to. They consist of civil, political, economic, social and cultural rights that States are obliged to fully respect according to common standards ratified by national and international legislation.

**Identified Victim of Trafficking:** A person who has been identified as a victim of trafficking according to a formal or informal identification mechanism (also referred to as “Identified trafficked person”).

**Individual Assistance Plan (IAP):** It is a written agreement jointly developed by the case manager and the assisted trafficked person where goals, activities and services – tailored to the individual’s needs – are clearly defined.

**Informed Consent:** Any free, voluntary permission or approval of something proposed or requested based on full exposure to all facts; fully informed decision-making, including awareness of any risks involved and any available options. Information-sharing is an essential component of “informed consent”.

**Integration:** See “Social inclusion”.

**National Referral Mechanism or System (NRM or NRS):** “It is a co-operative framework through which state actors fulfil their obligations to protect and promote the human rights of trafficked persons, coordinating their efforts in a strategic partnership with civil society. The basic aims of an NRM are to ensure that the human rights of trafficked persons are respected and provide an effective way to refer victims of trafficking to services. In addition, NRMs can work to help to improve national policy and procedures on a broad range of victim-related issues

such as residence and return regulations, victim compensation, and witness protection. NRMs can establish national plans of action and can set benchmarks to assess whether goals are being met. The structure of an NRM will vary in each country; however, NRMs should be designed to formalise co-operation among government agencies and non-governmental groups dealing with trafficked persons.<sup>99</sup>

**Non-residential Programme:** This is an assistance programme offered to trafficked persons who do not face safety risks and enjoy autonomous accommodation usually shared with significant others (i.e., partners, family members, friends). The rationale of the non-residential programme is that it is fundamental to value the assisted person's network in order to support her/his process of social inclusion in the community she/he is living in.

**Person at Risk of Trafficking:** Any person (minor or adult) who has not been trafficked but, given her/his profile or the appearance of certain indicators, faces a greater possibility of being trafficked in the future<sup>100</sup>.

**Personal Data:** Identifying (direct or indirect) information or sensitive data related to an identified or identifiable person.

**Potential Victim:** An individual identified before being exploited who shows strong signs of being in the trafficking process. This differs from a presumed victim, the definition for which appears below (also referred to as “potential trafficked person”).

**Presumed Victim:** A person who is presumed to be a victim of trafficking but who has not been formally identified by the relevant authorities or has declined to be formally or legally identified (also referred to as “presumed trafficked person”). Presumed victims are entitled to the same treatment as the identified victims from the beginning of the identification process. In some countries, this category of

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<sup>99</sup> T. Kröger, J. Malkoc, B.H. Uhl, *National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons. A Practical Handbook*, Osce-Odihir, Warsaw, 2004, p. 15.

<sup>100</sup> Adapted from Save the Children Italia, *Agire. Austria, Greece, Italy and Romania. Acting for stronger private-public partnerships in the field of identification and support of child victims and at risk of trafficking in Europe. Agire methodology*, mimeo, pp. 6-7.

persons is referred to as a “potential victim”; however, in this document, potential victim has a different meaning. Please see definition above<sup>101</sup>.

**Protection:** This is an essential component of any assistance scheme, both for the trafficked person’s physical safety and for the safeguard of her/his prospects of social inclusion in the country of origin, destination, or a third country.

**Recovery:** The process by which trafficked persons are stabilised and their well-being restored psychologically, socially and physically.

**Reintegration:** See “Social inclusion”.

**Residence Permit:** Any permit or authorisation issued by the authorities of a country, in the form provided for under that State’s legislation, allowing a third country national or stateless person to reside in its territory.

**Risk Assessment:** A formal procedure to identify and assess the risks associated with the trafficked person’s situation and future plan of assistance in the country of origin and/or transit and destination.

**Return:** To return to one’s country and/or community of origin. In the context of anti-trafficking work, return involves not only the physical transportation of the victim but also mechanisms to ensure that the return is voluntary, assisted, safe and dignified.

**Schengen area:** The Schengen area and cooperation are founded on the Schengen Agreement of 1985. The Schengen area represents a territory in Europe where the free movement of persons is guaranteed. The signatory states to the agreement have abolished all internal borders in lieu of a single external border. Here common rules and procedures are applied with regard to visas for short stays, asylum requests and border controls. Simultaneously, to guarantee security within the Schengen area, cooperation and coordination between police services and judicial

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<sup>101</sup> Each country in the region has different terminology for trafficked persons, particularly those considered ‘at-risk’ of trafficking and those considered to be trafficked but not formally identified as such by authorities. In addition, different organisations also often employ different terms for these categories. In the context of this study, we use the terminologies of ‘potential victim’ and ‘presumed victim’ as outlined in the definitions above and not in conformity with any one country’s or organisation’s terminology.

authorities have been stepped up. Schengen cooperation has been incorporated into the European Union (EU) legal framework by the Treaty of Amsterdam of 1997. However, all countries cooperating in Schengen are not parties to the Schengen area. This is either because they do not wish to eliminate border controls or because they do not yet fulfil the required conditions for the application of the Schengen *acquis*<sup>102</sup>.

**Separated Child:** A child under 18 years of age who is outside her/his country of origin and separated from both parents, or her/his previous legal/customary or primary caregiver. She/he may be alone or living with extended family members. In either case, the child is entitled to international protection under a broad range of international and regional instruments<sup>103</sup>.

**Service Providers:** Organisations and individuals that provide one or more of the support and assistance measures supplied to trafficked persons. These may include social workers, psychologists, shelter staff, medical personnel or legal professionals from NGOs, IOs and GOs.

**Sex reassignment surgery:** It refers to the surgical procedures through which a person's physical appearance and function of their existing sexual characteristics are altered to resemble that corresponding to their own gender identity.

**Shelter/Residential Facilities:** Premises where trafficked persons are hosted. Shelters may be open or closed; offer short- or long-term stay; provide round-the-clock, part-time or non in-house assistance. Shelter should be run by qualified and specifically trained staff. In the case of children, the accommodation has to be appropriate to their specific needs.

**Smuggling of Migrants:** "(...) the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident"<sup>104</sup>.

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102 [http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/free\\_movement\\_of\\_persons\\_asylum\\_immigration/l33020\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33020_en.htm)

103 Separated Children in Europe Programme, *Statement of Good Practice*, International Save the Children Alliance – UNHCR, Geneva, 2004, p. 2.

104 Art. 3 of Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing The United Nations Convention against Transnational Organized Crime (2000).

**Social Inclusion:** This refers to the process that ensures that those at risk of poverty and social exclusion have the opportunities and resources necessary to participate in economic and social life, securing a standard of living that is considered acceptable in the society in which they live<sup>105</sup>. It also ensures that they have greater participation in decision-making that affects their lives and access to their fundamental rights. Through such a process vulnerable groups are granted access to education, training, employment, accommodation, collective services, and health assistance. A social inclusion programme can take place either in the country of origin or in that of destination.

**Trafficked Child:** Any person under eighteen who is recruited, transported, transferred, harboured or received for the purpose of exploitation, either within or outside a country, even if no element of coercion, deception, abuse of authority or any other form of abuse is used<sup>106</sup>.

**Trafficker:** Person complicit in the trafficking of another human being (or human beings) for any form of exploitation.

**Trafficking in Human Beings:** “(...) the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”<sup>107</sup>.

**Transgender:** It is a more recent general term that refers to persons whose gender identity does not conform to their gender assigned at birth and to the traditional

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105 [http://ec.europa.eu/employment\\_social/spsi/poverty\\_social\\_exclusion\\_en.htm](http://ec.europa.eu/employment_social/spsi/poverty_social_exclusion_en.htm) and Joint Report by the Commission and the Council on Social Inclusion (2003) [http://europa.eu.int/comm/employment\\_social/soc-prot/soc-ncl/final\\_joint\\_inclusion\\_report\\_2003\\_en.pdf](http://europa.eu.int/comm/employment_social/soc-prot/soc-ncl/final_joint_inclusion_report_2003_en.pdf).

106 Separated Children in Europe Programme (SCEP), *op. cit.*

107 Art. 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (also known as the “Palermo Protocol”), 2000.

gender roles, for example, cross-dressers, drag queens, and gender queers. However, transgender is a term continuously evolving and some transsexuals refuse to use it<sup>108</sup>.

**Transsexual:** A person whose gender identity differs from his/her own biological sex. Sometimes he/she decides to adapt his/her anatomic sex to his/her own gender identity through hormonal therapy and/or surgery (“sex reassignment surgery”). A transsexual person may also be referred to as “female-to-male” (FtM or F2M) for a female transitioning to become a male and “male-to-female” (MtF or M2F) for a male transitioning to become a female.

**Transphobia:** It refers to discrimination against transsexualism and transsexual or transgender persons whose appearance and/or identity neither correspond to their biological sex nor conform to current social expectations or conventional conceptions of gender.

**Transnational Referral Mechanism:** This refers to mechanisms and systems designed for the comprehensive assistance and transnational support of victims of trafficking. Transnational referral mechanisms link the full process of referral from initial identification, through return and assistance between countries of transit, destination and origin and involve co-operation between different government institutions and non-governmental actors. This may involve one or all of the steps in the process.

**Travel Document:** Any identification document required to travel and enter another country (e.g., passport, identity card, visa, etc.).

**Unaccompanied Child:** An accompanied child or minor who has been separated from both parents and other relatives and is not being cared for by an adult who, by law or custom, is responsible for doing so<sup>109</sup>.

**Victim of Trafficking/Trafficked Person:** A person who is subject to the crime of trafficking in human beings (see definition *supra*).

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108 See Osservatorio Nazionale sull'Identità di Genere (ONIG), in [www.onig.it](http://www.onig.it)

109 Unicef, Guidelines on the Protection of Child Victims of Trafficking, New York, 2006, p. 3.

**Voodoo:** It is a traditional polytheistic religion of coastal West Africa, from Nigeria to Ghana that worships many spirits and other divine essence. Patterns of worship follow various dialects, gods, practices, songs, and rituals. The practice of offering an animal sacrifice is common as a way to show respect and thankfulness to the gods. Worshippers also believe in ancestor worship and hold the idea that the spirits of the dead live side by side in the world of the living. They also utilize items that have spiritual properties. Voodoo talismans called “fetishes” are objects such as statues or dried animal parts that are sold for their healing and spiritually rejuvenating properties. Recruiters and traffickers exploit the beliefs of their victims by using voodoo rites as coercive means for the subjugation of the trafficked persons under their control.



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**Part Three:**  
Portugal



## Summary

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## Acronyms

ACIDI	High Commissioner for Immigration and Intercultural Dialogue (Alto Comissariado para as Imigrações e Diálogo Intercultural)
APAV	Portuguese Association for Victim Support (Associação Portuguesa de Apoio à Vítima)
APF	“Espaço Pessoa” Project / Family Planning Association (Projecto “Espaço Pessoa”/Associação para o Planeamento da família)
CAP	Shelter and Protection Center of Victims of Trafficking in Human Beings (Centro de Acolhimento e Protecção de Vítimas de Tráfico de Seres Humanos)
CIG	Commission for Citizenship and Gender Equality (Comissão para a Cidadania e Igualdade de Género)
COE	Council of Europe
GUR	Unified Register Form (Guía único de registro)
IAC	Child Support Institute (Instituto de Apoio à Criança)
ICMPD	International Centre for Migration Policy Development
MAI	Ministry of Internal Affairs (Ministério da Administração Interna)
IOM	International Organization for Migration
OPC	Criminal Police Bodies (Orgãos de Polícia Criminal)
OTSH	Observatory on Trafficking in Human Beings (Observatório do Tráfico em Seres Humanos)
PALOP	Portuguese-speaking African Countries (Países Africanos de Língua Oficial Portuguesa)
PJ	Judiciary Police (Polícia Judiciária)
PNCTSH	National Action Plan against Trafficking in Human Beings (Plano Nacional Contra o Tráfico de Seres Humanos)
SEF	Immigration and Borders Service (Serviço de Estrangeiros e Fronteiras)
THB	Trafficking in Human Beings
EU	European Union
UMAR	Women’s Union Alternative and Response (União de Mulheres Alternativa e Resposta)

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- Amnesty International
- Brazilian Association of Portugal (Associação Brasileira de Portugal)
- “O Ninho” Association
- Shelter and Protection Centre (CAP)
- Consulate General of Brazil in Porto
- Judiciary Police, Directorate of the North (Directoria do Norte da Polícia Judiciária)
- “Espaço Pessoa” Project
- Child Support Institute (IAC)
- Doctors of the World (Médicos do Mundo)
- OIKOS – Cooperation and Development
- International Organization for Migration (IOM)
- Immigration and Borders Service (SEF)
- Women’s Union Alternative and Response (UMAR)



# Chapter 1:

## Introduction and Background

Portugal, as a result of its prime commitment to promoting human rights, has developed a policy in the field of trafficking in human beings based on the intransigent defence of those rights. This has taken the shape of a series of political and legal instruments.

One of its core instruments is the current National Action Plan Against Trafficking in Human Beings – Resolution of the Council of Ministers No. 81/2007 of 22 June 2007. The adoption of the Plan mentioned above is structured into four Strategic Fields of Action, each complemented by its own specific measures: 1) to know and dissemination of information; 2) to prevent, raise awareness and train; 3) to protect, support and integrate; 4) criminal investigations and trafficking suppression.

The first Strategic Field of Action consists of 9 measures and aims at increasing knowledge about human trafficking, thus promoting an improved and more adequate adaptation of the measures to be implemented.

The needs for prevention, awareness raising and training are considered indispensable tools in order to increase public awareness and to fight against this phenomenon, as well as in taking a specialised approach. In this sense, the second Strategic Field of Action contemplates 25 measures broken down into the areas of prevention, awareness raising and training.

In the third Strategic Field of Action, the intention is to implement a range of 21 measures that have the interests of the victim as their common denominator and as their objective, the promotion of human rights.

Finally, the fourth Strategic Field of Action, introducing 8 measures, has as its objective the need for greater in-depth cooperation on national and international levels in the struggle against human trafficking which is taking on a markedly transnational character. In total, this Plan introduces a set of 63 measures whose object is to develop an effective response in the struggle against this phenomenon.

### **Part Three:** Portugal

For purposes of the implementation of these measures, there is also a technical support committee for the Anti-Trafficking Coordinator, consisting of a representative from each of the following Ministries: the Presidency of the Council of Ministers, the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Labour and Social Solidarity and the Ministry for Foreign Affairs.

Portugal also has other legal instruments that aim at supporting and integrating victims of human trafficking. These instruments include:

Law No. 23/ 2007 of 4 July 2007 which establishes the legal regime for entry, residence, exit and expulsion of foreign citizens from the national territory, it offers protection to the victims of the crime of human trafficking, creating, for this purpose, a special system for granting residence permits. Granting of a reflection period of 30 to 60 days is also introduced, during which time the victim may decide whether to collaborate with the authorities. During this period, the presumed victim cannot be the object of any expulsion proceedings, and must be provided with medical care, means of subsistence, psychological and legal assistance and translation, among other things.

Under Decree-Law No. 368/2007 of 5 November 2007, a residence permit may be granted to a foreign citizen identified as a victim of human trafficking, when justified by special circumstances regarding victims. These circumstances may be related to the safety of the victim, his/her family members or anyone with whom he/she maintains close relationships, to the victim's health or that of his/her family members, his/her family situation, among others. Such residence permits are granted by the Ministry of Internal Affairs, either on its own initiative or when proposed by the competent criminal police force or the Coordinator of the 1st National Action Plan against Trafficking in Human Beings.

With the amendment to the Criminal Code passed in 2007, Portugal broadened the concept of trafficking in human beings (which is defined in Article 160 of the Criminal Code) to include sexual exploitation, labour exploitation and the removal of organs. Another innovative aspect of this reform is related to the punishment of any person who, having knowledge of the commission of this crime, uses the services of the trafficked person. This Article also promotes the criminalisation of any person who cooperates in the retention, concealment, damage and/or destruction of identity or travel documents. Finally, the criminal liability of collective persons is currently under consideration.

Law No. 38/2009 of 20 June 2009, defining the objectives, priorities and orientations of criminal policy for the 2009-2011 two-year period, establishes that the specific objectives of criminal policy include the prevention, repression and reduction of violent crime, including, among others, trafficking in human beings, as well as promoting the protection of particularly defenceless victims. These include children and adolescents, pregnant women and aged, sick or disabled individuals, as well as immigrants. Trafficking in human beings is considered a crime requiring priority prevention and it is included in the list of crimes which can be reported electronically.

As an outstanding element in attempting to gain a more in-depth knowledge of this problem, the Observatory of Trafficking in Human Beings was created by means of Decree-Law No. 229/2008 of 27 November 2008. The structure of the Observatory cooperates with the Ministry of Internal Affairs (MAI) and its main function is to monitor the problem. In order to gather information and data on the problem to be channelled to the Observatory, standardised instruments of information gathering are used, such as the Unified Register Form (GUR) used by the Criminal Police Bodies (OPCs), as well as the Signalling Guide used by NGOs.

These instruments contribute to an improved mapping of the phenomenon and more effective reporting of situations of potential trafficking.

Since all the intervention policies in the area have the primary objective of protecting human rights, another important institution is the Shelter and Protection Centre of Victims of Trafficking in Human Beings (CAP). CAP is run in order to effectively provide protection and police vigilance, so that victims are able to decide freely, during their stay at CAP, whether to return to their countries of origin, be integrated into the country of destination, or collaborate with the legal system when reporting on criminal networks, without any pressure. The Centre can shelter up to 6 victims at a time, offering full support (safety, medical and psychological assistance, basic subsistence and legal advice) during the identification and signalling phases.

The Signalling-Identification-Integration Model in relation to trafficking victims must also be highlighted. This model is intended to create a standardised mechanism of intervention and support to the victims of human trafficking. After drawing up a customised summary analysis of each phase, the reporting procedure essentially involves the completion of the Unified Register Form (GUR) by the OPC, or the Signalling

Guide by the NGOs. Any person or institution may supply information. There is also a telephone help line (*Linha SOS Imigrante*)<sup>1</sup>. The data gathered in this way enable the facts to be confirmed and additional information to be gathered in order to identify individuals as victims. A shelter is available as a support structure, offering full support (i.e., security, medical and psychological assistance, legal advice and translation services) during the signalling and identification phases. Following the identification procedure, an integrated response is provided. This can take place in Portugal (via existing official programmes that aim to rebuild the victim's social life, including training courses intended to improve the victims' vocational skills. Alternatively, preparations can be made for the victim's assisted return to his or her country of origin (at the victim's request) in coordination with international structures as well as with structures existing in the country of the victim. During the identification phase, the immigrant may be granted a residence permit (if certain legal requirements are met) for the period of a year, after which that permit may be renewed for subsequent yearly periods, if certain conditions are met.

From the point of view of gaining knowledge about the problem, in 2007 a study was launched on "Trafficking in Women for the Purposes of Sexual Exploitation in Portugal". This study was publicly presented at the seminar "Trafficking in Human Beings and Gender", held in October 2007 within the framework of the Portuguese Presidency of the EU, resulting in the Porto Declaration. This Declaration was presented in Brussels during the launching of European Anti-Trafficking Day (18 October 2007), suggesting future guidelines for the European Union in this field.

In November 2007, the campaign against trafficking in human beings was launched by the Council of Europe (COE) under the motto "You're Not for Sale". The objective of the campaign was to combat human trafficking by protecting victims through awareness raising and other efforts intended to prevent the crime through access to information.

Furthermore, the **National Campaign against Trafficking in Human Beings**, launched in 2008, intended to raise public awareness. The campaign targeted potential trafficking victims. To this end, pamphlets in nine languages were produced, publicising the Immigrant SOS Help Line (*linha SOS imigrante*) and describing the range of support services available to trafficking victims.

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<sup>1</sup> Linha SOS Imigrante: 808 257 257 (land lines); 218 106 191 (mobile phones)

This campaign attempted to focus its action on social awareness, both on an individual and collective level.

In October 2009, a Joint Declaration by the Coordinator for Trafficking in Human Beings together with the Team Leader of the Observatory on Trafficking in Human Beings was also published, providing data related to the problem.

Over the course of the past few years, various training initiatives have regularly been made available to actors directly involved in dealing with the problem.

Finally, Portugal ratified various international instruments, the most notable of which are the following:

- **The United Nations Convention on Transnational Organized Crime** and its related additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- **The Council of Europe Convention on Action against Trafficking in Human Beings** (*Warsaw Convention-ETS 197*) of 16 May 2005, reinforcing the framework for the prevention and combating of human trafficking and for the protection of the rights of victims of trafficking.



## Chapter 2:

# Executive Summary

### Objectives of the Research

The present research was conducted within the framework of the project *Promoting Transnational Partnerships: Preventing and Responding to Trafficking in Human Beings from Brazil to EU Member States*. Conducted in Portugal, the research was planned and implemented entirely by the professionals of CIG.

The objective of the present study has, at all times, been to gain better knowledge of the general features and scope of the problem of trafficking in human beings in Portugal. Several reference studies have already been published, since the end of the 1990s and the early years of this century, attempting to draw an outline of this phenomenon in national and transnational terms. These attempts demonstrate the main difficulty in gaining knowledge about the problem: the fact that trafficking has no territorial limits or barriers.

In order to streamline our research as effectively as possible towards a research goal that is in common with the other research reports, as well as with a view to obtaining the most objective information possible, several subgroups were selected to serve as a basis for analysis. These cover three different areas, which are, nevertheless, directly interlinked. The **first subgroup** relates to the existence of public policies, their functionality and applicability to the reality under analysis. The **second subgroup** refers to perception and/or knowledge of trafficking in human beings, taking into account the different mechanisms and agents linked to it, such as the types of trafficking and their respective routes, the victims, the traffickers/exploiters and victim support mechanisms/responses. Regarding the **last subgroup**, the intention was to study practical situations and trafficking in human beings (THB) experiences, providing general descriptions in order to identify certain common aspects in situations related to human trafficking.

## **Methodology**

To obtain the necessary information, in view of internal and external limitations when conducting this research, we used a qualitative methodology consisting of three techniques:

- Desk research on the “state of the play” in THB in Portugal;
- A semi-directive interview technique based on collaboration with a total of 16 representatives from relevant institutions that focus on THB;
- A semi-directive interview technique of a biographical nature, in collaboration with 3 victims of trafficking.

## **Analysis of the Findings**

The findings obtained through the bibliographical investigation and interviews shall now be analysed. The analysis is broken down into two complementary phases which are necessarily interlinked:

- a preliminary analysis, based on the information gathered in each of the types of interviews referred to above, to verify the situation or the “state of the play” in THB in Portugal.
- a secondary analysis, based on cross-referencing the data gathered during the interviews involving institutional representatives, and the information obtained during the interviews involving trafficking victims or potential victims, adjusted to the conceptual variations in the meaning of these terms.

## **Duration of the Study**

From the initial meeting launching the *Promoting Transnational Partnerships: Preventing and Responding to Trafficking in Human Beings from Brazil to EU Member States* project, some of the work involved in this particular study took approximately eight months.

This included: desk research, making contacts with relevant bodies and representatives thereof, holding interviews in Lisbon and Porto, supervising transcription, revising the transcriptions and preparing the research report.

The present research was conducted entirely by professionals from the Commission for Citizenship and Gender Equality (CIG), without the support of external experts.

## **Main Findings and Conclusions**

To obtain the practical findings of this study, contact was made with bodies that have worked or are working on various aspects of the analysis of THB (victims, traffickers, those working on victim support mechanisms/responses, etc.), on the assumption that these bodies would have practical knowledge relating to the problem. It became apparent however, during the interviews, that most of the information and perceptions related to human trafficking did not derive from concrete experience, data or cases but, instead, resembled general information based on common sense.

Based on the information gathered, we then attempted to describe the problem from various points of view. We succeeded in confirming the data already presented by the various studies that were already available on trafficking, as well as the information provided by the Observatory on Trafficking in Human Beings.

Therefore, the most visible form of trafficking is carried out for purposes of sexual exploitation and is transnational. According to the comments and impressions of the persons interviewed, citizens who are most frequently involved in human trafficking are from Brazil and Eastern Europe. (This fact is significant, because the interviews carried out with the 3 victims did not allow us to establish a direct relationship between the profiles and the nationalities that were most frequently mentioned by the institutional representatives). In view of the above mentioned conclusion, these institutions have little contact with victims or potential victims, since, with the exception of SEF, PJ, CAP and UMAR, the other bodies interviewed had only had indirect contact with the victims (e.g., a complaint by letter) or had had none at all; hence it may be assumed that their knowledge is not derived from actual experience.

Most of the information provided was related solely and exclusively to sexual exploitation,

frequently resulting in conceptual confusion between trafficking in women for the purposes of sexual exploitation and exploitation of prostitution itself.

We noted some gaps in the understanding and treatment of the various analytical perspectives, implying that there are certain needs in Portuguese society which require two types of action:

- inter-institutional cooperation, in such a way that bodies like NGOs dealing with potential trafficking situations receive a certain amount of feedback relating to their solutions and even in relation to their own performance;
- awareness raising aimed at strategic target groups within the public as the main method for warning them about the various aspects of this crime, and as an important vector for changing mentalities. Only with the collaboration of the entire community it will be possible to identify trafficking situations that occur in its midst.

## Chapter 3:

# Methodology and Justification

The choice of the methodology for the research process was obviously dependent on the research brief and the objectives to be attained. Thus, in view of the fact that our investigation essentially intended to verify the state of our knowledge and the state of the play in relation to the problem of trafficking in human beings, we concluded that a qualitative methodology would be the most effective, the most serious and the best method for yielding the most adequate information in this field, taking into account the limited time available for the research, as well as the small sample of interviewed persons which was a feature of the data collection.

In view of the continuing work of CIG in the field of human trafficking, and since CIG is the coordinating body for I PNCTSH, it occupies a privileged position. It has many contacts and a wide knowledge of the other bodies with whom it collaborates and that work in the area of human trafficking. It also has contacts with institutions which, in view of the types of trafficking, form the main focus of this study, as well as with the respective nationalities. CIG was, therefore, in a position to make contact with all the others involved. The following 16 institutional representatives collaborated in this research:

- Law enforcement bodies: Judiciary Police (PJ) and the Immigration and Borders Service (SEF);
- Non-governmental organisations (NGOs) and other similar bodies: the “*O Ninho*” Association, OIKOS – Cooperation and Development, the Child Support Institute (IAC); the Family Planning Association (APF) – “*Espaço Pessoa*” and the Shelter and Protection Centre (CAP), the Women’s Union Alternative and Response (UMAR), the Brazilian Association of Portugal, Amnesty International, and the International Organization for Migration (IOM);
- Public bodies: the High Commissioner for Immigration and Intercultural Dialogue (ACIDI); the Consulate General of Brazil in Porto and the Commission for Citizenship and Gender Equality (CIG).

During the course of the research, we were confronted with a few unexpected challenges, particularly, with regard to the knowledge of the players, which may have exerted direct or indirect influence in the outcome. Thus, use of the semi-directive interview as the main technique, upon which the entire process of information gathering was based, permitted the constant adaptation of the research objectives. This was because the interview script did not consist of questions, but only of topics of discussion, thus enabling the interviewees, as well as ourselves – who were managing the interview – to select the course of action we considered most appropriate, without abandoning our basic objectives and ideas. We, therefore, attempted to make use of the interview technique while adapting it to our meetings with the various persons encountered, keeping in mind that these individuals always possessed knowledge of the problem, in some way or another.

The interview scripts were designed to gain knowledge and perceptions of the reality of human trafficking in Portugal. The intent was to obtain this information as neutrally as possible (in view of the different limitations inherent to the entire research); hence, both the scripts and the interviewers attempted, at all times, to avoid asking questions based solely on overly specific topics, unless the persons being interviewed were typical of certain situations that were essential to the understanding the basic characteristics of the problem, both intrinsically and extrinsically.

Two different interview scripts were drawn up: one aimed at the important actors in the field of THB, and the other aimed essentially at the victims of this particular type of crime. In the first instance, 16 interviews were conducted. In 15 of those cases, the interviewees were interviewed in person, while in the remaining case, due to incompatibilities in the interviewee's agenda, the script was mailed, to be filled in and returned like a questionnaire, although with more detailed answers. We are convinced of the pertinence of all the contributions and due to the limited knowledge of the issue, this approach enabled us to take advantage of the various possibilities arising during the course of the study.

In the latter case, the interview script was much more biographical in nature, in an attempt to gain an impression of the past life history of the victims. In contrast to the first scripts mentioned above, the interviewees were not interviewed directly, in an effort to avoid falling into the trap of “re-victimising” the persons being interviewed. Benefiting from the techniques used by the Shelter and Protection Centre (CAP), it was, therefore, possible to gain some information on the history of 3 women victims of

trafficking, as they themselves described it, while contributing to their own more in-depth reflection of their current situation.

In our presentation and observations on the collated data, we have included quotations by the institutional representatives in support of some of the considerations and impressions of CIG professionals. The entire transcription procedure was conducted by a specialised company. Thus, in accordance with the Annex to the present research, the initials of the interviewee or, in other words, the “interviewee code” is always given, together with the page of the transcription in which the interviewees expressed themselves and with the number of the interview, respectively (e.g.: “JB, p. 1, i. 2” = João Blasques, page 1, interview 2).



## Chapter 4:

# Presentation of the Main Findings

The objective of the project was to gain access to differentiated knowledge on the different types of trafficking and its characterization, in accordance with the perceptions of the different institutions. This knowledge was then territorially integrated in conformity with the purpose of the project itself, assuming that these situations, as well as the related support mechanisms and responses dealing with the problem, would be more concentrated in urban centres and their outskirts. The decision was made by the project management to conduct 8 to 10 interviews in Lisbon and 8 to 10 interviews in Porto. Thus, 9 interviews aimed at the institutional perspective of the problem were carried out in Lisbon (the answers to one interview were given in writing by the representative of Amnesty International) and 8 interviews with the same focus were carried out in Porto. Three identified victims of trafficking whose location will not be revealed for safety reasons were the subjects of the remaining interviews.

The following is a short description of the bodies we contacted that were kind enough to collaborate with us. It includes a short summary of their history, skills and/or social mission, together with the order in which they were interviewed. This approach was then integrated on a territorial basis.

## Presentation of the Collaborating Bodies

### *Lisbon*

#### **OIKOS – Cooperation and Development**

- João José Fernandes, Executive Director (interviewee code: JJF)

OIKOS is an “*association of cooperation for development, the main mission of which is the eradication of extreme poverty, particularly in the countries of Africa and Latin America*” (JJF, p. 2, i. 11). The association carries out a great deal of work “*normally linked (...)*

to food security and humanitarian relations” (JJE, p. 2, i. 13). With a very strong commitment in the area of awareness raising and actions relating to cooperation with local entities, the institution became aware of the problem of human trafficking within the framework of the project “*Mãos Esforçadas*” in 2001 which involved several countries in Latin America, including Brazil. One of its aims was “public influence” or to “influence public policies”, in such a way that it became possible to exert pressure on the different institutions for a new legislative framework, paying increased attention to the situation of the victims of human trafficking, “*and also to try to verify the extent to which it might be necessary or possible to work concretely with Brazil in an articulated manner*” (JJE, p. 5, i. 29).

### **International Organization for Migration (IOM)**

- Mónica Goracci, Mission Director (interviewee code: MG)

*“IOM is an intergovernmental organisation” (MG, p. 1, i. 2) (...), with more than 130 Member States in all parts of the world (...) The organisation has been active for over 55 years, working to facilitate and support migration as a dignified form of movement (...) We, therefore, provide support to immigrants in situations of difficulty: people without the means to return to their countries of origin. We help them return. And we support their reintegration. Reintegration is becoming increasingly fundamental for a sustained return.” (MG, p. 2, i. 4).* The support provided in relation to returning to the country of origin resulted in increasingly wider areas of commitment, and, consequently, a broader set of programmes providing assistance on their return, depending on the type of migration in question. The organisation is also “*very active in the area of health and in the preparation for the relocation of refugees. In many countries of origin, we have doctors working for our mission and assisting persons participating in our relocation schemes. In the area of medical care, we also provide psychosocial support in post-conflict situations*” (MG, p. 2, i. 8).

### **“O Ninho” Association**

- Inês Fontinha, Director (interviewee code: IF)

“O Ninho” is an association that has far-reaching experience in providing support to women engaged in prostitution. The association was founded in 1967<sup>2</sup>, by Ana Maria

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<sup>2</sup> Prior to the “Carnation Revolution” of 25 April 1974, the date corresponding to the fall of the dictatorial regime and the beginning of democracy in Portugal.

Braga da Cruz, who was an inspector in the prison services at the time and who later became Chairwoman of the Commission for Equality and Women's Rights (CIDM)<sup>3</sup>. *"She was aware of the existence, in France, of an organisation working with women prostitutes. She contacted its founder, André Marie Talvas, who was a priest and who created services ... initially in Paris, to help women in situations of prostitution (...) And she asked him for support in creating similar services here in Portugal. In 1967, she persuaded an educator from "O Ninho" in France to come here and help us found [it]... For this reason, the name "O Ninho" [The Nest] was retained (...). In 1967, it initiated... a series of contacts with women working in establishments where the women prostituted themselves. The intent was to gain an understanding of the causes and... consequences of prostitution, creating services in accordance with the women's needs. Of course, it sensitized a number of people here in Portugal to become increasingly aware of this problem"* (IF, p. 6, i. 58, 60 and 62). Over time, support services were created which proved to be essential in meeting the women's needs: *"A reception centre, a result of our street work at that time, and our contacts with these women, we saw that it was important to have an area in which we could listen to them, be with them. We later understood that many of these women asked for support to leave prostitution, to find alternatives. We saw that a home was very important, we later perceived that it was necessary to occupy them during the period in which they were in the shelter, after which we also saw that training and apprenticeships were important, so we launched the "training workshops"... which are still called "training and working apprenticeships" today (...) We also created another service, now referred to as an "information and awareness raising service" ... We work with many young people, in schools, with trade unions... because I think it's important to work with the trade unions (...) Today, we have a... we feel another need. There are young women receiving social pensions for various reasons, who retired very young, but remain profoundly isolated (...) they are too young for the old people's day centres... they are... there are no answers on this level (...) We aren't creating an area so we can say, "Now, you can come stay with us" (...) Social intervention requires this anyway"* (IF, pp. 7 and 8, i. 70 and 72).

### **Médicos do Mundo (Doctors of the World)**

- João Blasques, Humanitarian Assistance Director (interviewee code: JB)
- Ricardo Brilhante Dias, Project Coordinator (interviewee code: RBD)

<sup>3</sup> At that time, the CIDM (Commission for Equality and Women's Rights), now referred to as CIG (Commission for Citizenship and Gender Equality), a name change introduced by Decree-Law No. 164/2007 of 3 May 2007.

*“Médicos do Mundo” (Doctors of the World) forms part of an international network originally created in France. There are twelve national structures, Portugal is one of them.* The Portuguese structure is already about 10 years old, but it was founded under the control of the Spanish structure, and became autonomous about a year and a half ago. The initial objective was to work in the context of emergency situations, providing support *“in the phase of the Iraq war, and in Afghanistan, and then later Timor (...) an operation in Latin America linked to natural disasters – I think it was an earthquake (...) The slogan of the organisation is “We fight all illnesses, including injustice”, so that gives you an idea of the type of approach intended.”* (JB, p. 1, i. 2). Apparently, its link with the theme of the present report is only just beginning. However, it is aware of the existence of projects working in areas directly or indirectly related to the problems of trafficking: *“Today, there are nearly 11 national projects, almost all of them focusing on the areas of AIDS, the use of intravenous drugs, immigrants and the homeless, along various lines. Afterwards, starting only a relatively short time ago, almost two years ago, we started to work specifically with sex workers. But here, it’s linked to the question of AIDS, to the reduction of drug consumption, and, to some extent, to the need for education, prevention (...) Therefore, and I would say that it is these... these groups end up providing the organisation with some exposure to the problem of trafficking in human beings”* (JB, pp. 1 and 2, i. 4).

### **Brazilian Association of Portugal**

- Ricardo Amaral, Chairman (interviewee code: RA)

The need for this association *“arose within a context of shortage of such organisations, seven years ago, when we saw a definite growth in the flow of Brazilians in Portugal (...)”*. A group of entrepreneurs joined together to promote the creation of the association to support the migrant population, particularly Brazilians, upon arriving in the country, to help them remain, exit and re-enter Portugal whenever they wish, without feeling totally unprotected and with no prospects for the future: *“In providing legal advice, psychological and social support, we created a portfolio of jobs for those who arrived and sought us out, saying, “Look, I need to work”, whether they had documents or not (...) And afterwards, we did the same in a series of other contexts. For example, agreements with universities where they could do graduate or post-graduate courses, led to substantial discounts and this helped the students, in a general way, and this was linked to the Association. Or rather, the Brazilian Association ended up, in actual fact, becoming the voice of Brazil in Portugal.”* (RA, p. 1, i. 6)

## Women's Union Alternative and Response (UMAR)

- Elisabete Brasil, Executive Director for Gender Violence (interviewee code: EB)

*“UMAR is a non-profit women's association, formed in 1976 (...) The objective of UMAR is to work to reach a feminine target public and to work on questions of gender in a transversal manner, and not one or another area specifically”* (EB, p. 4, i. 29 and 31). Like other institutions, the association also arose from, and then defined itself in accordance with the needs of the women seeking support, adapting to relevant social changes and transformations: *“So our actions initially consisted in education, crèches, labour law (...) and later, women's professional training, their integration into the job market, the creation of women's micro-enterprises, later, the problems of gender violence, and in this context, much more, so the questions of violence in one's private life, intimate relations, and what is today much more commonly known as "domestic violence”* (EB, p. 4, i. 33 and 35).

## High Commissioner for Immigration and Intercultural Dialogue (ACIDI)

- Margarida Moura, Lawyer (interviewee code: MM)

This institution was created in 1996, with characteristics differing from its current ones, backing up the office of the High Commissioner for Immigration and Ethnic Minorities and under the authority of the Prime Minister. Its main mission was *“the study of the theme of integration with the representative bodies of immigrants in Portugal and ethnic minorities, with the social partners, with related public and private bodies, and we also engaged in debate and consultation with representative bodies of immigrants and ethnic minorities”* (MM, p. 1, i. 2). In 2002, it became the High Commissioner for Immigration and Ethnic Minorities and, in 2007, became a public body, having as its main objectives *“Promoting the reception and integration of the immigrants and ethnic minorities in Portugal; combating all forms of discrimination based on race, colour, ethnic background or religion; ensuring access of immigrants and ethnic minorities to relevant information, particularly on citizenship; strengthening national, regional or local support centres as in the case here of CNAI (...) which are, in reality, an integrated response to the needs of reception and integration of immigrants, through partnerships (...). To promote intercultural and inter-religious dialogue. Also, to promote the social inclusion of children and young people from more vulnerable contexts, particularly, through the management of the “Escolhas” (“Choices”) programme”* (MM, p. 2, i. 6).

## Child Support Institute (IAC)

- Alexandra Simões, Coordinator of “Linha SOS Criança” (“SOS Child Line”) (interviewee code: AS)

This body was formed in 1983, with the objective of promoting the rights of children and had as its two initial projects the creation of the child help line, “*Linha SOS Criança*” and the “Projecto Rua” (“Street” Project), the aim of which was to combat poverty and the worst forms of exploitation of street children through work. The intention was to “*create, in reality, an organisation which would be successful in giving some support on a community level, in the face of the needs of these proper communities. Why? Because we were talking, at the time, of very complicated neighbourhoods, even, distant... it was in the 1980s, a far cry from our reality of rehabilitation and, therefore, with very specific difficulties, above all with regards to responses for children*” (AS, p. 1, i. 6). The main objective was to ensure humane treatment and provide a voice for children, who are often caught up in situations of solitude. Starting in 2004, it began to deal with the problem of missing children, at the request of the European Commission, specifically creating a help line for this purpose. The help line provides “*legal and psychological support in the field of missing children*” (AS, p. 4, i. 22). It can at times be very difficult to distinguish the simple case of a missing migrant child from the case of a child missing as the victim of human trafficking.

## Amnesty International

- Sónia Pires, Vice-Chairperson

*“Amnesty International is a worldwide movement of activists struggling for human rights all over the world. The vision of Amnesty International Portugal is that of a world in which each person enjoys all the human rights consecrated in the Universal Declaration of Human Rights and in other international human rights standards, a vision in which Portugal would serve as a model in the promotion and defence of human rights. The mission of Amnesty International Portugal is to fulfil its vision, by promoting investigation and action aimed at the prevention and struggle against serious abuses of physical and mental integrity, the freedom of conscience and expression, at the right to non-discrimination, in the context of a promotion of all human rights, in an efficient, reliable and effective manner.”* (inq\_AI, p. 1)

Porto

### **Immigration and Borders Service (SEF)**

- Rui Zilhão, Inspector (interviewee code: RZ)

The mandate of this body originates from the General Directorate for Security, which existed prior to the fall of the dictatorial regime in 1974. SEF was created in 1986, with a number of powers focusing on the “*entry and residence control of foreigners on Portuguese territory*”. In 1993, the Service, through Decree-Law No. 59/93, was granted powers to regulate “*the residence of citizens of the European Union on Portuguese territory, with an increase in investigative activity*.” (RZ, p. 1, i. 2). The Service was subsequently granted competence as a criminal police force, empowered to conduct effective criminal investigations. Investigations relating to THB arose specifically in 2007, with the amendment of the Criminal Code, although the problem was already an object of investigation in relation to the facilitation of illegal immigration.

### **“Espaço Pessoa” – Centre for Psychological Support and Social Development**

- Jorge Martins, Engineer, Coordinator of the Technical Team (interviewee code: JM)

This project has existed since 1997, with the objective of supporting both female and male prostitutes, in the city of Porto. It aims at providing a number of services, namely support in matters of health, psychological care, “*bathing and laundry services, as well as a common room in which information on the problems of sexually transmitted diseases such as HIV and AIDS can be exchanged*”(JM, p. 1, i. 5). The project does not just work “behind closed doors”, but rather – and in particular – on the street, through teams performing alternate nightly rounds, raising awareness and informing the target public, i.e., female and male street prostitutes, as well as those working in establishments in which prostitution is often practised. The project is a result of a partnership between the Family Planning Association (APF) and the Porto City Council.

### **Consulate General of Brazil in Porto**

- Ambassador Claudia D’Ângelo (interviewee code: CA)

*The powers and functions of the Consulate include “notarial functions (passports, stamps,*

*powers of attorney) (...) we really perform an important function which we call "assistance to Brazilians". So that's our guideline, we help people who, for example, only need information on how to become legal in Portugal" (CA, p. 1, i. 2). The Consulate also offers assistance, in particular, to Brazilian women who are victims of domestic violence.*

### **Family Planning Association (APF)**

- Marta Pereira, Coordinator of the Centre for Reception and Protection (CAP) (interviewee code: MP)
- Ilda Alves, socio-cultural mediator (interviewee code: IA)
- Rita Moreira, collaborator (interviewee code: RM)

*"The Family Planning Association has been in operation since 1967, working in the area of sexual and reproductive rights, human rights, equal opportunities, and is engaged in various projects here in Northern Portugal. But... for this purpose, it maintains a number of delegations on a national level, forming part of the I.P.P.F. It also works on an international level. Here in the North, it is active in a variety of projects, ... in the Bairro da Biquinha, a neighbourhood where we work with children and young people, as well as in Gaia, raising awareness as well as in the area of sexual and reproductive rights. The association is active in the field of sensitization and the area of sexual and reproductive rights and gender equality, it also has a... project which has been going on for twelve years now, which is the "Espaço Pessoa" project, which serves... as a meeting place and support centre for prostitutes from Porto, and it has already been working with [sex] workers... with sex workers for a long time now, and it has already been recognized for its role in the development of best practices. It is here that the work begins to emerge in combination with more in-depth knowledge of sexual exploitation and the possibility of human trafficking, which is finally being recognised as a serious problem, a reality in Portugal; it is here that the need arises for... the "CAIM" project, and for more in-depth studies on this theme, and later for the Centre for Reception and Protection for trafficking victims, which was founded last year, in June, to work in this area" (MP, p. 1, i. 2).*

The association has been active in reinforcing its work in various areas of civil society, *"working with schools, together with professionals, and with different educational bodies. But recently, and mainly until now in our delegation, we have been working in the North*

*with slightly different people, i.e., where reproductive sexual health is concerned.*" (RM, p. 1, i. 4). This is directed towards persons engaged in prostitution, and, furthermore, the problem of trafficking in human beings is also addressed. The Family Planning Association has launched the "Espaço Pessoa" project, mentioned above, as well as a group managing the Centre for Reception and Protection for THB Victims.

### **Commission for Citizenship and Gender Equality (CIG)**

- Dr. Cristiana Silva, psychologist (interviewee code: CS)

*"The Commission for Citizenship and Gender Equality is a body sponsored by the Presidency of the Council of Ministers, currently directly supervised by the Secretary of State for Equality. The Commission is responsible for gender equality in general, and, within the framework of its policies, the various dimensions of gender equality. It is also responsible for three major issues, provided for in three national plans, such as the "National Plan for Citizenship and Gender Equality", on the one hand, and, on the other, the "National Plan against Domestic Violence", [which] therefore [deals with] all questions related to the policies for intervention with regards to domestic violence. The third national plan is the "National Plan Against Trafficking in Human Beings in Portugal" (CS, p. 1, i. 2).*

### **Judiciary Police (PJ)**

- Baptista Romão, Director of the Directorate for the North (interviewee code: BR)

*"The Judiciary Police is responsible... for dealing with a number of crimes. Homicides... or offences against the person resulting in death, participation in armed rebellion, criminal association, terrorist organisations, terrorism, and, more recently, counterfeiting, benefit fraud, robbery of credit institutions, banks, cash dispensers, mail, and other offences ... committed in violation of the freedom and sexual self-determination of minors or disabled persons, theoretically punishable by imprisonment in excess of five years, as well as theft, damage or receiving stolen goods possessing scientific value (...) fraud punishable by imprisonment in excess of five years, fraudulent bankruptcy, falsification of driving licenses, car theft, arson, explosion, and so on... caused by bombs or grenades, drug dealing, or dealings related to the said crimes (...) The Judiciary Police is also responsible (...) for investigating cases of evasion of taxes and duties, facilitation of legal and illegal immigration,*

*and trafficking in persons*” (BR, p. 3 and 4, i. 18). Powers in the investigation of the last mentioned offence are shared with other bodies.

## Presentation and Analysis of the Collated Data

Before beginning our presentation of the collated data, it is necessary to make a few remarks in order to allow a better understanding of the research we have conducted.

Knowledge of the above mentioned organisations and their representatives with regards to the problems of trafficking in human beings is derived not from direct contact with practical situations or specific experiences with the victim(s) (partly because many of these organisations are not currently involved in specific work related to THB, but, rather, with the contribution that these organisations have made and continue to make in launching of this theme in Portugal). The few concrete cases described during the interviews by relevant actors in this area referred to specific situations occurring at a given time, meaning that generalisation is not possible.

*“Until now, during the course of these years, there were never any cases in which someone approached the Association and said “I am a victim”, using the first person (...)”* (RA, p. 8, i. 46)

*“At least that is what is transmitted to me, because my knowledge is indirect, you know?”* (MM, p. 5, i. 34); *“What I feel, from what I read in the reports...”* (MM, p. 6, i. 40)

This was one of the major findings of this research. Where we had previously believed that these organisations had actual experience based on direct contact with THB cases, for example in assisting the victims, where we believed that they possessed practical experience which they could share with us, we saw that this was not the case. This might indicate that the problem is not yet recognised as a reality in Portugal, either by the institutions or by actual or potential victims.

Thus, bearing the two fields of analysis in mind, our analysis will firstly focus on the information collated through contacts with relevant actors in relation to THB. Brief mention will then be made of the life stories of 3 victims, in order to provide a more

far-reaching and broader perspective, within the limitations we have already described and, in an attempt to cross-reference the information gathered in the different areas, to see whether these impressions correspond to reality.

## **Relevant Institutions/Actors in the Area of Trafficking in Human Beings**

### **a) Public Policies**

With reference to existing public policies and their operation, the most frequently mentioned policies were the following:

I – the “new” national legal framework<sup>4</sup>;

II – the 1st National Plan against Trafficking in Human Beings (I PNCTSH);

III – the Signalling-Identification-Integration Model;

IV – the Single Registry Guide (GUR);

V – the Centre for Reception and Protection (CAP);

VI – the importance of the CAIM project in the Portuguese context;

VII – the creation of the Observatory on Trafficking in Human Beings (OTSH)<sup>5</sup>.

Mention of these instruments is not, however, made across-the-board. Our analysis of the sampling gave us the impression that, with reference to III and VI, only a person who has actually worked in building or compiling of these instruments could have proper knowledge about them. The same may be said of IV and V, although to a lesser extent.

*(...) perhaps for the “CAIM” project acted as a sort of trigger in this regard. It was “CAIM” that later enabled us to make politicians more aware of the need for change*

<sup>4</sup> Beginning in 2007, at the same time as the definition of I PNCTSH, a legal framework making special reference to these problems was gradually drawn up to combat trafficking in human beings (although not always directly related with the problem). *See 1. Introduction and Background.*

<sup>5</sup> For further information, see the Webliography.

*and integration of the various European Union Directives. As a result, there have been many changes in the law. Integrating... legislation on foreigners has changed a lot; integrating the EU Directives (...) The National Plan is very broad in scope.”* (MG, p. 11, i. 75)

*“(...) the impression I get is that things were going very well in trafficking, things were getting off to a good start (...) From the intervention of the "CAIM" project, for example, to a "National Action Plan Against Trafficking in Human Beings" (...) ”* (EB, p. 20, i. 149 and 151)

In fact, legislative changes were more frequently mentioned than any other factor in terms of their decisive importance in establishing methods for dealing with this problem and for gathering data. This was the case of law enforcement bodies, NGOs and even the judiciary, although there is a generally recognised perception that much still remains to be done and improved.

*“(...) the 1st "National Action Plan against Trafficking" (...) the Portuguese legislation, we feel it was a step forward. It was a phenomenal advance”* (MP, p. 16 and 17, i. 137 and 143)

*“(...) the start of the Observatory, your Observatory, isn't that right? (...) and the national plans... The impression we had is that, well, measures were taken over the last two or three years, starting with the creation of the Observatory and the evolution of the new "Law on Immigration", namely, with the sections on trafficking and the protection of victims (...)”* (RBD, p. 6, i. 32)

*“(...) What I'd like to say about our legislation passed in 2007 is that I think it at least contemplates almost everything we need in order to be able to take action (...)”* (RM, p. 8, i. 48)

## **b) Types of Trafficking**

Recognition of Portugal as a country of destination in trafficking situations is a recent phenomenon, although a few cases have also been reported involving Portugal as a country of origin.

*“We are essentially a country of destination, although this paradigm is beginning to change, and we are also increasingly becoming a country of origin, mainly with regards to problems of trafficking for labour exploitation.”* (CS, p. 11, i. 80)

The type of trafficking in human beings referred to most frequently is, without doubt, trafficking for sexual exploitation, the victims usually being women. The nationalities of the victims are most often listed as follows:

- Brazilian
- Eastern European (Romanian, Moldovan, Bulgarian, etc.)
- African (usually Nigerian) – with this group, it was not possible to gather data on the most frequent routes or on the different types of victims.

*“(…) I would say that, in the case of Brazil, the impression we get is that the link between Brazil and Portugal was primarily for purposes of sexual exploitation or for phenomena closely linked to sex work (...) the perception that we get is that, in certain cases involving other nationalities particularly, there is also some exploitation of child labour. Finally, there is case of... countries like Romania (...)”* (JJE, p. 13/14, i. 75)

*“But for women, trafficking for prostitution is real (...) but the opposite also exists. This is more obvious in the case of Brazil, particularly towards Portugal (...) Most of the victims are from the North East... In the case of Brazilian women, these women come from the North East, they are extremely poor, with very little education, with children, etc.”* (BR, p. 13, i. 86)

*“Trafficking for sexual exploitation usually involves Brazil. And the countries of Eastern Europe, but there, I think some time ago...”* (MG, p. 13, i. 94)

As for trafficking for labour exploitation, the victims include both women and men, and the nationalities are similar to those mentioned with regards to sexual exploitation, namely:

- Brazilians: domestic servants, workers in the construction and catering industries;

- Eastern European: usually workers in the construction industry.

*“(...) these are people who come, we imagine, from Africa, Portuguese-speaking African countries (...) some from the European Union, some from Brazil, but who live in Portugal (...) for example, a young man of working age with his address in Portugal, but who works in Spain, returns, goes to France to work, returns, goes to Italy to work. This is one type of immigration, OK. Let’s call them “residents”, “resident immigrants” (RBD, p. 9, i. 54)*

*“(...) But we have a lot of Brazilian women and a lot of women from Eastern Europe (...) in domestic service (...)” (EB, p. 30, i. 242 and 244)*

*“(...) We also had, and have, one Mozambican to whom we are providing assistance, brought over for purposes of labour exploitation...” (RM, p. 14, i. 92)*

In regard to labour exploitation, we were unable to gather more specific information, so it is difficult to present a more detailed picture of this reality, either in terms of the routes or even a characterisation of the types of victims of trafficking. Hence, one of the major recommendations of this research is to carry out further research specifically on labour exploitation.

The information we have on slavery refers to cases of Portuguese citizens (mostly men) who go to Spain to work on agricultural properties. They often suffer from physical limitations or minor disabilities.

*“(...) in fact, here in the North, and particularly among workers (...) there were people caught up in a situation which could be described as slavery (...) working in Spain. And, in fact, this is the experience here ... and was... particularly here in the North.” (BR, p. 10, i. 66)*

### **c) Most Common Routes**

The routes most frequently mentioned in this investigation in terms of transnational trafficking were cross-border routes. But it should be remembered that these references cannot be used for the purpose of generalisation, because other types of trafficking, which were not mentioned, most certainly exist.

### Transnational trafficking:

Regarding Brazil, there are two possibilities:

1. Interior of Brazil ➔ Urban centres ➔ Madrid/Paris ➔ Portugal

In the case of a direct voyage:

2. Interior of Brazil /Urban centres ➔ Central Europe (most frequently in the Netherlands, Germany and Italy) ➔ Portugal, serving in this sense as the last point of arrival in Europe (the journey includes activity in these intermediary countries followed only later by travel to Portugal).

In both cases, the route is travelled by air or car/overland.

*“As for Brazil, we have a number of routes. We have the direct route, from Sao Paulo or Rio de Janeiro directly to Portugal. Normally, when we tighten up the controls, they take another route. Brazil Madrid, Madrid Lisbon or Porto. Or Rio de Janeiro, Sao Paulo Paris, Paris Porto. From ... by way of... therefore, from Paris to Portugal or they fly, using an air link. Then, after entering France, the women are picked up by car. We also have situations in which they go to the Netherlands, and then take a plane to Portugal. They also arrive by way of Milan. Milan, once again, and later on, too (...). This situation is becoming more and more frequent. Why? Because there is a fairly big language barrier, and it is much easier for a person intending to come and work in Portugal, regardless of the type of exploitation involved, to be confronted by a border guard who speaks Portuguese. The immigrant knows his story perfectly, and some of them can pretend to be French and unable to speak anything but French – no Portuguese at all. This makes it much easier to get their passports accepted, which is all they need; of course, it has to be valid, they need a return ticket, all perfectly normal, and an address in Portugal.”* (RZ, p. 9, i. 38)

*“(...) Brazilian women often travel via Rio de Janeiro or Sao Paulo, then they catch the link, but they come from Goiania, finally, from ... from Mato Grosso (...) from the North East of ... and therefore they later catch (...) and use two routes. They can go to Lisbon or often to Madrid. Via Paris or Madrid. But via Madrid, it's easier to get across. They come as tourists, and so this is more or less the way they get in, let's say, first by plane and then by car or coach, etc.”* (BR, p. 31, i. 209, 211)

Regarding Eastern Europe, the main destination referred to was Italy, followed by Portugal, as the final destination, since the whole trip can be taken by car or bus.

*“(...) for us, in the CAP, we get more people from Eastern Europe (...) all the ones who have already been here, in the past or right now. Even now. So there are more Eastern Europeans (...)” (MP, p. 28, i. 255) “(...) The ones from Eastern Europe all come by bus ” (MP, p. 32, i. 300)*

*“(...) All the women come by bus , and stop off (...) many of them in Italy, then they have to get into Portugal (...) Portugal may be the final stop-off.” (IA, p. 33, i. 303, 305, 309)*

*“Many Romanian women come via Italy. But Italy is a country in which, as you know, there was a lot of talk, under Berlusconi, of expelling immigrants the first time they commit a crime.” (BR, p. 31, i. 209)*

As far as African nationals are concerned, referred to as those with the easiest immigration route, it was not possible to obtain more information on their nationalities.

*“(...) I'm going to talk of the simplest route, or the one we see the least first. We believe we have situations related to trafficking in persons for sexual exploitation, in the areas of Nigeria or Ghana. It is one of two ways: either they come directly to Spain, and then they come to Portugal, or they travel by land first, through Mali, Algeria, Morocco, after which they... enter the territories of El Ayun or Melilla using small boats. So there is either direct travel to Madrid, after which they enter Portugal, or they take the land routes and then enter by way of the Mediterranean.” (RZ, p. 9, i. 38)*

### **Cross-border trafficking:**

According to data supplied by the Criminal Police, there are people who use Portugal as their country of origin in order to reach Spain, as their country of destination. They are recruited in the northern interior areas of Portugal, and they travel by land to work in agriculture, especially in the Spanish wine-growing areas like La Rioja, Navarra, Zaragoza and Alava.

*“(...) We have two types of migration: from the interior of northern Portugal towards the north of Spain to Galicia or some other region... Let me see... we are talking about work, let’s say, in terms of men... they leave Portuguese territory by way of the border crossings at Miranda do Douro, Bragança, Chaves. Once in Spain, they travel to their destination... the destination may be... But there are other regions there... from the regions we were just talking about... Logroño, Haro and La Rioja are wine-growing regions (...) There are the Spanish provinces: Navarra, Zaragoza, and Álava, therefore, in addition to some in Galicia. But above all they travel towards these areas, or further towards the zone of Zaragoza and Navarra. We went there to rescue a few individuals. This is for Spain. For male workers.”* (BR, p. 30 and 31, i. 205 and 207)

#### **d) Methods of Recruitment**

With regard to Brazilian women, the interviewees indicated two possibilities regarding recruitment:

1. they know that they are travelling for the purposes of prostitution;
2. they are unaware that prostitution is the intended purpose of their travel.

In the former case, these women have already worked as prostitutes in their countries of origin, in which case they are recruited by someone in their network of contacts in this environment. They are told that conditions are much better in Portugal and that they will earn much more by doing what they are already doing anyway, and that they have nothing to lose.

In the latter case, they are contacted by someone they know (such as a distant relative, an acquaintance, etc.), or by a friend of someone they know and they are always told they will be getting a better life, in every sense of the word. The contact always knows somebody at the other end, so they will not be alone.

With regard to women from Eastern Europe, emotional links with friends or even recent intimate acquaintances are exploited for the purposes of recruitment. They may be recruited by a person able to sense a woman’s vulnerability, making her easier to manipulate.

In all forms of recruitment, the victim is always motivated by his/her wish for a better life, an improvement of living conditions, on an economic, social, and frequently, on a family level (these aspects all coincide; none is separate from the others), as if it were a life project, with a distinct beginning and end. These victims (and, in the case of sexual exploitation, the overwhelming majority are female) very often leave children in their country of origin. They leave thinking not just of themselves, but of giving their children a better quality of life than their own.

*“(...) there were sex workers, whether women who are already more or less grown up, young adults, but who were domestic servants or students ... And, since they were uninformed about these things, it was possible to promise them all sorts of things, whatever the woman was looking for. Such as a... better profession or better paid job in Portugal. Or, yes, a job in the sex industry or in industries in which it was more or less obvious that a sexual component existed... sometimes they were not told any of this, because that is not the easiest way to convince them”* (JJF, p. 18, i. 95)

*“There are people who, for example, offer these women all kinds of things. These people are very often friends or acquaintances, even relatives, or boyfriends ... and the person usually... promises the woman a contract and the possibility of a better life in a foreign country, without telling her [the rest]. Probably in some cases, they know what they're going to have to do, but they don't know anything about the conditions (...). Sometimes, it can happen that the woman thinks “I've been doing this anyway and I need money.” But afterwards the conditions are different (...)”* (MG, p. 17, 18, i. 132, 134, 137)

*“(...) generally, they don't say “Now you've got to do this and stay here”. First, they have to be made dependent, and then they can be exploited (...). And a lot of it is emotional. Generally, it's done emotionally.”* (IF, p. 49, i. 472, 474)

*“What we've seen in the countries of Eastern Europe (...) is that... the person is very distinguished, and even the public authorities may be involved in the recruiting process (...) In Brazil, those that come from Brazil are no longer recruited in this way. Now it's a friend who tells them a story... He's a person they trust, despite everything, and maybe they've trusted him in the past and it was all right, so they get trapped (...). It's more informal. More informal. In Eastern Europe, it's more (...) it's more organized.”* (EB, p. 33, i. 265, 267, 269, 271)

### e) Types of Violence and Strategies Aimed at Maintaining Victims in Exploitation Rings

There are two types of violence/coercion that are most commonly referred to:

1. physical and/or sexual – this is the most common type of violence used against victims from Eastern Europe, as well drug abuse, in order to create an even greater feeling/sensation/situation of dependence;
2. psychological and/or emotional coercion – this type of violence was mostly noted among Brazilian victims, through threats made to the victims themselves and/or to relatives, and by making use of their immigrant status to continue to extort them.

*“Basically, there are two types of violence that victims suffer from in Portugal. One of them is physical, the one that sometimes they suffer. But that is not the worst because that type of pain passes and everything returns to normal. Then there is psychological violence. This type of violence leaves scars and makes people unable to act.”* (RA, p. 16, i. 98)

*“With these women there is abuse and there are various types of unexpected violence here. Always under control, and so it is really scary. And the greatest fear is the fear of assault (...) And so it is terrifying, it is endlessly powerful, permanently present, of unlimited power... and then... and then there is physical violence... so, out of the situations we have come across, all of them had been beaten, raped by these guys... in addition to controlling them. It is odd, for example, that they do not speak of physical violence in the other groups of immigrants we have. They do not report physical violence to us (...) Now, they speak of control, of fear, of how scared they are, of the fear of returning - and all that does exist, doesn't it? And we are not speaking of situations in which... the person comes and is or feels like a slave, right? (...). women who are in a situation of continual dependence on someone, and so that causes great insecurity. It is strange, for instance, that in terms of insecurity, and even their own insecurity (... ) at least it appeared more in statements made by Eastern European women, rather than in those made by women from Brazil, for example.”* (EB, p. 36, 37, i. 300, 302, 304, 308)

*“We were speaking about drugs a short while ago (...) I have the feeling that they are starting to be used by some networks, by Eastern European networks (...) Injectable drugs.”* (MP, p. 49, f. 481, 484, 486)

*“Here, can a parallel be drawn between this type of violence and the type of prostitution... and nationalities? For example, do you think that a more physical type of violence comes from Eastern Europe? (MS, p. 20, i. 139) Yes, (...) definitely. There is much more physical violence towards Romanian women.”* (RM, p. 20, i. 140, 146)

(Regarding) *“Often, they even got in illegally. I believe that means that these people already bear some guilt. And then they believe that if they come to complain here, no one will believe them. Whereas I do not see that so much in Eastern Europeans, for instance. People complain ... Well, the woman from Bulgaria who was here, I think that when she said what had happened to her, she thought that we would think that about her and that would be unacceptable. Whereas, on the other hand, for example, I heard the Brazilian victim we received say “because they will look at me and at my colleagues and they will think that we... that we want this lifestyle or exploitation”. I think that this can also be seen a bit in the Brazilian women who are here (...), [that they can] be victims of this crime. It’s: “If I go to someone here, they might question my right to ask for help” (...) The stereotype of the Brazilian woman is that she is seductive, someone who is smart and who knows how to pull things off.”* (RM, p. 24, i. 182, 184, 186, 188)

## f) Characterisation of the Victims

In conceptual terms, the definition of a 'victim' depends on the type of institution that is making a statement. Below, we refer to the most diverging cases:

1. For some NGOs, the victim is considered in societal terms, based on characteristics of a social, economic, cultural, professional and family nature, that consciously or unconsciously “lead” the victim into different types of exploitation, as socially determined situations. Here, the victim is identified as such by factors that are external to himself/herself. At times, what he/she thinks about it is irrelevant, i.e., whether he/she considers himself/herself to be a victim or not.

*“(...) in my opinion, a trafficking victim is someone who has been the object of some form of action. I was going to say a person who has been tricked, or duped, or deluded. No, it’s a person who has been subjected to someone else’s actions; that’s true for all victims. No victim becomes what he/she is by themselves... All victims are born out of [the action of] a third person, or from a second person... [who] plays a fundamental role. There was someone who awoke something in that person. A dream, a wish, a proposal, something was enabled (...) Human trafficking victims are people who have left their environment, their home, haven’t they? And they went elsewhere. That means, leaving one’s social network, leaving what one knows behind, leaving the place where one was and going to a completely new place, somewhere else. In my opinion, that is the greatest difference, the fact that... everything is left behind, everything... that we know and control, and where we know how to act, and then to be transported or to go to a totally different reality.” (RM, p. 26, i. 27, 198, 200, 208)*

*“I think that the concept of victim must exist, definitely, (...) it must exist, but the concept of victim cannot be – pardon the expression – (...) the one related to the perspective of political integration... That must be tied up, that has to do with other things... ... I know women who are on the street and who are prisoners.” (IF, p. 60, i. 584, 586, 588)*

*“They’re always dependent people (...) their private independence, and their sphere of power is dependent on someone else, not only on themselves. And so either they are threatened, or coerced, or constrained, or under pressure... And so in all those situations, there is a victimization process.” (EB, p. 39, i. 322, 326)*

*“Victims lose their freedom to decide what they are going to do in the geographical environment they find themselves living in. They lose their dignity, because they are a product, they stop being human. They have no more rights.” (CA, p. 24, i. 214)*

2. In the case of law enforcement bodies, the need to identify a victim is based on the use of violence/coercion mechanisms that determine the route and the way the person is forced to stay within the ring. Victims who consider themselves as such are a very important aspect for the investigation process.

*“In my view, victims are people who end up entering a network that makes thousands of promises to them, as a result of conditioning factors such as family, economic or*

*social factors, and when those people leave... and when they arrive in the country, these proposals, these promises ... do not exist, and they fully condition the lives of the people themselves (...)* (RZ, p.19, f. 112)

*“What characterises victims is their situation of emotional and economic fragility, especially (...) Because, of course, what is at stake is the victims’ fragility. The victims’ fragility, their vulnerability, as I think the law calls it... the victims’ vulnerability is what is at stake.”* (BR, p. 43, 44, i. 294, 304)

In terms of their socio-demographic characterisation, interviewees stated that victims are usually women aged between 15 and 35, with low education levels (that is, they did not finish the equivalent of Portuguese secondary school), or in some cases, they have attended university (although this is less common) but they come from families belonging to lower social classes. In relation to Brazil, the victims usually come from the regions in the interior or the north-west of the country. For Eastern Europe, victims are usually said to be from rural areas or city suburbs. Identified vulnerability factors include family and social circumstances, as well as economic and professional deprivation. Once more, it should be remembered that these victims have left their entire families behind, making them even more vulnerable.

*“Their age is usually in the twenty-five, thirty-five bracket, for most of the victims (... ) Level of education, we meet people who have low levels of education, even people who have ... something we would call tenth grade here or who went to secondary school (...) People with the lowest levels of education often come from the South, namely from Africa.”* (JM, p. 14, 15, i. 89, 97, 99)

*“(...) let’s focus on the issue of Brazil. They usually come from poor areas, with relatively low levels of schooling, with children... the women start having children at the age of twelve, thirteen, during puberty, and they need to make money quickly in order to support their family and have some standard of living in Brazil.”* (RZ, p. 19, i. 114)

*“It depends on the type of trafficking. For sexual exploitation, they will usually be young women, who generally have dysfunctional families or who come from countries that are economically and/or socially volatile. There are men and women of any age who come from poor countries and who are looking for a better standard of living. They can be children, for a very wide range of reasons, adoption, organ removal, labour*

*exploitation or sexual exploitation. In most cases, the victims come from poor environments, and want to look for a better quality of life". (inq\_AI, p. 2)*

Concerning the women who went to the Shelter and Protection Centre:

*"This is based on the fact that the area is not very central, as you just said and I think that's right. Because, independently of whether they come from Portugal, Brazil, Romania, Bulgaria or even Mozambique, none of these people lived exactly in the centre of the town, not at all (...) These people nearly always lived on the outskirts or in the interior of a region that was a little less central (...) In terms of education (...) they did not do very well in their studies. It is funny, because oddly enough, unless the person is a bit weak, these are people with a fair amount of potential (...) because the people we shelter are people with abilities. With the ability to reason (...) They even could sometimes stand out in the middle of several brothers and sisters... But for some reason, maybe because they were abused, or because the family did not provide the adequate conditions, or because they entered the worlds of prostitution and drugs quickly, these people did not finish their studies or dropped out. That is why we have people who do not have [a basic education]... I don't know, they come here and they have not even finished compulsory education. They started going, then gave up, then missed classes, then had difficult lifestyles, then just started getting around (...) In terms of jobs, this is common, people did not have good, permanent jobs. ... There were victims that we were sheltering that were... that were already prostituting themselves, other people had jobs in, like, catering. Odd jobs, starting, restarting, whatever people got, and people who were unemployed, and that is why they came looking for something (...) On the family level, I need not tell you that it is low, low. We might have two... socio-economically mid-to-low [income], low, and, well... a bit higher. That is, no socio-economic category is good, but we do not only have really low levels (...). We have sheltered a few minors, and there were some we haven't... Those who did not come in but that were known to the police too. So we can define an age group ranging from sixteen (...) Sixteen to thirty-five. For the most part, though, the ages are about eighteen, nineteen, twenty, twenty-one, twenty-two. Most of them are twenty odd. But there are exceptions." (RM, p. 28, 29, 30, 32, i. 220, 226, 228, 232, 234, 250, 254)*

In terms of the perception of the victims as such, it is common that identifying themselves in this way does not take place through a process of self-blame. With regard to Brazilian women, their perception depends on their knowledge of the type of activity

they will carry out (in the case of sexual exploitation) and the type of violence used against victims. Those who knew they were destined to become prostitutes do not see themselves as victims, because they do not feel exploited as such due to the fact that in the destination country, they earn more, and whoever is protecting or controlling them also gains from it. As for Eastern European women, self-perception as victims is more common, because they did not know what kind of work they would be doing and because of the violence they suffer. The latter is much more physical and/or sexual which enables traffickers/exploiters to control them enough to, stop them from thinking about leaving or escaping from the networks.

*“Apparently, it is a bar, that we know doubles as a strip club, but often we cannot find out if prostitution takes place inside, or if they are forced [to prostitute themselves] because people know what they are coming over for, usually they know why they are coming and they are not abused.”* (RZ, p. 7, i. 30)

*“If we are talking about... particular victims that have been made victims by particular traffickers who, although the conditions are not the ones that were promised, but who in a way, treat them well, they will probably not consider themselves victims. Why not? Because the victims cannot distinguish between human trafficking and the facilitation of illegal immigration (...) In terms of abused people, yes, we do have a high percentage of people who know that they did not comply with the laws relating to the entry of persons into Portugal or France. If it was in Schengen, they knew and know that they were victims of abuse or victims of trafficking. Then yes.”* (RZ, p. 19, i. 116)

*“(...) trafficked women sometimes see themselves as victims, sometimes they don't (...) because often, they don't even know what being a victim is (...). That is important. Because in order to perceive of themselves as victims, they must be aware of themselves as people.”* (IF, p. 72, i. 712, 714, 716)

*“I think that a victim only discovers she is a victim when a part of her dream dies when she got to the country (...) the destination country.”* (JB, p. 37, i. 284, 286)

*“(...) regarding the awareness of the victim, the awareness of the person within the concept of the victim, sometimes she cannot understand she is a victim. She says “I came, but I came because I wanted to.” Because no one is forced to come. They all came because they wanted to. The aspect of force is what can happen, it's later (...) “No, I came because I need to work and...” “No, but you came, did someone force*

*you...?” “No, they paid for my trip because I didn’t have any money.” I can say that in those particular cases, ninety nine per cent “paid for my trip and promised me food and board.” Basically, that’s it. “I will give you food, board and I’ll get you a job. You can come and work for me.” (RA, p. 25, 26, i. 152, 154)*

The three most common factors that lead victims to escape are the following:

1. When victims become conscious of their actual condition as exploited individuals on all levels.

*“The way I see it, is that at a particular moment... then... I think that all people are aware of when they are being abused, how they are being used, and to what extent they do not deserve to live like that. I think that everyone has an idea of what is fair about themselves and others.” (JM, p.21, i. 145)*

2. A situation of more extreme violence that can trigger a break with the trafficking organisation.

*“Yes, sometimes, they tell us. “The last two nights were so bad that I thought “even if I die or if they catch me, I do not want to spend another night like that” (...) Or, not being able to stand situations of extreme violence, so extreme, that between the violence or death, it was just like the person jumping into the void.” (RM, p. 40, 41, i. 334,342)*

3. The “client” is also mentioned as an escape route from the ring. Here, the client may become sensitive to the situation and convince the victim to leave with him.

*“In terms of sexual exploitation, escape usually takes place via the client. ... It is the client himself that opens her eyes and saves her from the ring.” (RZ, p. 20, i. 118)*

### **g) Characterisation of Traffickers/Exploiters**

Although we have managed to determine some common traits of traffickers, it is extremely difficult to draw up a trafficker’s profile. Within the context of this research, contact was mainly made with organisations that deal with victims’ issues which do not have access to all the necessary information that would allow us to define a set of common characteristics. We have, however, uncovered some of them, which are presented below. In addition to some socio-demographic aspects, there are also some personal factors.

Traffickers usually come from a lower social class, they are aged 25 or more and they commonly share their victim's (or victims') nationality. If the trafficker is a woman, then she was often a product of exploitation within the sex industry.

*“A trafficker is someone... who entices people, for himself or for a third party, for personal profit or for that of others... Thus, a trafficker can act as an intermediary (...) between the victim and this person's final destination, let's say, and what he or she does is exploit the victim and the profit from it.”* (MG, p. 27, i. 228, 230)

*“There are male pimps and female pimps, but usually they are male. Portuguese men and foreign men.”* (RBD, p. 46, i. 348)

*“They are people... they're young, because they're not men aged over fifty. They are about twenty-five to forty-five years old.”* (IA, p. 75, i. 756)

*“(...) overall, we can say that they are individuals who come from relatively low social classes, who rise socially thanks to this business that generates thousands of Euros – and then we have two situations. One is if ever they treat women badly, and the other is if they treat them well. And then different situations occur. If he treats them well, then it will be difficult for us to detect the crime, and get to the individual. Why? Because we work mainly with witnesses, with the victim. Without the victim, we have no case. And if they are well treated, they do what they are told to, namely, they pay their trip or whatever was decided in the country of origin. And after doing that, normally the victim is released from prison or from the network that forces her to prostitute herself, and goes on to prostitute herself of her own accord, without being forced to. And usually these individuals get work and earn lots of money, exploiting women for many years, without anyone knowing about it (...) After that, there is another issue: those who confiscate the women's passports, force them to do a series of things and mistreat them from the moment they arrive here. And that ill-treatment begins from their very arrival... Their passports and airline tickets are taken away, ties with their families are broken, mobile phones are confiscated, and they are forced to prostitute themselves ten, twenty times a day until they give in. They are forced into sexual activity even when they are menstruating. And it is then, when they leave, when they have the possibility to escape from that... from their network – that is when we can get that information and can prosecute... and take action against that individual.”* (RZ, p. 7, i. 30)

Regarding the women who become part of sexual exploitation networks:

*“Those who accept it end up becoming leaders of some sort.”* (IA, p. 76, i. 764)

*“There are the groomers, the recruiters, for instance – here too, the number of women used is on the increase (...) often they were in the networks.”* (MG, p.29, i. 244)

Two significant but also distinct ways of keeping a victim in the exploitation ring were distinguished. Firstly, the case in which the pimp uses an affective link to recruit the victim for exploitation and to trap her, taking away all her documents and identity. There is also a certain network that uses even more elaborate strategies, in terms of physical, psychological and sexual violence, both for recruiting and keeping its victims.

In Brazil, the structure of the networks is usually informal. Contact is made via known individuals (distant relatives or someone who belongs to an indirect social network). As far as Eastern Europe is concerned, the networks are more organised and use force/coercion. Control is much tighter at all stages of the process of entry into the exploitation ring, from the time of recruitment to keeping them into custody.

*“I think that in Brazil, it is very individual, it is a very personalised form of trafficking, they are individual people. I think that in Eastern European countries, they are highly organised groups, from what I have noticed during street work.”* (IA, p. 75, i. 754)

*“These are also data from the study (...) by the Centre for Social Studies of Coimbra University. It also pointed to Eastern European networks as being much more organised than the Brazilian ones (...) And from my experience too, I think they are (...) When I say “more organised”, it is in the sense that before they get to Portugal, there is a long process and there is victimisation, they go through several countries, and everything [is done] in an extremely organised fashion and not necessarily with the same people. So, people cooperate quite well.”* (CS, p. 28, 29, i. 254, 256, 260)

*“(...) those strip clubs and all that, which are involved in prostitution a bit too. He’s interested so he gets a contact in Brazil, a guy from the North East somewhere, sometimes from one or the other (...) and is brought over to renew, so to speak, the offer that they have available in the establishment. There is the legal one, the strip club, and the other, that is not illegal, but is linked to prostitution and that also has something to do with procuring, doesn’t it?”* (BR, p. 52, 53, i. 372, 374)

*“(...) what we usually deal with on the estates is... a recruitment and management line for the sex market or for trafficking – we are unable to distinguish them as clearly as all that. It is something that’s formal-informal, it’s small, close-knit (...)”* (RBD, p. 52, i. 401)

## **h) Support/Response Mechanisms**

The indicators that are most frequently referred to coincide with the public policies that we mentioned earlier, namely:

- Legal framework
- Shelter and Protection Centre
- Signalling-Identification-Integration Model
- Awareness-raising campaigns
- 1st National Action Plan against Trafficking in Human Beings
- Creation of the Observatory on Trafficking in Human Beings.

Overall, they all agree that although these mechanisms are very important, a great deal still remains to be done because a change in mentality is still under way, not only on the institutional level but also on an individual level. This makes the reporting of cases relating to the issues at hand more difficult.

Below, we highlight some of the virtues and/or shortcomings that interviewees talked about. To a certain extent, they help us make a link with Part II of the present analysis.

*“I believe that at the moment, there are frameworks and support mechanisms for victims if they are identified, in terms of psycho-social support, so to speak, when the victims are treated as such and it can be useful (...) I think that what still doesn’t quite exist in Portuguese society is a type of response that enables the articulation of the entire chain (...) And so without the articulation between the origin, the destination, between the kinds of social response in the post-victim framework (...) means that the person is... simply treated in an uncoordinated manner.”* (JJE, p. 40, 41, i. 245, 247)

*“I can name one that is efficient (...) It’s APAV (Portuguese Association for Victim Support) (...) I also know of... O Ninho, so I am talking about civil society organisations (...)” (RBD, p. 54, 55, i. 424, 426, 430) “(...) for example, O Ninho works in the field with professionals, and APAV ... manages to ensure that information is communicated to the field (...) these are two ways of addressing the same problem. One, by telling civil society to be aware and help, to help provide support, isn’t it? Another issue is direct work with the person, that is, when the professional personally goes into the context, to inform and provide response mechanisms.” (RBD, p. 57, 58, i. 456, 462, 464)*

*“(...) we have the entire referral structure at the outset (...) and then the shelter itself, don’t we? These are two services ... nowadays you find out... how to refer and then, well, you might not know what will happen next but you know ... that the people are somewhere, with trained staff who are qualified to be there (...) I can tell you that as a reception staff member, it takes the pressure off, and thanks to joint responsibility in reception, it’s a weight off my shoulders... Because now I know where to refer [victims] to (...) I have a team who is responsible for reception and is trained to do that, who will make the referrals. I know that we now have legislation but... it’s not the best, I know it isn’t, it could be a bit better, but there you go, its legislation that acts as a framework and so on.” (EB, p. 61, 62, 63, 64, i. 536, 538, 540, 564, 566)*

*“But I think that public policies are the most important. I think that without public policies it is very difficult to do anything in a ... coordinated, strategic, inter-institutional, interdisciplinary fashion (...). I think that here, for this phenomenon, that’s what’s worked very well. I mean the National Action Plan Against Trafficking, the Observatory, the Immigrants’ one, the Criminal Code, the Law on Immigration (...) The [most] important measure was granting residence permit to victims of trafficking, definitely the residence permit. In terms of the type of response... I think that the best response, moving away from the legal sphere a little, although [remaining] within the continuity of the legal sphere and of granting residence permits, is the reception and protection shelter (...) that allows victims to receive support in terms of housing, safety, food, medical care, legal and psychological assistance, in addition to all the other forms of support. Really, this is what enables them to build a personal project too, and participate in activities that allow them to socialise, at the same time as managing their own homes. So that is why I believe it’s a measure that is essential here too (...)” (MM, p.26, i. 202, 204.)*

*“(...) the training and availability of professionals in law enforcement bodies have changed. They cooperate much more closely with non-governmental organisations. Indeed, response mechanisms for victims have been established, in terms of shelter. Only these two situations, together with the criminal issue, have changed ... but information about it was... badly disseminated too: people still don't know about these things.”* (AS, p. 86, 87, f. 768, 770)

*“APF [has been successful] because it has given all necessary support to the victims, after having identified them and because it shows a willingness to collaborate with the police. And there has been no problem whatsoever and I think that things should continue progressing this way. Because it is much easier [for it] to work with victims, because it has no authority, it can collect information and diminish certain types of psychological problems that victims might have, and reduce some of the fears they may have of the police. And on that basis, it can create a link with OPC. And the other issue has to do with the shelter, that is... the "Casa Segura", the safe house (...) currently, no one knows where the victims are except the person who is managing the safe house. This gives a feeling of security not only to the victims, but also to the police. I would rather not know where they rest and sleep, and I know they are getting all the necessary support (...) I think that it is important to demystify power, the role of the police is not [to act] against citizens, it is [to act] in their interests. Often, the mechanisms we have in the law itself stop us from being able to take action the way we should. At the moment, with the crime of trafficking in human beings, the National Plan and the legislative amendment of the Criminal Code have lifted some of the limitations we were facing when investigating, namely doing searches at night.”* (RZ, p. 21, 22, i. 124)

*“I think that the aspects that need improving are on the level of... how things are designed, what support women will receive when they end up in the shelter and protection centre (...) in terms of defining their future life. I would like to see something more precise, more “black and white” about the support that these people will be entitled to and that... I think they should have.”* (JM, p. 29, i. 219)

*“I have no doubt that in the shelter and protection centre, what they tell us... our experience shows us that really this centre gives them extra stability. And we feel that (...) because they are in the centre, and because it is protected, because it is fully secure, because the team is fantastic, it really provides great physical, psychological and emotional stability (...). The rapid responses needed. It is very difficult for us to manage... for most... of the women who come to us are in debt, and need to send*

*money (...) They need to start working and earning money, which is difficult to do quickly (...), to get from one minute to the next. It is... and we find it very hard ... Often, they come without any chance of rapid integration.” (MP, p. 90, 91, 92, i. 915, 923, 929, 931, 934, 937)*

*“I would choose signalling and then the legal mechanisms (...) In my opinion, the main shortcoming there is in Portugal regarding both the model and the legislation... and I think it concerns legislation too... it’s people not knowing (...) I think that in Portugal, we are still living in little closed groups. So “this is my little clique”, “that is your little clique”... “this is my little clique”, “that is your little clique” (...)” (CS, p. 31, i. 276, 278)*

## **Victims/Potential Victims of Trafficking in Human Beings<sup>6</sup>**

Through cooperation with CAP staff, it was possible to conduct interviews (based on questionnaires) with the victims in the centre with the aim of understanding their life journeys. This allowed the victims to write a socio-demographic characterisation of themselves in their own words, and say how they came to suffer exploitation, their experience of exploitation, their escape from it, the characteristics of their traffickers/exploiters and their opinion of the support mechanisms/responses offered and their future aims.

At the time the survey was conducted, three women were in CAP who had been victims of human trafficking. Regarding characterisation, they highlighted some elements of their cases that the relevant actors in the institutions working in the field of THB had paid little attention to.

### **a) Socio-Demographic Characterisation**

The victims contacted, who will be identified here with Case letters (A, B and C) for safety reasons, are of Portuguese, Mozambican and Romanian nationality, aged between 18 and 35. They are from urban areas or areas with urban characteristics, and are mainly involved in the construction industry and business activities. They are generally from

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<sup>6</sup> This section will not include direct speech, firstly, to protect the victims’ stories and secondly, because of the way the survey was conducted where there is no actual direct speech.

the lower social classes, with a nuclear family structure (parents and siblings), often also composed of several generations (grandparents, cousins, nephews/nieces), employed, in all cases, in catering or construction, or else unemployed or already retired.

They reached the 8th, 9th and 10th grade at school but left full-time education for economic reasons, which also caused numerous problems when trying to secure employment, leading to a downward spiral towards social exclusion. Before falling into the exploitation process itself, one of the victims was taking a vocational training course on domestic services, another worked at the checkout in a supermarket and the third was self-employed in a hairdressing salon. However, their paths into the world of exploitation were similar.

In the three cases analysed, it is clear that they have an implicit understanding of their status as victims, but it was impossible to ascertain whether this was the result of the institution working with them on this issue or whether they were aware of what was happening to them and identified themselves as victims from the moment they entered that situation.

### **b) Falling into, Time in and Escape from Exploitation**

The women stated that they came to this country because of promises of a better job and improved living conditions. Case B) was promised that she would be looking after the children of the person that had her emigrate to Portugal. This person was an acquaintance of her cousin. Case C) was deceived with a fake job offer by a friend's husband/boyfriend. In Case A), it was not possible to ascertain if there was a promise or if she was simply forced to enter the exploitation situation by the father of her ex-boyfriend.

They all came to Portugal on direct flights. Case C) was accompanied by her exploiters whilst Case B) came alone and, although she required a visa, none of the authorities raised the issue at any time during her journey. Case A) was brought in a van, across country, to the places where she was to be prostituted.

These descriptions clearly demonstrate two situations of sexual exploitation and one of slavery. In the first type of trafficking (described by Cases A) and C)), we clearly have asets of prostitution and very tight control by using threats, resulting in psychological violence in order to instil fear, as well as physical violence on occasions. In the second instance, the victim was forced to perform domestic tasks, waking very early and going

to bed very late without receiving anything in return. These violent set-ups caused the women to remain in the different exploitation rings.

Their way out of the exploitation was by escaping, by contacting SEF or thanks to institutional assistance. In the former case, the victim escaped to the nearest GNR (National Republican Guard) station. However, the police officers there were unable to respond to the situation, once again leading them to contact SEF. It is generally felt that turning to this institution and, later, after going to CAP, and benefitting by the counselling, safety and all the other support provided represented a turning point in their lives.

The case of slavery occurred in the North of Portugal whilst one of the cases of trafficking for sexual exploitation took place in the Algarve.

### **c) Characteristics of the Traffickers/Exploiters**

In two cases (Cases A) and C)), the traffickers were men of the same nationality as the victims, 43 and 44 years of age, respectively. However, in Case C) there was a relatively formal network, which was not identified in Case A) where the only people identified were the boyfriend's father and his younger brother. Both types of traffickers were of the lower social classes, without direct contact with the women's families. In Case A), it was clear that the existing emotional relationship with the boyfriend was used so that his father could start the exploitation. The woman believed that by accepting this situation she would be able to stay with her boyfriend.

In the third instance (Case B)), the exploiter was a woman of Portuguese nationality, of unknown age, who came from an upper middle class background and is not related, directly or indirectly, to any organisation or network. Here, the victim was not accompanied on her journey by the traffickers, as in the other cases but, instead, contact was initially made with the person in the destination country through a cousin, and she then travelled to Portugal unaccompanied. The objective in this case was to enslave the victim by keeping her in a single place, the house, forcing her to work unpaid and, at the same time, preventing her financially, socially and culturally to have access to any other type of place. The fact that the exploiter is identified as belonging to the upper middle class may, where domestic work is involved and where the exploiter can demonstrate that she has someone doing it for her, be a way of elevating the exploiter's social status in her environment.

In any event, overtly negative adjectives were used to define the traffickers, such as “aggressive people or worse”, or even “psychopaths”.

#### **d) Support Mechanisms/Responses and Future Aims**

Two types of assistance were highlighted: the law enforcement bodies, via SEF and institutional support, via CAP.

In both situations, there was generalised satisfaction and trust in the support given. Due to their characteristics, these services must almost obligatorily be structured around support and counselling in the safe house, which also allows the victims to access and be involved in the legal process, a fundamental factor in reaching a just outcome. Therefore, it is essential as an interface that things happen in the safest possible way logistically speaking, ensuring that neither the victim nor other people in the centre are placed in harm’s way. All of the women mentioned that SEF was the only public criminal police service that supported them, informed them of all the measures being taken, contributing, in this way, to establishing the necessary trust so they felt protected and could contribute more effectively in the process. However, one of the women reported that, before contacting SEF, she contacted a GNR station and that it was unable to respond. The three women are involved in the legal process for the same reason: they want the person who exploited and mistreated them to be punished and for justice to be done.

CAP is the physical and technical structure that gave them a basis to start their lives over again and to begin handling their daily lives in the best possible way. It helped them to improve (in their own words) their “attitudes and behaviour”, enabling them to find what they needed to change in their “lifestyle”. This was provided by the support they received across the board (counselling, accommodation, food, safety, etc.).

They now wish to bring stability to the different parts of their lives, they want to return to their families, finish their studies (even if at a later date), find a job, be independent, have their own space and find someone to share their lives with.

As a final recommendation or piece of advice for anyone thinking of immigrating/emigrating, they say they should get as much information as possible, think long and hard before agreeing to travel with strangers, not trust anyone and remain vigilant.

## Chapter 5:

# Recommendations for Improving Existing Trafficking in Human Beings Structures in Portugal

Recommendations were made regarding several areas of work so that all of the existing mechanisms and instruments in the fight against THB operate effectively. We, therefore, have tried to bring together some of those recommendations here.

- To enhance cooperation between the institutions, and between law enforcement bodies and the institutions;

*“The responses need to be mapped out and linked up (...)” (JJE p. 41. i. 251, 253)*

*“Because linking up, which is key (...) means the link as well as officers... I cannot have an information service (...). No, I do not have the authority. The police do, the military must be stimulated, isn't that the case? (...) to make that link, to bring in more police here, to talk to SEF (...) The GNR should also be involved, I think they have an important role to play, don't they? The prefect also... because prefects also deal with this... to make sure these establishments do not proliferate, right? (CA, p. 43, 44, 45, i. 396, 400, 402, 424, 426)*

- To continue working to increase awareness, but by increasingly targeting strategic audiences, the main tool for changing attitudes. This could also work here as a way of stimulating greater control and surveillance by the criminal police services and also by the public at large;

*“(...) supervision exists; perhaps (...) it should be tighter. I think that the practice fundamentally has to include increasing awareness in social media, us taking on board all of these situations we call crime and reporting them. They are crimes that any member of the public is free to report.” (BR, p. 59, i. 428)*

- To build more shelters;

*“Shelters... I think, and this is the case, there are too few of them and, on the other hand, Portugal really needs a network approach.” (IF, p. 89, 90, i. 899, 901)*

- To manage procedures more quickly and to have a model that provides an exception of victims of human trafficking so they are not subject (due to different statements they have to make) to more victimisation process, putting their safety at risk;

*“One thing is looking at one case or another, reading the testimony given. It’s all together something else for people to explain what happened to them, in their own words, and to have that immediacy. That immediacy could also be... blurred if we had a system, regarding criminal proceedings, which we do not have in Portugal but which exists in Spain and other countries, where trials are recorded on video (...) Therefore, we also have to organise a model here that allows for exceptions.” (BR, p. 60, 61, i. 434, 438)*

## Chapter 6:

# Drawing some Conclusions

First and foremost, it is important to make a few final observations that we believe may define the future direction of the research carried out. The research was, in fact, carried out by professionals from CIG which is a public institution that coordinates and acts as an umbrella body for all of the contributions made in the field of THB in Portugal. That being so, when we established contact with the main institutions involved in THB, it shortened and greatly facilitated access to other institutions and their representatives, as well as to the information they were able to provide. However, it is important to recognise that this very fact could, at times, have influenced the information gathering process itself.

It is clear that the knowledge of some institutions about the reality of THB is fragmented, based, in many cases, on common sense or their perception of reality, both regarding THB situations themselves, prevention policies, instruments of support and repression in this field. This is information that cannot be generalised. These entities, such as IOM, the Brazilian Consulate and the Brazilian Association of Portugal, which in theory should have privileged information about this reality (given that the majority of victims are identified as being of Brazilian nationality), make reference to isolated cases. This is, of course, an interesting issue from the theoretical point of view of our research and it confirms a certain level of lack of knowledge regarding existing instruments, with the exception of those people involved in creating said tools. This conclusion leads us, once again, to the characteristics of crime that remains so concealed: human trafficking. Nevertheless, let us consider a few issues: we do, in fact, know that this is a large-scale crime, but why is it that the institutions never, or very rarely, contact the victims? (The only exceptions are CAP staff, the law enforcement bodies or some very isolated individual cases.) Who do the victims turn to, when they do not turn to any of the recognised institutions or support mechanisms?

Could it, in some way, be said that the victims themselves still do not trust the mechanisms available to them, despite knowing of their existence? Is it that they prefer to turn to someone of their own nationality when escaping from trafficking rings, even if, especially in the case of Brazilians, they run the risk of ending up back in the same situation?

*"(...) we get the reports (...). They cling to each other, they cling to each other a lot (...) But there is always someone (...) they know who takes them in. Who takes them in for a while and then... People always end up getting some other response, but that is not in a safe house, right?" (MP, IA, p. 31, i. 280, 281, 283, 285).*

It has been shown that both the trust of victims in the existing responses and the trust of the law enforcement bodies in those same mechanisms are still developing. Nevertheless, everyone recognises that they are on the right path towards achieving a support framework with structured responses on the different levels of victims' needs.

Bearing in mind the limited application of the survey to victims and potential victims of THB, and the particular nature of the victims to whom we had access when gathering information, certain details still concur between the institutions and the victims as regards the characterisation of traffickers and the support mechanisms. However, as regards the characterisation of victims, mismatches were observed, specifically as far as nationality, region of origin and age are concerned. In fact, the most frequently identified nationality was Brazilian, but, perhaps because of the low possibility of violence associated with that nationality, and because they have a social network to which they prefer to turn, only an insignificant number of women end up going to CAP. They recognise the importance of the existing support and safety mechanisms which have been and continue to be essential for them to break free of exploitation rings, and to be able to "dream" of a dignified life again.

Inter-institutional cooperation is quite peculiar. By way of example, the law enforcement bodies are linked to CAP for victim protection, and institutions report cases of THB to law enforcement bodies. However, we have observed that access is not always granted to nor feedback given about those cases once they expire or reach the end of the process. As a result, institutions do not know how cases ended, whether their action was successful or not and they are not able to introduce improvement into this area of their activities.

It was also shown that, in many interview situations, there was conceptual confusion between trafficking and prostitution. Often, when questioned more specifically about the characterisation of the victim, the people interviewed tended to make reference to the prostitute "profile". Furthermore, a constant conceptual mix-up was also noted between the definitions of "trafficker" and "pimp".

Moreover, many of those interviewed referred to a pattern of prejudice regarding Brazilian women and their relationship to their own bodies and sexuality, which, many people commonly believe means that there is a direct link between them and prostitution. Here, we have to make clear the implicit need to fight against this prejudice, not least because, despite being involved in prostitution and knowing they were being brought to Portugal for that purpose, these victims are deprived of their freedom, of their dignity and above all, of their identity, by means of all sorts of violence to keep them making a profit for the network (whether formal or informal).

*“And, beyond that, it is worrying because it stigmatises Brazilian women. Because all you have to do is go outside, if you hear a Brazilian accent people have an automatic reaction. People... many people react to the situation of “Brazilian women coming over here”. And I’ve paid attention to these things, when a Brazilian woman goes looking for work, people say “no, no, people don’t do that sort of thing here”. Because they immediately associate those women with prostitution because of what society says. It’s a stigma. The same thing happens in the case of domestic workers, many women want to work in this field, they want to work to have a place to stay and to settle, but people do not want Brazilian women because they immediately associate them with prostitution. Deep down, official organisations have also contributed to this stereotype that we have been creating because they say that women come here to prostitute themselves.” (IF, p. 19. i. 170, 176)*

*“In the case of Brazilian women, it is generally women from North East Brazil, who are always poor, with a very low level of general culture, children, etc. So they perform an activity, prostitution, that actually improves their lives (...) The only thing is, they are also being conditioned and exploited, they have their passports withheld, they are forced to pay umpteen times, pay for travel, and they get into a vicious cycle... As soon as they want to get out, they are stopped, they are attacked, and ... well... then there are links to little groups: the ones over here, and there (...) Other times they come as strippers or simply as companions, but then they end up... they end up in prostitution rings (...).” (BR; p. 13, 14, i. 86, 88, 90)*

Regarding types of trafficking, once again the interviewees always assumed that sexual exploitation was the most visible and present form of trafficking, despite the lack of objective data to prove it. As an example, whilst the testimony of the law enforcement bodies made reference to specific cases of labour exploitation and slavery, the rest of the organizations reported cases of sexual exploitation.

It appears that the main conclusion to be drawn is that all those contacted want to play a role in intervention; they want to work in the anti-trafficking network, so that effective support is provided for the victims, from the awareness raising phase to the potential integration phase. That is why there has been general consensus that projects of this type, including this research, and projects incorporating the issue of transnational cooperation, should involve some sort of follow-up and that, as a best practice, information regarding their direction should be provided to the institutions and other bodies involved.

## Chapter 7:

# Final Recommendations

The reality of human trafficking is, by definition, subject to change and we are not yet fully informed about it. At the same time, as great praise is heaped on the introduction of intervention measures in this field, precisely because it is a fluctuating reality, it is also recognised that work must continue, both nationally and internationally, to draw together synergies and methods. Therefore, we would like to indicate a few areas of action that we believe should be highlighted and developed in the future.

These Recommendations are structured around several axes:

- Importance of developing an effective witness protection programme in Portugal, which should take into consideration the situation of victims of THB requiring effective protection. Legal provision has been made to cover this situation.
- Designation of a focal point in each of the institutions working in the field of THB, so there is a sense of greater inter-institutional cooperation, with permanent contact and the exchange of information between them in order to update their positions.
- Awareness raising as a main vector of social change about the behaviour that people can and do display in THB situations.
- Creation of a Europe-wide telephone hotline with the same free number in all Member States, as a way of spreading information more quickly and in a more generalised manner.
- Interest in making this sort of project and the research known to the public so that those who participated can see their work recognised, and those who did not participate can directly access the information and so, above all it does not become solely theoretical but achieves practical applications.

### **Part Three:** Portugal

- Close cooperation and exchange of information between different institutions so that one entity's good practices can become the basis for another's work and can improve and accelerate internal and external procedures. This is also a way of promoting better knowledge of the reality of THB because intervention is only successful when a situation is well known.
- Importance of having effective information on different human trafficking activities, regarding both the updating of data on trafficking for sexual exploitation and trafficking for labour exploitation which is, so far, less well known. Finally exploring other national contexts, such as investigating Portugal as a country of origin of victims of trafficking for the purpose of labour exploitation.

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# Annex

## List of the interviewed entities and respective interviewee codes

Entity	Interviewee name	Interviewee code
OIKOS – Cooperation and Development	João José Fernandes	JJF
“O Ninho” Association	Inês Fontinha	IF
Doctors of the World (Portugal)	João Blasques	JB
	Ricardo Brilhante Dias	RBD
Brazilian Association of Portugal	Ricardo Amaral	RA
Women’s Union Alternative and Response (UMAR)	Elisabete Brasil	EB
High Commissioner for Immigration and Intercultural Dialogue (ACIDI)	Margarida Moura	MM
Child Support Institute (IAC)	Alexandra Simões	AS
Amnesty International	Sónia Pires	Inq_AI
Immigration and Borders Service (SEF)	Rui Zilhão	RZ
“Espaço Pessoa” – Centre for Psychological Support and Social Development	Jorge Martins	JM
Consulate General of Brazil in Porto	Ambadress Cláudia D’Ângelo	CA
Family Planning Association (APF)	Marta Pereira	MP
	Ilda Alves	IA
	Rita Moreira	RM
Commission for Citizenship and Gender Equality (CIG)	Cristiana Silva	CS
Judiciary Police (PJ)	Baptista Romão	BR





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The exploratory research “Transatlantic Journeys” on human trafficking from Brazil to Italy and Portugal was conducted in the framework of the project “*Promoting Transnational Partnerships: Preventing and Responding to Trafficking in Human Beings from Brazil to EU Member States*”, which aims at contributing to combat trafficking in human beings by reducing the incidence of trafficking from Brazil to EU Member States, particularly Portugal and Italy, in the medium to long term. Thus identifying vulnerable and at-risk groups as well as the relevant transnational trafficking routes from Brazil to EU Member States is a valuable contribution to the project’s successful implementation.

This publication presents and analyses the findings of the exploratory research, which was conducted by three different research teams, working independently in Brazil, Italy and Portugal. In conducting the research, special attention was paid to the push and pull factors and to discrimination issues, such as gender, age, sexual orientation and social class. The research also provides key recommendations in relation to transnational cooperation on trafficking in human beings between Brazil and EU destination countries that, in the future, can be used to formulate policies and operational frameworks for action.