Workshop
“Human Trafficking: Data Collection, Current Trends and Institutional Approaches”

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Migrants’ trafficking in Portugal: current trends

• Concepts, framework and methodology
  – Concepts
  – Context
  – Methodology

• Research results
  – Smuggling and trafficking of migrant labour
  – Trafficking of women for sexual exploitation

• Theoretical implications
Concepts, framework and methodology

• Research project “Migrants trafficking in Portugal: sociological, juridical and political perspectives” - funded by the Foundation for Science and Technology (FCT) and the High Commissioner for Immigration and Ethnic Minorities (ACIME), Portugal – 2004.

• Main issues dealt with in the project:
  – the study of migrants trafficking in Portugal:
    • characterisation of migrants trafficking’ networks
    • types of victims
    • causes and modalities
    • political framework
  – flows under study: workers, women and children
  – recommendations and political solutions
Concepts

- Different types of movements usually treated under the broad label of “trafficking”

- The most important distinctions:
  - smuggling / trafficking
  - migrant and forced labour / women’s sexual exploitation / children

- International definitions (UN, 2000): the main variables differentiating smuggling and trafficking:
  - exploitation
  - coercion and violence
  - fraud (in sum, abuse of human rights)

a large continuum of situations
Framework

• The rationale behind the project: Portugal has witnessed in the last 10 years (late 1990s/early 2000s) significant processes of smuggling / trafficking:
  – These were responsible for the large increase of irregular immigration flows, regularised in different ways
  – The figures:
    • In 2000: 207 607 legal foreigners (residence permits) – around 2% of total population
    • In 2004: 446 178 legal foreigners (residence permits and permits of stay) – around 4.5% of total population and almost 10% of total labour force
  – Main flows object of smuggling and / or trafficking:
    • trafficking of labour force coming from Eastern Europe and Brazil
    • trafficking of women for sexual exploitation, mainly coming from Brazil.
Methodology

• Research methodology - plural (and mainly indirect) approach:
  – theoretical and documental analysis, including scientific literature, media and legislation analysis;
  – research of judicial cases;
  – consultation to several governmental and non-governmental institutions related to the topic (semi-directive interviews to institutional representatives);
  – collection of life histories of traffickers / smugglers and victims.

• At a disciplinary level: contributions from sociology, law and political science.
Research results

Smuggling and trafficking of migrant labour -

Eastern Europe

• Evolution
  – Eastern Europe: a novel migration to Portugal - main flows in the late 90s / early 2000s, with a peak in 2001
  – Main nationalities: Ukraine (most migrants), Moldavia, Russia and Romania

• Modes of operation
  – “Migration package” bought in the origin country, including tourist visa (short-term) to a Schengen country, travel and contact person in Portugal
  – Contact persons in Portugal provide housing or help finding job
  – Groups operating in defined areas of the territory are responsible for extorting migrants – demanding a “subsidy for protection” (independent from the initial debt), often using violent means
• Traffickers / smugglers networks
  – Contacts / members in the sending country, usually including a travel agency (responsible for advertisements of “travels” to the host country)
  – Transport personnel
  – Contacts / members in transit countries
  – Contacts / members in the host country

• Networks structure - different types of networks
  – Small and loose networks (finishing their interaction with immigrants almost after arrival) → smuggling
  – Large and well organised networks (formal hierarchy and job division), and having ties with criminal activities in the sending country (continuing their interaction with immigrants, usually by extorting, after arrival) → trafficking
• **Victims**
  – Mostly men targeted for low skilled jobs in civil construction
  – Also some women, targeted for domestic service and, occasionally, pushed for the sex industry.

• **The operation of smuggling and trafficking networks is decreasing over time. Reasons:**
  – Decrease of job offer (mainly construction)
  – End of most possibilities for acquiring a legal status
  – Police control
  – Better integration of immigrants (legalisation, information and informal social networks)
  – Return migration

However:
  – A change in the modes of operation of trafficking networks may be occurring, with larger diversification of activities or more subtle forms of exploitation
Smuggling of migrant labour - Brazil

• Evolution: a “second wave” of Brazilian immigration began in the late 90s

• Modes of operation:
  – The “migration package” bought in Brazil usually includes air travel and contact person in Portugal (visas are not required)
  – Contact persons provide housing or help finding job

• Smugglers networks:
  – Contacts / members in the sending country, often including a travel agency
  – Contacts / members in the host country, responsible for receiving immigrants, finding house and getting work
    ↓
    loose networks
• Victims
  – mostly men targeted for low skilled jobs in civil construction

• The operations of smuggling from Brazil seem to be considerable since the late 90s, due to a set of factors:
  – Push factors at the origin
  – Diverse job offer (construction, services, domestic cleaning)
  – More difficulties of illegal access to the USA since September 2001
  – Continuing possibilities for acquiring a legal status (special legalisation for Brazilians in 2003)

However:
  – Strong informal networks among Brazilians in Portugal (together with cultural proximity with the host country) make the operation of organised and violent networks less relevant.
Trafficking of women from Brazil

• Evolution:
  – Increase in the late 90s, accompanying the growth of the sex industry all over the country (urban and non-urban locations) – night-bars, clubs, etc.

• Smugglers networks
  – Portuguese owners of night-bars, clubs, etc.
  – Contacts in Brazil, often women (with previous experience of prostitution or Portugal or not)
  – Other contacts in Portugal

• Networks structure
  – Loose and flexible networks; many small networks
• Victims
  – Most women come from low and low-middle classes
  – Some women have previous experience in prostitution, others not
  – Women sometimes know which activity they will perform in Portugal (although the degree of “fraud” is a matter of dispute)
  – Women seem to display some control over their destiny
• The operations seem to be considerable since the late 90s. Reasons:
  – Push factors at the origin (poverty)
  – Demand for sex work in Portugal
  – Unregulated character of the industry
  – High incomes earned in this activity
However: recent surge of police control
Theoretical implications

• Multiple causes are active in smuggling / trafficking (labour / sexual):
  – Push factors for emigration (Eastern Europe / Brazil / others)
  – EU regulations:
    • Schengen agreement
  – Pull factors for immigration:
    • Job offer in low skilled and scarcely regulated jobs (civil construction / cleaning / … / sex industry)
  – Portuguese immigration policy:
    • Scarcity and slowness of legal ways for regular immigration (e.g. family reunion)
    • Severe immigration control
    • Various special legalisations of irregular migrants
Several agents involved in the process of trafficking / smuggling:

- Migrants / potential migrants / victims - often active and accountable agents in this process
- Intermediary agents – more or less organised smuggling and trafficking networks
- Employers (civil construction, domestic cleaning, night-bars, …)
- Non-governmental associations
- Government and public authorities of the host country
• A regular interaction between these agents takes place \(\Rightarrow\) there is a permanent creation and (re)adaptation of strategies between individuals and groups

\[\downarrow\]

large variations in

\{ type of smuggling / trafficking
quantitative volume of the flows
modes of operation \}

• The context is favourable to the creation and strengthening of “formal”/organised networks:
  – Support of individual migrants in their legitimate migratory strategy
  – Exploitation as a form of taking advantage of the migrants’ vulnerability
• In the Portuguese case: the adaptation of agents strategies has led to a profound change in the immigration patterns and channels in the last 10 years:
  – New sending countries (out of the Portuguese-speaking area – the traditional Portuguese migratory system)
  – Very strong increase of immigration in a short time span – between 2000 and 2002 – and strong decrease afterwards
  – Many of the networks activities resulted from short-term economic and policy changes (including legalisation policies)

• This dynamic interaction between different agents creates a very changeable profile of immigration (rhythms and characteristics)
  \[\downarrow\]
  a situation largely different from the traditional channels of migration
In sum:

- The conjunction of
  - individual aspirations for migration
  - stringent migration policies
  - organised intermediary agents
  - short-term economic demand
  ↓
  lead to the surge of dynamic modalities for channelling flows

- The fact that each agent actively interacts with the others explains the continuing changes in the process