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# **‘I was not prepared to go to Spain’. Work mobility of young people at the margins in Portugal**

Mara Clemente,

Iscte-Instituto Universitário de Lisboa, Centro de Investigação e Estudos de Sociologia, Lisboa, Portugal

After the signature and ratification of some of the most relevant international instruments to fight what is frequently referred to as ‘human trafficking’, in 2007 important legislative changes were introduced into immigration law and Penal Code in Portugal which contributed to a definition of trafficking in line with international law. In the same year, the First National Action Plan against Trafficking in Human Beings (2007-2010) was adopted. The progressive consolidation of institutional attention for trafficking was accompanied by increasing research interest on the topic. From the first exploratory studies and for a long period after, and consistent with the international political agenda and literature, research focused primarily on sex trafficking of migrant women, challenging only exceptionally stereotyped images of trafficking and its recurrent identification with sex work (see, e.g. Alvim, 2018; Silva et al., 2013).

In more recent times, other forms of trafficking have entered research agendas, as well as international and national policy. However, most research continues to focus on Portugal as a ‘destination country’ of trafficked persons, and rarely considers the experiences of trafficked persons (Clemente, 2017a; Pereira and Vasconcelos, 2007). At the same time,

widespread conceptualization of trafficking as a crime seems to contribute to a low level of interest of Portuguese migration and mobility studies but greater visibility in the media, meaning most of our representations emanate from the latter as opposed to the former. This chapter aims to address this imbalance through focusing on trafficking of Portuguese young people. Based on ethnographic research with a young man trafficked in Spain, the chapter also aims to challenge the ‘deafening silence’ (Clemente, 2017b) surrounding trafficked persons in Portuguese research through contributing an empirically grounded study.

The study also challenges other stereotypes about Portuguese migration. Since the second half of the nineteenth century, migration has been a structural constant and a symbolic feature of Portuguese society. However, in a context of profound inequalities, it can also constitute an unequally distributed privilege. This study suggests that a lower level of human, financial and social capital continues to affect the mobility of young people from such countries. In some cases, their experiences of mobility and exploitation can be labelled as ‘trafficking’ but the current focus on criminal networks of traffickers fails to adequately capture a more inclusive range of forms and causes of exploitation, as are found among the young Portuguese of this study. In providing an empirical account of the trafficking-migration nexus, the chapter aims to contribute to an alternative framing of the problem.

In strategic terms, the chapter challenges current remedies for trafficking and draws attention to the opportunity for interventions that actually meet the needs of young people on the move. In the last few decades, a number of European policies and programmes have promoted learning, training and work mobility of young people across countries, inside and outside of Europe. However, mobility, as well as being an integral part of human life, continues to constitute an unearned and unequally distributed ‘good’ (O’Connell Davidson and Howard, 2015). This study confirms the need to reinforce access to resources and support the

mobility capacities of young people with fewer opportunities and/or from disadvantaged backgrounds, to address inequality and social exclusion (Cairns, 2017) and reduce their vulnerability to exploitation.

### **The problematic conceptualization of the problem**

In December 2000, after over two years of negotiations, over 80 countries signed the United Nation Trafficking Protocol, supplementing the UN Convention Against Transnational Organized Crime. Since then, the definition of trafficking has expanded to include other forms of exploitation in addition to the trafficking of women and girls for purposes of prostitution, something that has mobilized the fight against trafficking since late nineteenth century.<sup>1</sup> One of the characteristics of the definition of trafficking proposed by the so-called Palermo Protocol is to emphasise the association between trafficking and crime committed by organized criminal networks, to be addressed through law enforcement strategies.

During the last twenty years, there has been a progressive increase in the amount of multi-disciplinary, interventionist, if rarely evidence-based, literature on trafficking being produced. The number of signatory countries to the major contemporary legal instrument to address trafficking has also increased. Research into and political debate about trafficking both tend to be characterized by competing understandings of the nature and causes of trafficking, and ways to address it. Kelly and Regan (2000) identify very early different representations of trafficking as a moral, criminal, migration, human rights, public order or labour issue, as well as a gender issue. Aradau (2008) points towards four main ‘problematizations’ of trafficking as a problem of migration, organized crime, prostitution or human rights abuse. Lee (2010) describes six major conceptual approaches to trafficking - as a modern form of slavery, an exemplar of the globalization of crime, as synonymous with prostitution, a prob-

lem of transnational organized crime, a migration problem and a human rights challenge. Despite this heterogeneity, the definition of the problem by the main anti-trafficking international instrument, the Palermo Protocol, has contributed to a dominant conceptualization of trafficking as a form of organized crime, inseparable from ('irregular') migration (Lee, 2010).

In reality, research examining the link between human trafficking and organized crime has only served to emphasise the absence of empirical evidence for a link between the two (Tripp and McMahon-Howard, 2015). The same weakness can be said of claims regarding trafficking being in terms of financial profit and its dimensions, the second or the third largest criminal enterprise in the world, after drugs and arms trafficking (Weitzer, 2014). Practitioners and critical scholars also have underlined that the dominant conceptualization of trafficking as a crime that threatens national and international security ignores the structural causes of the problem and produce a depoliticization of debate, in addition to harming both the 'victims' and those who are not labelled as such through crime and punishment approach (Andrijašević, 2010; O'Connell Davidson and Howard, 2015; Kempadoo et al., 2005; GAATW, 2007; ICRSE, 2019; Blanchette e da Silva, 2014). Nevertheless, in the last twenty years, the primary concerns of different states have been the interception, persecution and punishment of traffickers' networks and the control of migration through interventions such as interstate cooperation, increasing border surveillance, restrictive migration policies and practices, raid and rescue operations, migrant detention and deportation, as well as forced rehabilitation and the subordination of protection for trafficked persons towards cooperating in criminal investigations.

Since the UN Protocol negotiations, different interventions that move from a conceptualization of trafficking as a human rights abuse problem have been claimed (Chuang,

2014). However, this approach, progressively embraced by various scholars, as well as organizations and states, has been indicated as controversial as some other representations of trafficking and the interventions designed to manage it. According to Aradau (2008), mobilizing one-dimensional personal stories of suffering individuals, passive subject of violence, the humanitarian approach implies a distribution of rights that can be (potentially) enjoyed only by particular subjects of rights (i.e. the ‘victims’) to the exclusion and the detriment of others (such as sex workers and migrants). The normalization of new hierarchies and inequalities in access to mobility, labour rights and citizenship has encouraged criticism in light of the wider conceptual framework of trafficking and emphasises the need to use a vocabulary separating ‘trafficking’ and ‘victims of trafficking’ (Andrijasevic, 2010).

Following the ratification of the Palermo Protocol, even in Portugal, in spite of human rights language, institutional mobilization on the issue of trafficking takes its lead from the hegemonic conceptualization as a criminal issue (Clemente, 2017c). Starting from a definition of trafficking as a problem caused by criminal trafficking networks, through partnership among governmental institutions, law enforcement agencies and NGOs, an anti-trafficking system has been built with the main aim of prosecuting traffickers. Extending the analysis to the Portuguese case, this paper mobilizes the contributions of migration and mobility studies and critical trafficking studies to highlight the limitations of a conceptualization of trafficking as a criminal problem, as well as problems with categories such as the ‘voluntary’ migrant and ‘trafficked’ migrant, which are based on simplistic, static and binary understandings of mobility and migration experiences.

## **Research context**

Located on the south-western edge of continental Europe, Portugal is a country that is characterized by decades of under-development and structural socio-economic inequalities that have contributed to its peripheral position in the international context, and reduced the possibility of social mobility for most of its population (Ribeiro, 2017; Carmo and Cantante, 2015). The Estado Novo [New State] authoritarian regime (1933-1974), with its rural and anti-modernist politics and ideology, contributed to the poor industrial and techno-scientific development of the country (Silva, 2013), and from the end of the 1960s, the repressive and corporative practices of the Salazar-Caetano dictatorship encouraged large-scale emigration, often of *operários-camponeses* [worker-peasants] with low wages and poor social protection.

According to Pires et al. (2011), the first cycle of Portuguese migration had already taken place between 1850 and 1930, when the unequal distribution of resources motivated many male rural laborers to move, initially to the former Brazilian colony. After the end of World War II, between 1950 and the fall of Portuguese dictatorship, there was a spike in the migration rate for men, but also migrant women (Baganha, 2003). The main destinations of the increasingly temporary Portuguese migration were the Americas and the African colonies, and, after the mid-1960s, Europe (especially France, West Germany and Luxembourg). The end of the dictatorship and of political obstacles to emigration, inaugurated a third cycle of Portuguese migration, between 1974 and 2000. In this era, with Portugal's integration into the European Union, there was also an increase in immigration into the country, an issue that became central in research and public discourse (Peixoto et al., 2016).

A fourth wave of Portuguese emigration started in 2001 (Pereira and Azevedo, 2019). This is described by Pires (2019) as a 'European phenomenon' both because it is now almost entirely directed towards traditional and new destination European countries (such as United Kingdom and Spain), with these countries now hosting over two thirds of Portuguese emi-

grants. Portuguese migration of the twenty-first century is closely related to the labour market and rise in unemployment, especially of young people, due to stagnation in economic growth and the adoption of austerity policies by Portugal. Despite the process of economic recovery from 2014, during its fourth wave, Portuguese outgoing migration witnessed the highest rates of growth since the 1960s. And it is to the experiences of ‘trafficking’ of Portuguese youth during this fourth wave that this research addresses, a time during which both mobility and its inherent precariousness has intensify (see Chapter 1), with precarity becoming a generalized structural feature of the Portuguese society affecting both the practice of incoming mobility and outgoing migrants (Cairns et al., 2016; Pires, 2019).

## **Methodological Approach**

This chapter looks at an in-depth biographical look at trafficking in Portugal via the story of a young man from the northern region of the country (see Ferrarotti, 1983). He was ‘trafficked’ to Spain and has been labelled as a ‘victim’ of labour exploitation by Portuguese law enforcement agencies. To protect his identity, I will refer to him as Pedro. He was interviewed as part of a qualitative study of Portuguese assistance and reintegration of trafficked persons.

A recent analysis of Portuguese trafficking data indicates that, between 2008 and 2014, about a quarter of 1,070 ‘presumed victims,’ whose origin is known and not protected by statistical confidentiality, are Portuguese citizens (Clemente, 2017a).<sup>2</sup> There are 269 Portuguese men and women, presumed to be exploited both in Portugal (109) and abroad (160), in particular in Spain. More recently, data has confirmed this trend. According to the most recent Portuguese report on human trafficking, in 2018, 37 of the 92 ‘presumed victims’ are of Portuguese origin, constituting 86 per cent of trafficked persons of Community origin (OTSH/MAI, 2019).



Contact details for Pedro were provided by the authorities who participated in his formal identification in the recent past. The first meeting took place in a venue nominated by the research participant. Pedro's long interview included pauses to respond to his emotional needs. The interview meeting also marked the beginning of a broader research relationship characterized by subsequent meetings at public events, meaning prolonged contact over time. Despite the formal identification as a 'victim,' at the time of the interview, Pedro was far from being in a state of concrete socio-economic (re)integration. These circumstances prompted the need for constant reflection and ethical practice that involved sharing the researcher positioning and expectations of Pedro in the research, going well beyond ethical guidelines with regard to informed consent and providing opportunities to withdraw from participation in the interview. Being formally labelled as a 'victim' shaped the interviews; that is, Pedro's language and narrative structure. His participating in interviews for national media and a write-up of his experience published in a blog have further contributed to this. In order to respond to the impact of these different circumstances in shaping data, the interview was constructed without directly asking the participant about his exploitation but asking him to talk about his past, present and expectations for the future.

## **Pedro's narrative**

### *Life before trafficking*

Pedro was trafficked in Spain in 2009, in the era of a full scale European financial crisis, when barely of legal age. During this experience, which lasted a few months, he was exploited in different activities - from small construction tasks to the collection of paper and wood.

His narrative begins with the suicide attempt with which he tried to end his exploitation but quickly shifts back to Pedro's past life of poverty, marginalization and violence.

Pedro grew up in a family that he describes as 'very poor but very humble.' During his childhood he was entrusted, together with one of his numerous sisters, to his maternal grandparents. He lived for a few years in a rural province in the north-east part of the country, known for its historic migration traditions. Upon returning to his mother's city of residence in the north of the country, family conditions lead to the institutionalization of Pedro at a facility that already hosted his other brothers. The institution for disadvantaged young people that hosted Pedro was not a space of security, but he emphasizes the protection provided by his older brothers:

Everyone looked at me sideways, but my brother didn't like to see others look at me that way and always did everything to make me feel good. He always did his best to make sure nothing bad happened to me.

Pedro left school around the age of sixteen following an episode of violence that resulted in the murder of a transsexual by a group of young college friends. The event occupied the media for a long time and led to the closure of the institution, contributing to Pedro having to leave school. In his own words:

It all fell on me too. There were great friends there. There was also the director-general of the school, who was also my friend, and then he committed suicide himself because of everything he was going through. The school after that changed a lot, it changed... Every day was just... during those weeks, it was just journalists wanting

to know everything and us... looking away. I went back home, I was studying at the time, and I went back home. I left school.

Pedro also narrates a precarious experience in a food truck on which he takes on short trips around the country. At the food truck kiosk, he meets a customer, who will be identified as his 'trafficker': 'Then [Miguel] immediately started sending words. There began a friendship, between quotes, joking, on both sides. This friendship started to be born like this.'

Miguel offers Pedro a few weeks' work in Spain, during harvest time, at the end of the summer fairs. Both Pedro and his family consider the offer as 'undeniable':

He offered twenty five euros for each work day. My mum thought it was good and I thought 'it's a great opportunity!' The proposal was good, it was undeniable. I had never been, had never been to Spain before, it was also a chance for me to know Spain.

### *Life in trafficking*

Pedro drives to Spain with his 'trafficker.' The experience that he narrates contains numerous 'indicators' that are traditionally associated with 'trafficking.' During the trip, Pedro is deprived of his identity documents and telephone, which are retained by Miguel:

I got into the van, he asked for the cell phone and wallet - I think that's all I had then, in his hands. He said it was for security... so as not to lose documents. He said it was for insurance... that kind of stuff.

Contacts, with both Pedro's family and with other people in his immediate environment, are limited:

When we arrived in [city name] he warned us that we could not leave the house. He warned us that he would be away for a few days and that he did not want us to talk to the other employees, the other employees that the other house had.

Pedro is forced to live in poor and degraded accommodations, receiving leftovers to eat:

And I don't want to talk about the food, because the food, the food was... animal wash, you know?! Many times I was having dinner, he was next to me spitting on my plate, spitting on the floor, making junk food for my plate. Many times there were bones, already gnawed by him, on my plate. I had a lot of hunger over it. When I got to dinner, I didn't even want to eat, I wasn't hungry.

During his stay in Spain, Pedro is exploited in various, hard 'services,' receiving little or no payment for working long hours:

But sleeping... it was something that was not in that house. There was no way because we leave the house, for example, at six in the morning, come back for lunch at noon, go out at two, and then be on the streets of [city name] until six in the afternoon, back to the house again at seven, dinner at eight and then go around all night to collect cardboard. Sleeping was very rare.

Although employed in hard activities, different from those originally envisaged, Pedro did not have the possibility of negotiating his work and living conditions and he is controlled through insults, abuse, and violence:

Since I was getting fed up with... with the beating that he, the beating that was not well beating, it was ...bludgeoning! I was getting fed up with his behaviour and I ended up... asking questions: 'When are we going to [city name]?', 'When do we go to the harvest and when do I go home?' He said: 'Now, harvest is still a long time from now. Now I want you to work. I want you to get everything to work. Work and, when there is dinner, we have dinner.'

Both Pedro's experience and some of his characteristics, starting from a young age, contribute to his formal identification as a 'victim.' However, his narrative, similar to that of other participants in this research, seems to remain very distant from the presence of transnational organized crime networks. Pedro's recruitment, transportation, transfer, receipt and exploration see Miguel as the only protagonist. He moves Pedro from Portugal to several Spanish towns where he or his family resides and where he is exploited, especially for small construction or other jobs, and family activities. As Pedro explains:

Early in the trip he said he was no longer going to [city name], but was going to stop in [city name] because his parents were making a small carousel garage, because it was all a family of carnies. (...) [I]n [city name], we were also helping his wife's parents in jobs like chopping wood.

The family of the ‘trafficker’ certainly benefitted from the exploitation of Pedro. Meanwhile, Pedro describes these as ‘impeccable’ people. They, among other things, intervene in defence, against the violence inflicted on him by Miguel with whom moments of tension are created:

His father made me take off my pants, show him the wound and was upset with me that I lied to him... I had more beating from [Miguel] because I showed my leg to his father. For this and other reasons, we stopped going to his parents.

### **Reframing trafficking**

The consideration of the causes and the modalities which favours mobility but also the exploitation of Pedro lead us further away from a static and binary categorization of people into ‘migrants’ vs ‘victim’. Trafficking, especially when it involves children and young people, is recurrently seen as a violent isolated event within the ‘victim’ biography. But Pedro’s narrative encourages the opportunity of viewing trafficking as a broader ‘process’ (Hynes, 2010) within which life before trafficking, with its structural marginalities and inequalities, is inextricably intertwined with mobility and exploitation trajectories.

Despite the evocation of informal support and the surveillance from his family network, Pedro’s life is marked by a context of profound social exclusion and, at times, violence. Within this context, Pedro is a young man with low education and unregulated low-work experience in informal sectors. He ‘had nothing else to do.’ The possibility of a temporary work mobility in neighbouring Spain proposed by his ‘trafficker’ responds to the lack of perspectives of the young man and his family in a similar way to what happens to many Portuguese

who, from the beginning of the 2000s, are migration protagonists. In recent decades, despite the decrease of migration fluxes since the 2008 financial crisis, Spain had been one of the most significant destinations for thousands of unemployed and low paid precarious workers without professional and social mobility prospects, moving mainly from north-western areas of Portugal (Queirós, 2019; Pires, 2019). As emphasized by Queirós (2019: 161), the interactions between the Portuguese migrants' social history and the repeated and long-lasting periods of social and economic constraints are the origin of the (re)production of migratory acts 'that are plausible because they are probable.'

Actually, in Pedro's experience of mobility, the need to answer to the labour demand that, up to that point, had seen Pedro as the protagonist of short duration mobility within the country, is intertwined with other expectations often left behind at the edge of debate and reflection. Pedro's work mobility also relates to more worldly ambitions, starting from that of travelling and discovering new geographies and meeting new people. As the young man's words suggest, Portuguese migrants history also contributes to the desire of those that Mai (2011) would describe as 'individualized and hedonistic' lifestyles and mobility experiences:

I had to know everything, and there was always a huge desire in me to visit another country. I speak of this desire because I have a lot of family around the world, from France to Spain, and I was always curious to know other lands, new people. So, in the city of [city name], I walked from street to street, until I got tired, and sitting on the sidewalks of each of the streets.

Meanwhile, structural exclusion and inequality encourage but also limit the work mobility of Pedro. When he was offered to work for a few months during the harvest, he 'was

not prepared to go to Spain.’ In addition to a young age and limited work and mobility experience (human capital), Pedro and his family did not have the economic conditions to finance the migration as well as the return of Pedro (financial capital). As he says, when he manages to escape from the situation of exploitation in which he found himself and contacts the family in order to return to Portugal, his mother is faced with the impossibility of supporting the return: “‘My son’ - she said, ‘I have no way to get you, I have no money to go there!’”

Although migration constitutes a structural feature of Portuguese society, both Pedro’s departure and his return to Portugal do not involve the possibility of mobilizing family members and/or close members of his personal network (social capital). The importance of ‘making friends’ is constantly evoked in Pedro’s narrative. However, the only controversial reference within his mobility experience is represented by the family members of the person identified as his trafficker. The mobility of Pedro, a Portuguese citizen who moves within the EU boundaries, is not confronted - or is not immediately confronted - with the strict migration laws and restrictive border controls that characterize ‘fortress Europe,’ rendering many migrants vulnerable to exploitation (see Aradau, 2008; O’Connell Davidson, 2015; ICRSE, 2019). His trafficker, although distant from the imagination of the great organized networks, takes advantage of his lack of human, financial, and social capital to migrate, and his need to find a means of survival in a context of profound inequalities and lack of opportunities. All of this makes Pedro’s experience a ‘labor migration gone horribly wrong’ (Chuang, 2014: 639).

There is one aspect of Pedro’s narrative that cannot be left behind by referring to the internalization and naturalization of domination and exploitation reported by Queirós (2019) in his study of Portuguese construction workers in Spain. According to Queirós, the exceptional and transitory character of contemporary work mobility recurrently contributes to the internalization of social inequalities and the naturalization of moral and physical violence suf-



ferred daily in the workplace. These costs of migration are usually justified with the financial compensation involved and are reinterpreted using the logic of male stoicism and virtuosity. They are schemes of thought and action that seem to be reproduced by Pedro. He normalizes conditions of labour exploitation to which he is subjected by the family of his trafficker. Despite the completely symbolic value of his salary and the precarious conditions of life and work, he describes his interlocutors as ‘five-star’ people:

Seriously. They always showed up... I speak for myself. They always respected me, always did me good, always offered me everything. A five star person, both he and his wife. He was impeccable. They gave us everything. Every day we were given five euros each, if we wanted to go out, have a cup of coffee, buy a pack of tobacco, we would go. We had a house, we had food, we had a bath...

Before that, when his ‘trafficker’ communicates that the work in the harvest will only be after some construction work for his family, Pedro reinterprets the change of programme in front of which he is placed as an opportunity to gain experience:

Then he said to me: ‘Let’s stay in [city name], let’s stay for two, three weeks and a few, to finish this work of my father.’ Me there: ‘So what about the harvests?’ There will be no more harvests, it was a lie on his part. Alright... I liked construction, I didn’t like construction, of course not, but I wanted to know more about these parts.

Overall, Pedro's narrative seems to reproduce the feelings of inadequacy and inferiority and the naturalization of exploitation reported by Queirós. Meanwhile, Pedro, unlike other young people with whom he shares his exploitation experience, also seems to oppose these schemes of thought and action. What makes his experience particularly violent, but also contributes to his emergence, is the fact of rebelling. Arturo, a young man who is in the same situation as Pedro, does not do the same thing but seeks individualized solutions to his condition:

[Arturo] was basically a saint: he did nothing. If I did something, [Arturo] would tell [Miguel]. [Miguel] also beat [Arturo] a lot. I saw it. But [Arturo] was like his dear little son. Everything I did, [Arturo] told him.

## **Notes for the Future**

When I met Pedro, it had been seven years after his 'trafficking' experience. During these years, Pedro learned that the abuse and violence he had experienced during his stay in Spain could be labelled as 'trafficking.' Pedro has never been hosted in any one of the many shelters that in recent years have engaged an increasingly number of psychologists and social workers. He had a house. Although he had decided to cooperate in criminal investigations against his trafficker, the trial was still ongoing. Pedro reported the informal support of an organization that, in some occasions, invited him to participate in interviews for the national media. Despite the continuous repetition of his history of violence and abuse, Pedro has never had access to rights entitled to 'trafficking victims' like that of compensation.

When I met Pedro, he had learned to talk about his life during trafficking and to refer to himself a 'victim' and/or 'slave.' However, both his present and the future remained pre-

carious and uncertain. He had returned to a context of profound inequalities and structural marginality which had motivated his mobility to begin with but remained distant from socio-economic inclusion, waiting for a vague ‘good chance’ to arrive. This study suggests that, if migration is the only ‘chance’ for many young people with fewer opportunities and disadvantaged backgrounds, the mobility capacities of these young people should be strengthened to reduce their vulnerability to exploitation. Are the needs of young people at margins sufficiently considered by current European policies and programmes promoting learning, training and work mobility of young people across the world? The experience of Pedro suggests not.

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## **Notes**

1. The United Nations 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) defines ‘trafficking in persons’ as ‘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.’

2. As a component of the Portuguese trafficking monitoring system, the expression ‘presumed victim’ is used with reference to a person about whom there exist strong indications of a trafficking experience. The ‘confirmed victim’ classification is designated by law enforcement agencies (Judiciary Police or Immigration and Borders Service) to a person as a result of a police investigation.

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