

Repositório ISCTE-IUL

Deposited in Repositório ISCTE-IUL:

2022-12-15

Deposited version:

Accepted Version

Peer-review status of attached file:

Peer-reviewed

Citation for published item:

Clemente, M. (2019). Anti-trafficking discourses, migration control and representations of trafficked women: The Portuguese case. In Agnieszka Hennel-Brzozowska, Magorzata Pamua (Ed.), Migration and education: To understand relations between migration and education: Challenges for research and practice. Kraków: impuls.

Further information on publisher's website:

https://www.impulsoficyna.com.pl/ksiazki-w-wersji-angielskiej/1592-migration-and-education.html

Publisher's copyright statement:

This is the peer reviewed version of the following article: Clemente, M. (2019). Anti-trafficking discourses, migration control and representations of trafficked women: The Portuguese case. In Agnieszka Hennel-Brzozowska, Magorzata Pamua (Ed.), Migration and education: To understand relations between migration and education: Challenges for research and practice. Kraków: impuls.. This article may be used for non-commercial purposes in accordance with the Publisher's Terms and Conditions for self-archiving.

Use policy

Creative Commons CC BY 4.0

The full-text may be used and/or reproduced, and given to third parties in any format or medium, without prior permission or charge, for personal research or study, educational, or not-for-profit purposes provided that:

- a full bibliographic reference is made to the original source
- a link is made to the metadata record in the Repository
- the full-text is not changed in any way

The full-text must not be sold in any format or medium without the formal permission of the copyright holders.

Anti-trafficking discourses, Migration control and Representations of trafficked women. The Portuguese case

Mara Clemente

mara.clemente@iscte-iul.pt

Istituto universitário di Lisboa (ISCTE-IUL), Centro de Investigação e Estudos de Sociologia (CIES-IUL), Lisboa, Portugal

Introduction

Since the late 1990s, trafficking in human beings (THB) has received increasing international attention. The problem has attracted the attention of numerous States and non-governmental organizations, and has been considered as one of the priorities of the agenda of several international agencies.

A historical debate on the nature of THB and its relation with prostitution, irregular migration, labor exploitation and transnational crime divides abolitionists and labor and migration activists. Meanwhile, the international definition of THB proposed by the United Nations Trafficking Protocol (2000)¹ emphasizes a criminological interpretation of THB as an act or series of acts of violence perpetrated by transnational networks of traffickers that move and exploit people. A conceptualization that contributed to focus on the prosecution of traffickers, strengthening border control systems, and questionable immigration policies (ARADAU, 2004, 2008; KEMPADOO, 2005; LEE, 2011).

Sometimes media and "celebrity humanitarianisms" (KAPOOR, 2010), works of art and fiction films, have fed myths and stereotyped images of trafficked men and women, questioned by trafficked persons themselves (ANDRIJASEVIC, 2007; ANDRIJASEVIC; MAI, 2017; BLANCHETTE; SILVA, 2011; COJOCARU, 2017).² Images according to which "victim" is a woman, preferably young or even a child, innocent, naive and passive, within a respectable project of life and, in general, with desirable personal attributes, life course and social behaviors (DOEZEMA, 1999). Images that do not take into account the heterogeneous and complex trajectories of migrant workers - especially women in the sex market (AGUSTÍN, 2007; ANDRIJASEVIC, 2010; BRENNAN, 2014, 2016; KEMPADOO, 2007; MAI, 2013; PISCITELLI, 2013), in relation to whom there is a tendency to deny them any initiative and agency, both in the choice to emigrate and sell sex, and in the trajectory of exit from the experiences of exploitation and participation in assistance programs (BRUNOVSKIS; SURTEES, 2007,

¹ According to the UN Protocol of Trafficking (art 3a), trafficking in persons refers to "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 purposes 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 In this article and, more in general, in my research, I prefer the expression "trafficked person" instead of the emotional term "victim" that, by focusing on vulnerability and trauma, appears not to recognize the agency of subject to whom it refers. The ability to exit from victimization experiences also appears in contrast to the concrete possibilities of access to the rights provided to "victims" of trafficking, reinforcing doubts about the use of this term.

2008, 2012; BRUNOVSKIS; SKILBREI, 2016; SURTEES, 2012). Ideas that, in addition to legitimizing stricter border controls, more restrictive immigration policies, and conservative and criminalizing interventions on sex work, contribute to a complex identification of the potential trafficked women and their controversial access to their rights.

Over the last ten years, THB has attracted increased political attention also in Portugal. The process that Piscitelli (2016) defines as the "capillarization of the anti-trafficking regime", that is, the articulation of the constellation of policies, norms, discourses and knowledge on trafficking from the international and European level to the Portuguese national level, has been historically characterized first of all by the tendency to reproduce at national level the political agenda and the international discourse and/or the experience of other countries (BORDONARO; ALVIM, 2011; CAMPANI; GAROSI, 2003). This circumstance finds a first expression in the affirmation of an idea of THB as a transnational organized crime, with the consequent subordination of the rights of trafficked persons to the prosecutions of traffickers. It is accompanied by practices of tightening of border controls and in the sex market. Furthermore, also in Portugal, stereotypical images of trafficked persons seem to contribute both to denying their agency and stigmatizing migrants and workers, particularly migrant women in the sex trade, who do not conform to a simplistic representation of the powerless, passive, enslaved victim. These people are not considered "worthy" of or "suitable" for the status of victim or deserving of help from the criminal justice process. Thus, these migrants and sex workers remain excluded from the possibility of formal identification as "victim" of trafficking and, more generally, of access to the rights of trafficked persons (CLEMENTE, 2017b). In the following pages, I analyze the conceptualisation of trafficking - with particular attention to trafficking for sexual exploitation - and the representations of trafficking persons in Portugal. I started working on the problem in the country in 2014, with a qualitative study of trafficked women, trafficking experiences and measures of assistance. Although this research has been characterized, among other things, by the first experience of observation in a shelter for trafficked women in Portugal, I will concentrate here above all on the discourse of more than 40 institutional actors and civil society organizations interviewed. I will dwell on the challenges posed by a law-enforcement approach to migration and stereotypical images of trafficked persons and their trafficking experience at the moment of their formal identification - a fundamental condition for access to the their rights.

The conceptual framework

THB is a complex matter that crosses a wide range of social problems. Since the second half of the 1990s a heated debate has involved its definition and the need to differentiate it from smuggling of migrants³ and organized crime. Meanwhile, even after the definition provided by the Palermo Protocol, the question posed by the continuum between trafficking and smuggling of migrant persists. The difficulty in establishing, in practice, the presence of elements of deception and/or coercion sufficient to "elevate" a situation of irregular migration to one of trafficking early emerged (SALT, 2000). As underlined by Anderson and O'Connell Davidson (2002, 2003), the Palermo Protocol does not define fundamental concepts such as exploitation, coercion and vulnerability, with the result of leaving confused and often ineffective the distinction between THB, smuggling of migrants and immigration. The suitability of this categorization has been repeatedly questioned by research experiences suggesting a reading of

-

³ According to the UN Protocol against the Smuggling of Migrants by Land, Sea and Air (art 3a), smuggling of migrants referes to "smuggling of migrants' shall mean 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".

trafficking in terms of a "corrupt mode of migration" that transforms very specific migratory projects into nightmares (ANDERSON; O'CONNELL DAVIDSON, 2003) or a "labor migration gone horribly wrong" (CHUANG, 2006).

The research results that inform this article reinforce an idea of trafficking as a migratory response to current global socioeconomic trends (CHUANG, 2006). In particular, the experience of trafficking can intervene during experiences of mobility that aspire to respond to economic expectations and to complex emancipatory aspirations. Trafficking in women for purposes of sexual exploitation can first be read as a "case of migration involving sex work in the context of unequal relations between the global North and the South" (KEMPADOO, 2016). An experience often punctuated by modern individualistic, romantic, hedonistic aspirations (BRENNAN, 2014; ELLIOTT; LEMERT, 2006; MAI, 2013). Poor social capital combined with restrictive migration policies can create conditions of vulnerability to trafficking of migrant workers - especially women, despite growing demand for their work in the richer countries and regions (CHUANG, 2006).

A criminological interpretation of trafficking has encouraged responses focused on measures such as strengthening border controls and deportation of trafficked persons considered "illegal" migrants, as well as the subordination of the protection of trafficked men and women to their cooperation in criminal investigations.⁴ A careful reflection problematizes this security approach from a human rights perspective (ADAMS, 2011; GALLAGHER, 2006; LEE, 2011). Actually, as Aradau (2004, 2008) observes, in recent European policies to combat trafficking, a security discourse that sees migrants, asylum seekers and trafficked people as a threat intertwines with a humanitarian discourse that focuses on the need to rescue them. However, the humanitarian restructuring of a security discourse by redefining trafficking - from a threat for the States to a threat to trafficked persons at risk of revictimization by States - ultimately results in the construction of bodies to be disciplined and governed to contain, once again, the risk of new "illegal" migrations.

In the meantime, migrants, especially those who do not possess the personal and biographical characteristics or the ideal standards of victimization and/or who do not passively adapt to the infantilizing modalities and the disciplinary objectives of the rescue interventions, will be excluded from said interventions and from the possibility of being identified as "victims" of trafficking.

Conceptualisation of human trafficking

Victims exist because transnational human trafficking criminal network exist - more or less organized,

⁴ The link between the protection of trafficked persons and cooperation with the police forces is set in European conventions and directives, which see this as an advantage for both the prosecution of traffickers and the protection of trafficked persons. In particular, it is established for the first time in Council Directive 2004/81/EC of 29th April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities. This Directive introduces a "Reflection period" (Article 6) to enable trafficked persons allowing them to recover and escape the influence of the perpetrators, and links this with the informed decision to cooperate with the competent authorities "so that they cooperate freely and hence more effectively". Similarly, issue and renewal of the residence permit (article 8) is subject to the existence of a clear intention of trafficked persons to cooperate in investigations or the judicial proceedings. More recently, the unconditional character of assistance and support for trafficked persons has been affirmed by Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. In particular, Article 11 of the Directive provides that "assistance and support for a victim are not made conditional on the victim's willingness to cooperate in the criminal investigation, prosecution or trial, without prejudice to Directive 2004/81/EC or similar national rules". However, to date, no proposal to revise the first Directive, which is currently in contradiction with the second, has been advanced.

some more formal, some more informal, that recruit, groom, transport them here. If we dismantle these networks, this network does not bring more victims. [...] There is always someone who will take advantage, there is always someone with less scruples and a certain profile that leads him to committing crimes and that will take advantage of the fragility and vulnerability of the others, the other human beings next to him (Organ of Criminal Police - OPC Representative).

The words of this representative of the Portuguese Criminal Police well express the predominant, although not exclusive, definition of THB I encountered during the last years of research in Portugal. A conceptualisation also shared by many organizations directly or indirectly involved in interventions on the problem. A conceptualisation of THB as a violent form of crime with one or more actors formally or informally organized and responsible for. The focus is on trafficked person(s) and trafficker(s). In relation to the first, there is recognition of the fact that "accepting the context that will victimize them is always in the search for a better life" (OPC Representative). However, the ultimate responsibility for the existence of the problem is generally attributed to the presence of a third-person, a monstrous figures. By combating him, the monstrosity of THB can be beaten. The broader system of actors and relations, as well as the political, economic and cultural context in which trafficking fits, often appears secondary.

If interventions are inseparable from the conceptualizations of the problem (LEE, 2011), in recent years an understanding of the THB as a form of transnational organized crime justified a growing investment of resources in surveillance and national border controls. In Europe, experiences such as Frontex operation Triton or the latest European Union's Operation Sophia provide some examples of the most controversial Mediterranean militarization initiatives behind the stated goal of deterring all potential traffickers of human beings. Even with its own characteristics, we find this trend in the Portuguese experience where, according to the most recent Immigration, Frontiers and Asylum Report annually elaborated by the national entity responsible for the control of the external borders - the Foreigners and Borders Service (SEF):

The growth trend in the number of people controlled at the borders was consolidated in the 2016. In a total of 15.417,177 controlled persons (+ 8.7%), it is worth highlighting the reduction in the control of maritime borders (-4.3%), in contrast to what happened at the air borders (+ 11.0%). It should be noted that the impact of the border control activity was reflected in the increase of the number of refusals (+ 28.9%). On the other hand, there was a decrease in the number of visas issued at the border (-5.4%) (SEF/GEPF, 2017: 33).

Among the various informants, the reinforcement of the barriers to entry of migrants, potentially trafficked, in the country is often referred to as one of the main measures of contrasting trafficking in recent years:

I think it was for the intervention of various elements. First, screening here, screening in the territory of destination. Screening upon arrival of the victims of exploitation. [...] A more attentive intervention of the SEF, where you went yesterday. This in the last ten or twelve years, attention. A more attentive and muscular intervention of the SEF at the borders to deny entrance. They come back, okay? They [SEF] perceive they [migrant women] are coming for the prostitution (OPC Representative).

The selective and repressive functioning of the Portuguese border - and the wider Schengen area, based on discourses that emphasize the fight against trafficking and the defense of human rights, traditionally concern women's migration flows (SACRAMENTO, 2015). Within this framework, Brazilian women are traditionally subject to an association with prostitution and disqualifying representations, especially when they embody the mulatto's

racialized, subalternized and sexualized stereotype (PADILLA, 2007). In the words of a criminal police representative:

Brazil: if it had 150 million women, not all are prostitutes and not all who practice prostitution, not all put themselves in the position of becoming victims. Therefore, people already have a propensity, by their own characteristics, and then because of circumstances. As I said, search for a better life, extreme need... okay, but it does not happen at all.

Postponing elsewhere for an analysis of strategies used by migrants, especially women in the sex industry, to circumvent mobility control (RIBEIRO et al., 2007, SACRAMENTO, AL-VIM, 2016), what is important to emphasize here is that the objectives of containment of irregular migration and the pursuit of trafficking in crime have not only encouraged the attention on controls at national borders. They also encouraged many countries to refuse to provide unconditional protection to trafficked migrants. Even in Portugal, their rights depend on two conditions: the formal identification of trafficked persons by police forces and their useful collaboration in criminal investigations. In particular, the Portuguese "Reporting - Identification - Integration" system of trafficked persons specifies that any police force, NGO, "presumed victim" or member of the public can report possible cases of trafficking. Regardless of who reports the "presumed victim", identifying trafficked persons is the responsibility of the police forces. In addition, the will of trafficked persons to collaborate in police investigation and repression of THB or aid to illegal immigration is one of the fundamental conditions for access to their rights, such as the residence permit in the country. In particular, residence permits for trafficked persons of non-European origin are subject to article 109 of Law 23/2007, which states that a permit can be issued but is subject to three essential conditions: the person must clearly express his intention to co-operate with the authorities to facilitate the investigation, the potential benefit of the trafficked person's presence for investigation purposes and criminal proceedings will be taken into account, and the person must cease all relations with the persons suspected of having committed the offences concerned.

This security approach to human trafficking of many European countries and even in international organizations, is a controversial issue. It puts us in front of what Lee describes in terms of "double identification of trafficked persons as "victims" and irregular migrants, deemed both "at risk" and "risky" to the state, to be "rescued" through welfare-cum-criminal justice interventions, yet whose suspect mobility have to be contained within an immigration control framework" (2011: 59). Even in Portugal, it was pointed out that the barriers to the mobility of the poorest migrants are directly responsible for the persistence of exploitation phenomena and, in particular, for the difficulty of social and legal protection of women in the sex market (see, i.e., OLIVEIRA, 2011; PEIXOTO *et al.*, 2005; RIBEIRO *et al.*, 2005; SILVA, 2013). The current process of securing migration also raises the problem of its harmonization with the concrete possibility of access to the rights of trafficked migrants. In relation to this challenge, at least three different approaches emerge among the different informants.

The first one, which involves different institutions and a small number of civil society organizations, see full adherence to the current European and international approach on the problem with the prioritization of the fight against crime and the persecution of its perpetrators. Therefore, the emergence of a trafficking case is usually followed by the signaling to the competent authorities and the task to assist the trafficked person to denounce those responsible for the crime. Access to shelter for trafficked men and women opened in recent years is subject to formal identification as "victim" by police forces and, more generally, the expected rights are subject to their adherence to the higher criminal justice objective of persecution of traffickers.

A second approach seems to express a concern with the harmonization of the objective of combating trafficking and punishing traffickers with the protection of trafficked men and women. This concern is expressed in particular by a small group of civil society organizations actively involved in the current anti-trafficking system which discreetly denounces some of the challenges posed by the times and modes of action imposed by criminal justice objectives, but who adhere to them, trying to reconcile them with the recognition of the rights of trafficked persons. In the words of one of the organizations interviewed:

They [police forces] even prefer that the victims be hosted [in the shelter] for a while, even if they return to the country of origin, but at least they have the information for future memory... but this needs time, not all people feel free to talk about everything, they feel very pressured there. [...] That is why this articulation that we [the organization] have with them [the police] is important, in the sense that we also have an important role to help in the process, but calmly, trying to explain that it has to be one thing at a time.

Meanwhile, the protection of trafficked persons may call for informal and "creative" solutions, despite formal adherence to the supreme goals of criminal justice:

There are other ways, as she [the victim] is hosted, there are other ways, also for the residence permit, because she is assisted. We have to get around the system. We should not say that, but that's the way it work, and we all work in this way, do we not? If you can not do it in one way, you'll get it in another. [...] If you are not being assisted, you may not have the same rights. That's true. Now each case is a case. [...] To solve and see what is the best way. But I think that's also the main goal of our work, it's creativity.

A radically contrary approach to those described so far is that one of a significant number of organizations that emphasize the protection of trafficked migrants, particularly in the sex market. This is an approach crossing the different organizations, sometimes with divergent readings about sex work. They once again question the modalities, timing and effects of the adherence of trafficked persons to the objectives of criminal justice of fight against crime and prosecution of traffickers. In the words of one of these organizations:

The pressure of the situation is very strong. And therefore the time [of reflection], a short time, still implies an even stronger pressure. And then many times, in this process of collaboration with the police, there is a re-victimization. The person experienced a situation of suffering, of great suffering while being trafficked, and then he/she goes through a situation of suffering for being victim of traffic. It is not enough for the person to have suffered with the problem that has passed, then, afterwards, still have to suffer the consequences of this problem. Obtaining the residence permit is a very complicated. They often have to articulate with the country of origin, have to send the money to try to get a document, then the document is not the right one... [...] In most cases they do not want. We have had real cases of women whose families have been assaulted, cases of people who have died, relatives, cases of people who have been beaten and who have ended up at the hospital in the countries of origin (NGO Representative).

In the case of these subjects, not always outside the current anti-trafficking system, but in substantial tension within it, the protection of trafficked persons must be confronted, inter alia, with the risk of forced repatriation of migrants from third countries and/or their choice to engage in sex work, albeit out of exploitative and abusive situations. In general, these different actors are opposed to the current "fazer direitinho" (MURRAY, 2014), understood in this context as an institutional approach to trafficking which generally is concerned with what Europe requires, but not necessarily with what is "right". Meanwhile, the "fazer direito", that is, the struggle for rights poses the challenge of finding paths alternative to the formal one. In the

words of one of the organizations interviewed, "the problem is to circumvent the law, to find an article of law that can help these people".

Finally, the different approaches described correspond to different possibilities of access to the rights. In some cases, there is the possibility to claim the rights, at least formally foreseen. In others, it will be necessary to use alternative ways to those officially planned, certainly far from those to which the "victims" would be entitled.

Conceptualizations of "victim"

In the last years, during my research, the encounter with trafficked men and women had to constantly confront various barriers beyond those imposed by restrictions on their access to national borders and the repatriation of migrantes who, after entering the country, are identified as "victims" of trafficking. They are barriers that refer to simplified and stereotyped, pathological and stigmatizing concepts of trafficked persons and their trafficking experiences. These barriers provided the opportunity to limit or control access to them. Research now suggests that such understandings of trafficked persons - especially sexually exploited women, are not far from those with which they are confronted at the time of their identification and eventual access to the rights.

These conceptualizations are based mainly on an idea of trafficked person as having an anomaly or pathology that makes conceivable the oppression and abuse of others. The possibility of victimization and, with it, recognition of victim status also seems to require that "victims" have acceptable qualities of integrity, humility and even naivety. The alleged inferiority of women and minors age or the pathology of people with disabilities make them ideal victims of those who adhere to a preconceived idea of trafficked person. However, uprightness and conformity to dominant morality are required of potential trafficked women with the result that the stigma surrounding prostitution and women on the sex market may call into question the possibility of their victimization. Prostitution can create a state of exception in the complex recognition of abuse and exploitation. In the experience of one of the organizations interviewed:

When we give an example in training, people have a tendency... it is difficult for them to realize that exploitation can be possible in the case of a woman who was already prostitute [...] A woman who is simply sexually exploited is seen as someone different from a prostitute who is trafficked and exploited. People see them as completely different situations. One is a victim, the other is not.

The idea of a trafficked woman for sexual exploitation is often associated with the fraud of the young, naive, vulnerable, passive object who ends up in prostitution and experience physical suffering and abuse. Actually, even among my interlocutors - both representatives of criminal police and NGOs - it is not uncommon to be aware of the fact that such stereotyped and simplified images do not always respond to the varied experiences of trafficking persons and, in particular, of those trafficked for sexual exploitation. Heterogeneous and complex experiences of women and men who have a migratory project and move to improve their lives. Women who may have previous experience in prostitution or who have consented to work in the sex industry. As a criminal police representative suggests, deception and kidnapping, as well as the presence of extreme situations of control and embarrassment "that we are waiting to find" in trafficking tales, can be exceptional:

The trafficking victim, the few, the few percent who actually suffer - that victim we are waiting to find -, who cries and who says "they did me harm and so on"... This happens in a few cases. [...] Be aware that abduction cases for sexual exploitation are very few, okay? I just remember a situation here [in the intervention area]. They are very few, they are very few, because they come here because they want,

they go out, they go to the shopping center, they go to this house, they go all together, therefore, they are free in their movements. Their movements are completely free (OPC Representative).

In the case of trafficking for sexual exploitation, the different positions on prostitution - now seen as a form of work, now as a form of abuse - historically inform the debate around the problem. Even when the idea is that trafficking is different from sex work, a distinction is made between trafficked women who have chosen prostitution and women who have not chosen it:

What happens in the case of the sexual trafficking is that most of the victims, contrary to what sometimes appears, most of the victims, especially those who came from Brazil, which has reduced, most of the time know that they come for prostitution. They are prostitutes already in the country of origin and come to exercise it here. What changes, somewhere along the way, are the assumptions of the business. [...] On the contrary, for example, the victims who come from the east, from Romania, these, most of them, are younger, sometimes minors age, and come with the false assumption that they come to work in a restaurant or a bar, but not for prostitution. They think they come to work in a normal job. And then they are forced to prostitute themselves, with violence, etc. (OPC Representative).

The distinction between a trafficked sex worker and the innocent victim is often accompanied by the pathologization and stigmatization of the former and her conviction to remain within the bounds of the possibilities of eligible protection after trafficking. In the words of one of my informants:

That inclination that there was in Brazil - instead of working, instead of working in a bar, or a factory, or in the countryside, they thought the way was that one: the prostitution. Then there are the circumstances of life. I could also be a bandit and Mara be a prostitute. I do not know. When they come here they come to do exactly the same as they did there. They hardly want another work, you know? (OPC Representative).

Beyond my objectives is an analysis of the historical pathologization of prostitution that immediately refers to the triumph of the Lombroso's biological determinism about the autonomy and the capacity of choice of a woman who sells sex. A pathologization that seems to persist, albeit with different arguments, getting on denying women's agency and shifting the focus of attention away from the structural causes of prostitution. With regard to the objectives of my analysis, I consider the analysis of Brunovskis and Surtees (2008) to be particularly interesting: focusing attention on the systems of assistance of trafficked women they link the pathologization of prostitution and migration with a tendency to conceptualize assistance on the correction and rehabilitation of trafficked women. A trend confirmed in research experience in Portugal, configuring a new barrier to access to assistance and reintegration of women (and men) even after formal identification as "victims" of trafficking.

Open issues for the future

Despite the efforts to adapt to the political and legislative, international and European framework and to build an anti-trafficking system, in Portugal the identification of trafficked persons still presents many weaknesses. These largely reflect the limitations and contradictions that historically accompany the definition of the problem as well as its political and discursive logics. In particular, the difficulty of ensuring the identification and rights of trafficked men and women refers primarily to a security approach to migration. This has encouraged the various European countries to strengthen cooperation, share information and develop strategies to improve border controls. However, the security of the nation-state does not seem to easily harmonize with the safety of migrants and the human rights of those facing serious ex-

ploitation. The Portuguese experience reinforces doubts on the possibility that legal and migration issues can be solved through the conceptual, political and legal framework of trafficking which, by focusing on criminal networks and their prosecution, seems to divert attention from economic and social problems. The result is that condemnation and the fight against trafficking coexist with the stigma and tolerance of labor exploitation, especially of migrants who escape a simplified and stereotyped image of violence and abuse.

Meanwhile, the Portuguese case places some questions. Is it possible to have a greater involvement in the anti-trafficking system of organized civil society which is historically on the sidelines of the Portuguese anti-trafficking system (Clemente, 2007a)? Could the greater participation by different actors in the field, such as the different organizations with experience with sex workers and/or with experience on migration issues, encourage a more articulated and less stereotypical idea of trafficked persons? Is it possible to have a critical involvement of different actors on the subject of trafficking that is not resolved in an interested use of representations of trafficked persons for the consumption of opportunistic actors involved in the "rescue" of the "victims"?

Acknowledgments

The author acknowledges financial support from the Foundation for Science and Technology (FCT) via the post-doctoral grant SFRH/BPD/93923/2013. This fellowship was hosted by the Centre for Research and Studies in Sociology (CIES-IUL) at ISCTE-University Institute of Lisbon (ISCTE-IUL).

References

ADAMS, Cherish. Re-Trafficked Victims: How a Human Rights Approach Can Stop the Cycle of Re-Victimization of Sex Trafficking Victims, *George Washington International Law Review*. 43, 1, pp. 201-234. 2011.

AGUSTÍN, Laura Maria. Sex at the Margins, Labour, Markets and the rescue Industry. London: Zed Books, 2007.

ANDERSON, Bridget; O'CONNELL DAVIDSON, Julia. *Trafficking: A Demand Led Problem?*. Stockholm: Save the Children Sweden, 2002.

ANDERSON, Bridget; O'CONNELL DAVIDSON, Julia. *Is Trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study. IOM Migration Research Series, No. 15.* Geneva: International Organization for Migration, 2003.

ANDRIJASEVIC, Rutvica. Beautiful Dead Bodies: Gender, migration and representation in anti-trafficking campaigns. *Feminist Review*, 86, 1, p. 24-44. 2007.

ANDRIJASEVIC, Rutvica. *Migration, agency, and citizenship in sex trafficking*. New York: Palgrave Macmillan, 2010.

ANDRIJASEVIC, Rutvica; MAI, Nicola. Editorial: Trafficking (in) representations: Understanding the recurring appeal of victimhood and slavery in neoliberal times. *Anti-Trafficking Review*, 7, pp. 1-10. 2017.

ARADAU, Claudia. The Perverse Politics of Four-Letter Words: Risk and Pity in the Securitisation of Human Trafficking. *Journal of International Studies*, 33, 2, pp. 251-277. 2004.

ARADAU, Claudia. Rethinking Trafficking in Women. Houndmills: Palgrave Macmillan, 2008.

BLANCHETTE, Thaddeus Gregory; SILVA, Ana Paula Da. O mito de Maria, uma traficada exemplar: confrontando leituras mitológicas do tráfico com as experiências de migrantes brasileiros, trabalhadores do sexo. *Revista Interdisciplinar da Mobilidade Humana*, 37, pp. 79-105. 2011.

BORDONARO, Lorenzo; ALVIM Filipa. Tráfico de mulheres em Portugal: a construção de um problema social. In SILVA P.G. et al., Etnografia e intervenção social. Por uma praxis reflexiva. Lisboa: Colibri, 2011.

BRENNAN, Denise. *Life interrupted: trafficking into forced labor in the United States.* Durham: Duke University Press, 2014.

BRENNAN, Denise. Myths Meet Reality: How We are Not Fighting Trafficking or Supporting Trafficking Survivors. *New York Law School Law Review*. 60, 3&4, pp. 605-613. 2016.

BRUNOVSKIS, Anette; SURTEES, Rebecca. Leaving the Past Behind: When victims of trafficking decline assistance. Oslo: Fafo, 2007.

BRUNOVSKIS, Anette; SURTEES, Rebecca. Agency or Illness - The Conceptualization of Trafficking Victims' Choices and Behaviors in the Assistance System. *Gender, Technology and Development*, 12, 1, 53-76. 2008.

BRUNOVSKIS, Anette; SURTEES, Rebecca. A Fuller Picture: Addressing trafficking related assistance needs and socio-economic vulnerabilities. Fafo, Oslo, 2012.

BRUNOVSKIS, Anette; SKILBREI, May-Len. Two Birds with One Stone? Implications of conditional assistance in victim protection and prosecution of traffickers. *Anti-Trafficking Review*, 6, pp. 13-30. 2016.

CAMPANI, Giovanna; GAROSI, Eleonora, *Prevention and Fight against Trafficking: Institutional Developments in Europe, Overview – Portugal*, STOP II Programme European Commission, 2003.

CLEMENTE, Mara. Human Trafficking in Portugal: An Ethnography of Research and Data. *Studi Emigrazione. International journal of migration studies*. 208, pp. 663-686. 2017.

CLEMENTE, Mara. Reservado o direito de admissão. Discursos antitráfico, controlo das migrações e assistência a mulheres. *Bagoas - Estudos Gays: Gêneros e Sexualidades*. 17, pp. 154-200. 2017.

COJOCARU, Claudia. My Experience is Mine to Tell: Challenging the abolitionist victim-hood framework. *Anti-Trafficking Review*, 7, pp. 12-38. 2017.

CHUANG, Janie. Beyond a Snapshot: Preventing Human Trafficking in the Global Economy. *Indiana Journal of Global Legal Studies*. 13, 1, pp. 137-163. 2006.

DOEZEMA, Jo. Loose women or lost women? The re-emergence of the myth of white slavery in contemporary discourses of trafficking in women. *Gender Issue*, 18, 1, pp. 23–50. 1999. ELLIOTT, Anthony; LEMERT, Charles. *The New Individualism*. London: Routledge, 2006.

GALLAGHER, Anne T.. Recent Legal Developments in the Field of Human Trafficking: A critical review of the 2005 European Convention and Related Instruments, *European Journal of Migration and Law*, 8, pp. 163-189. 2006.

KEMPADOO, Kamala. Introduction. From moral panic to global justice: Changing perspectives on trafficking. In: KEMPADOO, Kamala; SANGHERA, Jyoti; PATTANAIK, Bandana (Org). *Trafficking and prostitution reconsidered: new perspectives on migration, sex work, and human rights*. Boulder, Colo: Paradigm, 2005.

KEMPADOO, Kamala. The War on Human Trafficking in the Caribbean, *Race & Class*, 49, 2, pp. 79-85. 2007.

KEMPADOO, Kamala. Revitalizando o imperialismo: campanhas contemporâneas contra o tráfico sexual e escravidão moderna. *Cadernos Pagu*, 47, e16478. 2016.

LEE, Maggy. Trafficking and Global Crime Control. London: Sage, 2011.

MAI, Nick. Embodied Cosmopolitanisms: the Subjective Mobility of Migrants Working in the Global Sex Industry. *Gender, Place and Culture*, 20, 1, pp. 107-124. 2013.

MURRAY, Laura. Victim management and the politics of protection: Between "fazer direito" and "direitinho". *Artemis*. 18, 1, pp.- 28-41. 2014.

OLIVEIRA, Alexandra. *Andar na vida: prostituição de rua e reacção social*. Coimbra: Almedina, 2011.

PADILLA, Beatriz. Brasileras en Portugal: de la transformación de las diversas identidades a la exotización. *Amérique Latine: Histoire & Mémoire*. 14, 2007.

PEIXOTO, João; SOARES, António Goucha; COSTA, Paulo Manuel; MURTEIRA, Susana; PEREIRA, Sónia; SABINO, Catarina. *O tráfico de migrantes em Portugal. Perspectivas sociológicas, juridical e políticas*. Lisboa: ACIM, 2005.

PISCITELLI, Adriana, *Trânsitos: brasileiras nos mercados transnacionais do sexo*. Rio de Janeiro: CLAM/EdUerj. 2013.

PISCITELLI, Adriana. Riesgos: la capilarización del enfrentamiento a la trata de personas en las tensiones entre planos supranacionales, nacionales y locales. Actas del IV Congreso Latinoamericano Sobre Trata y Tráfico de Personas. La Paz. 2016.

RIBEIRO, Manuela; SILVA, Manuel C.; SCHOUTEN, Johana; RIBEIRO BESSA, Fernando; SACRAMENTO, Octávio. *Prostituição feminina em regiões de fronteira: actores, estruturas e processos*, Lisboa: Fundação para a Ciência e Tecnologia, 2005.

RIBEIRO, Manuela; SILVA, Manuel C.; SCHOUTEN, Maria J.; RIBEIRO BESSA, Fernando; SACRAMENTO, Octávio. *Vidas na raia: prostituição feminina em regiões de fronteira*. Porto: Afrontamento, 2007.

SACRAMENTO, Octávio. Schengen and the security obsession: selective citizenship, exclusion and the ironies of control. In: CUNHA, Alice; SILVA, Marta; FREDERICO, Rui (orgs.). *Schengen: people, borders and mobility*. Pieterlen e Berna: Peter Lang, 2015.

SACRAMENTO, Octávio; ALVIM, Filipa. De emigrantes a vítimas de tráfico: mobilidades e prostituição no espaço transatlântico. *Revista Antropolítica*, 41, pp. 357-389. 2016.

SALT, John. Trafficking and Human Smuggling: A European Perspective. *International Migration*. 38, 3, pp. 31-56. 2000.

SEF/GEPF, *Relatório de Imigração, Fronteiras e Asilo 2016*. Barcarena, Oeiras: Serviço de Estrangeiros e Fronteiras, 2017

SILVA, Manuel Carlos; RIBEIRO, Fernando Bessa; GRANJA, Rafaela. *Prostituição e tráfico de mulheres para fins de exploração sexual*. Prior Velho: Letras Paralelas, 2013.

SURTEES, Rebecca. *Re/integration of Trafficked Persons: Supporting Economic Empower-ment. Issue Paper N. 4.* Washington: Nexus Institute. 2012.