

Executive Summary



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The Portuguese community has progressively recognized trafficking in Human Beings (THB), especially since the mid-90s, and by both political and criminal systems and civil society (Couto, 2012). It is well-known that THB takes on several different types, with different purposes, as sexual and labor exploitations, organ removal, and illegal adoption of children (Santos et al, 2008) and, according to the recent change in Portuguese legislation, following the European strategies, also includes begging and slavery.

Although these forms of exploitation may share some similarities, they are dissimilar regarding the trafficking flows of the victims and offenders, the vulnerability of the groups, socioeconomic inequality among the countries, and the clandestine, impunity criminal activity of the traffickers (Santos et al, 2008). Currently, the scientific community is facing huge difficulties in studying the phenomenon and its outlines in a systematic and empirical way, which brings serious implications in the identification and resolution of the problem.

Considering this set of concerns, international organizations, such as the GRETA group from the European Community has targeted its interventions in certain aspects of this crime, namely the level of awareness and prevention, training of agents who fight against the trafficking, in the protection and assistance to the victims, and prosecution of the traffickers.

In this scenario, the political measures on the field of TSH have been, since 2007, subject of further specification and intentionality, resulting in the development and implementation of specific plans, namely the 1st National Plan Against Trafficking in Human Beings (1st NPATHB), approved by the Council of Ministers Resolution n.º 81/2007, of 22 June, and whose implementation period was from 2007 to 2010; the 2nd National Plan against Trafficking in Human Beings (2nd NPATHB), approved by the Council of Ministers Resolution n.º 94/2010 of 29 November, and whose implementation period began in 2011 and continues until the end of 2013.

Whereas the 1st NPATHB sought greater awareness of the phenomenon and, consequently, greater political responsibility with regard to the THB combat, the current 2nd NPATHB, in addition to this consolidation, has aimed at multidisciplinary,

integrated and transversal action (Diário da República, 2010). The current plan is assumed as a guiding document for the purpose of consolidating practices in preventing and combating this crime, including the definition and operationalization of 45 measures with the intention to meet needs identified in four distinct areas: knowing, awareness and prevention; educating and training; protecting and assisting; and criminally investigate and cooperate.

1. Methodological approach

The evaluation study of the 2nd NPATHB involved a set of diverse and complementary methodologies that allowed meeting three objectives:

Objective 1: To evaluate quantitatively the execution of the 2nd PNCTSH measures

This evaluation occurred through online surveys, but it was also based on available data in websites of the entities that participated in the execution of the plan. Regarding the year 2013, to this study the selection of entities and their data was based through two methods: participants were selected when identified in the 2nd NPATHB as partners, and also those who, according to the CIG, were funded under the current 2nd NPATHB.

The 2013 online survey was filled by 29 organizations, allowing us to supplement the data gathered by CIG, including the information in previous evaluations reports of the 2nd NPATHB during the years 2011 and 2012. It is thus possible to have a view of the 2nd NPATHB throughout the entire period of three years and an integrated analysis of the whole.

This evaluation was also based on the statistical reports developed by the Observatory on Trafficking in Human Beings (OTHB) (MAI/OTSH, 2011, 2012). Similarly, the data available on the website of OTHB, and other governmental organizations (GOs) e non governmental organizations (NGOs) with intervention in this field, have been crucial to the systematization of the measures executed in the strategic areas addressed in 2nd NPATHB throughout its implementation period.

Objective 2: To evaluate qualitatively the execution of the 2nd NPATHB measures.

Qualitative data was collected through semi-structured interviews with 30 privileged interlocutors, 25 women, and 5 men, who works from 24 distinct institutions, including 12 government organizations (n=13 persons) and other 12 civil society organizations (n=17). All the elements belonging to the Technical Commission Support of the Implementation of the 2nd PNCTSH were integrated. The data gathered was analyzed using a content thematic analysis (Braun & Clarke, 2006).

Objective 3: To enunciate guidelines/recommendations for the development of the 3rd PNCTSH

The guidelines and recommendations that are presented in this report, behind the online survey and the reflections obtained in the interviews performed with the interlocutors of the organizations involved in implementing the Plan, were based in analysis of documents from different sources, including the design and content of the 2nd NPATHB, and respective annual reports of implementation (CIG, 2011, 2012), the final report of the 1st NPATHB, and data compiled by OTHB, available on their annual reports. We also considered the international recommendations of human trafficking for Portugal (GRETA, 2013; TIP, 2013) as well as the determinations of the European Convention, according to the Directive 2011/36/EU of the European Parliament and of the Council of 5 April and the European Union Strategy for the Eradication of Trafficking in Human Beings (2012-2016).

The integration of all information allowed having a critical overview about the 2nd NPATHB II, with regard to its implementation in terms of relevance, suitability and effectiveness.

2. Results

2.1. Quantitative analysis of the 2nd NPATHB by area (2011-2013)

Considering the response rate in the years 2011, 2012 and 2013, which ranged between 34% and 63%, it was possible to verify that from the predicted 16 measures

in the first strategic area - Acknowledgement, awareness and prevention - 15 measures were executed. Measure 10 was the most executed.

The domains of Acknowledgement, awareness and prevention are the core of the Plan against Trafficking and the base for the intervention. These strategies were the most implemented ones due to the high coverage of the measures and the range of beneficiaries. The access to systematic data on the trafficking phenomenon is essential in order to understand the Portuguese reality. To achieve this purpose, entities with responsibilities in these domains have to work on the dissemination of reliable statistical and scientific data. Although the increased number of statistical reports, many entities have been presenting incipient and/or inconsistent data. It is important that OTHB improves its standardization procedures regarding information on trafficking, and dissemination of these information's both nationally and internationally. Simultaneously, scientific research is also needed to increase the public awareness on the phenomenon of trafficking.

While the awareness about THB has increased significantly, there are still several areas that are not covered, namely the media professionals, considered as strategic public attending to the fact that they have the power to influence and change the public opinion. Regarding prevention, it is notable an absence of local authorities and the difficulty in involving tourism operators.

Regarding the 2nd area - Education and Training- that includes 13 strategic actions, 12 measures were executed. We did not receive any information about the measure 20 (Develop a television documentary focused on THB). Looking at the this area, and although education and training are, theoretically, the most important dimensions for the citizen awareness and so as essential markers in instruments of this nature, the number of actions that were accomplished in the current plan, was relatively small. It would be expected a noticeable presence of actions from the Ministry of Education and Science. Conversely, it seems that a clear evolution occurred at the level of training of stakeholders (e.g., judges, security forces, labor inspectors).

The 3rd strategic area -Protection and Support - consists in 8 measures but only 6 were executed. We did not find information about the execution of the measure 34

(Adopting special requirements and of exception to the professional qualification of the THB victims), nor the measure 36 (Designating interlocutors in the embassies in the country to facilitate the process of the victims' reintegration). With regard to this area, the development of the Protocol for the establishment of support and protection network to victims of trafficking (RAPVT) was essential, as well as the multidisciplinary teams and the maintenance of the two centers for assist and protect victims. However, the lack of initiatives in order to get professional qualifications of the victims and the apparent lack of interlocutors in embassies raise concerns at this level.

Finally the 4th strategic area -Criminal investigation and Cooperation - includes a total of 8 measures, all executed. This area aims the Cooperation among entities in the field of traffic, which should be a basic statement across the entire plan. The share of information and good practices, the harmonization of procedures, the articulation of all the intervenients is essential to the success of the plan.

2.2. Qualitative analysis of the 2nd NPATHB

In the discourses of the interviewees, regarding potentialities, constrains and limitations, it was possible to obtain a set of consensual dimensions.

Conceptually, the 2nd NPATHB was considered a guiding instrument relevant to the work of the institutions involved in its implementation, since it assembles a set of guidelines that allows operating in a systematic and effective way in order to prevent and combat THB, to assist the victims in an intentional and systemic way. In this way the document is capable of projecting a clear national strategy about how to combat THB, involving key stakeholders in the governmental and civil society.

On the other hand, in terms of constraints, the weaknesses of the 2nd PNCTSH are specially in: 1. Insufficient awareness of the citizens about the THB; 2. Deficient participation of some ministerial structures (Ministry of Education and Science) and others that were considered strategic in its implementation; 3. Need of facilitation of the funding applications and execution, namely when POPH funding is involved; 4. Difficulties on the inter-institutional cooperation; 5. Lack of definition of responsibilities by the partners.

Data gathered regarding the measures implemented by the 2nd Plan are not exhaustive and does not describe all the activities. This is due to the failure of some entities involved in the implementation of measures not having responded to the survey. For instance, we did not have access to awareness campaign that was broadcast in radio through a famous Portuguese journalist. Thereby, some entities do not seem to be aware about the obligations to collaborate on the evaluation of the THB, according to the contract signed at the time of obtaining funding.

Some aspects produce greater disagreement, namely from a conceptual perspective were: some entities described the 2nd NPATHB as a document that is too restrictive, excessively operationalized measures to be implemented, leaving little scope for inventiveness. On the contrary, other entities considered it too vague. On the other hand, the disagreement is also seen in the imbalance of the current plan in terms of attention given to the different purposes of TSH, with entities that highlight the excessive focus on trafficking for sexual exploitation, while others see the plan as too focus on labour. Regarding strategic areas, some of the entities have considered that opportunities for training of technical teams have been manifestly insufficient for the real needs, while others felt that this was one of the areas where there have been significant improvements over with the implementation of the current plan.

3. Guidelines and recommendations for the III PNCTSH

A reflection on the data allows some recommendations for the III NPATHB, namely:

- a) the strengthening and consolidation of several measures included in II PNCTSH that deserve a continuation and improvement;
- b) the effective implementation of measures that were not implemented or only poorly implemented;
- c) the review of measures and indicators that require a more rigorous, clear and objective operationalization;
- d) the cessation of measures that were implemented, when the objectives have been achieved;

e) Innovation through developing measures in new areas of strategic intervention.

Analysis of the predicted measures in each of the strategic areas allows us to conclude that the II NPATHB highlights the knowledge and social awareness domain of the phenomenon, focusing in distinct groups for which different interventions are designed. Explicitly, prevention measures should include the general population (universal prevention measures), groups of individuals who are in a vulnerable situation (Indicated prevention measures) and high-risk groups (selective prevention measures). Beyond the awareness of the general population, the change also involves the minimization or elimination of factors that promote greater vulnerability to THB, such as poverty and social exclusion, gender inequality and racial / ethnic discrimination. These goals can only be achieved through sectorial and global measures that promote the structural development of communities.

Regarding the structure, it is suggested to redefining the strategic areas, so that they are both more specific and comprehensive in respect of the measures they have assigned. Suggestions are made to introduce the notion of victim's empowerment as a central dimension of the 3rd strategic area, and the reintroduction of the issue of crime repression in the current 4rd area, giving greater importance on this domain as well as the compensation to victims. Finally, it is highlighted the issue of inter-institutional cooperation as autonomous domain and across the implementation of the entire plan, extending its scope to the private and business sector.

With regard to the content, it is recommended at the level of measures the importance of these to be better operationalized in terms of objectives and execution indicators. On this latter aspect, it should be noted also a need for a better operationalization, so as to make a suitable assessment, whether it be quantitative or qualitative, in order to evaluate the effectiveness and impact of actions as indicators of their quality. On the other hand, it may be appropriate to rethink the implementation periods, given that, as advanced by some respondents, certain measures require more time for their implementation and subsequent evaluation of the effects. Additionally, a

schedule more limited in time periods with a more continuous monitoring can prevent phenomena such as the postponement of implementation and its concentration at the end of the time periods for implementing the plan.

It is noted also the need to redefine the assignment of responsibilities for the implementation of measures, not forgetting, however, the added value of an entity to ensure the overall coordination of the implementation of the Plan, as has been assumed by CIG. It is considered, however, that these responsibilities should be better defined and distributed depending on the scope of the proposed measures, many of which can be, for example, under the jurisdiction of different ministries, as well as other public entities with greater proximity to the community or even the non-governmental sector.

Another important aspect relates to the need to consider strategies that allow the implementation of continuous assessment of the measures. This assessment, internal and / or external will allow constant feedback in order to introduce systematic changes. Similarly, it is recommended that the proper external evaluation of the overall execution of the plan be also carried out according to the same proposal.

The 3rd Plan should be prepared based on theoretical models appropriate to the phenomenon of trafficking, focusing on the victim, and empirically validated, based, where possible, on scientific research. The investment in research will define and understand, more accurately, the variables that affect the THB and by evaluating the effectiveness and impact of the measures implemented, supporting better decision-making on the lines for future action.

Given the complexity of THB, the 3rd NPATHB must promote the study of multiple causes and relationships with other social, economic and cultural aspects to continue to build on a sustained strategy based on strengthening linkages with other Plans and political legal instruments, such as the National Plan against Domestic Violence and the National Plan for Equality, to reinforce their potentialities and therefore their effectiveness.