

Brazilian trafficking: soap opera versus reality

by Luciana Campello R Almeida, Luiza Helena Leite and Frans Nederstigt

More than a hundred years after slavery was formally abolished in Brazil, a modern-day version thrives.

The trafficking of women, especially for commercial sexual exploitation, both inside Brazil and to Europe, the United States, Japan and elsewhere, seems highly organised. In addition, many poor Brazilians are 'trafficked' into forced labour within Brazil, mostly to remote agricultural estates in such vast sparsely populated interior provinces as Pará and Mato Grosso.

Taken far from their homes in the impoverished north-east, enslaved labourers are told on arrival that they owe money for their transport, accommodation, food and equipment and that they must work to pay back the debt. This debt, the inaccessibility of the huge farms and frequent threats and armed violence from employers trap the workers in an acute form of debt bondage akin to slavery.

Brazil's dramatic level of social inequality and lack of work opportunities are the push factors leading Brazilians to leave their homes and their country. Once abroad, Brazilian girls, young women and an increasing number of transvestites often find themselves in situations of human rights violations involving debt bondage, sexual abuse and other forms of violence, limiting basic liberties and the right to freedom of movement.

The issues of international human trafficking and smuggling have been aired on national television for the first time via enormously popular and influential soap operas. A recent one followed the fortunes of a woman with dreams of becoming a ballet dancer. Answering an advertisement to work in Greece, she soon finds her passport is taken away and she is forced into prostitution. In another soap opera the female lead dreams

of life in the US and decides to pay a coyote (people smuggler) to help her get there. Unrealistically romantic it may have been but the programme stirred national debates about human smuggling and alerted newspapers to the number of Brazilians who die on the Mexican-US border in pursuit of their dream. Unfortunately, the distinctions between migration (through illegal means), human smuggling and human trafficking are often not made by the media, leading in turn to unclear political debate and strategies to confront those issues.

Government starts taking action

In reference to the confrontation of slavery-like practices within Brazil, the labour ministry's mobile anti-slavery teams of the government of President Luiz Inácio Lula da Silva managed to free thousands of forced labourers. In 2003 at least 5,100 people were freed. According to the International Labour Organisation, Brazil has now become a model for other countries to follow. A National Action Plan against forced labour brings together all anti-forced labour initiatives to ensure coordination (though unfortunately this does not yet encompass anti-trafficking).

The government has also started dealing with human trafficking on a number of fronts and involving a range of ministries. In 2002 the Ministry of Justice and the United Nations Office on Drugs and Crime initiated a partnership to develop a project to combat international trafficking in women for sexual exploitation purposes. It will be renewed this year. Brazilian police have teamed up with foreign agencies to conduct sting opera-

tions which have disrupted several networks trafficking women to Europe. Posters and leaflets are being distributed at border crossings and airports and the government is funding capacity building and campaigns to prevent would-be victims from being seduced into sex slavery.

However, policymakers need to note that:

- Despite recent changes, Brazilian legislation - which now explicitly defines internal and external trafficking of both men and women, adults and minors - only mentions trafficking for the purpose of prostitution.
- Official and media attention has ignored the difference between forced prostitution and sexual exploitation on the one hand and voluntary prostitution on the other: there is a risk that sex workers may be persecuted (or their work criminalised) in the guise of combating human trafficking.
- Foreign governments and NGOs may be using the combating of human trafficking to pursue their own agendas: the US, for example, has recently pressured Mexico to require Brazilians to obtain a visa to enter Mexico.
- When there is a lack of possibilities to migrate legally - and an excess of push factors - people in vulnerable situations will be more likely fall prey to human traffickers.

Anti-trafficking measures should focus on the definition as used in the Palermo Protocol. Legally effective in Brazil since February 2004, this international instrument acknowledges that exploitation is the key element in the concept of human trafficking, including - 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.

Despite the recent changes in the Brazilian Penal Code, the legal concept of human trafficking still leaves much to be desired. Although the Palermo Protocol had already entered into force in Brazil before these changes were introduced, the new Brazilian definitions of international and internal human trafficking do not focus on exploitation but instead on prostitution. Legal changes do not encompass other forms of human trafficking, such as forced labour – which is subject to separate

legislation. Legislation on human trafficking is also still deficient in protecting trafficked people from exploitation and stigma and lacks clarity on the identification, assistance and reintegration of victims.

The recently implemented good practices on combating forced labour within Brazil, as well as the ratification of the Palermo Protocol, should prompt Brazilian politicians and the media to clarify their concepts and promote joint action based on the Palermo Protocol's

broader definition of human trafficking.

*The authors work for Projeto Trama (www.projeto trama.org.br), a Brazilian consortium of human and women's rights organisations working to confront human trafficking through advocacy, campaigning, research, legal aid, and social and psychological assistance.
Email: projeto trama@projeto trama.org.br*