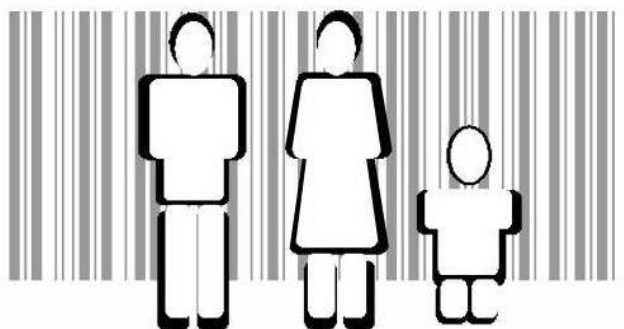


ACTIVITIES REPORTS

2007 and 2008

2009 PERSPECTIVES

Center
for Prevention
and Counter
Trafficking in Persons



**SÃO PAULO
STATE GOVERNMENT**

**JUSTICE AND CITIZENSHIP DEFENSE
SECRETARIAT**

CENTER FOR PREVENTION AND COUNTER TRAFFICKING IN PERSONS - NETP

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JUSTICE AND CITIZENSHIP DEFENSE SECRETARIAT**

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INTRODUCTION

Trafficking in persons is not a recent phenomenon, however, over the last years it has acquired alarming proportions, reaching the third position in the ranking of the most profitable crimes, beaten only out by the weapons and drugs traffic.

Despite the lack of data which reflects the actual dimension of the problem, especially regarding the organs trafficking, it is estimated that 2.4 million people are victims, and approximately, 43% of them are intended to sexual exploitation and 32% to forced work. In view of this scenario, Brazil became a signatory of the United Nations Convention against Transnational Organized Crime Regarding the Prevention, Suppression and Punishment to Trafficking in Persons (Palermo Convention), what gave rise to the National Policy to Counter Trafficking in Persons (Decree No. 5.948/06), structured in three specific guidelines: Prevention; Suppression and Accountability; and Support to the Victims, guiding the National Plans (Decree No. 6.347/08) and the State Plans, foreseeing actions, activities and goals for its effective fulfillment, aiming at contemplating the peculiarities and demands which correspond to the different realities.

This way, the State of São Paulo Justice and Citizenship Defense Secretariat is thriving to fight Human Trafficking, which is deemed the most serious violation to human dignity, so as to facilitate the integration among the several public and private institutions which act, directly or indirectly in the prevention and countering of this criminal practice.

PRESENTATION

The Center for Prevention and Counter Trafficking in Persons - NETP was created by the Justice and Citizenship Defense Secretariat, as a result of a joint action of the São Paulo State Government, Federal Government and partners associated to the theme, such as: the United States of America Consulate, The Marginalized Woman Service - SMM, Brazilian Association for Woman, Childhood and Youth Defense - ASBRAD, with the purpose of contributing for the reduction of this crime modality, through the awareness of public agents and possible victims, disarticulation of trafficking networks, elimination of the prejudice which discriminates the victims and inhibits exposures, and others.

Among the several ways to fight this modality, which is human trafficking, the Office exercises the job of executive secretariat of the Interinstitutional Committee for Prevention and Counter Trafficking in Persons - CIPETP, displaying the role of a collegiate instance without legal personality with the purpose of joining the efforts in several areas so as to allow effective actions to prevent and counter trafficking in persons and organs in the State of São Paulo and in Brazil. Its job is focused on the



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realization of campaigns, courses, lectures and seminars which generate reflection and sensitization towards the creation of local public, national and international policies, which are effective to counter this criminal practice. In addition, it dedicates to the assembly of a solid network for the prevention, handling and suppression, adding new members with national and international experience – specialized in the theme, involving currently thirty (30) public, private and third sector institutions which are sensitive to the growing problem of national and international commercialization of human lives.

The Center is developing actions which contemplate the three axes indicated by the Policy and National Plan to Counter Trafficking in persons - TP: prevention, suppression and accountability and full support to the victims. This way one can identify the existence of an integrated network of actions aimed at the construction of an effective public policy to counter the transnational organized crime. It is a collective construction guided by the strict observance and assurance of TP victims human rights.

This document aims at briefly presenting the activities developed by the NETP during the 2007/2008 period, in addition to listing the perspectives for 2009 with the purpose of preventing and countering the Trafficking in Persons. This is a result evaluated by experts in the subject as successful, in view of the challenge of articulating integrated actions with the purpose of building a public policy to counter the transnational organized crime, developed in a partnership among the civil society and entities which comprise the justice and safety system and State of São Paulo Human Rights.

Finally, it must be informed that, for a better comprehension of the reader, this text attempted to list only the activities assessed as priority and which detailing is provided in the attachments which comprise this present report.

2007/2008 ACTIONS PLANNING EVALUATION

- ✓ **Evaluation:** step integrated to the public policies process which aims at contributing to the formulation of government plans, more rational allocation of public resources and improvement in the provisioning of the services and execution of the public actions.

The NETP team carried out an evaluation exercise with the purpose of identifying the necessary adjustments to the 2008 planning, as well as establishing priorities regarding strategic actions. In this sense, the specialized consultants coordinated the pedagogic process to identify the weaknesses and strengths existing in the actions developed by NETP aiming at redefining initiatives with potential to bring about the advances necessary to the consolidation of a public

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policy to prevent and counter the TP in the State of São Paulo. This way, it must be mentioned that the consolidation process of the aforementioned policy intends to maintain the characteristic of the partnership between the civil society and the public power, gathered through the Interinstitutional Committee for Prevention and Counter to Trafficking in Persons - CIPETP.

Summary of the Evaluations /Planning:

- Evaluation of the actions performed by NETP 2007: **Goals Exceeded;**
- Elaboration of the NETP 2008 actions planning. **Priorities:** - Elaboration of the Decree which institutes the State Policy for Prevention and Counter to TP; - Supplementary realization of the 13 regional forums aimed at the construction of the State Plan for the Prevention and Countering to Trafficking in Persons: **Goals Accomplished;**
- Elaboration of the integrated planning of actions to be developed by NETP and the Interinstitutional Committee for Prevention and Counter to Trafficking in Persons - CIPETP/2008. **Priorities:** - visibility at the media and assembly of focal, thematic groups of the work: **Goals Accomplished.**

MAIN ACTIVITIES PERFORMED 2007/2008

1) Actions integration: Center for Prevention and Counter Trafficking in Persons NETP and Interinstitutional Committee for Prevention and Counter to Trafficking in Persons - CIPETP

The systemic integration of actions represents the elaboration of effective public policies once actions are developed in a network dynamic, comprising thirty entities involved and focus on the three axes contained in the Policy and in the National Plan to Counter Trafficking in Persons: prevention, suppression and accountability and full support to the victims.

The CIPETP comprised by approximately thirty institutions, developed in partnership with NETP the activities below evaluating them as priority:

- NETP acts as an Executive Secretariat of CIPETP, coordinating the monthly weeks, as well as the focal, thematic Groups of the work, systematizing the data and research, qualification, institutional organization and communication;
- Organization of seminars, workshops, for the formation of new committees;
- Organization of campaigns and socio-educational mobilizations;
- Organization of the 13 Regional Forums: Elaboration of the Policy and State Plan and Implementation of Regional Committees;
- Realization of Active Searches;
- Observatory / Monitoring of the NETP actions.



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2) Qualifications

The qualifications on the Trafficking in Persons theme aims at professionals capable of materially meeting the complex social demands which are present in their daily professional activity. The professional qualification on the theme involves the domain not only of techniques based on the traditional assumption of the institutes and public safety and human rights instruments, but also the critical consciousness of the reach, limits and possibilities of such theoretical disciplines in the accelerated of the ongoing transformations seen on the contemporary social reality, both national and international.

Through the transfer of knowledge regarding the phenomenon, the ETSH team managed to develop actions for the prevention and counter to human traffic in its three modalities, through qualification activities in government and non-government bodies. It ensured, consequently, the formation of disseminating agents, as well as favored the enhancement in meeting the demand of cases related to TP victims. Such initiatives were also useful for the consolidation of the social-political network aimed at supporting such clients.

Highlights:

- **National and International Seminars:**
 - I Qualification Seminar on prevention and countering to trafficking in persons to public defensorships, conducted by the Union's General Public Defensorship and by the State of São Paulo Public Defensorship;
 - International Seminar on Prevention and Suppression to Organized Crime and Money Laundering, Public Ministry, Military Police, Public Safety Secretariat and Justice and Citizenship Defense Secretariat;
 - IV ENTILAIIDS;
 - Lecturers in the Citizenship Integration Centers - CICs;
 - Human Rights Debates Cycles at Pontifícia Universidade Católica de São Paulo - PUC SP;
 - IV and V International Meetings on Trafficking in Persons, Latin-American Institute for Human Rights Promotion and Defense - ILADH and Winrock Institute;
- Qualification Workshops: Regional committees in qualification process; Popular legal promoters; City Police; Police Academy (new deputies);
- Video-debates: Vale do Ribeira Quilombos, partnership with the State of São Paulo Lands Institute and Vale do Ribeira Socio-Environmental Institute - ISA;
- Workshop: Prevention and Countering to Trafficking in Persons for the purposes of Sexual Exploitation of Children and Adolescents, partners: Interinstitutional Committee for Prevention and Counter Trafficking in Persons - CIPETP and National Justice Secretariat / Justice Ministry - SNJ/MJ;
- Video-conference: Brazilian legislation X Trafficking in persons, partnerships: Latin-American Institute for Human Rights Promotion and Defense – ILADH;



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- Creation of Specialization Course in Human Rights, Public Safety and Human Trafficking, in partnership with the Latin-American Institute for Human Rights Promotion and Defense - ILADH and the Interinstitutional Committee for Prevention and Counter Trafficking in Persons - CIPETP and the Escola Superior do Ministério Público de São Paulo (start foreseen for the first semester of 2009);
- Interactive workshops on the implementation of the Pedagogic Manual and qualification techniques on Trafficking in Persons elaborated by the Marginalized Woman Service – SMM at the state public teaching network, partnerships: State Education Secretariat - SEDUC, Justice and Citizenship Defense Secretariat – SJDC and Marginalized Woman Service - SMM (implementation phase, 1st State Conference Video foreseen for April/2009);
- Interinstitutional Studies Group on Trafficking in Persons in partnership with the São Paulo Public Ministry, formed by the coordinations on the following themes: crimes, children and adolescents, in addition to the contribution of the attorney general in the systematization of the first case study (foreseen for April /2009).

3) Elaboration of the State Policy and Plan and Implementation of Regional Committees from the realization of Regional Forums

Performed in 12 regions of the State of São Paulo: Sorocaba, São José dos Campos, Caraguatatuba, Registro, Bauru, Campinas, Guarulhos, São José do Rio Preto, Marília, Araraquara, Santos, Presidente Prudente, the forums aim at:

- gathering proposals from the greatest number possible of cities to build a participative public policy;
- execute from two moments: qualification of the audience present and proposals collection;
- stimulate the formation of regional committees to counter trafficking in persons and provide appropriate technical support;
- stimulate the elaboration of regional policies for prevention and countering to trafficking in persons.

Highlights:

- Document elaborated and approved by the regional representations, with approximately 635 participants;
- Implementation of two committees: Guarulhos and Vale do Ribeira;
- Organization of the State Conference for the second semester of 2009.



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4) Database

The database aims at supporting a detailed study on the main modalities of trafficking in persons, specially women and children and adolescents, flows and trends, assisting, this way, on the development and implementation of the specific policies which can “prevent, eliminate and punish” this kind of traffic.

This way, the Database, while instrument of analysis, will contain relevant psycho-social and legal information which will offer the necessary elements to begin an action which can meet the NETP purposes, as well as conditions to reflect and (re) formulate measures which can better face this crime modality.

Highlights:

- Creation of the database in partnership with ILADH and the Homicides and Defense of the Human Person Department - DHPP;
- Database Implementation (in test phase);
- Database model selected by the National Justice Secretariat/Justice Ministry - SNA/MJ to be wised nation-wide;
- Production of reports, graphs and tables from the results of the active-searches and investigations performed by the DHPP.

Observe below:

5) Active Searches

Active-searches mean the actions performed by NETP together with the suppression and accountability which integrate the Interinstitutional Committee, upon the realization of the sop called blitz performed in locations evaluated as being, provenly suspect, in which the victims subject to sexual or work exploitation are found. During these actions, the NETP’s team shelters the victims while the police and/or the public ministry perform interventions with the enticers.

Highlights:

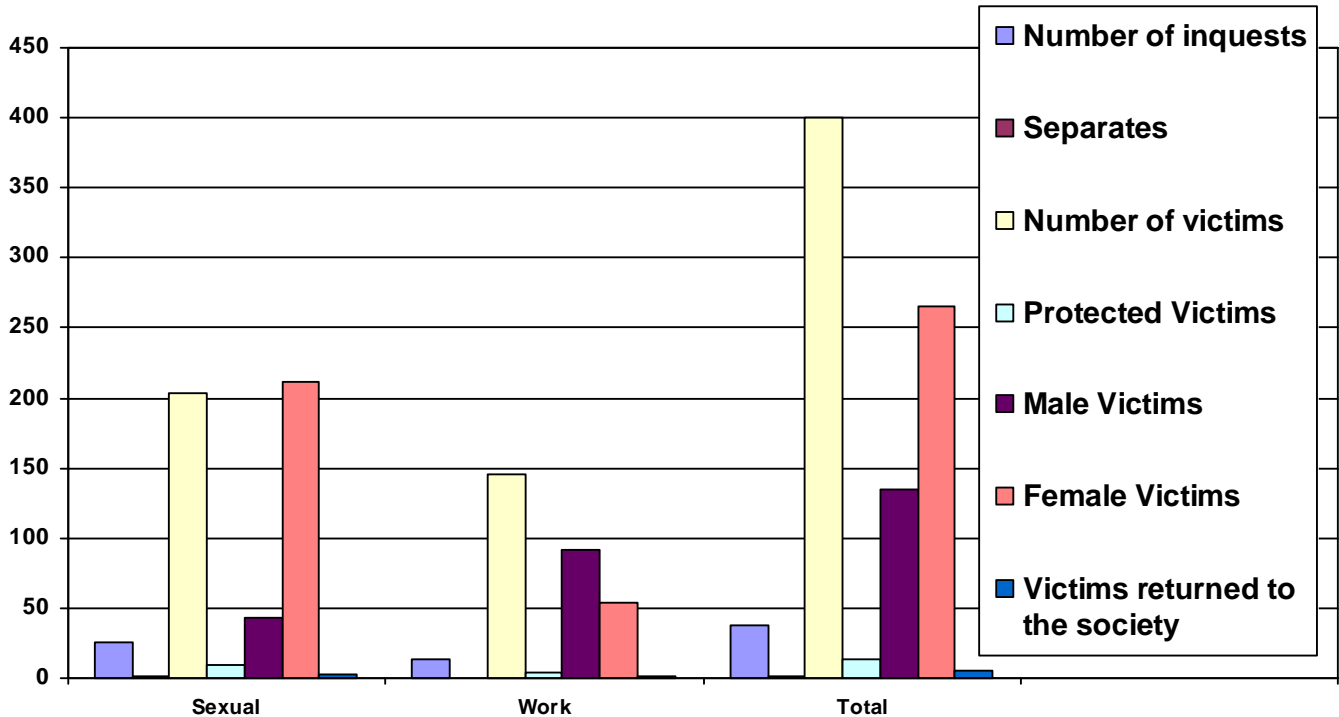
- NETP’S team develops the following activities:
 - follows up the active-searches (blitz) performed by the Federal and State Police;
 - follows up the active-searches (blitz) performed by city hall (for example: sanitary surveillance);
 - provides psycho-social and legal assistance to the victims;
 - submits to shelters, hotels, specialized service, therapeutic, medical, ambulatory, hospital service, in addition to allow the contact of the victims and their relatives and return to the origin location;
 - performs prevention actions with the victims (distribution of leaflets, information dissemination);
 - the NETP’s team can be called through the on-duty phone.



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TABLES / GRAPHS

The data below refers to the years of 2007 and 2008¹



Item	Sexual Exploitation	Work Exploitation
Victims age group	16 to 45 years	16 to 56 years
Nationality	248 Brazilians 01 Bolivia	70 Bolivians 76 Peruvians
Total	395	

Federal Police Data²

- Number of individuals accused in 2008: seven (7) and forty (40) investigations;
- Main destinations:
 - São Paulo X Latin America (Venezuela, Guiana, Suriname, French Guiana);
 - São Paulo X Europe (Portugal, Spain, Switzerland and Italy).

¹ Data from the Federal Police Human Rights Department – Federal District

² Idem



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6) Cases handling

The demands for handling come to NETP through the following ways:

- spontaneously;
- through Interinstitutional Committee;
- through denounce hot-line;
- through NETP telephones;
- email;
- 24-hour duty telephone service;
- Trafficking in persons countering network.

The multidisciplinary team receives the case demand and takes the following measures:

- 1 - accepts the case;
- 2 - offers psycho-social and legal support;
- 3 - submits to the service network (social/health/work/safety etc.);
- 4 - promotes the contact with family members. Example: the victims are authorized to make phone calls;
- 5 - offers support to return to origin location.

NETP data regarding the years of 2007 and 2008³

- Direct support to the victims: twenty seven (27) cases;
- Indirect support, performed through follow up of the DHPP blitz four hundred (400) cases.

7) Support Network to Trafficking in Persons Victims

In principle, network is a partnership and such partnership may articulate states, countries, public organizations, private sector, NGOs, OSCIPs among other segments. The network operates as mosaic in which each piece fits into another to form a picture. Each participant is an essential piece of this mosaic and performs a specific job. They are all equally important and necessary to accomplish a common goal.

The networks articulate from an idea, strength and the definition of its results shall take place during the process to share such ideas and on the explanation of the purpose of its existence. This movement idea is what configures the actuation project. It is in this kind of network that the society seeks to work issues focused on the prevention and countering to Trafficking in Persons.

It is in this sense that the networks arise from the enlargement of the society's visibility about it. This vision may lead groups to compromise themselves, voluntarily, with a common effort to overcome risks or social unbalance situations,

³ Data from the Center for Prevention and Counter Trafficking in Persons - NETP and the Homicides and Person Protection Department - DHPP



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articulating in networks for the production of ideas, assets and services provisioning. Therefore, the network materializes through the Interinstitutional Committee for Prevention and Counter Trafficking in Persons, as part of an action which allows to maintain or create desirable alternatives for the construction of a more fair and solidary society.

Highlights:

- Service network (shelters and support services in the health, psycho-social and city, state, federal and international legal areas) in registration and verification phase of the temporary shelter locations, in a total of 85 institutions already and registered;
- Participation of the Justice and Citizenship Defense NETP in the City Commission to Counter Violence, Abuse and Sexual Exploitation against Children and Adolescents - CMESCA of the City of São Paulo.

8) Cases Monitoring

- ✓ ***Monitoring:*** continuous activity which ensures the production of appropriate and relevant data and information for the evaluation of public policies and is associated to the actual capacity of each unit considered.

The monitoring is being performed by the Interinstitutional Committee for Prevention and Counter Trafficking in Persons during the daily routine of the actions performed by the NETP. The selection and formulation of indicators in the evaluation process constitute an effort to reflect components of the reality in the form of measurable analysis categories, i.e., in the form of indicators. This way, the evaluation works both from the ***program indicators***, and from the ***indicators of the social context*** to which it refers in an almost immediate manner.

Therefore, the institutions which comprise the Interinstitutional Committee work as observatories, with the purpose of measuring this public policy under development.

Highlights

- Multidisciplinary team: follows up, elaborates reports, feeds the database;
- Interinstitutional Committee and State Committees work as observatories which monitor the handling of the cases and integrate to develop actions.



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9) Cases Registration/Systematization

Register the memories and write the actual history, exactly as it was built, and offer an x-ray of the moment in which the State of São Paulo public policies are inserted. It is a prevention action to avoid the discontinuity of the execution which provided the advances necessary to the policies formulation. It is also used as a facilitating element of the elaboration of strategic planning in order to overcome challenges imposed by the daily routine in countering Trafficking in Persons. Register the historical facts means consolidating State policies and not party policies. Finally, it means promoting the empowering of the victims while citizen(s) not allowing their revictimization.

Highlights:

- Activities Reports (2004/2008);
- Example Cases Studies (24 cases);
- Elaboration of handling Flow charts, under construction.
- **Documentary video:**
 - Co-production of the documentary video on Irregular Migration and Trafficking in Persons, in partnership with the Migrants Service Center - CAMI;
 - Realization of a research/case study focused on the production of a documentary video on the cases serviced by NETP, from the systematization, data collection, interviews with the victims, interviews with the Homicides and Defense of the Human Person Department and Public State Ministry teams.
- **Publications:**
 - Departamento de Homicídio e de Proteção à Pessoa. DHPP - Polícia Civil do Estado de São Paulo - Brasil, São Paulo: Editora Roca Limitada, 1º Edição, 2008.
 - ILLES, Paulo; TIMÓTEO, Gabrieli e SILVA, Elaine. Tráfico de pessoas para fins de exploração do trabalho na cidade de São Paulo. Cadernos Pagu, São Paulo: Editora Unicamp, jul/dez 2008.
 - RIBEIRO, Anália Belisa, *A prevenção e o enfrentamento ao Tráfico de Pessoas no Brasil*. Texto, outubro/2008.
- **Under production phase:**
 - Magazine on the experience of the Center for Prevention and Counter Trafficking in Persons and Interdisciplinary Committee to Counter Trafficking in Persons. Elaboration of text, interviews, iconographic research, launching foreseen for March 2009;
 - Manual on Trafficking in Persons for Sexual Exploitation of Children and Adolescents, focusing on quilombolas communities of Vale do Ribeira, based in real facts.



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10) Socio-educational Campaigns and Mobilizations

The socio-educational campaigns and mobilizations aim at informing the existence of the phenomenon, focusing in a problem existing which needs to be faced. It is also used to inhibit the criminal action. In addition to sensitize the society regarding the theme, as well as presenting the several forms to prevent and face the trafficking in Persons.

This way, advertising materials were created, such as: banners, folders, adhesives, preservative holders, radio spots, clips, media in general. These materials, in a first phase of the campaign, were disseminated in strategic points of the City of São Paulo (subway, schools, police stations, attractions, etc) and, in the second phase, they will be disseminated, together with the State of São Paulo Lands Institute - ITESP, at the Vale do Ribeira Quilombos and, during the carnival period, in the capital attractions. In addition, sensitizations will be performed targeting the cab and truck drivers. Such initiatives will be performed in partnership with the State of São Paulo Weights and Measures Institute - IPEM - SP and the Municipal Police - GCM of the City of São Paulo.

Highlights:

- Campaign performed in 2007 **informing** the existence of this kind of crime and the ways to prevent and fight it, aimed at the general public: **Goal accomplished;**
- Elaboration of graphic material to launch the campaign at the Quilombos and Vale do Ribeira on Trafficking in Persons for Sexual Exploitation of Children and Adolescents – ESCA, target audience: schools and truck drivers: **February 2009, Goal Accomplished.**
- -Elaboration of Campaign materials for the carnival, target audience: cab drivers and tourists: **February 2009, Goal Accomplished.**

11) National and International Articulation

The integrated work facilitates the countering to Trafficking in Persons - TP, as it allows the optimization of competences, establishing flows and dynamize actions which will allow both the orientation regarding the theme and submission of the issues evaluated as being priorities to the victims support.

The strengthening of a network facilitates the systemic integration of actions aimed at the interchanging of professional experiences and technologies transfer which allows the enhancement of the competences, establishing flows and dynamize activities which will allow the implementation of policies for prevention and countering to trafficking in persons.



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Highlights:

- Consolidation of protection network to the human traffic victims for sexual exploitation, in partnership with Partners of the Americas and the São Paulo Social Development and Assistance City Secretariat - SMADS;
- Registration of national and international Institutions/NOGs, partnerships: Embassies, Consulates, National Justice Secretariat/Justice Ministry, State Centers to Counter Trafficking in Persons.

12) Participation in Events

- Thematic Presentation of the Center and Interdisciplinary Committee for the Prevention and Countering to Traffic in Persons to the Brazilian Religious Commission - CRB; May 2008;
- Lecturer provided by the NETP Coordinator, Dr. Anália Ribeiro at the Debates Forum with the theme: Interinstitutional Network and the Countering to Violence, Abuse and Sexual Exploitation of Children and Adolescents. Instituto Sedes Sapientiae, Violence Victims Reference Center - CNRVV, July/ 2008;
- Lecturer at Pontifícia Universidade Católica - PUC - SP, at the invitation of Prof. Silvia Pimentel; May/2008;
- Dr. Anália, lecturer with the theme International I Sexual Traffic at the 2nd Human Rights Congress. São Paulo City Hall, Municipal Human Rights Commission, São Paulo, Anhembi, September/ 2008;
- Lecturer on the Celebration of the 60th Anniversary of the Universal Human Rights Declaration. Municipal Human Rights Commission – CMDH, São Paulo City Chamber, September /2008;
- 5th International Meeting on the Formation of Full Support to the Human Traffic Victims. Latin American Institute for the Promotion and Defense of Human Rights - ILADH and Winrock Institute, Salvador, October/2008;
- Lecturer at the Seminar on Human Traffic: Challenges and Perspectives in Countering. Federal Public Ministry, São Paulo, October/2009;
- Lecturers at the 1st Seminar on Valor do Ribeira Human Traffic: For a Regional Countering Plan. Socio-Environmental Institute - ISA and Regional Pre-Committee on Counter to Human Traffic. Registration, October/ 2008;
- Member of the Examining Panel of the Libertas Award Papers, United Nations Office for the Traffic Control and Crime Prevention - UNODCP and National Justice Secretariat - SNJ. Brasília, November/ 2008;
- Lecturer at the 1st International Seminar on Irregular Migration and Trafficking in Persons, National Justice Secretariat, Brasília, November/ 2008;
- Lecturer at the Seminar “Migrating Policies and Trafficking in Persons in Brazil: study of a tool”, Federal Police and National Justice Secretariat. Brasília, December /2008;



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13) Funding

- National Justice Secretariat /Justice Ministry through the National Public Safety with Citizenship Program - PRONASCI:
 - Consolidation of the office's actions;
 - Realization of the specialization course - ESMP;
 - Creation of the database: under implementation and replicability phase for the Regional Center to Counter Trafficking in Persons within the national territory.

PERSPECTIVES AND CHALLENGES 2009

- Decree No. 54.101, of March 12th, 2008 which institutes the State Program for Prevention and Counter to Trafficking in Persons, published on Diário Oficial do Estado de São Paulo, march 13th, 2008.
- Name change of the Office for Prevention and Counter to Trafficking in Persons - ETSH to Center for Prevention and Counter to Trafficking in Persons - NETP;
- Budget compatible with the NETP needs;
- Enlargement of the NETP Multidisciplinary Teams;
- Organization of the Information on the NETP contained in the Justice and Citizenship Defense Secretariat site;
- Realization of the State Conference, aiming at elaborating the State Plan on Prevention and Counter to Traffic in Persons;
- Assembly of 12 Regional Committees for Prevention and Counter to Trafficking in Persons;
- Realization of the Campaign on Counter to Trafficking in Persons for Sexual Exploitation of Children and Adolescents;
- Database structuring;
- Realization of Research on Human Trafficking: diagnosis, victims profile, examples;
- Production of documentary video on cases handled by NETP and DHPP;
- Realization of Specialization Course, in Human Rights, Public Safety and Trafficking in Persons;
- Implementation of project on the Prevention and Counter to Trafficking in Persons at state public schools with partnerships of the State Education Secretariat - SEDUC and Marginalized Woman Service - SMM;
- Launching of the publication on the NETP and CIPETP experience;
- Launching of the manual "O desencanto e a exploração de Luanda" to be distributed in the quilombolas communities;
- Realization of the 5th International Meeting on Trafficking in Persons in partnership with the Latin American Institute for Human Rights Promotion and Defense - ILADH;
- Realization of Interchanges with the State Centers to Counter TP, partnership with the National Justice Secretariat;

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- Realization of Interchange with the University of Minnesota, Human Rights Department “Full Bright Program”;
- Realization of Interchanges with embassies and Consulates – Formation of an International Network to Counter Trafficking in Persons.

ELABORATED PROJECTS

**FUNDING
2009**

NETP elaborated projects, and a few originated from the work with partners, others from the demand of the continuous work, these are:

- Carnival Campaign;
- Research;
- Documentary-video;
- Database implementation;
- 5th International Meeting on Trafficking in Persons.



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	- Decree No. 6.347, of January 8th, 2008, which approves the National Plan to Counter Trafficking in Persons - PNETP and institute a Support Group for Evaluation and Dissemination of the aforementioned Plan.....	86
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PLANNING OF CENTER FOR PREVENTION AND COUNTER

TRAFFICKING IN PERSONS - NETP

Priorities Definition

1) Campaign on Trafficking in Persons:

The Campaign aims at providing visibility to the theme, in order to increase the ways to denounce and strengthen the prevention. The tasks were shared as follows:

- Entities responsible for the elaboration of the graphic materials: Land Institute of the State of São Paulo - ITESP and Weights and Measures Institute - IPEM (due date: 20/03/09);
- Official launch of the campaign at the Justice and Citizenship Defense Secretariat - SJDC: Secretary will define the date;
- Distribution of the materials according to partners:
 - IPEM: truck drivers
 - ITESP: Quilombola Communities
 - Vale do Ribeira Interinstitutional Committee for Prevention and Counter Trafficking in Persons: Vale do Ribeira schools;
 - Citizenship Integration Centers - CICs and Metropolitan Police - GCM: in the Sabadania activities.

2) Qualification:

The qualifications will be developed always in partnership with the network, changing according to the contents and local reality. A few are already in the construction phase and articulated, others may be organized according to the demand of each Committee. These are:

- Education for the Quilombolas community: Vale do Ribeira Committee, ITESP, Network Against Sexual Exploitation (MT);
- VI International Meeting on Trafficking in Persons: elaboration phase of the project and funding. Forecast: November/2009;
- State of São Paulo Coordination of Sexual Diversity Polices: joint qualification in the health and education area;
- Qualification of professors of the public sector.

3) Committees Assembly:

For the assembly and implementation of the 12 Regional Committees, a few steps and procedures were deemed necessary:

- contact regional articulatores, to strengthen local engagement;
- organize a Workshop with the representative of all Regional Committees at the SJDC;
- schedule meetings in the cities: organize travels schedule

*Guarulhos Committee: implementation process started;

*Vale do Ribeira Committee: maintenance and strengthening of the actions planned.



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4) Guarulhos Advanced Station:

The Guarulhos Advanced Station is a service provided at the airports, to serve the migrants, not admitted and deported, with the purpose of identifying human trafficking cases. The service is multidisciplinary (psychologist, social worker and attorney) with focus in the three prevention levels: primary, secondary and tertiary. A few activities were scheduled:

- Work meeting with the National Justice Secretariat - SNJ: with the purpose of defining the work methodology;
- Presentation of proposal during the Interinstitutional Committee Planning meeting.

5) Network Assembly:

The strengthening of the network for trafficking in persons victims, aims at speeding up the service, referencing and follow up of the cases, avoiding the revictimization and strengthening their rights.

- identify partner entities;
- register the entities;
- visit the entities;
- articulate and integrate the network for prevention and countering;
- qualify.

6) NETP organization:

There have been changes in the Center's team, and so there is articulation among the members and agility in the actions, the coordination reorganized a few essential actions to the progress of the works:

- file official letters;
- organize documentation, files (computer/file cabinets);
- register books, manuals, etc;
- create standards in the documents and paper work routines;
- shared files in the computers;
- organize/adjust the team's schedules.

**PLANNING OF THE INTERINSTITUTIONAL COMMITTEE FOR PREVENTION
AND**

COUNTER TRAFFICKING IN PERSONS - CIPETP

Through proposals presented in the 1st Planning Meeting, conducted on June 2nd, 2008, it was possible to establish four action lines for the 2008/2009 **Planning of the Interinstitutional Committee for Prevention and Counter Trafficking in Persons - CIPETP** will count with the assembly of four thematic commissions, which goals will, initially, be:

1. Data and research systematization



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- Elaborate State of São Paulo diagnosis through researches and partnerships with universities, lecturers at CIC, analysis of the Brazilian legislation on TP, mapping of institutions and co-responsibility (airports, ports, travel agencies, hotels, air companies, bus stations, etc.);
- Publication of research on Trafficking in Persons - TP;
- Creation of a database;
- Monitor and systematize the cases handled by the entities involved in countering TP;
- Create indicators to prove the effectiveness of the Committee's actions;
- Map the institutions of the Committee specifying its attributions and concrete and potential actions

2. Internal and external qualification

- Perform continued qualification for the comprehension of the themes (gender, ethnic group, etc) and unification of the concepts worked by the Committee;

3. Communication

- Elaborate a communication plan taking the following topics into account:
 - Communication of the Committee by the institutions which comprise it, through partnerships and development of panels in seminars, debates, etc;
 - Contacts with the National Advertising Regulatory Council - CONAR and media disclosure campaigns;
 - Hiring of an agency;
 - Creation of home page, folders and informative materials;
 - Hiring of permanent press assistance.

4. Organizational Structure

- Update the internal regulation, as well as the adhesion terms with indication of incumbents and deputies;
- Map the committee institutions specifying its attributions and concrete and potential actions;
- Create State Program for Prevention and Countering Trafficking in Persons with education and articulation campaigns;
- Elect a commission for public hearing with the Governor in order to insert in the Government's social schedule, the Prevention and Countering of Trafficking in Persons theme;
- Implantation of Regional Committees;
- Define a State Police against Trafficking in Persons, implement the Palermo Protocol.

To comprise the thematic commissions of the Interinstitutional Committee, the partner entities divided themselves as follows:⁴

⁴ Meeting Conducted on June 12th, 2008 at the Union's Public Defensorship.



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A. Data and Research Systematization

- ✓ Center for Prevention and Countering to Trafficking in Persons - NETP
- ✓ Brazilian Association for Woman, Childhood and Youth Defense - ASBRAD
- ✓ Immigrant Support Center - CAMI
- ✓ State of São Paulo Weights and Measures Institute - IPEM
- ✓ Municipal Human Rights Commission - CMDH
- ✓ Federal Public Ministry - MPF

B. Internal and External Qualification

- ✓ Center for Prevention and Countering to Trafficking in Persons - NETP
- ✓ Service to the Marginalized Woman - SMM
- ✓ State of São Paulo Education Secretariat - SEDUC
- ✓ Metropolitan Police - GCM
- ✓ Land Institute of the State of São Paulo - ITESP

C. Communication

- ✓ Center for Prevention and Countering to Trafficking in Persons - NETP
- ✓ São Paulo Against Violence Institute - ISPCV
- ✓ São Paulo Bar Association - OAB-SP

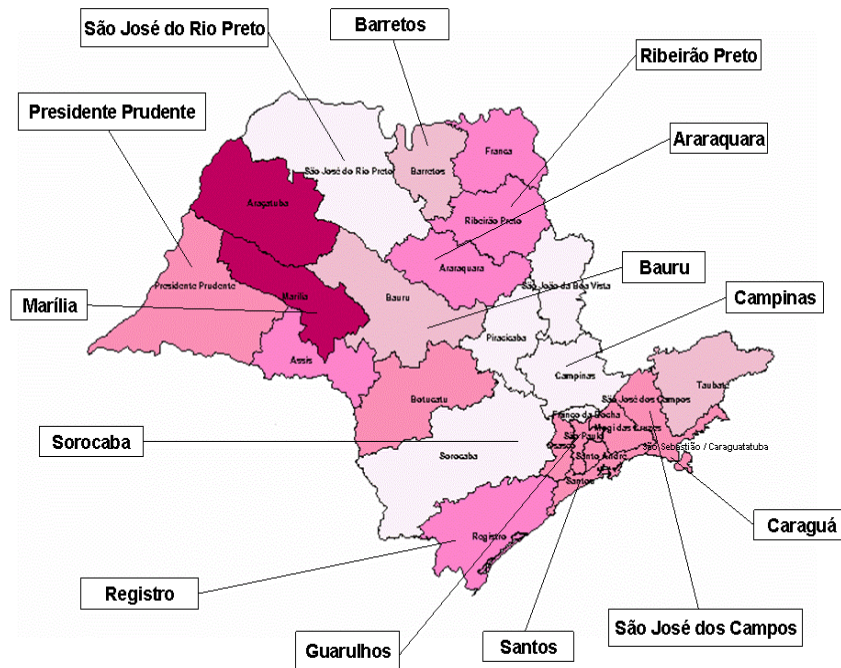
D. Organizational Structure

- ✓ Center for Prevention and Countering to Trafficking in Persons - NETP
- ✓ Municipal Human Rights Commission - CMDH
- ✓ Union's Public Defensorship - DPU
- ✓ Federal Public Ministry - MPF



**SÃO PAULO STATE GOVERNMENT
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**Human Trafficking Route Map and
Regional Forums Realization**



Note: The Barretos region joined the city of Ribeirão Preto to conduct its regional Forum.

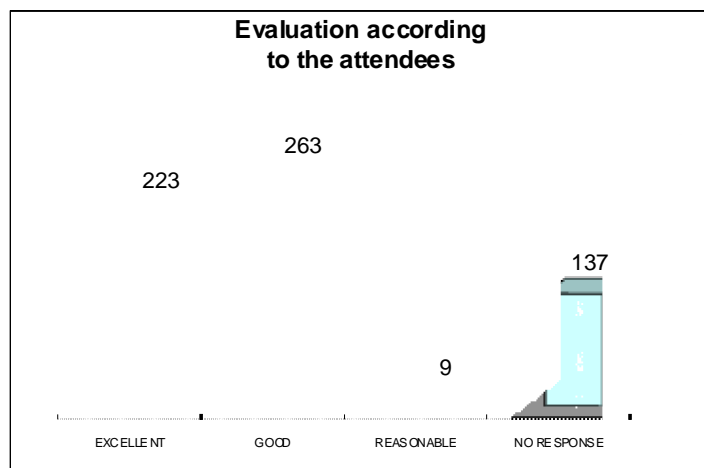
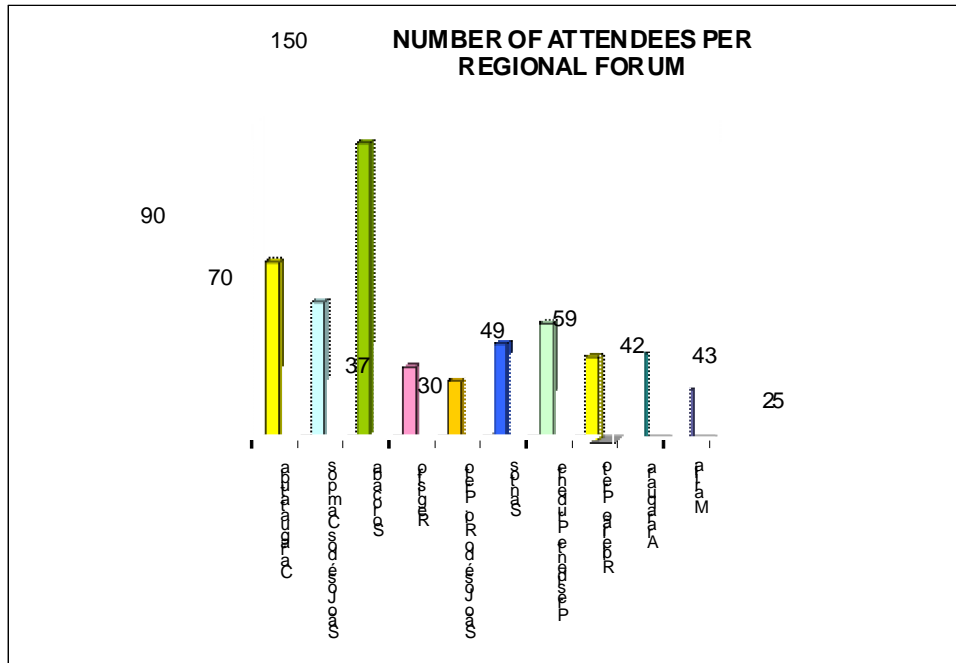
Source: The routes and the cities were defined from surveys carried out by the Federal Highway Police and the Public Ministry.



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Regional Forums Realization⁵

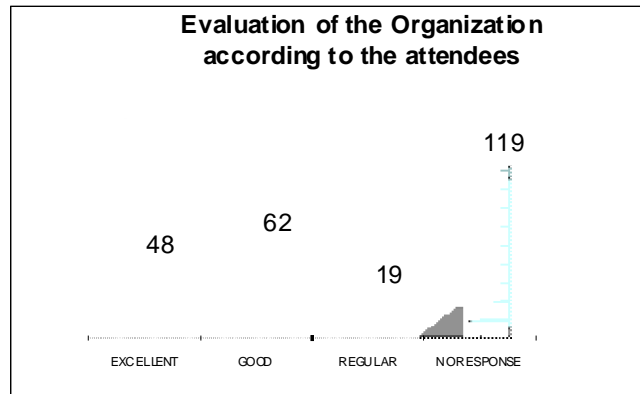
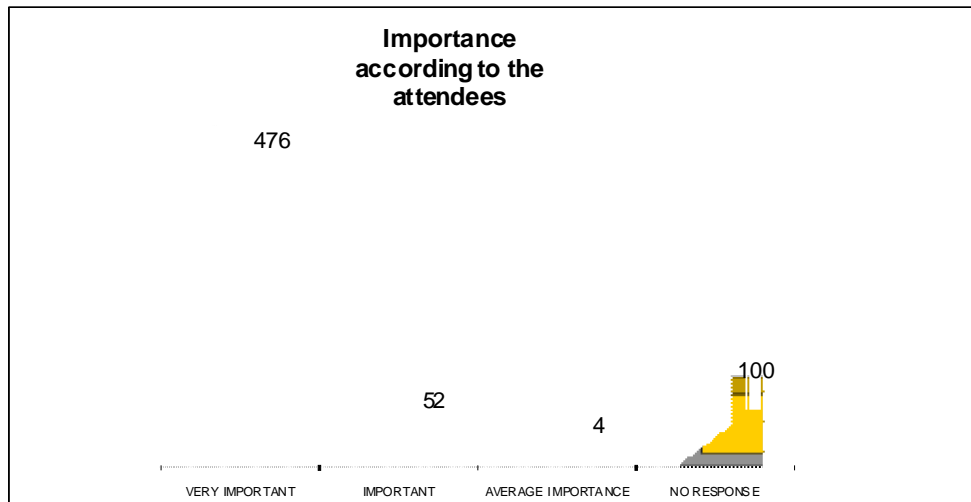
Graphs



⁵The total number of people in the Regional Forums was 632 attendees.

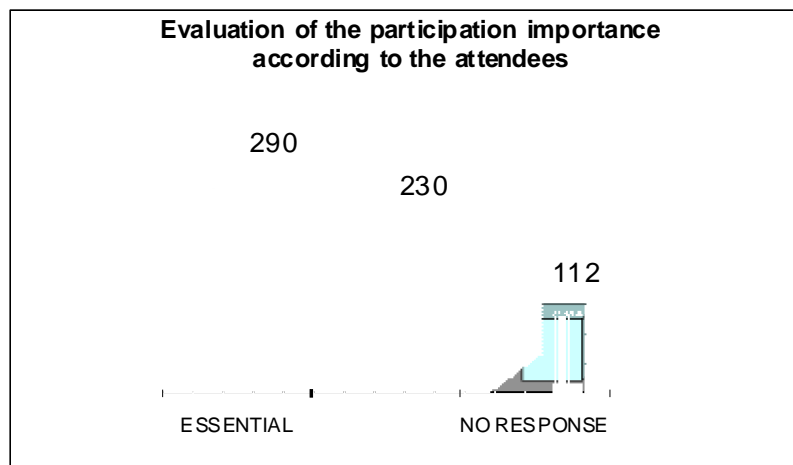
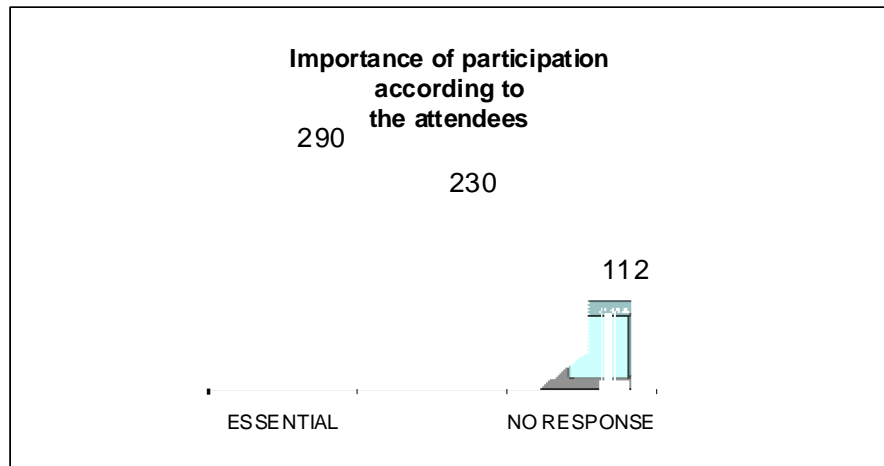


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TEXT

THE BRAZILIAN SYSTEM FOR PREVENTION AND COUNTER

TRAFFICKING IN PERSONS: AN ILADH CONSTRUCTION



**SÃO PAULO STATE GOVERNMENT
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**The Brazilian System for Prevention and Counter Trafficking in Persons:
An ILADH Construction**

Anália Belisa Ribeiro

Psychologist, founding partner of ILADH

The human traffic is the illicit activity that more increase presently. According the UN estimations, more than 700,000 people are traffic victims, all the years, to the purpose of slave work and sexual exploitation.

We can state that any country of the world is free in fact of this terrifying reality. The human traffic, yonder is a issue that violates the citizen rights, is also an organized crime practice, and with a transnational feature. It is, also, a social-political-economical issue.

The United Nations have done an important step in the coordination of an international response to the traffic. Therefore, at January 1st 2002, the Convention Against Transnational Organized Crime has been executed for 140 countries, including Brazil, and ratified by six. A total of 101 countries sign its Protocol to prevent, to suppress and to punish the people traffic, specially woman and children. Only four of those countries ratify the document. The states that ratify the Protocol shall criminalize the traffic, punish the transgressors, protect the victims and cooperate in the trafficker research.

When the question is highlight at Brazilian law and Human Rights, it is very visible that the impunity has an exceptional importance. It consists of a point for all public policies of justice and security in the country and in the world shall converge.

The fight against the impunity involves a complex series of measures and actions. Any of it, however, are feasible if there is not a confrontation of the organized crime of transnational feature. Prevention and confrontation actions shall be considered between programs focused in the establishment/restoration of the social, civil and political rights.



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However, the effectivity of a public policy to the confrontation of the criminality and the consequent reduction of the violence rates depends not only of the politic will, that is stated in the public institutions. This fight, to obtain success, shall involve movements and agencies of the civil society. A public policy of defense and promotion of the Human Rights and justice will be only efficient, at the country, if it is able to articulate, in the public place, the democratic and humanist powers that operates in the society.

It is important to highlight the relevance of this innovative action of prevention and confrontation of the human traffic, that is been deployed by the Latin American Institute for Human Rights (ILADH), in the meaning of develop a politic action to the confrontation of the transnational organized crime.

Once the initial difficulties experienced by ILADH during the deployment of the Brazilian System of Prevention and Confrontation of Trafficking in Persons were overcome, the System is getting an efficiency level in the purposes accomplishment, a decisive factor to increase its actuation at national level. The expansion of the System, for different locations of a continental proportion country like ours, implicate in an increasing diversifying and complexity of the purposes, targets and action strategies.

The Brazilian System of Prevention and Confrontation of the Trafficking in persons consists in a decentralized and systemic integration of actions, and it is a pilot project on the treatment of the transnational organized crime. Therefore, considers: 1) the country historic-social analysis, as State- Nation, engaged with the practice of the human rights; 2) the Brazilian land extension and its population; 3) moreover this the autonomy of each State member.

It is the objective with priority of the System analyze the situation of the human traffic in Brazil, between the promotion of educational preventive campaigns; deployment of a database; establishment of trials, follow up of the procedures; training of agents of the civil society and of the state, in order to work with the situation-issue.



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The ILADH is launching a constructivist methodology that allow to edification, in a collective and democratic manner, a public system, in what the maximum value is the mutual learning, between the services and ideas exchange, considering, overall, the awareness of the victim.

From the constructivist analysis, considering the objectives to be reached, the Brazilian System to Prevention and Confrontation to Trafficking in persons is structured from the reality of each State, where the rates of human traffic are threatening, offering a political-technical-methodological support to the actions at a national scope.

It is valid to add that the ILADH intend to follow the institutionalization process of the referred System, taking the base of the deployment of state managements, Inter-institutional committees formation, and the building of a political-social net in a partnership with the organized civil society, designated to the care of the victims and their relatives in risk situation.

The Latin American Institute for Human Rights – ILADH intend, also, to pass all its accumulated experience – pioneer in construction process, and, pursuant to this, is subject to adjusts, adaptations and changes to overpass the challenges imposed by the trafficking in persons. The pedagogical institutional purpose is to unleash a social transformation process, and of the institutions responsible by the applicability of the law and security, promoting the integration with the public policies, to look in face to prevent and combat the lives trading.

The delineation of the Brazilian System to prevention and Counter Trafficking in Persons form a creative draw, where the Articulated powers that compose the Inter-Institutional Committees (Judicial Power, Public Ministry, Polices, Labor Public Ministry, State and Federal Executive Power, Civil Society) are responsible to deliberate macro-political actions. The Executive Managements, that are responsible for the specialized technical-methodological improvement on this crime, have the purpose to offer psychosocial and juridical support to the victims and their relatives. It is important to highlight, also, the efficiency of the deployment



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of a net formed by many institutions which objective is offer political support to a better care of the cases.

It is possible to assert that the System above mentioned integrates a political social power of the more different parts of the civil society (non government organizations, communications channels and universities) and of the Executive, Legislative and Judiciary powers of the country.

It is important to highlight that this pioneer initiative of ILADH is launching a public policy marked by the democratic exercise in the achievement of partnerships and in the more perfect tuning and commitment with the indivisibility of the Human Rights.

The solution to the complex and challenging question of the combating of the transnational organized crime impose the effective involvement of different government agencies, of the public and private entities. The search is, between a systemic view, the building of integrated actions, improving the action of agencies and institutions of the law and public security at our country, allowing a job focused in the mutual cooperation.

The ILADH, guided by an decentralized vision, has the purpose to structure the above mentioned system, founded in the following principles: Ethics, commitment, solidarity, actions transparency, inter-disciplinarily, legality and the strict respect to the Human Rights.

The systemized quantitative results are being building between the direct care to the survivor victims of the lives trade. And the qualitative data are describe with the base the information system that ILADH is developing.

So, the partner institutions and the organized civil society are validating this action, a pioneer initiative in the country, and it is considered vital to the construction of a more correct and solidary world.

The ILADH is evidencing efforts in the meaning of fortify the social and politic base of this system, with the purpose of the consolidation of a public politic off State, and not of governments.

Investments are being done, also, in the training for the Inter-institutional Committees, concerning the structuring of a international social net, with the



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purpose to offer a psychosocial and juridical support to the victims of the trafficking in persons and to the relatives in risk situation.

This is, so, a collective construction, built between the acknowledgement of a public politic that is providing the preservation of the physical and psychological integrity of the victims exercising their citizenship, helping to elucidate the actions of the transnational organized crime, considered relevant to the worldwide history of the human rights.

In the application of a methodology built between partnerships, the monitoring done by ILADH can evidence the challenges faced in the construction of a net system between the consecution of a security and justice public politic at our country. We can confirm that the practice of the active solidarity causes a cognitive and affective explosion, which bring the people to understand that for one challenging difficult, imposed by the practice, there are infinite possibilities of possible solutions to be executed.

So, the monitoring follows in the continuous research of new solutions. The audacious transformations break historically built barriers, in a manner that the multiplication and the coordination of those transformations are the fundamental tools to the purchasing of a political awareness, that is the propelling of the power decentralization. Once the civil society and the constituent powers joint to transform the reality.

Between the Brazilian System of Prevention and Counter Trafficking in Persons, thought its democratic, transparent and ethic format, the ILADH search to face the dismantling of the Brazilian public policies. Want to avoid that this citizen construction pass to go to the undergrounds of our history, banish from any kind of acknowledgement. The hope is that the decisions of the political powers that govern the country are focused by the commitment and dignity logical conferred to the human people.

To conclude, is valid to highlight that the ILADH validate its commitment with the construction and continuity of this public policy, because it is the exhibition of



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the will to live in a democratic country, designing a social face to the present and to the future.

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**SÃO PAULO STATE GOVERNMENT
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TEXT

**THE DISENCHANTMENT AND THE EXPLOITATION OF LUANDA OR
ROUTES OF HAZARDS AND TREASON**

Text extracted from the Primer to the social-educative campaign in the
Quilombola Communities of Vale do Ribeira



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**The Disenchantment and the Exploitation of Luanda or
Routes of Hazards and Treason**

Julio César Corrêa

Luanda, an young quilombola girl, 16 years old, had large dreams, like to buy clothes, shoes, to travel, get a good job, cool places to go, meet someone nice to love and help her family. However, she was face a everyday of financial difficulties, fail in the education access and to quality health care and to leisure options, so wanted with her age. She knows the misery so close, and histories of teenagers that were at the roads margins – and in the life margin – exchanging sex by money.

Luanda yet thought to search for a job in a large city of the region, like Sorocaba, although she knew that was very important to complete the high school, even if to fight for the less qualified employees at the labor market. In this manner, still 16 old, she got from a friend a proposal to work like domestic maid at São Paulo suburban area. She got excited, imagining the life at this large city, with high buildings, shopping, cinemas, all that she even wont. But she knew that will miss her parents, friends and the natural beauties of the quilombo. She thought if she could find at São Paulo the opportunity to win in the life and reach the so dreamed independence. With no more delay, and without consulting her parents, Luanda adventured road away to go to São Paulo.

But the reality was not so pretty like she bet it could be. Arriving at São Paulo, she discovered that the job proposal was a illusion. Her dream went in a nightmare. The payment was poor to her expenses, and she must work many hour a day, including the weekends. She did not knew so expensive is the cost of living in the capital. She got living far from the work, got hungry, and received intimidation of the drugs trafficking that dominates the quarter where she was living.

After six months, afraid, tired, and after lose the school year, she decide to went back to the quilombola community.

In the following year, a new job proposal, now like model at Santos, came from a baiter, a criminal masked. Luanda got back her hopes, believing that she will work like a model, and will built a great career. Although she told to her parents, she



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didn't accept any advice of them to don't go. Standing back again from the family and the school, she got away.

But in fact Luanda has gone to work in a trailer, where the owner not even pays her, in other words, she worked for food and living. This goes until someone offer her money for sex, and when she apprehended, was now at the prostitution life.

After some years, Luanda resolve to go back, definitively to the quilombola community. However, she was debilitated, and was mother of 4 children, and now the young girl, that was 165 lbs when went to São Paulo, 16 years old, was now skin and bones. As soon as she get back to the community, 24 years old, debilitated and sick, she died. The cause of her death? Ascites. However, some people say that Luanda died because she get the HIV virus.



**SÃO PAULO STATE GOVERNMENT
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Research project

THE USE OF TRAFFICKING FOR

COMMERCIAL EXPLOITATION OF PERSONS:

THE CITY OF SÃO PAULO



**SÃO PAULO STATE GOVERNMENT
JUSTICE AND CITIZENSHIP DEFENSE SECRETARIAT**

Research Project

**The use of Trafficking for Commercial Exploitation of Persons:
City of São Paulo**

1. Theme Presentation

The exploitation of persons has been turned in a livelihood for some people and gangs that have the only purpose of the profit, not considering the methods and manners used to obtain it. The variety of actions, the difficult to know the features that round the set of activities and the poorness of witness are some of the variables that turns the question specially complex.

In order of the graveness and the expansion, the trafficking to exploit persons is now recognized like epidemical by many different international organizations. It exists in and out countries. In a global view, the displacement of persons to be submitted to exploitation is now the third type of crime on resources mobilization ant unlawful assets, and is only over passed by the weapons trafficking and the drugs trafficking. A profitable trade, that the United Nations alerts moves more than U\$ 13 billions/year and that victimize more than four million person every year.

Brazil shall participate on the fight against these type of contemporaneous slavery. At the 2000 year the Justice Minister, José Gregori, installed in the country the Global Program to Combat and Confrontation to the Trafficking of Persons. In December, he signed the United Nations Convention Against the Transnational Organized Crime, at Palermo. This document, essential in their fight against the crime actually, have two additional protocols, that denotes special concerning of the international community. One is the Protocol to Prevent, Suppress and Punish the Trafficking of Persons, Specially Women and Children. A product of those first efforts, the theme has been having some repercussion and get projects at many states and areas of the Federal Government.

In the study we are mounting, exploit people means the bodies trading, parts of those, or even the life of thousands of victims. The traffic, allurement, the seduction, the cheating and the force are tools that make viable the human exploitation. At this first research, the focus of the job is the utilization of the trafficking to make viable the sexual exploitation of children, youths and adults. Other people exploitation manners will be object of a future study. The United Nations Office on Drugs and Crime points that 54% of the trafficked persons worldwide are women, 44% are children⁶.

⁶ Mundial Report of Trafficking in Persons, UNODC, 2006.



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Although is the State the responsible to a series of indispensable measurements to the trying to avoid and control the trafficking and the persons exploitation, only the union and the continuous efforts of many government and non-government agencies can bring positive results. It is necessary, also, that the civil society, composed by religious, educators, self-employed persons, workers, housewives, parents, students and all of others, be alerted to the severity of the question, and contribute between the more different manners to its overcoming, rejecting and condemning the practices and the authors. The commercial exploitation of persons shall be faced like a criminal violence and a disrespect of the primary human rights.

It's hard and complex the task of interposing between culture, power, money and force, and trying to detect, care and rescue exploited people. It's so hard and complex that only very few states and cities risk to fight it between their own permanent policies. The conquests that we reach about the life, freedom and dignity values are not still enough to avoid the situations about we are talking, and that we are proposing to know with accuracy. The own society do not understand that its ignorance or indifference are supports to the keeping of the injustice each more present and harmful.

2. The Person Exploitation

The trafficking of persons consists in the displacement, conduction, shipping, sheltering of persons to be exploited. Its aggravation worldwide has made that the combat on trafficking in persons has been turned in a fight of many national and international organizations, of States and cooperation agencies, conducted by United Nations (UN), International Labor Office (ILO) and the International Organization for Migration (IOM). The first condition of the existence of the trafficking, and its trading, exchanging, allurements and attraction manners is its focus to the persons exploitation. The commercial exploitation uses many forms of persons recruitment: The form of the people that are at the location where the crime will be done; that are transported from other locations, by their own initiative and own resources; that forms by trafficking in persons gangs, or by friends/colleagues.. One part of those persons is shipped to outland, and some are carried from a city or a State to other. A woman or a man Trafficked to outland to the rendering of this kind of service are sold to the exploitation gang by U\$ 30,000.⁷

There is not trafficking in persons without exploitation, and there is not exploitation without authors and victims, even if both, in many times, don't recognize their roles. Some persons put their self in a position of power that those persons are considered *owners*, *properties* of others. The work, the utilization, the body of those persons pass to be at the unique service of the profits of their *owners*.

The unlimited influence of the adults on the children, including over the sons; the significant power of men over women, from which obedience and submission

⁷ Idem.



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are expected; prejudices and social indifference. and questions related to the extreme poverty are important variables that make part of the context of the sexual exploitation. The trafficking in persons exists because there is offer, there is demand, there is not sufficient investigation and the impunity ensure the success and the profitability. As is know, the customer of the exploitation is man and there are many forms of remuneration involved as payment for the sexual utilization of the bodies. It's time to know the profile of the customers.

To difficult the knowing and the combat of the trafficking in persons, is verified that the rare information available are divergent, repetitive and re-ordered, the researches are rare, and the is the usual smoke screen that maintain the organized crime and ensure the impunity of its members.

We shall to highlight that the trafficking, despite is not exclusively focused in the low income population, has their members like the main targets. At all country worldwide, the victim of the trafficking are people every considered disposable, that have a value while they are in good conditions and in function of what is possible to obtain with their bodies.⁸

People from communities deprived of resources are attracted by job announces, payments for spare body *organs*⁹, travel promotions, scholarships, marriage proposals, among others. They are unsafe and not informed about the possibilities that can be hidden in this at this tempter offers.¹⁰

Furthermore, the families, shamed, refuse to go to police, hide the facts, condemn and abandon the victims. The denounces are few, and the society – even some police and justice departments - seem to have not awareness of the severity and the proportions that the whole of the criminal actions have been reached. The question is minimized and customized, removed from the crime scope. And we have still complications, like prejudices, morality interpretations, shame, family secrets, incomprehension and the power of the silence and of the impunity, proceeding from large amounts of money.

2.1. Aspects of the some type of crime

There are many forms of trafficking in persons, but the purpose that moves is only one: unlawful profits, product of the crime. The practice of the trafficking in persons, independently of the purpose for it is designated, consists in a very serious violation of many human rights recognized by Brazil and the international

⁸In the comproved kidney trafficking judged at Recife, 2004, was verified that the physician that tried to remove the kidney of the victim observed that the organ had a problem, and, immediately, closed the incision and extrirpate the healthy kidney. CPI on Organs Trafficking Câmara dos Deputados de Pernambuco, 2006.

⁹Specially kidneys and corneas.

¹⁰The thirty victims of the kidney trafficking discovered at the State of Pernambuco 2003 informed the middlemen f the gang told that "remove a kidney is the same to remove a tooth". CPI on Organs Trafficking Câmara dos Deputados de Pernambuco, 2006.



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community. We present the main manners of the trafficking in persons present at the country.

A The more known manner of the trafficking in persons is that is focused in children, youths and adults, both sex, to the sexual exploitation. There are captured, seduced, rented or purchased people, to supply the sexual exploitation market in and out the country. In the case of the children exploitation, yonder the freaks mentioned, exists the use for the pornography.

B The transportation of the workers, many of them children and teenagers to the work at inhuman conditions, usually without money payment, for work times until 12 hours without break; are used in seasonal work in the country, or out it, like at the MERCOSUL areas, Guiana and Venezuela. The country is lamentably turning in a receiver of workers for exploitation, as in the case of the City of São Paulo.

C The trafficking in persons to supply the voracious market of the human organs trading, that explains some irregular adoptions, and the definitive disappearance of some persons, children over all.

Although the trafficking and the problems associated to it are increasing at Latin America, its extensions and implications are not enough know. According a study done by the Interamerican Development bank, the Latin America is the region worldwide that the theme is less researched, less watched and less funded. But now is know that, at Latin America, Brazil is the larger exporter of women and children to international exploitation, and the Federal Police estimate that at least 70 thousands women and men are being object of sexual exploitation out of the country. Now is possible to affirm that the trafficking and commercial exploitation of persons are present in all the States, with different proportions. Although, despite the incidence is so strong, the commercial exploitation is few visualized, has a difficult detection by the police departments, and has been getting many chances to pass unpunished over the judicial system of the country.

3. Commerce of Persons in Brazil

Brazil is demonstrating to be a productive place to the actuation of the allures and traffickers in persons, as it have features that make easier the happening of this kind of actions, and that difficult its detection and controlling: A gigantic country, fractionated as federation, with thousands of quilometers of coast and borders, racial and cultural plurality, adjacent to ten other countries, and moreover political and institutional features propitious to it. The question is aggravate at the locations where the opportunities to the access to the basic services are more limited, the families are weaken or could no more orientate, protect or aggregate their members. It is also aggravate at contexts that the gender difference overpass the constitutional principles, product of a paternalistic culture that is very hard to be over passed. Straight stereotypes of the male and female roles are considered important manners to the provocation and maintenance of the abuse and commercial exploitation of children and youths. Domestic violence, prejudice,



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rejection to the homosexuality of the sons, disrespect to the fragility condition natural of the childhood and adolescence are present in the reports of the victims of sexual exploitation.

About the reaction of the country to the abuse on youths, Brazil is signatory of the Convention on Child Rights, since 1990. This convention recommends the reinforcement of the mechanisms and national and international programs of defense and protection of the dead end kids and of the children economically and sexually exploited, including that they are used in pornography and infant prostitution. In its Article 34 the Convention determines that the participant States take all the measurements of national, bilateral and multilateral feature needed to impede that children are encouraged or coerced to any sexual activity. Recently, Brazil signed the Convention of United Nations Against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish the Trafficking in Persons, Specially Women and Children.

The Brazilian's Federal constitution from 1988 foresees the prohibition and punishment of the abuse, violence and sexual exploitation of children and youths. However, it's necessary a large set of legislative, administrative and judicial measurements, to the State can advance concerning this question.

As has been told, the Justice ministry mounted the first project of control and care of trafficking in person victims, at 2002, which the United Nations On Drugs and Crime Program was incorporated, since 2002. The articulation between many civil society organizations and government agencies of the states has developing projects that try to reduce this type of crime. Information campaigns, public servants training, local programmes to mobilization and clarification and care of the victims.

Although those efforts, the trafficking in persons remains still unknown to Brazil. The data and information obtained are inaccurate, eventual. Although the theme is actually from the interest of a larger number of organizations, including universities, in about one decade a quite has been advanced, in the aspect of the strict accomplishment of the practices; in the incorporation of the question at the public agenda; and, moreover, in the evaluation and measurement of the performance and the impact of all those projects. Therefore, we continue to unknown the amount of the question and its consequences to the country. And we still continue without knowing the best and more effective manners to avoid and combat it, according the contexts established by more wide circumstances or more local circumstances.

There is surprise, discredit and even if unprepared at all the steps of the state contact with this question. Out the exceptions, the state polices, the Federal Police Department and municipal guards have been demonstrating unknowing or small interest by the sexual exploitation and for its antecedents and consequences.



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Between those rare initiatives a program of the São Paulo City Hall highlights. Since 2003 has been realized the Municipal Commission of Human Rights, for what is bounded the Paulista Committee of Counter Trafficking in Persons, a agency designed to work with the trafficking and the consequent person exploitation.¹¹ The need of a research like that we are proposing that clarify and demonstrate aspects of the trading of persons has been proposed by the members of the Commission and to foreseen in its Internal Regiment (art. 2º, V)¹²

4. Purposes of the Job

General Purpose:

The purpose of the research is know effectively the trafficking and other conditions of the person's sexual exploitation in the City of São Paulo.

Between the coherent and phatic information provided by a field research it will be possible to adjust an integrated planning of the prevention, treatment and repression actions to the commercial exploitation, enlarging the efficiency and the participation of the organizations that make part of the Paulista Commission on Human Rights. Therefore:

- The research will consist in a internal evaluation of the reaction that different State areas are directing to the persons trading. It will facilitate the integration between the government and non government entities, to the improvement of its performance, and reduction of the actions superposition.
- At the end of the job, the material will be formatted to publication.
- If will have interest of CMDH a new project will be designed, continuing this here proposed. The next job, that will be done by 2009, will have two trends: Development of a project for a multimedia campaign with the purpose to mobilize youth of both sex on the prevention of the sexual exploitation; elaboration of a consciousness guide focused on health workers, teachers and coordinators groups of activities for youths and other focused groups.

¹¹According the Internal Regiment, the organization shall congregate persons and public and private institution interested on the contributing, direct or indirectly, to the prevention and Counter Trafficking in Persons in Brazil, and specially, at the State of São Paulo.

¹²The commission conducts and follows up cases of serious violation of rights that can occur at the city. Have the competence to receive denunces, to require the inquiry of the facts, elaborate reports and indicate the recommendations for that don't occur new violations. Other of its attributions are to elaborate proposal projects, prenetive projects and proposals to the promotion of public policies of Human Rights.



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Specific Purposes

Identify:

1. The different manners and strategies used on the sexual exploitation cases that have been occurred at the City of São Paulo between 2005 and 2008 and that were detected by the security departments; the dynamics of attraction and offering;
2. The context and circumstances wherein the exploitation occurs;
3. The victim/origin/familiar historic; the influence of the gender and masculinity culture as incentive to the sexual abuse.
4. The customer role and profile;
5. The nets/conductors authors of the perpetration of the crime;
6. The auxiliary and infrastructure manners;
7. The passage by a attention department of the State.

5. Job Methodology

The research to be done will be quantitative and qualitative. Both will have as work tool a questionnaire with open and closed questions, and free interviews. The focus of the job will be the cases of trafficking in persons detected in the State of São Paulo.

- The detection is between the actuation of the Civil and Federal Polices. According the Department on Homicides and Protection to Person – DHPP of the Civil Police there are 89 cases involving trafficking in persons under investigation or processed in the State. The reference-cases are that those are treated since 2005, when the specialized Delegacy was mounted, with the attribution to investigate this type of crime. The previous cases will be studied in the proportion that contains data and are available to research.
- The Federal Police indicates that its action generated: 2004, 18 arrested; 2005, 39 arrested, 2006, 68 arrested; 2007, 20 arrested. The estimation of the Federal Police Department is that the 40 suspects of involvement on the international trafficking are to be incriminate during 2008. All the objects of investigation on international trafficking to exploitation.
- Since the detailed analysis of those cases, the information will be collected, to form the occurrence map of the cases and the route of the victims and the authors. The frames of the profiles/history of the life of the victims and authors; the dynamic of the attraction: Locations, middlemen, promises. Reaction of the relatives; search for help in and out of the state agencies.
- Between those information, it will be possible to know the characteristics of the victims, of the exploitation and of its authors/facilitators: Age, sex, race/color, formal education, financial condition, creation/familiar situation, existing of relatives. When and where have been attracted for the



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sexual exploitation? By whom, in which circumstances. Use of newspaper announces? Internet? They look for allures or location where the exploitation is now occurring freely? Have been allured by persons that have already been exploited (friends, sisters, etc.)? What promises they received? In what conditions they work (physical conditions, emotional, values)? Live at the place where work? They have got diseases derived from the conditions of the work? It's possible to require that the customers use condoms? They consider their selves victims? Protect the exploiters? They intend to go out of the exploitation environment and domination? They have been prostituting before? Transportation manner. They got debts with the middlemen? Unlawful immigrant? From what State/Country have arrive? Who are the authors of the sexual exploitation? It's a organized or unprepared business? Are international mafias? Internal nets acting only at the city of São Paulo? At other locations of the State of São Paulo? Are connected with similar organizations at other States or internationally? Are common criminals exploiting the poverty situation of other persons? Exists connection between the sexual exploitation and other criminality forms?

After the analysis of the answers of the questionnaire and interviews the project will collect own information, that, together with the government and non-government data now available will be object of scientific treatment and will be part of the Final Report.

6. Job Team

The team will be composed by members and/or professionals contracted by the proponent organization, the Institute of Religion Studies (Instituto de Estudos da Religião). The first step of the job, accurately this, talking about sexual exploitation, shall be conclude until the end of 2008.

- Coordination: Elizabeth Süssekind, president of the Deliberative Body of the Promundo Institute (Instituto Promundo), professor of criminology at PUC-Rio, leader researcher of the Museu da República;
- Two researchers available full time, rather post graduation that are working or have worked with the theme;
- Three probation students, part-time during the whole project;
- A secretary with fine knowledge of computers during all the project deployment.

7. Activities Timeline

May and June 2008

- Recruitment and selection of the team;
- Texts reading about the theme and training; analysis of the available material at the Secretariat of Public Safety of the State of São Paulo; division of the material that will be researched by CMDH; collecting of complementary information and data of the cases; media analysis.



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- Articulation/new contacts/visits to Delegacies, Federal Police and non-government organizations that work with the exploitation and trafficking in persons.

July 2009

- Preparing of the questionnaires and interviews screenplays;
- Distribution of the job team;
- Testing of the questionnaire functioning;
- Evaluation of the team job during the tests.

August and September 2009

- Quantitative research: Search of new and old cases of commercial sexual exploitation. Qualitative research over the known cases. Interviews with the involved persons: Victims, known authors, relatives, teachers, policemen, members of care organizations, health area professionals and other contacts considered applicable to draw the profile, life history, opportunities, local culture, values, and others.

October and November 2009

- Analysis of the questionnaire and interviews answers.

December 2009

- Final Report of the Research Elaboration.

8. Research Budget

- **Total Budget:** 180,600.00 Brazilian Reals.



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CAMPAIGN AGAINST THE
TRAFFICKING IN PERSONS AND THE
SEXUAL TOURISM



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Campaign Against the Trafficking in Persons and the Sexual Tourism

Presentation

This document has the purpose to present in a synthetic form the general lines to the realization of a campaign with the purpose of the Counter Trafficking in Persons and the inhibition of the practice of sexual tourism during the carnival time.

What shall be the campaign purposes?

It's to inform about the existence of the freak, put the focus on an existing problem that must be faced. It is also used to inhibit the criminal action. And to sensitize the society about the theme, as well to present the many forms to prevent and combat the Sexual Tourism.

How it will happen?

It will happen during the pre-carnival week, at the official opening of the Carnival celebration at the São Paulo State. For that will be produced proper materials to the period and that awake over all the attention of the revellers. Took part as mobilizing agents the Committees Inter-institutional of the Counter trafficking in persons members, taxi drivers, ngos, truckers, travel agents, bars, restaurants and hotels employees. The success artists, musicians, will be conducted to do the publicity of the campaign during the presentations.

About the Launching?

The launching will happen in a location that ensure the visibility of the action, Will have the participation of the authorities, artists, athletes, musicians, finally, celebrities that mobilize the social ideal able to produce new subjectivities around the freak.

The media will have a pedagogical role, with the purpose to divulgate the launching materials, as well to inform the development of the foreseen actions.

Who are the partners?

- National Justice Secretariat/Ministry of Justice
- Secretariat of state of Tourism
- Municipal Government: Civil metropolitan Guard
- Inter-institutional Committees to Counter Trafficking in Persons

What are the materials that can be created for the Campaign divulgation?

T-Shirts, folders, banners, posters, strips, visors, fans, hats, adhesive tapes, DVDs, condoms dispensers.

Where are the locations where the campaign materials will be divulgated?

- airports
- bus
- bus stations



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- taxis (example: adhesives)
- sambodromos (places of Carnival parades) (example: Large adhesives fixed on the ground, strips with messages transiting in the lane between the parades of the samba schools)
- electric trios (example: strips, neon messages)
- bars, restaurants, hotels (example: Folder, posters)
- TV channels
- Radios
- Newspapers, etc.

What is necessary to realize the campaign?

Political will essentially! And the contracting of a publicity agency to make the campaign and its wide divulgation. And a press advisement service with the purpose of ensure the visibility. Finally, but not the least, realize an articulation job between the States and Cities to the adhesion to the proposal.

Total Budget: 250,000.00 Brazilian Reals.



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Research project

DATABASE



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**Research Project
Database**

I - Justification

The Database created by the Center for Prevention and Counter Trafficking in Persons – NETP, in partnership with the Department of Homicides and Protection of Persons - DHPP and the Center of Migrant Support – CAMI, has the aim of subsidizing a detailed study on the main modalities of trafficking in persons, especially of women, children and adolescents, its flows and trends, thus helping to develop and implement specific policies aimed at "preventing, suppressing and punishing" such kind of trafficking.

Thus, the Database, as an analysis instrument, shall contain relevant psychosocial and legal information that will offer necessary elements to start an action that can meet the Management purposes, as well as conditions to reflect and to reformulate measures that can better fight this modality of crime.

From such perspective, through the history of the case stored in the Database, it is, for instance, possible to outline the psychosocial characteristics of victims and accused, countries and traffic routes, and through the analysis of filed investigations and lawsuits, it is also possible to better study the need of elaborating a national legislation and joint investigations with other countries that can hinder the trafficking in persons. Therefore, elements and basic conditions to monitor the evolution of cases become available, with the possibility of also evaluating the effectiveness of agencies performing the prevention and repression of this modality of crime. In addition, with the psychosocial data, it is possible to know in detail what represents the main attraction that pushes the victims, most women, to the trafficking with sexual exploitation or forced labor purposes, inside and outside Brazil.

An interdisciplinary team specifically formed by lawyers, social workers and psychologists is responsible for the implementation and monitoring of the Database on trafficking, as well as for the articulation of organizations involved in the National System to Counter Trafficking in Persons. With this investigation instrument, reckoning on its various knowledge's, such team can analyze the social, psychological and legal reasons that help increasing this modality of trafficking. At last, they can also show ways to repress and prevent the practice of such criminal facts.

It is worthy to point out that the systematization of such information also aims at sensitizing segments of the Civil Society against such modality of organized crime¹³, as well as to stimulate the critical debate about the actions developed so far

¹³In this sense, *the Declaration of Basic Justice Principles in Favor of the Victims of Crime and Power Abuse* wisely states: "the police, the justice, the health, the social work and other groups of interested persons shall be trained to become sensible to the victims' needs.... (Art. 16). 16).



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by the several actors taking part in the counter-trafficking in persons. What we want to say is that the implementation of the Management measures requires, in addition to the Government staff training, the mobilization of social forces and the activation of the public awareness.

At last, the Database can furnish subsidies to provide legal and psychosocial support to the victims¹⁴ of the trafficking in persons, as well as to their relatives¹⁵, provided by NGOs performing activities in this field and by specific Programs such as, for instance, the National System of Witness Protection and Centers of Support for Victims of Crimes¹⁶.

The ambiance preparation by the technician, before and during the information collection, is also important, considering that such procedure will allow a precise entering of data into the Database.

II – Organization and structure of the Database

The Database shall be organized in such a way to facilitate the recording of information, providing conditions to get information about: the victim (at personal level, such as family composition, economic status, experiences in sociocultural activities: religion, leisure, degree of participation in community activities, etc.), the defendant or accused (at personal level), number of accused, “status libertatis” of the accused, penal type, procedure type (investigation or criminal action), Police station of origin, Circuit court, case history, Judgment/Lawsuit Results, traffic route, criminal organization, and general observations in which information about the life history of the victim and of the accused, and the case evolution, that cannot be recorded in other fields of the Database, are recorded.

The information shall be recorded observing the following:

Field 01 – Case: Refers to the organization of the case number at national level;

In fields 02 to 12 (personal data), we find key information about the victim's civil life:

Field 02 – Name: The name shall be recorded only with the initials for the purpose of preserving the victim's identity secrecy;

¹⁴“Victims” mean persons who, individually or collectively, have suffered damages, including physical or mental injury, emotional suffering, economic loss or substantial harm in their fundamental rights, through acts and omissions that occurred in violation of the criminal laws in force in the Member States, including those prohibiting the criminal abuse of power (Article 1, of the Declaration of Basic Justice Principles in Favor of the Victims of Crime and Power Abuse).

¹⁵The term “victims” also includes, when applicable, the immediate family or dependents of the direct victim, and those persons who have suffered damages for helping the afflicted victims or for preventing the victimization (Article 2, of the Declaration of Basic Justice Principles in Favor of the Victims of Crime and Power Abuse).

¹⁶The Declaration of Basic Justice Principles in Favor of the Victims of Crime and Power Abuse emphasizes the assistance to the victim, with highlight on the access to justice, and to fair treatment (Arts. 4 – 7) and to the ideal assistance (Arts. 14 - 17).



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Field 03 – Birth Date: The day, month and year of birth shall be entered;

Field 04 – Age, and Field 05 - Gender (male or female):

Special attention shall be given to age and gender information, mainly in cases involving children and adolescents, because such groups will deserve special attention from competent authorities to counter trafficking. This information will also provide subsidies for governmental and non-governmental programs in following up the bio-psycho-social development of such victims, during the whole period they attend the program. It is worthy to point out that when such information is crossed with other information such as occupation, marital status and educational level, they become even more important.

Field 06 – Age range defined according to the following three categories: a) 0 to 11 years old: Child; b) 12 to 18 years old: Adolescent; c) from 18 years old on: Adult. The concept of child and adolescent can be found in article 2, caption, of Federal Law no. 8.069/90, the so called Child and Adolescent Statute, that says that a child is an individual of up to incomplete 12 years old, and the adolescent is that individual between 12 and 18 years old;

Field 07 – Address of the victim at the time of the criminal fact. This information offers conditions to outline the community profile in regard of the neighborhood violence rate, community organization, local infrastructure, socioeconomic status of residents, etc. In addition, it can provide information to victim assistance programs so that such programs can better work in the process of restructuring the social life of such victims;

Field 08 – Ethnic Group: This field shall be filled out with the identification of the ethnic group by the victim his/herself, which can reveal the acceptance or not of his/her own racial identification;

Field 09 – Marital status, with the following choices: 01 – Single; 02 Married; 03 – Widow(er); 04 – Consensual Marriage; 05 – Divorced; 06 – Judicial Separation; 07 – Separation of Spouses;

Field 10 – Educational Level;

Field 11 – Occupation or Profession;

Such fields will be very important for victim assistance programs in regard of the restructuring process of the user's social life thus facilitating his/her inclusion in the job market. In addition, it will be possible to more precisely understand what is the motivation for the sexual exploitation or forced labor purpose trafficking.

Field 10 – Educational level, with the following choices: a) illiterate; b) literate; c) incomplete 1st degree; d) complete 1st degree; e) incomplete 2nd degree; f) complete 2nd degree; g) incomplete 3rd degree; h) complete 3rd degree; i) post-graduation;

Field 11 – Occupation or Profession; Here, the Brazilian Classification of Occupations - CBO can be used to subsequently group such information;

Field 12 – Family composition; number of family members.



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This field is very important to understand the family relations in which the victim is involved, the degree of integration or conflict among family members, and to identify the victim's material and moral support pillars.

As for the socioeconomic status, we have defined the following fields:

Field 13 – Individual income until the occurrence of the criminal fact, with the following choices: a) less than 1 MW (minimum wage); b) 1 to 3 MW; c) 4 to 6 MS; d) 7 to 10 MW; e) above 10 MW;

Field 14 – Family income until the occurrence of the criminal fact, including the category of the number of dependants, with the following choices: a) less than 1 MW (minimum wage); b) 1 to 3 MW; c) 4 to 6 MS; d) 7 to 10 MW; e) above 10 MW;

In regard of social and religious activities, the victim's involvement in social activities in his/her community is outlined, identifying the social groups which he/she is part of. The fields are as follows:

Field 15 – Leisure until the occurrence of the criminal fact: a) none; b) beach; c) shopping mall; d) trips; e) theater; f) games; g) walks; h) sports club; i) combination of options (specify); j) others (specify);

Field 16 – Current leisure: a) none; b) beach; c) shopping mall; d) trips; e) theater; f) games; g) walks; h) sports club; i) combination of options (specify); j) others (specify);

Field 17 – Religion, with the following choices: a) Catholic; b) Spiritist; c) Evangelist; d) Afro-Brazilian Cult; e) Others; f) None;

There are also other psychosocial fields:

Field 18 – Sexual Orientation, with five choices: a) Heterosexual; b) Homosexual; c) Bisexual; d) Transvestite, e) Transsexual;

Field 19 – User of Chemical Substances, with the following choices: a) No; b) Yes, licit; c) Yes, Illicit;

Field 20 – Utilized Chemical Substance: a) cigarette; b) alcohol; c) marijuana; d) cocaine; e) hashish; f) crack; g) glue; h) nail polish; i) others, specify;

Field 21 – Bearer of Special Needs, with the following choices: a) No; b) Yes, hearing; c) Yes, vision; d) Yes, locomotion; e) Yes, tactile; f) Yes, genetic syndrome; g) Yes, neuromotor abnormality; h) Yes, cognitive abnormality; i) Yes, mental disorder (specify); j) Yes, others (specify);

Field 22 – Bearer of infectious-contagious Disease, with the following choices: a) No; b) Yes, AIDS; C) Yes, syphilis; d) Yes, tuberculosis; e) Yes, herpes; f) Yes, meningitis; g) Yes, hepatitis; h) others (specify);

Field 23 – Bearer of Chronic Disease, with the following choices: a) No; b) Yes, heart disease; c) Yes, kidney disease; d) Yes, psychiatric disorder (specify); e) others (specify);

Legal information

Field 24 – Day, Month and Year of the criminal fact occurrence;

Field 25 – Type of procedure (Investigation/Criminal Action);

Field 26 – No. of the Investigation or Process;

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- Field 27 – Police Station of Origin;
- Field 28 – Court;
- Field 29 – Circuit court;
- Field 30 – Penal type;
- Field 31 – Case History;
- Field 32 – No. of accused;
- Field 33 – Occupation or profession of the accused (specify for each accused). Here, the Brazilian Classification of Occupations - CBO can be used to subsequently group such information;
- Field 34 – Existence of Criminal Records – Yes/No;
- Field 35 – “Status Libertatis” of the accused, with the following choices: a) Arrested with condemnation with transit in rem judicatam; b) Arrested with condemnation without transit in rem judicatam; c) Waiting for the trial out of jail; d) Fugitive;
- Field 36 – Judgment/Lawsuit Results: a) Absolved with sentence transited in rem judicatam; b) Absolved with sentence not transited in rem judicatam; c) Condemned with sentence transited in rem judicatam; d) Condemned with sentence not transited in rem judicatam;
- Field 37 – Appeal: Yes/No;
- Field 38 – Summary of the Judgment;
- Field 39 – Date of the transit in rem judicatam;
- Field 40 – Previous life of the victim – relationship and involvement with the accused;
- Field 41 – Time elapsed between the criminal fact occurrence and the final decision by the Judicial Power;
- Field 42 – Traffic Route: city of origin/intermediary city/city of destination;
- Field 43 – Criminal Organization: Yes/No;
- Field 44 – Did the victim look for help in some Institution or Government Agency? Which one? At what moment?
- Field 45 – General Observations;

III - Conclusion

Therefore, the Database is an appropriate instrument for:

- a) Being easy to enter data;
- b) Allowing the broad visualization and the evolution of all fields regarding each case;
- c) Being easy to update;
- d) Allowing to crisscross information, transforming them into tables and graphs;
- e) Allowing the unified/homogenized matrix of such instrument, thus avoiding gaps and incorrect results.



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Finally, it is important to highlight the importance of verifying the contributions from the Federal Police, the National Secretariat of Justice – SNJ/MJ, and the Attorney General's Office, and from other institutions for the creation of such Database about trafficking in persons.

Total Budget: 150,000.00 Brazilian Reals.



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PROJECT

VI INTERNATIONAL MEETING ON HUMAN RIGHTS

PUBLIC SECURITY AND

COUNTER TRAFFICKING IN PERSONS



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Project

**VI International Meeting on Human Rights, Public Security
and Counter
Trafficking in Persons.**

1. JUSTIFICATION

Among the modern forms of fundamental rights violation, the three modalities of trafficking in persons stand out: for the purposes of sexual exploitation, slavery and removal of organs. In this modality of transnational organized crime, one of the fundamentals of the democratic state is violated, i.e. the “dignity of the human being”.

Being a transnational organized crime phenomenon, the trafficking in persons is awakening the interest of the national and international communities in the search for prevention and fighting mechanisms.

The Brazilian Government, as signatory of the Palermo Protocol¹⁷, has promised to create public policies to Prevent and Counter Trafficking in Persons. Under such circumstances, the Government of Pernambuco, through Decree no. 25.594, as of July 1st, 2003, has created the Program to Prevent and Counter Trafficking in Persons, a public policy of great physical and mental relevance for the victims, helping to elucidate criminal facts and to hold the perpetrators accountable for such crimes.

With the aim of modifying such reality, the Latin-American Institute of Human Rights Promotion and Defense – ILADH, in partnership with the Government of Bahia State, through the State Secretariat of Justice and Human Rights, the Winrock Institute and the Center for Prevention and Counter Trafficking in Persons – NETP, the Justice and Citizenship Defense Secretariat – SJDC, have carried out the VI International Meeting on Human Rights, Public Security and Counter Trafficking in Persons, aiming at qualifying professionals to work in the implementation of prevention and counter measures against such criminal practice. The objective is to create a link between the State and the Civil Society in the expansion of the sociopolitical network to Prevent and Counter Trafficking in Persons, attending the victims of such kind of violence, as well as continuing the study, researches, diagnoses, knowledge production and qualified discussion about the issue. It also aims at promoting exchanges about different forms of intervention carried out by organizations working in the prevention of such type of crime.

The VI International Meeting will gather the National System of Brazilian Security and Justice, Inter-institutional Committees related to the issue, in three

¹⁷The Protocol to Prevent, Suppress and Punish the TrafficThe Protocol to Prevent, Suppress and Punish the Trafficking in Persons (Palermo Protocol), specially of Women and Children, complements the United Nations Convention against the Transnational Organized Crime, article 3 (a), presenting the definition of trafficking as “...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”, which can be “... The exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs”.



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spheres: State, National and International, in addition to Governmental and Non-Governmental Organizations, Education Institutions, countries that are signatory of the Palermo Protocol, and countries that have not yet signed such Protocol.

2. OBJECTIVE

2.1 General Objective

To conduct qualified discussions allowing the improvement of measures of integral assistance to the victims of Trafficking in Persons.

2.2 Specific Objectives

- Get to know the reality of participant countries in regard of trafficking in persons, as well as the adopted prevention and counter measures;
- Elaborate a comparative study with the participant countries about the way the victims of trafficking in persons are attended;
- Conduct qualified discussions about the three trafficking modalities: sexual exploitation, slavery and trafficking in human organs;
- Update the professionals' knowledge about the issue to help implementing prevention and counter measures against the trafficking in persons.

3. SCHEDULE OF ACTIVITIES

No.	Activities	Month
01	Discussion with the Team, Partners, Consultants and Specialists, to plan the event.	July
02	Identification of Themes	July
03	Elaboration of the Schedule per Theme	July
04	Organization of the event infrastructure	July/August
05	Divulcation and enrollment of participants.	September October
06	Meeting	November 2009
07	Presentation of the Monitoring / Evaluation Report by the Consultants	February 2010



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4. MEETING

Scheduled Date: November 2009

Venue: Auditório Franco Montoro, Pátio do Colégio, 184, Centro, São Paulo, SP.

Expected Public: 250 persons (maximum)

Divuligation: Spoken, written and TV press.

5. BUDGET: 134,740.00 Brazilian Reals.



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PROJECT OF VIDEO

ABOUT TRAFFICKING IN PERSONS



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Project of Video

About Trafficking in Persons

1 - About the Project

The *Center for Prevention and Counter Trafficking of Persons*, of the Justice and Citizenship Defense Secretariat, presents, in partnership with the Department of Homicides and Protection of Persons, a project of video about trafficking in persons, with the aim of portraying in a realistic manner the problem of trafficking in persons in Brazil, and to play the didactic role in the consolidation of the fight against this criminal practice.

This project has an important role, not only of recording and informing, but also a socio-educational role and a role in preventing the trafficking in persons.

The production of the video about trafficking in persons in Brazil intends to address the issue in a broad way, working with the documentation of specific cases as well as with concepts and information through fiction, to address the issue with more technical depth.

This work has the aim of denouncing this type of crime in Brazil, as well as communicating ways to prevent and counter such criminal practice, serving as an important instrument of denouncement and awareness raising.

It will also serve as a source of information for the society in general, as well as to activists and defenders of human rights, who can use this video in courses, lectures, trainings and meetings on human rights related to the issue of trafficking in persons. With the increasing of the trafficking in persons in all humanity, there is an urge for the raising of awareness and for technical information about the issue, in order to qualify prevention activities.

The audiovisual language is very important for the training activities and to form public agents and the organized civil society to counter trafficking in persons, considering its power of transmitting a great amount of information in a direct and efficient manner, with a high impact on people.

Therefore, the elaboration of a specific and up-to-date video about the issue of trafficking in persons is a key part of a series of short and long terms works, as



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well as an important record for the Brazilian society and for the achievements in the field of human rights defense and promotion.

2- Budget

Title: Trafficking in Persons

Support: HDV and 16 mm

Duration time: 20 min

Production Time: 2 months

General Total: 146,321.51 Brazilian Reals.

3 – Selected Cases

Case 1 – Feminine Prostitution

A prostitute with psychological problems who got scared and looked for help from a psychologist when she was asked if she would go overseas.

Case 2 – Pedophilia

A man who used to take pictures of children in sensual poses upon request of a third person and who used to have sexual intercourse with a 13 year-old girl.

Case 3 - Slavery

Bolivian women who had their documents retained and were forced to work under subhuman conditions.

Case 4 – Prostitution of Transvestites

Young men trafficked from other regions of the country were forced to pay a daily amount to the persuader who forced them to work under any circumstances and used to beat them up if any rule was disobeyed.

Case 5 – Trafficking in Organs

Former Israeli military who used to take Brazilian victims to South Africa in order to remove their kidneys and sell them in Israel.

Case 6 – Human “Mule”

A woman forced to take children to Italy, pretending to be their mother and who was sentenced to 12 years in prison.



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EXEMPLARY CASES



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Exemplary Cases

CASE 1:

It's a case referring to the Trafficking in women, to sexual exploitation purposes on outland, and this location was used as bawdy house, in the east region of the City of São Paulo.

The denunciator victim has been diagnostic as carrier of a serious mental pathology, by psychiatrists, and that fact supposedly shall impair the truthfulness of her reports and about the allures persecution. It's important to mention that the victim don't got shipped thanks to a psychologist, that observed to the related facts and conducted her to denounce the fact.

A Police inquiry has been established, with the help of the victim, to the identifying of the allurer and owner of the bawdy house, as well in the relating of the further information, as details of the functioning of the Bawdy House and the existence of underage girls sexually exploited by him.

The case was closed with the prison of this allurer, and the victim is sheltered at a secret location.

CASE 2:

It's an anonymous denounce, received by phone, relating the sexual exploitation of teenagers at a location visited by male customers.

With the purpose of that case can involve the trafficking in persons, the Police Inquire has been Established, that evidenced the existence of a real state, 2 floors house type, with entrance only for walkers, and the house have not any sign that indicates the activity performed in it, that is sexual exploitation and satisfaction of the lust of the customers.

The investigation found the presence of 15 boys, all available to sex affairs, and the prices charged for the affairs were between R\$ 120.00 and R\$ 200.00, depending if the affair was done at the own house or out there.

When the customer goes on the place, the boys are presented as in a fashion show, in order to the customer can choose the boy that he like more and with him will maintain sexual intercourse.

Two of the boys look like to be under age, but when asked, answered be 18 and 19 years old.

The investigation continues in the step of proofs and information collecting.

CASE 3:

A Police Inquire has been established at April, 2006 to investigate the facts related by a protected witness, that presents 34 pictures showing girls at sensual posing, a tape with sex scenes done by probable children and an anonymous letter, handwritten, accusing the author to do sexual intercourse with a 13 years girls.

In the accomplishment of the search and arrest warrant, at the author residence, in the City of São Paulo, have been arrested movies, photos, a book and cameras.

Many witness have been listened, including some author relatives, some of the children photographed and their responsible.



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The allurer at his testimony confessed that have photographed nude children in sensual posing, affirming that he has done this to a man called Wilson, who has been requested these type of photos, for the last 10 years.

CASE 4:

It's a case involving 2 Bolivian underage girls, brought to Brazil, more accurately São Paulo, to work as sewers in a sew workshop.

The victims alleged that they have their documents confiscated by the workshop owner, including that he has attacked one of them. Affirm also the victims that they shall to pay the passages from Bolivia to Brazil to the workshop owner, after the beginning of the job, by discounts in the payment. They worked for many hours, paid their food, were not allowed to get bathing, were forced to clean the workshop and only could go out of the house on Saturdays after a predetermined time and on Sundays.

At the location has been determined that the conditions were degrading, the installations were precarious, the doors of the rooms have locks outside, to impede the escape of the victims, there was many fleas in the two house's rooms, and also the terrible conditions of the wiring, that could get a short circuit at any time, generating a fire.

After the investigation the owner of the workshop was arrested.

CASE 5:

This case relate a denounce referred to a massage house, where teenagers were allured to sexual exploitation.

Passing by customers, the policemen were received by a woman that has identified herself as the manager of the house, informing them the affairs have the amount of R\$ 30.00 when the period was not over 30 minutes, and R\$ 60.00 for the 1 hour sexual intercourse. Following this the manager call the hustlers, that appear aligned with minimal dresses, telling their names.

At other investigation moment, a policemen returns to the house, passing by a customer that was prepared to do an affair, when 12 girls were took again form the back of the house, presented and returned to the back. The policemen told he likes one of the girls, that has been called to conduct him to one of the rooms at the back of the house. This room have a bed a bathroom without door, with a shower, a lavatory and a toilet. The agreed was the affair was of 30 minutes, the girl requested the payment in advance, and get out to get the change for R\$ 50.00, given by the policeman, a banknote with the numeration previously recorded. At this moment, the other policemen that were waiting out of the house get in, effectuating the flagrant.

All the persons present at the house (hustlers and customers) were conducted to the Delegacy to give explanations, and all the girls declare not have been allured, going to the location by friends indication. They still alleged that was not a manager at the house, and the own girls responsible to the managing. But in the base of the arresting documents, it was possible to identify the manager, as well a person that had rent the house, that was supposedly the owner of the bawdy house.



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CASE 6:

It's denounce conducted by the mother of a 16 years old boy, that was allured at the City of Teresina -PI, to supposedly work at building in São Paulo, and that was under illegally captive, forced to maintain sexual intercourses with men.

Under the police investigation, was possible to find the boy, that told he prostitute himself since 10 years old, since he was living at Teresina, with his grandfathers.

The victim related that once, when he was at his "point, prostituting himself at Teresina, a transvestite appear at this avenue at downtown and asked to all the boys there who wants to go to São Paulo, to "make affairs", and the boy accepted the invitation. This transvestite paid the passage to the boy and more 4 other boys, that travel in a clandestine bus, and when they arrive in São Paulo, they were waited by a man, who took they to a boarding house at downtown.

At the boarding house they were received by a woman, who inform the house rules, that means, each one shall pay R\$ 25,00 per day, as well to clean the room, and even if sick or unable to work they shall pay the established amount. The madam also supply the boys with clothes and shoes, and also provides silicone application, at the bust, gluteus and legs, and other plastic surgeries to feminize the bodies, that conduct to a financial dependence relationship between the transvestite and the boys.

Finally, was knew that the man who get the boys at the arrival on São Paulo was the responsible to collect the money of the transvestites daily, and to verify if the rules of the housing (don't strike, don't use drugs, keep the place clean and ordered) were done. And if someone don't have money or disobey, the man get a stick named "chico doce" and curry the boys.

The boy was conducted to a shelter, and in the following day his mother came from Brasilia to get him back.

CASE 7:

The present case is a internal case of trafficking in persons, to the purpose of sexual exploitation at bawdy house.

The referred bawdy house works every day, and the ticket to enter the house was R\$ 40.00, except on Saturdays and Tuesdays, when the ticket was R\$ 60.00 and the one hour affair was around R\$ 240.00.

Policemen in civilian clothes were in the house, and the manager inform they that the house have around 50 girls, many of they from other states, as Rio de Janeiro, Minas Gerais and Rio Grande do Sul.

In a talk with one of the girls, the policemen get the information that all the girls live in front of the house, a real state rented by the owner of the bawdy house. At a internet site, the house made the following announce: "EROTIC BINGO – Now every Wednesday we have a fantastic Erotic Bingo, come to check. LIVE MUSIC – Every Monday".

The policemen observed that at 14:00 there were around 40 hustlers at the house, and at the night this amount increase to 300. The policemen talk to two other girls, came from Curitiba and the other from Rio Grande do Sul. One of the



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girls informed that to avoid personal embarrassments to the customers, the house offers Invoices of many other place, as shoes store, computer store, among others.

A policewoman went to go to the same beauty shop that the hustlers of the house went. It was disclosed that the girls have between 18 and 20 years old, and really came from other Brazilian States, as previous knew. One of the girls, after get friend of the policewoman, told her she like to work at the house, but not as hustler.

The investigations were not concluded, as is expected to obtain more proofs over the case.

CASE 8:

The case begins with the observation of posters at São Paulo, with the following sentences: "Girls over 18 years. Are accepted for high level night-house . Incomes between R\$ 3,000.00 and R\$ 5,000.00. We offer home plus food. Talk with Carlos".

Under the policies monitoring between phone interception, diligences and photos, was disclosed that many girls came from States as Pará and Paraná, and they live at the own bawdy house.

The owner declared that before he mounted his own bawdy house, he worked as male hustler, and due to this he had many contacts with persons who work on sexual exploitation.

At the place there were rules to living and functioning of the house, and the passages of the girls were paid by the owner, and after this discounted on the amounts of the sexual intercourses done.

The allurement of the girls was between newspapers announces, posters, allurers, and the own prostitutes. The value of the affairs was of R\$ 150.00 for one hour and R\$ 100.00 for 30 minutes, and the girls still performed erotic shows at the place.

Yonder the owner of the bawdy house, were accused a supposed manager that in fact works as psychologist of the girls, and a third woman that does the function to allure the girls at other State.



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CASE 9:

This case was followed anonymous by inhabitants that don't desired to be identified, relating that at a determined place there were two sewer workshops, where many Bolivians and Paraguayans were working on degrading conditions and with excessive work hours.

The police investigations discovered at the place 11 sewer machines. At the living room, where the sewer machines were installed. The most of the clothes were targeted. The house have two floors. At the first floor, there were a garage, a living room (used as sew workshop), a corridor where were also textiles and targets over a table and sofas, a kitchen and at the back a small building (small bathroom, shower no functioning, a double bed and a cupboard. This room was full of personal clothes of one of the sewers, with all the objects in disorder and in the second floor there were a room with a berth, a single bed ad a desk with clothes over it. Has been observed that the rooms were small and have in it many objects and clothes, that causes disorder and bad sleep conditions. At the outward of the house there were a metallic container for compressed gas, a tank and a plate with discards. There were 4 Bolivians working as sewers, with transitory permanence, 3 others Bolivians and the renter and the owner have permanent permanence.

According the workers, the job begins from 7:00 to 8:30, when occurred the pause for breakfast. Around 9:30, the job restart, following until 12:30, the pause for lunch. According the victims, the owner checked every time the time-table and the production. At the house were found hangers, as well sundry targets of the clothes brands.

The victims received as payment between R\$ 0.80 and R\$ 1.60 for each part sewed, depending of the type of sew. Informed also that those values corresponding to 1/3 that the owner of the workshop was receiving for each part, because the other 2/3 were been discounting for the living and food.

A diligence was done at the place where the sewer workshop was installed, and were found textiles, clothes and targets identical to the were found ant the inward of the house. According the investigation, those textiles and targets were sent to the firm, to be sewed. From the factory the parts were sent to the stores of the brands.

The owner of the Brand was not found, because he was travelling to outland. At the end, was disclosed that the part the Bolivians sewed for R\$ 0.80 were sold by the brand for R\$ 35.00.



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CASE 10:

It's a case involving trafficking in persons to the unlawful human organs trading. The fact occurred at the City of Recife, Pernambuco, where the boss of the gang was an Israeli ex-major, the responsible also for the allurement of the victims, that when were allured, received the proposal to sell their kidneys, for values between 6 and 10 thousand dollars for each kidney.

The surgeries occurred at a Durban hospital, South Africa, where the selected persons as donors were conducted, still at Recife, to pre-surgery examinations, receive travel documents, passports and passages, all given by the allurers net.

When they arrive at Durban, the allured redo the examinations – all to ensure that will occur any claims about the quality of the kidneys and no problems to the gang, - and the victims went to the surgery, staying at the hospital the minimum time to the regeneration after this type of surgery. When back to Brazil or even at South Africa, the receive the amount agreed.

When returning to Brazil, many of the allured pass to be allures too, for new “donors”, receiving the amount of one thousand dollars for each volunteer. In 24 months, the gang done the execution of 38 transplantations with Brazilian donors at Durban.

Although the action of the Federal Police arrested the gang, and the denunciation of more than 30 persons that sold their kidneys, it is estimated the number can be greater, once the gang was acting for more than one year.



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DECREES



**SÃO PAULO STATE GOVERNMENT
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STATE DECREE, N° 54.101, MARCH 12, 2009.

It is herein established the State Program for Prevention and Counter Trafficking in Persons - PEPETP, close the Justice and Citizenship Defense Secretariat, and give correlate measurements.

JOSÉ SERRA, Governor Of the State of São Paulo, in the use of their Legal Attributions,

Considering that Brazil is signatory on the United Nations Convention against the Transnational Organized Crime and of the Additional Protocol to United Nations Convention against Transnational Organized Crime Related to Prevention, Repression and Punishing on Trafficking in Persons, specially Women and Children;

Considering that the National Police of Counter Trafficking in Persons established by Federal Decree n°. 5.948, October 26, 2006; and

Considering the State Program on Human Rights, instituted by the Decree n° 42.209, September, 15, 1997, that recommends the prevention initiative on violence against persons and groups at high risk situations, and actions to avoid the forced work, specially children, teenagers and migrants,

Herein proclaims:

Article 1 - It is herein, close the Justice and Citizenship Defense Secretariat, The State Program on Prevention and Counter Trafficking in Persons – PEPETP.

Article 2 - The program that treats the previous article have the following purpose:

I – promote the prevention actions, support to repression and to impute responsibility to trafficking in persons;

II – ensure the proper orientation and care to the victims and their relatives of this criminal practice;

III – be a resource of technical information to professionals and activists STATE humans.

Article 3 - The PEPETP stay subordinated to the Room of the Justice and Citizenship Defense Secretariat, between the Center to Prevention and Counter Trafficking in Persons, entities that will have a multi-disciplinary operational team



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and that will be supported, at consultive form, by a Inter-institutional Committee on Prevention and Counter Trafficking in Persons.

Article 4 - The Inter-institutional Committee on Prevention and Counter Trafficking in Persons will be integrated by one representative, the respective substitutive, of each entities below indicated by the State government:

Justice and Citizenship Defense Secretariat, that will preside and coordinate its activities;

- b) of Public Safety, between the Civil Police and Military Police of the State of São Paulo;
- c) of the Social Care and Development;
- d) of Employee and Work Relationships;
- e) of Education; and
- f) of Health.
- g) Civil House

§1º Will can, also, to participate on the feature of the members of the Committee on Prevention and Counter Trafficking in Persons a representative, and respective substitutive, of the entities below indicated:

I - Magistracy

- a) Federal;
- b) of Labor; and
- c) State.

II – Public Ministry

- a) Federal;
- b) of Labor; and
- c) State.

III – Public Defense

- a) of the Union; and
- b) of State.

IV) - Polices

- a) Federal
- b) Highway Federal Police

V – Representatives of others entities of the public or private administration, national and international, even that are focused to the prevention and counter trafficking in persons activities.

§2 - The members of the Inter-institutional Committee on Prevention and Counter Trafficking in Persons will be indicated by the legal representatives of the represented entities, with one year of mandate, with the right to reconduction.

Article 5 - Is the Competence of the Justice and Citizenship Defense Secretariat:

CENTER FOR PREVENTION AND COUNTER TRAFFICKING IN PERSONS - NETP

Páteo do Colégio, 148
01016-040 - Centro, São Paulo - SP
Phone. (11) 3241-4291
E-mail: escritoriots@justica.sp.gov.br



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I – designate the multi-disciplinary team that will integrate the Center of Prevention and Counter Trafficking in Persons;

II – receive the proposals of the Center of Prevention and Counter Trafficking in Persons and the recommendations of the Inter-institutional Committee on Prevention and Counter Trafficking in Persons, manifesting, in both cases, by the acceptance and course of the proposal or recommendation, or as well by its refusal, possibility that have to be substantiated the given decision.

Article 6 - Is competence of the Center on Prevention and Counter Trafficking in Persons:

I – elaborate a Work Plan Multi-Yearly proposal, and its respective Financial Schedule of PEPETP to be followed up to the Justice and Citizenship Defense Secretary;

II – secretariat the Inter-institutional Committee on Prevention and Counter Trafficking in Persons and coordinate its activities;

III – promote the dialogue and the articulation between the entities of the Interinstitutional Committee on Prevention and Counter Trafficking in Persons and others entities of the Public Government and the organized civil society, always with the purpose to improve the Program;

IV – follow the request up of attended victim to the insertion on the Witness Protection Program of the State of São Paulo - PROVITA/SP, and/or in the Protection Program to Children and Teenagers Threatened of Death PPCAAM/SP, according is determined by the rules of the federal law n° 0.807, July 13, 1999, and Federal Decree n° 6.231/2007, respectively;

V- to compose new partnerships relevant to the purpose to improve the care to the victims of the Trafficking in Persons on the State of São Paulo.

Article 7 - Is competence of the Inter-Institutional Committee on Prevention and Counter Trafficking in Persons of the PEPETP:

I – present recommendations regarding the Multi-yearly Work Plan proposal and respective Financial Schedule of PEPETP, elaborated by the Prevention and Counter Trafficking in Persons Office;

II – monitorate the execution of the PEPETP Financial Schedule, making Periodic Monitoring Reports in the basis of the information supplied by the Prevention and Counter Trafficking in Persons Office;

III – to compose new partnerships relevant to the good functioning of the Program, always to the purpose to improve the care to the victims of the Trafficking in Persons on the State of São Paulo.



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Sole paragraph – The recommendations of the Inter-institutional Committee on Prevention and Counter Trafficking in Persons will be carried in a collective form, by the absolute majority of its members.

Article 8 - The Interinstitutional Committee on Prevention and Counter Trafficking in Persons will meet usually monthly, and extra when needed.

Sole paragraph – The members of the Inter-institutional Committee on Prevention and Counter Trafficking in Persons, or in their absence, the respective substitutive, that miss three meets during the time of one year, without justification, will be invited to leave out the Committee, and will be substituted by other members or designated substitutive at the terms of Article 3, §1 above.

Article 9 - the functions of the Inter-institutional Committee on Prevention and Counter Trafficking in Persons members and their respective substitutive will not be paid for each title, but their functions are considered public service relevant for all the purposes.

Article 10 - The resources to the management of the Prevention Program to Counter Trafficking in Persons – PEPETP will be defined between the Justice and Citizenship Secretariat budget, and is facilitated the realization of collection campaigns with the civil society.

Article 11 This Decree will go in force of law at the date of its publication.

Palácio dos Bandeirantes, March, 12th 2009.

JOSÉ SERRA.



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DECREE N. 5948 of October 26th 2006

Approves the National Policy to Counter Trafficking in Persons and Establishes a Inter-Ministry Work Team aimed to elaborate a National Plan to Counter Trafficking in Persons - PNETP.

The President of the Republic, in the use of the attributions vested in it by article 84, caput VI, Line "a", of the Constitution,

HEREIN PROCLAIMS:

Art. 1st - It is herein approved the National Policy to Counter Trafficking in Persons, aimed to establish principles, guidelines and prevention and repression actions against people traffic and to serve victims in accordance with the Appendix to the Ministerial Directive hereof.

Art. 2nd It is herein established, within Ministry of Justice's scope, an Inter-Ministry Work Team aimed to elaborate a National Plan to Counter Trafficking in Persons - PNETP.

Art. 3rd - The Work Team will consist of a representative, an office holder and a substitute, per each entity hereof listed:

- I - Special Secretariat of Human Rights of the Presidency;
- II - Special Secretariat of Policies for Women, of the Presidency;
- III - Special Secretariat of Policies to Promote Racial Equality, of the Presidency;
- IV - Chief of Staff of the Presidency;
- V - Ministry of Justice;
- VI - Ministry of Social Development and Hunger warfare;
- VII - Ministry of Health;
- VIII - Ministry of Labor and Employment;
- IX - Ministry of Agricultural Development;
- X - Ministry of Education;
- XI - Ministry of Foreign Affairs;
- XII - Ministry of Tourism;
- XIII - Ministry of Culture; and
- XIV - Union General Advocacy

§ 1st - The Work Team will be jointly coordinated by the representatives of the Special Secretariat of Policies for Women, the Special Secretariat of Human Rights and of the Ministry of Justice.

§ 2nd - Work Team Members will be appointed by the Officers from the bodies and entities represented and designed in joint directive of the Special Secretary of Policies for Women, the Special Secretary of Human Rights and the Ministry of State of Justice.

§ 3rd - The coordination of the Work Team is allowed to invite representatives from other bodies and entities of the public administration and civil society to participate in its activities.



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§ 4th - Both the Attorneys General Office and the Attorneys General Labor will be invited to join the Work Team.

Art. 4th - The Work Team could appoint Commissions or thematic subgroups aimed to collaborate, to the possible extent, to the fulfillment of its attributions, systematize the transgressions received and subside in elaborating the PNETP.

Art. 5th - Competes to the Work Team:

I - To promote the disclosure of the National Policy Counter Trafficking in Persons before governmental and nongovernmental bodies and entities, promoting discussions to help in the elaboration of PNETP;

II - To establish a methodology for the elaboration of PNETP proposal;

III - To define PNETP goals, priorities and actions; and

IV - To elaborate PNETP proposal.

Art. 6th The Special Secretariat of Policies for Women, the Special Secretariat of Human Rights and the Ministry of Justice will technically and administratively support the Work Team.

Art. 7th - The Work Team should present a final report together with PNETP's proposal to the Special Secretary of Policies for Women, to the Special Secretary of Human Rights and to the Ministry of State of Justice.

Art. 8th - The Work Team will have a 90-day term, counting from its settlement, to conclude its works; this term could be postponed for 30 more days, by the Special Secretary of Policies for Women, by the Special Secretary of Human Rights and by the Ministry of State of Justice, through a justification presented by the justification collegiate coordinators.

Art. 9th - The Work team participation is of utmost public interest and will not be remunerated.

Art. 10th - This Decree enters in force on the date of its publication.

Brasilia, October 26th 2006; 185th from Independence Day and 118th from Republic Proclamation

LUIZ INÁCIO LULA DA SILVA

□ *Márcio Thomaz Bastos*

This text does not replace that published in the National Gazette on October 27th 2006

**ATTACHMENT
NATIONAL POLICE TO COUNTER TRAFFICKING IN PERSONS
CHAPTER I**

GENERAL PROVISIONS

Article 1 The purpose of the National Policy to Counter Trafficking in Persons is to establish principles, guidelines and actions to prevent and combat trafficking in persons and to assist the victims, in accordance with the national and international rules and instruments on human rights and the domestic legislation.

Article 2 For the purposes of the Policy, the expression "trafficking in persons" is used as defined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations

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Convention against Transnational Organized Crime, and shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of 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 labor or services, slavery or practices similar to slavery, servitude or the removal of organs;

§ 1 The term “child” in the main paragraph of this article shall mean “child and adolescent”, pursuant to the Law No. 8.069, of July 13, 1990, the Child and Adolescent Statute.

§ 2^o The term “abduction” in the main paragraph of this article shall mean the conduct set forth in Article 148 of Decree Law No. 2.848, of December 7, 1940, Brazilian Criminal Code, regarding kidnapping and private incarceration.

§ 3 The expression “slavery or practices similar to slavery” shall mean:

I - the conduct set forth in the article 149 of Decree Law No. 2.848, of 1940, referring to the condition which corresponds to a slave; and

II - the act set forth in the article 1 1st of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, as servile marriage.

§ 4 Acting as an intermediary, promoting or facilitating the recruitment, transportation, transfer, harboring or receipt of persons for the purpose of exploitation also constitutes trafficking in persons

§ 5 Domestic trafficking in persons is the one carried out within a single Member-state of the Federation, or from one state to another, within the national territory.

§ 6 The international trafficking in persons is the one carried out between different States.

§ 7 The consent of a victim shall be irrelevant to establishing the occurrence of trafficking in persons.

**CHAPTER II
PRINCIPLES AND GUIDELINES**

**Section I
Principles**

Article 3 The principles which shall guide the National Policy to Counter Trafficking in Persons are the following:

I – respect for the dignity of human beings;

II – non-discrimination on the basis of gender, sexual orientation, ethnic or social origin, place of birth, nationality, professional activity, race, religion, age generation, migration situation or other status;

III – full assistance and protection for the direct and indirect victims, regardless of their nationality and collaboration in legal proceedings;

IV – promoting and ensuring human and citizenship rights;

V – respect for international treaties and conventions on human rights;

VI – universality, indivisibility and interdependence of human rights; and



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VII – networking of actions concerning gender, sexual orientation, ethnic or social origin, place of birth, race, and age generation in the public policies.

Sole Paragraph. The National Policy to Counter Trafficking in Persons shall comply with the principles of comprehensive protection of children and adolescents.

Section II

General Guidelines

Article 4 The general guidelines of the National Policy to Counter Trafficking in Persons are the following:

I – strengthening Brazil's federative structure by means of joint and coordinated actions by all levels of government in preventing and combating trafficking in persons, as well as providing assistance to the victims and their reintegration into society;

II – fostering bilateral or multilateral international cooperation;

III – coordinating with national and international non-governmental organizations;

IV – building a network infrastructure to counter trafficking in persons, involving all levels of government and organizations of civil society;

V – strengthening action in border regions, ports, airports, highways, bus stations, train stations, and any other area where trafficking might take place ;

VII – checking the victims' condition and the corresponding protection and assistance to be provided, abroad or in the national territory, as well as their social reintegration;

VIII – providing incentives and carrying out research, taking into consideration regional differences, organization and sharing of information;

IX – promoting education and training of professionals to prevent and combat trafficking in persons, as well as checking the victims' condition, providing assistance, and their reintegration into society;

X – harmonizing laws and administrative procedures on the subject area at the federal, state and municipal levels.

XI – fostering the participation of civil society in public policies social control instances in the area of suppression of trafficking in persons; and

XII – fostering the participation of working class bodies and professional councils in the discussion on the trafficking in persons; and

XIII – ensuring broad and adequate access to information in different media and the establishment of communication channels among the State, the society and the mass media, referring to the suppression of trafficking in persons.

Section III

Specific Guidelines

Article 5 The specific guidelines for preventing trafficking in persons are the following:

I – implementing preventive measures in public policies, in an integrated and cross-sectorial way, on health, education, labor, security, justice, tourism, social assistance and rural development, sports, communication, culture, human rights among others;

II – supporting and carrying out educational and awareness-raising campaigns in the international, national, regional and local levels, considering the different realities and languages;



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III – monitoring and assessing the campaigns with the participation of the civil society;

IV - supporting social mobilization and the strengthening of civil society; and

V – strengthening the already existing projects and fostering the creation of new projects on the prevention of the trafficking in persons

Article 6 The specific guidelines for combating trafficking in persons and accountability of the perpetrators are the following:

I – cooperation among national and international police agencies;

II – international legal cooperation;

III – confidentiality of judicial and administrative procedures, pursuant to the law; and

IV – integration with policies and/or law enforcement actions against the perpetrators of the related crimes.

Article 7 The specific guidelines to assist the victims of trafficking in persons are the following:

I – legal, social, and medical protection and assistance for the direct and indirect victims of trafficking in persons;

II - consular assistance for the direct and indirect victims of trafficking in persons, regardless of their migration situation;

III – harboring and temporary sheltering of the victims of trafficking in persons;

IV - reintegration into society with assurances of education, culture, work training and opportunities, for the victims of trafficking in persons;

V – reintegration into the family and into the community of children and adolescents who were victims of trafficking in persons

VI - providing attention to the victims' specific needs, with special attention being given to issues of gender, sexual orientation, ethnic or social origin, place of birth, nationality, race, religion, age generation, migration situation, professional activity or other status;

VII – protection of the identity and privacy rights of the victims of trafficking in persons; and

VIII – surveying, researching, updating and disclose information on government and non-government institutions located both in Brazil and abroad which provide assistance to victims of trafficking in persons.

CHAPTER III ACTIONS

Article 8 In implementing the National Policy to Counter Trafficking in Persons, it shall be up to the public sector agencies and entities, in the scope of their corresponding competences and conditions, to carry out the following actions:

I – in the area of Justice and Public Safety:

a) provide initial humanized assistance to the victims of trafficking in persons who return to the country as deportees or having been denied entry at airports, ports or overland border entry points;

b) prepare an interagency government proposal to improve the Brazilian legislation regarding trafficking in persons and related crimes;

c) foster cooperation among federal, state and local public safety agencies to achieve coordinated actions in order to prevent and combat trafficking in persons, and also see to the investigation of responsibility on the part of its perpetrators;



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d) propose and encourage the incorporation of the topic of trafficking in persons into the career training curricula of federal, state and local law enforcement professionals and members of the legal profession, both when they enter an institution and on a continuing basis, in order to confront this type of crime;

e) strengthen the existing budget item allocation and create other budget items for the purpose of training public safety and judicial system professionals in the area of countering trafficking in persons

f) include in specialized police intelligence structures the investigation and combat of trafficking in persons

g) create, in the offices of the Federal Police Department's Regional Superintendence's, specific units for investigating trafficking in persons and other crimes against human rights;

h) promote closer interactions between public safety professionals, members of the legal profession and the civil society;

i) sign formal instruments of cooperation for the provision of services with organizations of civil society which work to prevent trafficking in persons and assist the victims;

j) to promote and encourage refresher courses on the trafficking in persons for members and staff of justice and public security bodies, preferably by means of their training institutions;

l) coordinate the various entities of the Offices of the Public Prosecutors of the states and the federal government, the state and federal Magistrate body and the justice and public security bodies;

m) organize and integrate the existing databases in the area of confronting trafficking in persons and related areas;

n) sign cooperation contracts with public and private sector entities for the provision of technical services to provide substantive support for actions to be taken within the courts and elsewhere;

o) include the topic of trafficking in persons in courses on money laundering, drug and weapons trafficking and other related crimes;

p) develop national mechanisms of prevention, investigation and suppression of the trafficking in persons perpetrated with the use of the world wide web and also see to the investigation of responsibility on the part of its perpetrators

q) include the possible relationship between records of the disappeared and trafficking in persons in research and police investigations

II – in the area of Foreign Relations:

a) propose and prepare international cooperation agreements in the field of confronting trafficking in person;

b) begin the ratification procedures for the international agreements regarding trafficking in persons;

c) incorporate into the Consular and Legal Services Manual of the Ministry of Foreign Affairs a specific chapter on consular assistance to the victims of trafficking in persons;

d) include the topic of trafficking in persons in the training courses for assignments abroad that are offered to personnel of the Ministry of External Relations;



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e) propose and coordinate policies regarding confronting trafficking in persons in international bilateral and multilateral forums;

f) propose and support international technical cooperation projects in the area of countering trafficking in persons;

g) coordinate and facilitate Brazilian participation in international events in the field of countering trafficking in persons; and

h) strengthen the consular services towards the defense and protection of victims of trafficking in persons

III – in the area of Education:

a) sign formal agreements with academic and research institutions for the development of methods of assessment and studies related to trafficking in persons

b) include the topic of trafficking in persons in the actions and resolutions of the Ministry of Education's National Fund for Development of Education (FNDE/MEC);

c) support the implementation of programs and projects in schools to prevent trafficking in persons;

d) include and develop the topic of confronting trafficking in persons in continuing education and training programs for educators;

e) foster the cross-sectorial programs of education and prevention of the trafficking in persons for all the actors involved; and

f) foster the teaching of human rights regarding the countering of the trafficking in persons in all levels of education, including the universities.

IV – in the area of Health:

a) guarantee full attention to the victims of trafficking in persons and enhance the services in the scope of the Brazilian Unified Health System (SUS);

b) follow up and organize the compulsory notifications regarding trafficking in persons about suspicions or confirmation of abuse, violence and work-related offenses caused by others;

c) propose the elaboration of specific protocols for the standardization in the assistance to victims of trafficking in persons; and

d) provide training for health professionals in the area of caring for victims of trafficking in persons

V – in the area of Social Assistance:

a) offer full protection to the victims of trafficking in persons in the scope of the Social Assistance Unified System

b) offer protection to victims of trafficking, in articulation with the health, security and justice systems;

c) build the capacity of social assistance staff in the area of caring for victims of trafficking in persons; and

d) support the implementation of programs and projects of assistance for victims of trafficking in persons;

VI – in the area of Promoting Racial Equality:

a) guarantee the incorporation of the perspective of promoting racial equality in government policies to counter trafficking in persons;

b) support initiatives to promote racial equality undertaken by local governments, state governments and organizations of civil society aimed at preventing trafficking in persons and assistance to the victims; and



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c) promote studies and research about the profile of victims of trafficking in persons, with an emphasis on the population of African descent and other ethnic groups in the Brazilian population;

VII – in the area of Labor and Employment:

a) provide guidance to employers, trade unions about aspects related to the recruitment and transportation of workers from one place to another;

b) inspect the recruitment and transportation of workers to locations different from the town or state where they live;

c) promote coordination with professional training institutions for the purpose of providing training to re-integrate the victim into the labor market; and

d) adopt measures aiming to optimize the supervision of the individuals registered in the List of Employers who Have Kept Workers in Conditions Similar to Those of a Slave;

VIII – in the area of Agrarian Development:

a) diminish workers' vulnerability and impede recruitment by means of specific policies in the area of rural development;

b) promote coordinated actions with partners who take action in the states from which the workers were recruited;

c) form partnerships to facilitate technical assistance to advance the implementation of the National Technical Assistance and Rural Extension Policy;

d) exclude all persons and legal entities that have exploited forced labor and/or conditions similar to those of a slave from participating in public sector bidding competitions and also restrict their access to rural credit funding;

e) promote the return to full citizenship rights of liberated workers, by means of creating a specific course of action, in partnership with the Ministry of Education, to teach how to read and write and other skills to rescued workers, so that they can serve as master trainers to teach others how to eradicate forced labor and labor in conditions similar to those of a slave; and

f) provide incentives to the states, local governments and other partners to shelter and provide specific support to liberated workers, by means of teaching technical skills;

IX – in the area of Human Rights:

a) provide protection for victims, collaborating defendants and witnesses of crimes of trafficking in persons;

b) receive accusations of trafficking in persons through the toll-free national accusation call system [Disque-Denúncia Nacional], as well as forwarding them, as appropriate;

c) include specific actions to counter trafficking in persons and strengthen the existing actions within the framework of the programs for the prevention of violence and guarantee of rights;

d) provide protection to the professionals who act in the confrontation of the trafficking in persons and who, owing to their activities, are threatened or at risk;

e) include the matter of trafficking in persons in the competence of the Councils for the Rights of Children and Adolescents and Tutor Council;

f) articulate joint actions to confront trafficking of children and adolescents in border areas;



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g) promote, in partnership with the bodies and entities directly responsible, the prevention of slavery, by means of drawing the law enforcement professionals' attention to it, instructing farmers about labor rights, education and qualification of rural workers; and

h) make available mechanisms for the access to rights, including basic documents, particularly in locations identified as venues for the enticement of slave labor;

X – in the area of Protection and Promotion of Women's Rights:

a) provide suitable training to professional staff of the network which cares for women who have suffered from violence to care for trafficked women in circumstances of vulnerability;

b) support the Reference Centers for Care of Women in Violent Situations in order to provide services of care for trafficked women;

c) support and provide incentives for programs and projects to provide professional training and qualification, to create jobs and income which benefit directly women who were trafficked;

d) foster discussions on structural issues which encourage the trafficking in persons, as well as gender discrimination;

e) promote actions involving cross-sectorial coordination for the purpose of incorporating the gender dimension into basic, special and social assistance public policies;

f) support non-sexist educational programs, projects and actions, as well as those promoting diversity in professional and educational environments;

g) participate in training events for the purpose of ensuring that the gender dimension is addressed; and

h) promote, in partnership with government and non-government organizations, discussions about methodologies of assistance for women who were trafficked.

XI – in the area of Tourism:

a) include the topic of trafficking in persons, particularly women, children and adolescents in training and educational events aimed at the tourism industry;

b) compare data from the analyses undertaken by local governments for guiding local tourism development plans through the regional approach program; and

c) promote campaigns calling attention to sexual tourism as a means to prevent trafficking in persons;

XII – in the area of Culture:

a) develop cultural projects and activities aiming to prevent trafficking in persons; and

b) foster and encourage cultural activities, such as regional radio programs, plays and other programs broadcasted, which may raise awareness about trafficking in persons, slavery and sexual exploitation, respecting, however, the regional features.

DECREE N. 6.347 of January 8, 2008

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**SÃO PAULO STATE GOVERNMENT
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Approves the National Plan for Counter Trafficking in Persons - PNETP and establishes the Advisor Evaluation and Disclosure Group of the above-mentioned Group.

The President of the Republic, in the use of the attributions vested in it by art. 84, caput VI, Line "a", of the Constitution,

HEREIN PROCLAIMS:

Art. 1st - It is herein approved the National Plan for Counter Trafficking in Persons - PNETP, aimed to prevent and restrain the traffic of people, to make accountable for its authors and to ensure that victims are served, in accordance with the legislation in force and the Human Right international instruments, as enclosed in the Decree hereof.

§ 1st - PNETP will be executed within a 2-year term.

§ 2nd - It is a Ministry of Justice responsibility, together with the entity responsible for the fulfillment of each goal set in PNETP:

I - To define the short- mid- and long-term goals; and

II - To define the bodies and entities that will be partners in fulfilling each goal, taking into consideration their attributions and institutional competences.

Art. 2nd - It will be a Ministry of Justice responsibility to evaluate and monitor the PNETP.

Art. 3rd - It is herein set, in the extent of the Ministry of Justice, PNETP's disclosure and Evaluation Advisory Group, having the following attributions:

I - To Support the Ministry of Justice in PNETP monitoring and evaluation;

II - To establish PNETP monitoring and evaluation methodology and follow the execution of actions, activities and defined targets up;

III - To adjust priority definition;

IV - To promote its disclosure before both governmental and nongovernmental bodies and entities; and

V - To elaborate the follow up semester report.

Art. 4th - The Work Team will consist of a representative, an office holder and a substitute, per each entity hereof listed:

I - Ministries:

- a) Of justice, which will coordinate it;
- b) Of Social Development and Hunger Warfare;
- c) Of Health;
- d) Of Labor and Employment;
- e) Of Agricultural Development;
- f) Of Education;
- g) Of Foreign Affairs;
- h) Of Tourism;
- i) Of Culture;

II - Civil Staff:

- a) Special Secretariat of Human Rights;

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- b) Special Secretariat of Women Policies; and
 - c) Special Secretariat Policies to Promote Racial Equality; and
- III - Union General Advocacy.

§ 1st Members from the Advisory Group will be appointed by the Officers of the represented bodies and appointed by the Ministry of Justice.

§ 2nd Representatives from both the Attorney General Office and the Attorney General Labor will be invited to join the meetings of the Advisory Group, as well as from other bodies and entities from the public administration and civil society.

Art. 5th - Activities developed in the Advisory Group extent will be considered relevant public service, thus not remunerated.

Art. 6th This Decree enters in force on the date of its publication.

Brasilia, January 8th 2008; 187th from Independence Day and 1120th from Republic Proclamation.

LUIZ INÁCIO LULA DA SILVA

□ *Tarso Genro*

This text does not replace that published in the National Gazette on January 9th 2008



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CIPETP MEMBER OFFICIAL SITES

Brazilian Association of Women, Childhood and Youth Defense – ASBRAD
[Associação Brasileira de Defesa da Mulher, da Infância e da Juventude]
www.asbrad.org.br

Brazilian Federal Judge Association – AJUFE
[Associação Juízes Federais do Brasil]
www.ajufe.org.br

Brazilian Workers' General Central – CGTB
[Central Geral dos Trabalhadores do Brasil]
www.cgtb.org.br

Support Center of Immigrants – CAMI
[Centro de Apoio ao Imigrante]
www.cami-spm.org

Justice and Peace Committee of São Paulo - CJP
[Comissão Justiça e Paz de São Paulo]
www.arquidiocesedesaopaulo.org.br

Human Rights Municipal Committee – CMDH
[Comissão Municipal de Direitos Humanos]
www.prefeitura.sp.gov.br/cmdh

Brazilian Religious Conference – CRB
[Conferência dos Religiosos do Brasil]
www.crbnacional.org.br

State Council of Female Condition – CECF
[Conselho Estadual da Condição Feminina]
www.conselhos.sp.gov.br/condicaoefeminina

Federal Public Defense – DPU
[Defensoria Pública da União]
www.dpu.gov.br

Homicide and People Protection Department – DHPP
[Departamento de Homicídios e Proteção à Pessoa]
www.policia-civ.sp.gov.br

Federal Road Police Department – PRF
[Departamento de Polícia Rodoviária Federal]
www.dprf.gov.br

Law School of São Paulo
[Faculdade de Direito da Universidade de São Paulo]
www.direito.usp.br



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Orsa Foundation - F. Orsa
[Fundação Orsa - F. Orsa]
www.fundacaoorsa.org.br

Metropolitan Civil Guard – GCM
[Guarda Civil Metropolitana]
www.prefeitura.sp.gov.br/secretarias/seguranca_urbana/guarda_civil

São Paulo Weight and Measurement Institute – IPEM
[Instituto de Pesos e Medidas do Estado de São Paulo]
www.ipem.sp.gov.br

Land Institute of the State of São Paulo – ITESP
[Instituto de Terras do Estado de São Paulo]
www.itesp.sp.gov.br

São Paulo Institute against Violence – ISPCV
[Instituto São Paulo Contra a Violência]
www.ispcv.org.br

Democratic Attorney’s General Office – MPD
[Ministério Público Democrático]
www.mpd.org.br

Attorney’s General Office – MPF
[Ministério Público Federal]
www.prsp.mpf.gov.br

Brazilian BAR of São Paulo - OAB-SP
[Ordem dos Advogados do Brasil de São Paulo]
www.aobsp.org.br

Service to Marginalized Woman – SMM
[Serviço à Mulher Marginalizada]
www.smm.org.br

Education Secretariat of State of São Paulo – SEDUC
[Secretaria da Educação do Estado de São Paulo]
www.educacao.sp.gov.br

Sports, Leisure and Tourism Secretariat of the State of São Paulo – SELT
[Secretaria de Esporte, Lazer e Turismo do Estado de São Paulo]
www.selt.sp.gov.br

Labor and Labor Relationship Secretariat – SERT
[Secretaria do Emprego e Relações de Trabalho]
www.emprego.sp.gov.br

State Secretariat of Social Welfare and Development – SEADS
[Secretaria Estadual de Assistência e Desenvolvimento Social]
www.desenvolvimentosocial.sp.gov.br



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Municipal Secretariat of Social Welfare and Development – SMADS
[Secretaria Municipal de Assistência e Desenvolvimento Social]
www.prefeitura.sp.gov.br/secretarias/assistencia_social

Catholic University of Santos – UNISANTOS
[Universidade católica de Santos]
www.unisantos.br

Without Official sites:

Latin-American Institute for the Promotion and Defense of Human Rights - ILADH:
[Instituto Latino Americano de Promoção e Defesa dos Direitos Humanos]
E-mail: lladhdh@gmail.com

Latin-America Presence - PAL and Ladies for Ladies in politics:
[Presença América Latina - PAL e Elas por Elas na Política]
They are re-arranging their contacts.