

## **Crimmigration and Human Trafficking: where are immigrants as victims and aggressors positioned?**

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During this session, I will start reflecting upon migration movements on the world, framing statistics and defining concepts. I will go through ties who bind migrants with receiving countries, presenting new terminology to emergent realities such as Immigrants and euromigrants; visitors from EU countries and circulants from third countries.

I will characterize the differentiation of inequalities that divides our world in North and South, though a migration perspective as well as on how migrants have been gradually and currently seen as criminals. In fact, and after a perspective how agreements in Europe allowed the creation of the space of Security, Liberty and Freedom, a consequence of the Schengen Treaty and its subsequent updates, we will focus on how migrants have been characterized in host countries as criminals and how they have been victims of the criminalization of irregularity, mainly reflected on a crimmigration analysis.

I will go then through a perspective on migrants as victims of crimes, taking a deep analysis on human trafficking victims who are or have been involved in migration processes. I will then go through the analysis of the Directive 2012/29/UE and try to pick up the rights of victims of human trafficking who are already transposed to the Portuguese (and other countries') legislations, finding lacks and presenting solutions to “law in books” and “law in action” in this field of supporting victims of crimes in Europe, taking from point of departure an European project.

### Short Profile Maria João Guia, PhD

Maria João Guia was an European Commission External Expert in the area of “Security, Liberty and Justice (2014)” (2007/S 140-172522), after being an alternate member of the Group of Experts on Trafficking in Human Beings, between 2008 and 2011 (2007/675/CE) – JO L 277 on 20/10/2007). She is inspector of the Immigration and Borders Service in Portugal, with 16 years of criminal investigation (mainly in migration smuggling and human trafficking crimes), borders and document control in the area of migrations. She was invited lecturer on the Master of Criminology and in the Degree of Law at the Superior Institute Bissaya Barreto in Coimbra (2013-2015) and keeps lecturing in PhDs, Masters, Post-Graduations, Degrees and Training courses.



Maria João Guia was and is national expert and researcher in several European and national projects, namely in the areas of the rights of victims of crimes, human trafficking and the rights of immigrants. She is author of the PhD thesis "Immigration, 'Crimmigration' and Violent Crime. The Convicted Inmates and the Representations of Immigration and Crime" at the University of Coimbra, Portugal. She is Researcher at the University of Coimbra Centre for Legal Research and Associate and researcher at the Center of Human Rights, both at the Faculty of Law, University of Coimbra. Her last international publications were the edition of the books "The Illegal Business of Human Trafficking" (Springer, 2015) and the co-edition of "Migrant Detention, Risk and Human Rights" with Robert Koulis and Valsamis Mitsilegas (Springer, 2016). She was appointed in 2012 as a SYLFF Fellow for her leadership and organisational skills with a grant to develop academic projects. CINETS network ([www.crimmigrationcontrol.com](http://www.crimmigrationcontrol.com)) has been one of her academic priorities (she is the Director of this International Net of Studies). She is also the co-chair of the Working Group 'Immigration, Crime and Citizenship,' together with May-Len Skilbrei at the European Society of Criminology.

## **Reading**

-Directive 2012/29/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 October 2012  
[http://apav.pt/apav\\_v2/images/pdf/LexUriServ\\_Directive\\_EN.pdf](http://apav.pt/apav_v2/images/pdf/LexUriServ_Directive_EN.pdf)

- Analysis of the website <http://www.victimprotection.eu/> and reading of the Portuguese report: <http://www.victimprotection.eu/index.php/2014-05-01-19-31-19/jd/finish/40-pt-portugal/321-pt-national-report>

- Guia, Maria João (2012). Crimmigration, Securitisation and the Criminal Law of the Crimmigrant. Guia, MJ; van der Woude, Maartje; van der Leun, Joanne [eds]. Social Control and Justice : Crimmigration in the Age of Fear. Eleven Publishing.