



APL Blog

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Migrants subject to fraudulent schemes when applying for documents

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Migrants arriving in Portugal may be subject to frauds when applying for documents or regularisation procedures with the help of private intermediaries. This text provides an overview of the rights of migrants when requesting public documents, and offers a number of suggestions of what can be done to address the frauds in question.

Though the use of intermediaries is legal, it has become known that some intermediaries refuse to hand over the login credentials to their clients after registering them for NIF, NISS, in-presence attendance at [AIMA](#), etc., so as to make the client dependent on their services. It is also known that intermediaries may ask for consistent amounts of money, which may range from 100€ to 1000€, in order to hand over the credentials.

Some public agencies seem unaware (or not always aware) of both the possibility of fraud being involved in a migrant's application for services and the migrant's rights when accessing their services. There have been reports of migrants being turned down and referred to AIMA when trying to recover their login credentials.

Migrants who fall victim to such a fraudulent scheme face the impossibility of accessing public services and documents, including a residence permit, when trying to sever their ties to the intermediary.

Migrants' and other non-governmental organizations are usually able to help in the presence of fraud. For instance, they can help to recover access to the Portal das Finanças, if the migrant person has a NIF, or help to remove the migrants' legal representative from the migrants' pending files and requests in the presence of a "manifestação de interesse" ("manifestação de interesse" is the procedure to start requesting a residence permit for a foreign citizen who legally entered the national territory, as long as the person can show proof of employment and of a sound fiscal position with the Portuguese state, i.e., is regularly paying social security).





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However, in turning to civil society associations in the attempt to get access to documents, migrants inadvertently burden these actors with extra work. A more systematic fraud prevention by law enforcement authorities would both assure a smoother social integration and regularisation of migrants and facilitate the work of non-governmental organisations..

Migrants who fall prey to the fraudulent scheme in question are generally unwilling to turn to law enforcement agencies. This may be due to lack of trust in law enforcement, ignorance of their rights, fear of prosecution when they lack a valid residence permit, or threats issued by the intermediary. Cancelling appointments for in-presence attendance at public services desks or cancelling the “manifestação de interesse” seem to be common threats.

Also, reports have been made of migrants having been turned down by law enforcement agents and referred to AIMA when trying to report the fraud.

What can be done about this?

1. Immigration authorities make information available to everyone free of charge, independently of their current immigration status; they should be the standard addressee of all immigration-related queries; however, it is known that AIMA’s response capacity is limited, alas, this limitation is what fuels a flourishing market of private services providing access to public documents and agencies;
2. As an alternative, non-governmental organisations are able both to provide correct information about immigration issues and to help with accessing public portals for the lodging of formal requests for documents;
3. We strongly recommend that migrants turn to private intermediaries whose trustworthiness has been consistently confirmed by independent sources, such as people not acquainted with each other or NGOs with a long-standing experience in assisting migrants;
4. Individuals of all nationalities enjoy the right to access public agencies directly when applying for documents or regularising their immigration status; all public authorities should contribute to making this right effective by providing correct and complete information to applicants and guaranteeing affective access to personal files;
5. Migrants can access some online public services on their own, as is the case of the Portal das Finanças, for which they can request a new login credential for their fiscal number when fraudulent intermediaries refuse to give them their credentials, by sending an e-mail to "portal-senhas@at.gov.pt" from any e-mail address, with the following attachments: a scanned copy of their identification document and a signed document requesting cancellation of the current password for access to the Portal. The document must have the migrant’s full name, fiscal number and fiscal address;





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6. We invite all public and non-governmental agencies to make immigrants aware of the risks involved in turning to private providers in the attempt to get access to documents by spreading this information sheet among whoever turns to them for assistance or participates in their activities.

