

Case 01

Contributor: Patricia Bueso (FUNDEA)

Assessed case number: STS 3750/2020 (Resolution Number: 565/2020)

Title: Crimes of trafficking in human beings for the purpose of sexual exploitation, coerced prostitution, and sexual assault

- What type of trafficking/exploitation is being analysed?**

| Sexual THB | Forced Labour | Forced Criminal Activities | Minor Exploitation and forced adoption | Polycrime | Other (Specify the type) | All the aforementioned |
|------------|---------------|----------------------------|--|-----------|--------------------------|------------------------|
| X | | | | | | |

- Please provide a brief description of the case (about 500 words)**

The accused formed part of an organized group that was dedicated to recruiting, by means of deception, women in Bulgaria, who were offered work in Spain, in order, once in this country, to exploit them in the exercise of prostitution, by means of aggression and threats. Within the framework of this activity, one of the perpetrators made contact in Bulgaria with the victim, with whom he established a sentimental relationship with the sole purpose of achieving his illicit objective, for which he convinced her to move to Spain, where she could develop a job and earn money, telling her that he would also travel to this country to start to live together. In the belief of such statements, the victim travelled from Sofia (Bulgaria) to Madrid. Once in Spain, she was told the real purpose of her journey, which was none other than to work as a prostitute, and was told that she had no other choice.

They told her that she had no other option, as she had to pay them the money she had spent on her journey, warning her that if she did not obey something bad could happen to her and, given the fear generated and being in a country she did not know and in which she had no contacts, with no knowledge of the language, she had no other choice but to agree to the indications of the defendants. The victim was mistreated and raped on several occasions and other victims were recruited by the same method.



- Which is the *modus operandi* of the entities using cyber tools for trafficking and/or exploitation?

| MODUS OPERANDI | Yes/No | Description |
|----------------------|--------|---|
| Cyber tool: Facebook | No | |
| Personal Contact | Yes | Recruitment of girls at source with false promises of work to force them into prostitution through a personal relationship. |
| Other | | |

- Please provide more details on the perpetrator(s):

| | |
|--|---|
| Was/were the perpetrator(s) male or female? | Both |
| Which is the nationality of the perpetrator(s)? | Spanish |
| In which country was he/she, were they operating? | Bulgarian and Spain |
| Was it an individual or a group? | Group |
| Were there any preliminary indicators for early detection? | Job offers for Spain |
| Which other aspects are important? | The fact that the perpetrators builds confidence on a personal relationship |

- Which were the main characteristics of the victim(s)?

| THB Victims | Involved (x) | Please describe in more detail |
|--|--------------------------------|--------------------------------|
| Men | | |
| Women | X | |
| Minors | | |
| LGTBI | | |
| Country of origin | Bulgaria | |
| Country of exploitation | Spain | |
| Capturing Method | False promises of jobs | |
| Coercion Method (debt-bonded, victims' families threatened...) | Debt-bonded, threatened victim | |
| Handing over the passport | X | |



| | | |
|---------|---|-------------------------------|
| Other | X | watched over, sexually abused |
| Unknown | | |

- **What were the money laundering mechanisms used by the traffickers?**

| Money Laundering Mechanisms | Involved (x) | Please describe in more detail |
|--|--------------|-----------------------------------|
| Checks and money orders to anonymous post office boxes | | |
| Back accounts in foreign countries | | |
| Funnel account(s) | | |
| Route cash from different cities | X | Movements of cash (Western Union) |
| Money Mules | | |
| Hawala System | | |
| Purchase of corporate vehicles or real estate | | |
| Cash business entities such as restaurants or bars | | |
| Other | | |
| Unknown | | |

- **Has the case been tried or is it still under investigation?**

| Legal Procedure | Yes/No | Please describe in more detail |
|---------------------|--------|---|
| Case with judgment | Yes | SENTENCE No. 3750/20 of the Supreme Court Spain (Tribunal Supremo): https://www.poderjudicial.es/search/indexAN.jsp |
| Under investigation | | |

- **What was the economic evidence of the crime?**

| Economic evidence | Yes/No | Please describe in more detail |
|------------------------------|--------|---|
| Money Transfers | Yes | Money transfers made by the defendants through "WESTERN UNION" |
| Banks Accounts | No | |
| Unjustified Financial Wealth | Yes | Unable to prove the source where the money was originating from |
| Network Accountancy | Yes | Without documentation |



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|--|---------|---|
| Financial Study of the Victim | Yes | Cash money |
| Wallet Cards | No | |
| Suspicious transactions | Yes | There is no accounting documentation-registration of the company |
| Cryptocurrency exchanges or payments | No | |
| Cash payments | Yes | |
| Faster Payments Inwards (FPI) from the same entity | No | |
| Same mobile number or email address | Unknown | |
| Hawala Payments | No | |
| Various bank accounts beneficiaries | Unknown | |
| Others | | It has not been proved that they had substantial own funds or that they were active in Spain. |
| Unknown | | |

• What activities in internet were considered suspicious?

| Internet Activities | Yes/No | Please describe in more detail |
|--|--|--|
| Online money transfers | No | |
| Purchases in online gaming sites | No | |
| Ads on Backpage.com or similar sites | No | |
| Social media as a means for recruitment | Unknown | |
| Use of digital platforms to advertise deceptive job offers and to market exploitative services to potential paying customers | Unknown | |
| Fishing potential victims by posting advertisements | Not clear | |
| Use of video equipment to stream and broadcast exploitative services | No | |
| Used of multiple online profiles | No | |
| Use of specific apps: Please mention the relevant apps or add the name at the end if not listed | Facebook for recruitment; WhatsApp for communication; Online money | Ex: 1) For Advertising : Facebook, Instagram, TikTok, etc.; 2) For Recruitment and Communication : FaceTime, IMO, Messenger, Signal, Signal, Skype, Viber, WA, WeChat, Zalo, etc. 3) For Logistic : video-sharing platforms distributing essential logistic instructions, satellite images and |



| | | |
|--------|-----------------------------|---|
| | transfer tools for payments | <p>photos, planned routes, Google Maps waypoints, GPS data, etc.; Guidance, including mapping applications (Maps.me, Google Maps) for remotely guiding migrants across borders through tailor-made tutorials and YouTube videos containing detailed guides on how to navigate migrant routes, where to cross borders or buy fake documents, how to find smuggling hotspots, shelter or assistance, etc.;</p> <p>4) For Payments, online transfer of fees and documentation of payment proof via messaging services, hawala, etc.</p> <p>5) Countermeasures adopted by smugglers to anonymize their services, AppLocks, Secure Folders, burner applications, DiskDigger, private VPN connections, or clone apps, Fake GPS and modified display caller ID (Numberbook).</p> |
| Others | | |

• **Other relevant information or important case specificities:**

| | | Please describe in more detail |
|--|--|--------------------------------|
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