

Case 02

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Assessed case number: Roj: SAN 630/2019 - ECLI:ES:AN:2019:630

Title: Offences of Trafficking in Human Beings for the purpose of sexual exploitation, prostitution-relating and document fraud.

- 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 perpetrators, since at least 2015 and together with other unidentified persons in Nigeria and Spain, had been acting jointly and carrying out different functions and tasks, to recruit young women in their country of origin, Nigeria, with the aim of bringing them to Spain and other European countries, such as Norway, Denmark and Italy, using false documentation, all this in order to force them to prostitution.

In this way, they achieved their aim of making them leave their country of origin, taking advantage of their precarious economic situation and offering them false promises of work conditions and legal status. Once they were in Europe, they forced them to work as prostitutes for the benefit of the criminal group. The perpetrators told the women that they had to repay the financial debt they had with the traffickers for taking them out of Africa, and kept them in a state of constant intimidation through the ritual of "voodoo", which was deeply rooted in their country, generating a state of intense fear in the victims, serving as a mechanism of control that the traffickers exercised over the girls that were thus controlled and remained loyal to the trafficker and his associates.

In this way, the victims were forced into prostitution for the benefit of the group, since all the money obtained by the girls through prostitution was distributed among the different members of the criminal group. The investigation of the trafficking network was initiated thanks to the statement of a witness and the network was dismantled through the financial investigation that was carried out.



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

| MODUS OPERANDI | Yes/No | Description |
|----------------------|--------|---|
| Cyber tool: Facebook | Yes | Recruitment of girls at source with false promises of work to force them into prostitution and laundering of the money obtained through companies that do not exist |
| 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)? | Nigerian |
| In which country was he/she, were they operating? | Nigeria, Spain, Norway, Denmark and Italy |
| Was it an individual or a group? | Group |
| Were there any preliminary indicators for early detection? | Job offers for other geographical locations |
| Which other aspects are important? | The fact that the perpetrators and the victims had the same nationality builds confidence and rapport between them and most probably makes the victims more vulnerable |

- 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 | Nigeria | |
| Country of exploitation | Spain, Norway, Denmark, Italy | |
| Capturing Method | False promises of jobs | |
| Coercion Method (debt-bonded, victims' families threatened...) | Voodoo Ritual, Debt-bonded, victim's families threatened | The Voodoo Ritual was used as a method to control the victims, specifically threatening them through the debt towards the traffickers, as well as harming the victims' families through the same method. |



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|---------------------------|---|---------------------|
| Handing over the passport | X | |
| Other | X | False documentation |
| 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 | X | Several foreign currency accounts |
| Funnel account(s) | X | Apparently lawful activity that may cloak the origin of their income |
| Route cash from different cities | X | Movements of cash |
| Money Mules | | |
| Hawala System | | |
| Purchase of corporate vehicles or real estate | | |
| Cash business entities such as restaurants or bars | X | Clothing retail business |
| Other | X | Remittance (MoneyGram, Western Union, etc.) |
| 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. 1/19 of the National High Court Spain (Audiencia Nacional): 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 | Among different persons, accounts and account beneficiaries |
| Banks Accounts | Yes | Several foreign currency accounts |
| Unjustified Financial Wealth | Yes | Unable to prove the source where the money was originating from |
| Network Accountancy | Yes | Without documentation |
| 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 | Purchase of mobile phone handsets, SIM cards, computers, pen drives, memory cards, modems, mp3, cameras and a significant number of documentation |
| Faster Payments Inwards (FPI) from the same entity | No | |
| Same mobile number or email address | Yes | For both victims and perpetrators |
| Hawala Payments | No | |
| Various bank accounts beneficiaries | Yes | |
| Others | | |
| Unknown | | |

• **What activities in internet were considered suspicious?**

| Internet Activities | Yes/No | Please describe in more detail |
|--|---|---|
| Online money transfers | Yes | Financial investigation |
| Purchases in online gaming sites | No | |
| Ads on Backpage.com or similar sites | No | |
| Social media as a means for recruitment | Yes | Facebook |
| Use of digital platforms to advertise deceptive job offers and to market exploitative services to potential paying customers | Yes | Facebook |
| Fishing potential victims by posting advertisements | Not clear | |
| Use of video equipment to stream and broadcast exploitative services | No | |
| Used of multiple online profiles | Yes | Fake online profiles |
| 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 transfer tools | 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 photos, planned routes, Google Maps waypoints, GPS data, etc.; |



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| | for payments | <p>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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