

Case 04

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Assessed case number: STS 178/2016 (Resolution Number: 178/2016)

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		X		X		

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

The accused individuals were members of a poly-crime and pyramid-structured transnational criminal network which, among other criminal (mostly white-collar crime) activities, smuggled illegally females from Nigeria to Spain. Namely, the group was recruiting young females from Nigeria, arranging their transfer to Spain and forced them to prostitution.

There were four phases of the operations of the criminal organization responsible for the trafficking of Nigerian women for purposes of sexual exploitation. First, the recruitment, which was taking place through personal contact in the country of origin and the recruiters were Nigerian women, building that way more trust with the victims. Second, the transport and management of the trip, logistical arrangements such as maintenance, clothing, housing and migratory routes. The transit countries and transfer routes included mainly Morocco, Senegal and Turkey. Third, the exploitation phase, the prostitution of the Nigerian girls against their will, forcing them also to perform other criminal activities (i.e. robbery), in order to be able to pay back the alleged debts they had towards the members of the criminal group for arranging their transfer to Spain. Fourth, the last phase of the operations of the organization was the “regularization” of the victims in Spain, meaning the issuance of administrative documents needed for them to be able to legally stay in the country. They managed that through “white marriages” with Spanish citizens and were blackmailing the victims that they would be deported if they did not accept the “white marriage”.

One of the responsible persons for controlling the girls was a female of Nigerian origin. Another member of the criminal organization, a male, was using violence against the victims such as “knives and guns” as the phone records revealed. Moreover, the perpetrators threatened the victims and their families due to the



supposed debt and, therefore, the victims were not free to decide for themselves. The perpetrators were using voodoo techniques to threaten both the victims and their families back in Nigeria and further control them. The perpetrators also instructed the victims on how to dress for the prostitution activities, how to treat their clients, how to talk to the authorities and how to behave in general. Various text messages were detected in which the criminal network members instructed the victims on how to use their fake personal data.

The autonomous police force of Catalonia (*Mossos d'Esquadra*) initially identified an individual, of Nigerian nationality and member of the criminal group, who had paid various businesses with false 20 & 30 EUR bank notes and was already condemned for falsification of bank notes. The police also recorded phone conversations between the perpetrators speaking in a closed Nigerian dialect and trying to encrypt it, mentioning that the police could be listening. The same members have also travelled to Napoli in order to import false bank notes for the purposes of the organisation and the Police later also found false credit, debit cards and bank accounts of the bank *La Caixa*, linked to the main defendant mentioned above.

Moreover, the criminal network members conducted various transfers in Nairas (Nigerian currency) equal to 250 EUR through the platform *MoneyGram*. Some of the payments of the group in Nigeria were arranged through the *Hawala* transfers method, according to the police investigation findings. Activities of the group were also detected in Dakar, Senegal, as the contact person responsible for the arrangement of the journey of the victims was based there.

Another interesting element of the criminal group's activities was that some of its members were involved in card "skimming", meaning the theft of credit and debit card data and PIN numbers when the user is at an automated teller machine (ATM) or point of sale (POS), manipulating the magnetic strips. In the houses of the perpetrators, police found "skimming" equipment, various credit cards, USB drives with software for card falsification, documentation linked to manipulated accounts in Swiss banks, many false cards linked to Spanish banks without their chips, numbers info of beneficiaries etc., false Nigerian passports and driving licenses, considerable amounts of cash, receipts of *Western Union* money transfers to third countries such as Greece or Norway, more than 12 mobile phones and SIM cards, as well as bank books containing amounts of over a million EUR and thousands in GBP, among others.

The police investigation also showed that the perpetrators kept the victims "liquidity" at all times, making sure that they would always carry notable amounts of cash money. Finally, the registered phone records of the networks shown incoming and outgoing calls from and to Morocco, Iran, Turkey, Greece, Netherlands, Canada, France, Italy and of course Nigeria.

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

MODUS OPERANDI	Yes/No	Description
Cyber tool:	No	
Personal Contact	Yes	The recruiters and contact persons in the country of origin of the victims (Nigeria), mostly females and of the same nationality, approached the



		victims convincing them that they would help them migrate to Europe. Then, after concluding the smuggling process to Spain, forced them to prostitution (in some cases also other criminal activities) and controlled the earnings.
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, Spanish
In which country was he/she, were they operating?	Nigeria, Spain, Morocco, Senegal, Iran, Turkey, Greece
Was it an individual or a group?	Group
Were there any preliminary indicators for early detection?	<p>Already condemned individual for falsification of bank notes and payments through the same</p> <p>“Card skimming” techniques</p> <p>Manipulated bank accounts</p> <p>Suspicious transfers from Spain to Nigeria and other third states through bank accounts, Western Union and MoneyGram</p>
Which other aspects are important?	<p>The perpetrators had developed sophisticated and diverse methods of payments and money laundering such as “card skimming”, remittances, false cards and accounts, as well as false bank notes</p> <p>The criminal organization had also studied the diverse smuggling routes for the victims, according to the socio-political context of each time in order to make a safer and less suspicious trip and had spread their smuggling network and contacts in many countries across the EU and third countries</p> <p>The perpetrators threatened the victims and their families back in Nigeria through voodoo techniques in order to further control them</p> <p>The criminals also assured that the victims always carried enough</p>



	<p>cash in order not to leave tracks and also instructed them on how to behave publicly and before the authorities</p> <p>The “recruiter” in the home country was of the same nationality as the victims and also a female, so she had more confidence and could be trusted easily</p>
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• **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	
Capturing Method	X	False promises of a “better life” abroad and the facilitation of the trip
Coercion Method (debt-bonded, victims’ families threatened...)	X	Debt-bonded, threats to victims themselves and their families in the home countries, voodoo methods
Handing over the passport	X	
Other	X	Aggression and abuse using firearms and cutting weapons, intimidation of the victims by the perpetrators and the victims, false documentation, instruction on public behaviour, interaction with clients and treatment with authorities
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	A manipulated account in Switzerland was detected
Funnel account(s)	X	Transfers to bank accounts in various European states such as Greece or Norway
Route cash from different cities	X	False bank notes from Napoli



Money Mules		
Hawala System	X	Hawala transfers were performed in Nigeria by members of the group
Purchase of corporate vehicles or real estate		
Cash business entities such as restaurants or bars		
Other	X	Remittance (Western Union, MoneyGram)
Unknown	X	False debit and credit cards through “skimming” method faking cards of various Spanish banks

• **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. STS 178/2016 of the Supreme Court Spain (Tribunal Supremo): https://vlex.es/vid/632311857
Under investigation		

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

Economic evidence	Yes/No	Please describe in more detail
Money Transfers	Yes	Falsification of bank notes in Spain with a previous existing conviction Considerable amounts of false credit and debits cards, “card skimming” tools Money transfers performed by the perpetrators through Western Union and MoneyGram
Banks Accounts	Yes	
Unjustified Financial Wealth	No	
Network Accountancy	Yes	False documentation
Financial Study of the Victim	Yes	Constant possession of money in cash
Wallet Cards	No	
Suspicious transactions	Yes	Transactions to manipulated accounts in Switzerland, transfers to Greece, Norway and Senegal, transferring money to Nigeria in Naira
Cryptocurrency exchanges or payments	No	



Cash payments	No	
Faster Payments Inwards (FPI) from the same entity	No	
Same mobile number or email address	Unknown	Yet various mobile phones and SIM cards were found
Hawala Payments	Yes	Network members in Nigeria
Various bank accounts beneficiaries	Yes	Under false documentation or fictional beneficiaries
Others	Yes	The criminal record in white-collar crimes by one of the perpetrators, the efficiency and expertise in falsifying bank cards and notes, as well as the diversification and the expansion of the network towards many states according to the needs of each journey
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	No	
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	No	
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	For Recruitment and Communication: Mobile phones	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



	<p><i>(Llamaya, España Sid)</i></p> <p>For Payments, Western Union and MoneyGram Transfers, cash payments, credit and debit cards, bank transfers</p>	<p>logistic instructions, satellite images and 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> <p>6) Other:</p>
Others		

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

		Please describe in more detail

