

Case 11

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Assessed case number: ECLI:DE:BGH:2018:080218U3STR274.17.0

Title: Human Trafficking and Prostitution, Pimping

- **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		

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

The district court sentenced the defendants as follows: The defendant A. with acquittal in all other respects for aggravated trafficking in human beings for the purpose of sexual exploitation in combination with pimping in three cases, attempted aggravated trafficking in human beings for the purpose of sexual exploitation in two cases, pimping, dangerous bodily injury in two cases, fraud in two cases, incitement to bodily injury in two cases as well as for intentional bodily injury to a total term of imprisonment of ten years, the defendant B. for aggravated trafficking in human beings for the purpose of sexual exploitation in combination with pimping in three cases, attempted aggravated trafficking in human beings for the purpose of sexual exploitation in two cases, pimping, dangerous bodily injury in two cases, intentional bodily injury in four cases, fraud in three cases, and attempted Fraud to a total term of imprisonment of eight years. It further found that a forfeiture order was precluded by claims of injured persons and both defendants are jointly and severally liable in the amount of 275,224 and, in addition, in respect of defendant A. alone in the amount of €382,108.80.

According to the findings of the Regional Court, the defendants, who had already been friends for several years at that time, got together in 2011 or at the beginning of 2012 in order to generate as much income as possible for themselves by economically exploiting unsuspecting women. The accused B. was supposed to take on the role of the "loverboy", establish contact with attractive young women and pose as a man not interested in material things. In order to get the women to enter into a relationship, he made them believe



that he was interested in a long-term relationship and later in starting a family. The defendant A. was supposed to take on the role of the mysterious and possibly also not harmless friend of the B., who was closely connected to him. After taking up the relationship with the defendant B., the women were to be isolated from their families, friends and acquaintances, friends and acquaintances in order to limit their social contacts largely to the defendant. Thereafter, all conceivable possibilities were to be used in order to exploit the women economically, whereby in any case, they were to be induced to take up prostitution activities.

In the process, the defendants wanted to monitor them closely; the women were to hand over all their earnings. Even if the promise of later founding a family with the defendant B. served as motivation for the prostitution activity, the women were furthermore to be put under pressure - in case of insufficient work performance from the defendants' point of view - by physical assaults or threats thereof and verbal disparagement, and thus to be induced to make greater efforts. If necessary, they were also to be to take out loans, the value of which was collected by the defendants. This in turn - because of the obligation to repay the loan or to pay installments, to which the women alone were exposed - could build up pressure on them, which at least in part was used to persuade them to take up the prostitution in the first place. to get them to take up the prostitution activity in the first place. In the years, the defendants continued their plan to the detriment of four local women of middle-class origin, the joint plaintiffs. Three of them still suffer psychologically from the crime and are also financially ruined as a result of the crimes.

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

MODUS OPERANDI	Yes/No	Description
To add: Loverboy-Scheme	Yes	
Other		

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

Was/were the perpetrator(s) male or female?	Male
Which is the nationality of the perpetrator(s)?	German, Lebanese
In which country was he/she, were they operating?	Germany
Was it an individual or a group?	2 individuals (brothers)
Were there any preliminary indicators for early detection?	no
Which other aspects are important?	



• **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	Poland, Bulgaria, Turkey, Germany	
Country of exploitation	Germany	
Capturing Method	X	In clubs etc.
Coercion Method (debt-bonded, victims' families threatened...)	X	loans
Handing over the passport	no	
Other		
Unknown		

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

Money Laundering Mechanisms	Involved (x)	Please describe in more detail
Checks and money orders to anonymous post office boxes	No	
Back accounts in foreign countries	No	
Funnel account(s)	No	
Route cash from different cities	No	
Money Mules	No	
Hawala System	No	
Purchase of corporate vehicles or real estate	No	
Cash business entities such as restaurants or bars	No	
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	ECLI:DE:BGH:2018:080218U3STR274.17.0
Under investigation		



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

Economic evidence	Yes/No	Please describe in more detail
Money Transfers	No	
Banks Accounts	No	
Unjustified Financial Wealth	No	
Network Accountancy	No	
Financial Study of the Victim	No	
Wallet Cards	No	
Suspicious transactions	No	
Cryptocurrency exchanges or payments	No	
Cash payments	No	
Faster Payments Inwards (FPI) fom the same entity	No	
Same mobile number or email address	No	
Hawala Payments	No	
Various banck accounts beneficiaries	No	
Others	No	
Unknown	No	

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

Internet Activities	Yes/No	Please describe in more detail
Online money transfers	No	
Purchases at online gaming sites	No	
Ads on Backpage.com or similar sites	No	
Social media to recruitment	No	
Use of digital platforms to advertise deceptive job offers and to market exploitative services to potential paying customers	No	
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 circle the relevant apps or add the name at the end if not listed	No	Ex: 1) For Advertising : Facebook, Instagram, TikTok, etc.; 2) For Recruitment and Communication:



		<p>FaceTime, IMO, Messenger, Signal, Signal, Skype, Viber, WA, WeChat, Zalo, etc.</p> <p>3) For Logistic: video-sharing platforms distributing essential 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>
Others		

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

	Please describe in more detail

