

# FINANCING OF TRAFFICKING IN HUMAN BEINGS IN SPAIN

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In Spain, trafficking of human beings was incriminated in 2010 with the modification of the Penal Code, specifically with the inclusion of article 177bis.<sup>1</sup> The crime carries a harsher sentence when the victim is a minor.<sup>2</sup> Before this, forced prostitution and sexual exploitation had been punished, but the crimes were not established as it is set forth in the Palermo Protocol. This belated inclusion in the Spanish Penal Code, in contrast to its neighbouring European countries, has meant that the public administration does not have a consolidated plan of action, both in victim support and in the prosecution of the crime. This is particularly so in trafficking for the purpose of labour exploitation, which has barely been addressed or prosecuted (Meneses-Falcón, 2017).

The scope of the phenomenon of trafficking differs depending on the exploitative purpose for which it is carried out. The most visible is trafficking with the purpose of sexual exploitation, since certain aspects that give it greater volume converge:

- a) the partial decriminalisation of procuring (pimping) in the Penal Code of 1995, which allowed greater tolerance toward the third-party organisation of sexual commerce (Meneses-Falcón, 2017);
- b) the extra-legal status of prostitution has facilitated the creation of prostitution apartments, brothels and hostess bars (prostitution in Spain is neither regulated nor prohibited);
- c) the existence of a demand for paid sex with a very significant volume of business, which is among the highest in Europe (more than 20% of the male population has paid for sexual services) (Meneses-Falcón et al., 2015).

Trafficking for the purpose of labour exploitation occurs in the more precarious labour markets, which require cheap and temporary manual

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<sup>1</sup> Whoever, using violence, intimidation or deceit, or abusing a situation of superiority or need, or the vulnerability of a national or foreign victim, or through the delivery or receipt of payment or benefits to achieve the consent of the person who possesses control over the victim, were to capture, induce, transport, transfer, receive or house such a victim, including the exchange or transfer of control over the victim, for any of the purposes described below, within Spain, from Spain, in transit or with destination therein, shall be convicted of human trafficking and punished with the penalty of five to eight years imprisonment:

- a) Imposing on the victim forced work or services, slavery or practices similar to slavery or servitude or begging;
- b) Sexual exploitation, including pornography;
- c) Exploitation in order to perform criminal activities;
- d) Extraction of their bodily organs;
- e) The celebration of forced marriage.

A situation of need or vulnerability exists when the person in question has no other alternative, real or acceptable, to being subjected to abuse.

<sup>2</sup> Article 177bis.2. Under 18.

labour that is not supplied by local workers. Specifically, the most affected sectors are agriculture (the production of vegetables, fruits, olives and wine), domestic service, construction, and textiles. In recent years, trafficking networks that exploit victims who have been forced into begging, or the committing of crimes, notably thefts and drug dealing, have been detected. Victims of sexual trafficking are also, in some cases, being forced to commit crimes of theft. Lastly, trafficking for the purpose of organ exploitation is marginal – the organ donation system is very well organised, with the result that the clandestine sale of organs in Spain is practically non-existent. There is no data related to export of organs from Spain to other countries.

Various sources of information have been utilised in the development of this report. First, the foreign nationals' sections of the reports of the State Public Prosecutor's Office from 2014 to 2017 were used. Second, court judgements on the trafficking of human beings with the purpose of labour or sexual exploitation have been compiled (82 sentences from 2012 to May 2017 were obtained). Third, information has been obtained from a series of key informants, through semi-structured interviews; among the key informants interviewed, we highlight the following:

- Public Prosecutor for the Foreign Nationals section of the Spanish government (SP-E01 and SP-E03).<sup>3</sup>
- Two provincial level public prosecutors (SP-E02).
- Autonomous police forces with human trafficking competence of the Basque Country and Catalonia (SP-E12, SP-E13 and SP-E14).
- Three teams of the National Police Corps from three provinces (UCRIF of Murcia, Huelva and Seville) (SP-E07 to SP-E06).
- Two teams of the Guardia Civil – from the head office (Madrid) and from the province of Huelva (SP-E05 & SP-E06).

Fourth, six interviews of people convicted of trafficking human beings, currently serving their sentences, were carried out.<sup>4</sup> All six had been convicted of trafficking for the purpose of sexual exploitation (five women, three Nigerians and two Romanians, and one man, of Paraguayan nationality, coded SP-C01 to SP-C06). In July 2017, there were sixty-one people serving sentences in Spanish prisons for human trafficking. Lastly, we contacted the Office for Asset Recovery and Management (ORGA) to collect information on assets in this crime (SP-E15). However, due to its recent (2016) establishment and scant activity, the gathering of data has been very limited.<sup>5</sup>

<sup>3</sup> The sources have been coded in order to preserve their anonymity. The first two letters of the code indicate the country, "E" indicates an expert, while "C" means criminal entrepreneur. The description of the background of the individual sources referenced can be found in the list of interviewees in the references section.

<sup>4</sup> The Spanish Prison Service granted us the interview in a prison where seven people were serving sentences for trafficking. Having been asked and given the informed consent for the interview, six agreed to participate.

<sup>5</sup> In the two years ORGA has been operating, five cases of human trafficking have been referred to them, all of them sexual trafficking, involving the investigation of thirty people and assets in Colombia, Panamá, France, Brazil and Finland. All of the people investigated were European.

In order to conduct the interviews, the interview scripts for the study have been adapted to the Spanish context in order to make the interviews more efficient and focused on the situation in Spain. Most of the informants possessed abundant information on trafficking for the purpose of sexual exploitation, but not on labour exploitation. Enquiries were made in different provinces attempting to find cases of labour trafficking, but the information was scarce and proved to be difficult to evaluate overall. The information obtained was then processed and organised in order to carry out content analysis for the writing of this report.

## 1. MARKET OVERVIEW

The crime of human trafficking in Spain is investigated and prosecuted by the State Security Forces, Guardia Civil and National Police Corps, specifically the UCRIF (Central Unit for Illegal Immigration and Document Falsification Networks), as well as by the Foreign Nationals Unit of the State Public Prosecution Office. The two autonomous police forces (Ertzaintza and Mossos d'Esquadra) also have authority in the prosecution of this crime. There is a defined split of responsibilities between the different police bodies although there is some overlapping which is counteracted by a good degree of coordination.

**TABLE 1. VICTIMS OF TRAFFICKING FOR SEXUAL EXPLOITATION\***

| Year | Women | Men | Female minors | Male minors | Total |
|------|-------|-----|---------------|-------------|-------|
| 2014 | 871   | 12  | 36            | 1           | 919   |
| 2015 | 455   | 37  | 44            | 0           | 537   |
| 2016 | 337   | 1   | 28            | 0           | 366   |

\* Victims at serious risk and identified victims.

**Source:** Reports from the State Public Prosecutor, Foreign Nationals Office.

With respect to the trafficking victims found in Spain, most of them are victims of sexual exploitation (more than 80%) (FGE, 2015; FGE, 2016; FGE, 2017; Eurostat, 2015). The vast majority of these victims are women (more than 98%). In contrast, the victims of trafficking with the purpose of labour exploitation are mostly men (more than 80%). A worrying trait is the increase in minors being victims of trafficking that has taken place in recent years (FGE, 2017). In 2014, 4% of trafficking

victims were girls. This percentage has increased to 8% in the following two years (FGE, 2015). Finally, it is worth mentioning the reduction in the number of victims that have been detected since the 2015 report; according to the criteria applied by the public prosecutor's office, the number of detected victims is 40% lower in 2016 than in 2014. This considerable decrease is due, we believe, to the inspections carried out by the National Police and the Guardia Civil in brothels (in which it is more difficult to find trafficking victims since in these establishments the women usually appear to consent to working as a prostitute), meaning that the sexual exploitation of women and girls been moving away from these types of es-

**TABLE 2. VICTIMS OF TRAFFICKING FOR LABOUR EXPLOITATION**

| Year | Women | Men | Female minors | Total |
|------|-------|-----|---------------|-------|
| 2014 | -     | -   | -             | 173*  |
| 2015 | 19    | 92  | -             | 111   |
| 2016 | 13    | 71  | 2             | 86    |

\* The data for male and female victims of labour exploitation in 2014 are not known.

Source: Reports from the State Public Prosecutor, Foreign Nationals Office.

**TABLE 3. NUMBER OF PEOPLE INVESTIGATED/DETAINED FOR TRAFFICKING CRIMES**

| Year | Sexual |     |       | Labour |     |       |
|------|--------|-----|-------|--------|-----|-------|
|      | Women  | Men | Total | Women  | Men | Total |
| 2014 | 269    | 429 | 698   | 7      | 46  | 53    |
| 2015 | 227    | 354 | 581   | 3      | 59  | 82    |
| 2016 | 137    | 151 | 288   | 5      | 19  | 24    |

Source: Reports from the State Public Prosecutor, Foreign Nationals Office.

**TABLE 4. NUMBER OF INVESTIGATIONS, JUDGEMENTS, AND CONVICTIONS FOR TRAFFICKING CRIMES**

| Year | Sexual         |            |             | Labour         |            |             |
|------|----------------|------------|-------------|----------------|------------|-------------|
|      | Investigations | Judgements | Convictions | Investigations | Judgements | Convictions |
| 2014 | 154            | 14         | 11          | 10             | 2          | 1           |
| 2015 | 74             | 24         | 18          | 15             | 1          | 1           |
| 2016 | 70             | 29         | 6           | 8              | 0          | 0           |

Source: Reports from the State Public Prosecutor, Foreign Nationals Office.

establishment, which are open to the public, to private residences and apartments, where inspections by state security forces are not carried out.<sup>6</sup>

With respect to the number of people investigated and detained for crimes of sexual trafficking, just as with the number of victims, the number of people detained has been decreasing over recent years (FGE, 2015; FGE, 2016; FGE, 2017). Given that it is possible that this type of crime is concentrated in private residences and apartments, it is harder to be able to investigate and detain the culprits (Meneses-Falcón et al., 2017). In the cases of crimes of trafficking for sexual exploitation, the numbers of men and women detained have become more even, being almost equal in 2016 (FGE, 2017). However, in the cases of crimes of trafficking for labour exploitation in Spain, those investigated and detained are mostly men.

Lastly, if we look at the number of investigations conducted, and the convictions obtained, we can see that the number of convictions is very low (FGE, 2015; FGE, 2016; FGE, 2017). It is important to be aware of

<sup>6</sup> In order to inspect an apartment, the police need a court order, since it is considered a private residence. Judges and magistrates only permit such searches if there are clear signs of criminal activity.

the difficulties that currently exist in order to secure a conviction for a crime of human trafficking. Convictions in the Spanish legal system depend fundamentally on the declarations of the victims, who in many cases do not wish to testify against the traffickers who had trafficked and exploited them, whether due to actual threats from the traffickers themselves, or fear, or even because the women are not aware that they have been the victims of a crime.

## 2. MARKET STRUCTURE AND SOCIAL ORGANIZATION OF TRAFFICKING NETWORKS IN SPAIN

The main strategy of investigation and prosecution of the crime of human trafficking in Spain has been the declaration of the victim (SP-E01). Results to date have not been very productive. Only a relatively low number of delations have been achieved. In 2017, a new focus has been put forward: investigations on money laundering, the assets of those under investigation (traffickers), and crime against the public treasury (SP-E01). But this is only a recent strategy and it is hoped that it proves fruitful in the coming years.

Criminal trafficking networks (some of them very reduced) can be classified into three types, according to their organisation (SP-E05, SP-E12, SP-E13, SP-E07).

- a) Large, highly structured organisations, with members responsible for different functions in the country of origin of the victims, in transit and in the destination country (recruiters, those responsible for documentation, for bribery at border crossings, those charged with harbouring the victims, with accompanying them during transit, and those who provide the basic products necessary for the exploitative activity – cosmetics, lingerie, etc.).
- b) Smaller organisations that do not have a large deployment of people to undertake various tasks, which are instead carried out by a small group. At times, they might contract the services they need (obtaining documentation, border crossings, etc.) from larger trafficking organisations.
- c) Family type organisations or of a small-time trafficker's initiative, one-person, lover-boy types, in which the profits are appropriated by an individual, in which the scale of the trafficking is limited to recruiting two or three women who are exploited with little investment.

Most traffickers convicted in Spain belong to the second and third types described above. Large networks are less represented among those detained and convicted. There are few convictions of those who have greater responsibility and who hold higher positions in the human trafficking organisations.

In recent years, the presence of women in recruitment in the areas of origin and in sexual exploitation has increased (SP-E12, SP-E13, SP-E08,

SP-E11). Many of these women are former victims who collaborate with the network once they have paid off their debts, as a way of earning profits – just as was done with them – or as another way of completing their debt payment. These women are more effective models in the recruitment of other women, because they parade themselves as successful women who came to Europe and set themselves up on their own account. Former victims are more effective when they are used as recruiters. In 2015, out of 616 people detained for trafficking, 40% were women<sup>7</sup> (SP-E12, SP-E13; Surtees, 2008).

The victims come from various areas of origin: the Latin American route, the east European route, the sub-Saharan African route and the Asian route. The trafficking networks have transnational connections, with contacts in the local communities where they recruit their victims, and connections in Spain (SP-E01, SP-E02, SP-E05). Furthermore, they usually know Spanish and European Union legislation well, and the difficulties that they are likely to meet while transporting victims and the places where they can best gain entry (SP-E05, SP-C02). The traffickers give precise instructions to their female victims concerning the Spanish police, what they should say to them, and they depict the police as just as corrupt as the police from their countries of origin (SP-E05, SP-C05). They usually deceive them, telling them that if the Spanish police discover them, they will put them in an Internment Centre for Foreign Nationals and deport them (Meneses-Falcón et al., 2015).

The organisations that originate in eastern Europe tend to be larger and have fewer documentation problems because they move within the Schengen Area. Romania and Bulgaria are the two countries that have the heaviest presence both as victims and traffickers (FGE, 2017). Two main types stand out: those that are more organised, that recruit their victims with the promise of employment in domestic service or hospitality and catering jobs (which is the case of women for sexual exploitation); and those that involve a procurer (pimp) who recruits a woman by duping her into falling in love with him (the lover-boy method), after which he proposes going to Spain for a job that a friend has offered him, and on arrival in Spain he induces her into prostitution using emotional blackmail (Marcus, 2008). In other cases, there is no deception – recruitment is accomplished directly by offering to pay the costs (transport to Spain and accommodation in the destination city) that are needed to get started in Spain. Once one of the women is established in sexual exploitation, the recruiter returns to repeat the process with another woman (SP-E12, SP-E13, SP-E14). Lastly, there are the traffickers who control two or three women with the help of another woman who has been recruited beforehand (SP-E05, SP-E12, SP-E13, SP-E14).

Madrid, Barcelona and Valencia tend to be the destination cities of choice for eastern European victims of sexual exploitation, and from there they are distributed to other cities. If the victims do not resist and generate

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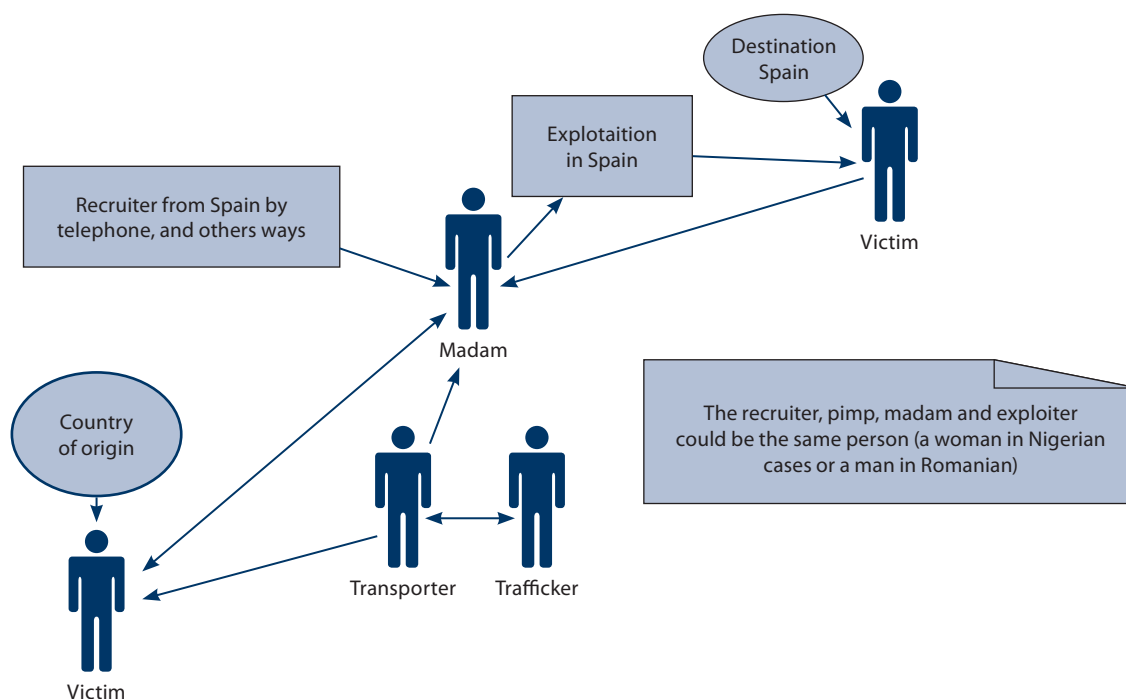
<sup>7</sup> Data confirmed by the Penitentiary Institutions in Spain.



TABLE 5. ACTORS WHO PARTICIPATE IN TRAFFICKING CRIMES

| Actor                     | Role  |
|---------------------------|---|
| Trafficker                | Person who commits a crime of trafficking for sexual or labour exploitation   |
| Recruiter                 | Person who seeks and deceives women (victims) into trafficking  |
| Transporter/ Intermediary | Person who transports the victim from the country of origin to the final destination.   |
| Procurer (pimp)           | Person who exploits the victim directly or by deception (the lover-boy method).   |
| Controller                | Person who controls the victims (in Andalusia. the controllers hired to oversee the work of the victims are sometimes called "Manijeros") |
| Lover-boy                 | Main controller and trafficker of women for sexual exploitation who holds a sentimental relationship with the victim.                     |

FIGURE 1. ACTORS WHO PARTICIPATE IN TRAFFICKING



the revenue that their traffickers demand, they will be exploited for a long time and their sexual exploitation will never end until they cease being profitable (SP-E05, SP-E12, SP-E13, SP-E07, SP-E11). In the case of trafficking for labour exploitation, the destinations are Andalusia and the Levante (the provinces of Alicante, Castellón, Murcia, and Valencia), as

these are the places with the highest demand for temporary manual labour in agricultural estates (SP-E07, SP-E06, SP-E11).

The organisations originating in sub-Saharan Africa are composed and organised differently (Ellis and Akpala, 2011). There are those that are highly organised, with contacts in different countries and that traffic to Europe, and there are those that are more family-based or domestic, which are not well organized, as mentioned above. In any case, from Africa there are two entry points into Europe: Italy, from Libya; or Spain, from Morocco (SP-C02, SP-C03). Here, we will focus on the latter.

The country of origin of the women who come to Spain from Africa is mainly Nigeria, and specifically Benin City (SP-E08, SP-C01, SP-C02, SP-C03). Women coming from other Nigerian cities tend to have Paris or London as their (final) destinations, although sometimes these are transit cities for coming to Spain. There are different overland routes, the main one passing through Mali, Algeria and Morocco (SP-E08, SP-C01, SP-C02, SP-C03). Another frequently used route passes through Guinea, then by plane to Ukraine and from there to Austria (SP-C02). The route by plane is more expensive and the debt that is subsequently demanded from the victim is greater, between €60,000 and €80,000 (SP-C02, SP-C03). The land route is cheaper, being made by bus or in trucks with other men and women (SP-C02). During the journey, however, there is always a “boss”<sup>8</sup> who accompanies several women as far as Morocco (Alomar and Plasencia, 2014). The journey can last days or months since the distance from Benin City to Tangier, Morocco, is 3,477 km. Once in Morocco, they are placed in a camp or accommodation which is provided by the “boss” until there is a boat available to cross the Straits. These boats are normally intercepted by the Spanish police and the Spanish Red Cross. The organisation instructs the women how they should act in front of the NGOs and the Spanish police (SP-E05, SP-E06). Once the boats are intercepted, the women are looked after by the Red Cross for 24 hours, after which they make contact by telephone with someone from their country’s network who resides in Spain (the contact having been provided by the boss who organised the crossing of the Straits) (SP-C02). From Andalusia, they are transferred to Madrid. On other occasions, France is the destination, with Bilbao being the transit city to French-speaking countries (SP-E12, SP-E13). This journey is made when they are not detained or retained in an Internment Centre for Foreign Nationals.

In the case of women coming from Latin America or sub-Saharan Africa who arrive via aeroplane, after their arrival at the airport they are taken to an apartment to work as a prostitute, or to a type of brothel known as a “club de alterne de plaza”<sup>9</sup> (Meneses-Falcón, 2017). In this brothel model, the trafficked persons live in the same establishment where they work as prostitutes, servicing clients in the same room that they live

<sup>8</sup> Also called “husband,” this person is always male and sees to their safety throughout this journey. Sometimes this boss has non-consensual sex with the victims.

<sup>9</sup> Prostitution work is moving from brothels and concentrating in apartments or houses (which customers access by appointment). These premises cannot be inspected by the police unless there is search warrant (court order), unlike the brothels, which undergo annual formal inspections.



in. The establishment provides them with clothes, cosmetics and the necessary basic products, which are added to the debt that they have with the traffickers, the sum of which they discover when they arrive in Spain. In other cases, mainly those coming from sub-Saharan Africa, they are housed in an apartment with three or four other women and taken to work as a prostitute on the street in city centres, on industrial estates or on roads on city outskirts, always in places close to a brothel that offers the presence of customers of prostitution (SP-C03, SP-C04, SP-C05).

Regarding the east Asian women who are trafficking victims, there is little data. The Asians are a highly secretive group and not much information is available on their business. This is a pending issue. Nevertheless, the information obtained shows us that the victims are in apartments or massage parlours that are strictly controlled by a "madam" who never allows them to be alone (SP-E05, SP-E12, SP-E13, SP-E14). Two types of apartment exist (SP-E05): those that are exclusively for the east Asian population, particularly Chinese, and those that are aimed at Westerners. In both cases, there is a lot of movement, both of women and apartments, which makes police investigations difficult. In some cases, they bring in the women by plane, using passports from Taiwan or Japan, and entering the European Union through airports that have less traffic (SP-E05, SP-E14, SP-E02). However, it tends to be easier to do the transportation by road, entering through the border of Slovakia, which is the most permeable (SP-E12, SP-E13). They are often accompanied by a Chinese male, who is responsible for the transportation (SP-E05, SP-E12, SP-E13, SP-E14). This man, whom they call "snakehead," will have a resident's permit in the Schengen Area, and tends to travel with around five Chinese women (SP-E12, SP-E13). These organisations are very difficult to approach and investigate, due to their discretion, secrecy, scant predisposition to collaborate with the police and lack of desertions (SP-E05, SP-E12, SP-E13, SP-E14).

Lastly, we must add that African drug routes are being overlapped with human trafficking routes from Guinea and Nigeria (SP-E05, SP-E12, SP-E13, SP-E14, SP-E07). There are also signs that some Asian routes of human trafficking (Pakistan) are being used to get terrorists into the Schengen Area (SP-E14). These aspects require deeper investigation.

With regard to the trafficking of human beings for the purpose of labour exploitation, the networks that have the highest presence are Romanian and Bulgarian (SP-E06, SP-E11). Their victims are men of the same nationality, who are often recruited from the same localities as the traffickers themselves. The process consists in offering work to harvest or pick agricultural products for the season, agreeing on the wage plus room and board, without any intention of actually paying them. The financial process is described in detail below. Only some of these men, after working for the first month and not getting paid, make this fact known to the police (SP-E06). If the police officer who deals with the complaint is not specialised in human trafficking, they will not identify it as such. Instead, it is recorded as a simple offence against the rights of the worker, or mere labour exploitation (SP-E06, SP-E11).

### 3. FINANCING AND FINANCIAL MANAGEMENT

As a result of the research conducted, the analysis of the interviews carried out, and the study of court judgements, the following six sub-sections address the financial aspects of human trafficking.

#### 3.1. Source of capital for initiating/sustaining criminal operations. Access to capital in critical moments

From the information gathered in all the sources consulted in this work, both from the police and judicial authorities as well as from the traffickers interviewed and serving sentences for their crimes, it can be deduced that in Spain human trafficking (both for sexual and labour exploitation) is carried out mainly by individuals or small organisations. The minimum barriers to entry in economic terms contribute to this fact.

In the case of sexual exploitation, as will be discussed below in this report, the costs of recruitment, transfer and maintenance per victim do not exceed €1,000 in the case of European and African sources and from €2,000 to €3,000 when the origin is Latin American or Asian (when it is carried out by air travel). As a result, the market is saturated with small traffickers who invest their savings or small family and friend's loans to start the activity. It has been found that in many cases they are old victims or relatives, who once they have reached the knowledge of the activity are established on their own.

In the case of prostitution, there are entrepreneurs with brothel businesses and a significant financial flow and investment volume. However, because of the legal situation of prostitution in Spain (without regulation) these entrepreneurs are disconnected from the very crime of trafficking (regulated and heavily punished) to focus exclusively on that of prostitution.

#### 3.2. Settlement of payments

Payments are made in two different scenarios.

- a. Those that are made within the receiving country (in this case Spain):  
In the case of sexual exploitation, the number of transacted payments is significant, but the average size of a transaction is small. They are made either in cash (majority) or with the exchange of goods or services (marginal). They are very difficult to track because of their characteristics.  
In the case of labour exploitation there are almost no payments to the victims. The traffickers receive their payments in cash to avoid detection by the authorities.
- b. Those that occur between countries (origin, intermediate and destination):  
The banking controls established for the international monetary movements by the Spanish authorities to prevent money laundering are very strict (any single or multiple transactions by the same individuals

above €3,000 is subject to a declaration) so that this method is used marginally.

Greater volume of movements is carried out by individuals who travel and who hide money in their luggage. Since 2007, the legal maximum in the European Union according to regulations to prevent money laundering is €10,000. Customs controls at borders, ports and airports are significantly reducing the amount that is moved through this channel. In 2016, 77 sentences were issued in Spain, of which 49 were convictions (General Council of the Judiciary). However, the vast majority of them are linked to crimes of tax evasion or crimes unrelated to human trafficking, such as drug and tobacco smuggling or arms trafficking.

Finally, the most frequent method of economic movements is those carried out by exchanges without movements of money. This procedure is very difficult to monitor, although its existence has been detected in transactions with different continents (Hawala). This mechanism is described in more detail in the next section.

### 3.3. Costs of doing business

The costs of doing business depends on the origin of the victims and the trafficking network structure. Thus, doing business with victims from sub-Saharan Africa is more expensive even though the costs are cheaper than victims from eastern Europe or Latin America. In general terms, costs stem from transportation and maintenance as most of the victims are deceived in their country of origin.

#### Coming from sub-Saharan Africa

Most of the women who come to Spain through trafficking networks come from Benin City, Nigeria, and, to a lesser extent, from other countries such as Guinea or Cameroon. A person close to the victim or to their family suggests coming to Spain to work as a waitress, cleaner or in personal care (SP-C01, SP-C02, SP-C03). The person who arranges the deal to come to Spain does so in exchange for money. This agreement or contract is usually made with a commitment that is enforced using Voodoo rituals (Dols, 2012). The expenses include recruitment and transportation. The costs differ, depending on the route and the intermediaries. In the case of the route by air, there is the added cost of false documentation (€1,000 to €3,000). In general, this is done using a real passport but changing the biographical page and using a fake identity (SP-E05, SP-E12, SP-E13, SP-E14, SP-E07, SP-E08). On other occasions, they use a passport belonging to a fellow countrywoman who already has Spanish residence and who looks like the victim (SP-E14, SP-E07, SP-E08). In these cases, the victims usually enter via another country (the United Kingdom or France) before moving on to Spain, and so avoid answering questions about their stay in Spain (SP-E14, SP-E07, SP-E08, SP-C03). They may also come with an Italian or Portuguese passport (Cape Verde).

- Route by aeroplane. The victim is generally transferred to Lagos or Guinea accompanied by a network member whom they call

- “boss.” They may also travel this leg of the journey alone, although this is unusual. Once arrived in these cities, they are housed with someone belonging to the organisation until the flight departure. They fly to Paris or London, and from there to Madrid (SP-E14, SP-C03). In Madrid, they are collected by other people, generally a woman or a couple who are compatriots and who provide accommodation (SP-C02, SP-C03). Sometimes these women know that they are coming to work as a prostitute, but not the conditions in which they will have to do so (SP-C03, SP-C03). If they refuse, they are threatened until they acquiesce. Then they are instructed as to how they must work in prostitution and that all of their earnings will go toward paying off their debt. The traffickers are often Nigerians resident in Spain, who request women in order to exploit them, and the organisation in turn contacts a recruiter based in Nigeria (SP-E12, SP-E13, SP-E14, SP-E08). In this case there can be two intermediaries before the victim reaches the exploiter.
- Overland route. The recruiter in the victim’s locality is responsible for taking her, along with other women (the journey is generally undertaken with three or four women), to as far as Morocco, travelling various routes by bus or in trucks along with other people, even going some of the way on foot. Bribes have to be paid at border crossings (SP-E12, SP-E13, SP-E14, SP-C02). On arrival in Morocco, they may be housed with a compatriot (SP-C02). From this moment they may begin to be exploited sexually or used to work as a beggar while waiting to be able to cross the Straits (€1,500). When the boat crossing is due to take place, the victim is given a mobile phone in order to contact the person in Spain, a compatriot, who will be in charge of their exploitation and who will charge her room and board (SP-E05, SP-E12, SP-E13, SP-E14, SP-E07). In Spain, there may be one or two exploiters, moving the victim from one place to another (SP-E12, SP-E13, SP-C02, SP-C03).

The cost per victim until the time of placing them in Spain is approximately €10,000, (SP-E05, SP-E12, SP-E13, SP-E14, SP-C02, SP-C03). According to information provided by the police, sometimes the intermediaries get paid with sex with the victim, particularly at the border (SP-E12, SP-E13, SP-E08). In some cases, the cost of transporting the victims to Spain increases because they can be kidnapped by other criminals who demand a ransom from the traffickers<sup>10</sup> (SP-E05, SP-E12, SP-E13, SP-E14, SP-E08).

### **Coming from eastern Europe**

The initial investment in the victim is small (SP-E05, SP-C04). Transportation from the place of origin to Madrid is overland and costs around €100 per person recruited. Arranging documentation is not a complicated process. On occasion the journey is made using low-cost flights. In both cases, the cost depends on whether the trafficker acts alone, or if more people are involved in the journey, or whether it is an organised network (SP-E02, SP-E05, SP-E12, SP-E13, SP-E14, SP-E11).

<sup>10</sup> We have not been able to establish the amount of money demanded for these kidnappings, or the frequency with which they occur.

Love-boy traffickers. He will recruit his victim in the country of origin (Marcus, 2008). He will choose his victims based on their characteristics of vulnerability. He deceives them into falling in love and proposes going together to Spain (a one-way bus journey from Bucharest to Madrid costs €100). Generally, he is already resident in Spain, where he has colleagues, men or women, his actual partner sometimes being among the latter. When they reach Spain, he tells the victim that she has to work as a prostitute, exploiting her by controlling all the aspects of the work, such as place, prices, clients and services. The lover-boy and his victim may also travel by plane (Bucharest to Madrid, €150) (SP-C04).

Small organisations. These are made up of a recruiter (male or female) in the country of origin, who may or may not accompany the victim, travelling to Spain by bus or aeroplane. She is collected by other people (two or three controllers who will handle her exploitation). Documentation, if the country is part of the EU, is a mere formality with low costs. If the east European country does not belong to the EU (e.g. Ukraine, Belarus, Moldova), there is a cost for arranging the necessary documentation and visas (Judgment n° 15, see Appendix 1).

Highly organised groups. The number of people involved is bigger although we cannot speak about big organisations in these cases. They have a person who recruits in the place of origin, another responsible for arranging documentation, another to carry out the transportation when it is necessary (accompanying the victim, the flight), and a group that is responsible for the exploitation (vigilance, control and collection of money, moving the victim to other places – brothels). This was the case for one of the convictions we have examined, of a Russian organisation of traffickers and exploiters (Judgment n° 15, see Appendix 1).

### **Coming from Latin America**

The trafficking organisations coming from Latin America originate in the Dominican Republic, Paraguay, Brazil, Colombia, and Venezuela, which are the countries with the greatest flow of migration toward Europe (SP-E02, SP-E05, SP-E10). The principal destination for these countries is Spain, due to the similarity in language and culture. Only when alerted to strict controls in Madrid Barajas Airport do they try to enter Europe through the airports of Orly in Paris, Fiumicino in Rome, Schiphol in Amsterdam or Heathrow in London, all being transit countries (SP-E12, SP-E13, SP-C02, SP-C03). Because these EU transit countries are not the destination countries of the victims, the controls are not overly rigorous; in fact, some victims have arrived in Spain with a false passport (SP-E01). In order to enter Spain, a passport, a visa obtained in the Spanish consulate in the country of origin or a letter of invitation, a contact in Spain and a minimum sum of money, are all required. If necessary, the documentation would be falsified by the network, as a public prosecutor of trafficking from Santo Domingo in the Dominican Republic showed us.<sup>11</sup> It requires an investment of

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<sup>11</sup> A member of our team interviewed one of the Public Prosecutors for trafficking in Santo Domingo in April 2017.

€3,000 for each person recruited (documentation, visa, money for the journey that will be taken away on arrival in Spain, and an aeroplane ticket) (SP-C05). Recruitment in local communities is usually carried out by people from the same country, occasionally with the presence of Spanish nationals. The offer of work tends to be domestic service, waitressing, dancing, childcare or elderly care (SP-E10). On occasion, employment as an escort or prostitute is proposed but without giving the details of the conditions that would be found on arrival. The recruitment is usually undertaken from Spain, whether through an advertisement in a local newspaper, by internet, or through a contact who resides in the country or origin (Meneses-Falcón, 2017). Both traffickers and victims arrive by aeroplane, which means there is the expense of the flight. In addition, there is the €900-plus that they must carry in order to substantiate that they are travelling as tourists, although this money is recovered by the traffickers once they have entered the country. Lastly comes the cost of the documentation: passport and visa or letter of invitation (SP-E08). In the case of a trafficker from Paraguay who was interviewed, the initial outlay of money was from his savings: he used it as a way of investing in order to obtain profits (SP-C05). He had permanent residence and employment in Spain.

**Coming from China**

Different routes are possible from China (SP-E05, SP-E12, SP-E13, SP-E14, SP-E07):

- a) direct flight to Madrid or a flight to Poland and then to Madrid.
- b) flight to Dubai, from there to Guinea, then to Paris, and finally to Madrid;
- c) overland, entering through countries with permeable borders (e.g. Greece).

**TABLE 6. COSTS FOR THE TRAFFICKERS OF TRANSPORTING A VICTIM TO SPAIN**

|   | Sub-Saharan Africa | Latin America | Eastern Europe | China  |
|---|--------------------|---------------|----------------|--------|
| Costs per victim until arrival in Spain | €10,000            | €3,000        | €150           | €2,000 |

*Source: Authors' calculations.*

In almost all cases, the victims reach their destination accompanied by a Chinese male (SP-E05, SP-E12, SP-E13). This person only ensures the transportation of the victims, after which he returns to his country of origin. On occasion, the recruiter and the transporter are the same person, but on others they are different people. Sometimes, there may be one or two people working as transporters to bring the women

to a country in the Schengen Area, and then another distributes them around Europe. They charge €800 for each woman. The total cost of bringing a victim from China varies between €1,000 and €2,000 depending on the documentation obtained (SP-E12, SP-E13, SP-E14, SP-E07, SP-E06, SP-E11).



Therefore, the cost that the traffickers may have to invest in the victims ranges from €150, for those coming from eastern Europe up to €10,000 for sub-Saharan victims. In other words, the expense for those belonging to the Schengen Area is, logically, lower, since there are fewer transit risks. The greatest expense corresponds to sub-Saharan Africa, although this cost can be lower, depending on the route and the network members involved in the transport up to the Straits and subsequently to Spain.

### **Labour trafficking**

Labour trafficking victims mostly come from Romania and Bulgaria, although there have been cases of victims coming from Latin America (SP-E06, SP-E11). The victims are offered a monthly salary of €400-€800, including room and board, for work either in the harvest/picking of agricultural products in Almeria, Murcia, Huelva, Jaen, Rioja, etc., or in construction. Generally, they are made to pay for work materials, or made to hire them, and when the victims do not receive their salary after one or two months they make a formal complaint (SP-E07, SP-E06, SP-E11). These formal complaints are often treated by the police as labour exploitation instead of trafficking which diminishes the trafficking statistics. For construction work, traffickers recruit men. Women are used more for domestic service. According to police data, at times of most intensity in the harvesting/picking of agricultural products, there can arise immigrant settlements of around 5,000 people per harvest season, many of them trafficking victims (SP-E05, SP-E07, SP-E10, SP-E06, SP-E11).

Based on a recent case from Latin America, small-time traffickers appear, particularly in Central America (Nicaragua),<sup>12</sup> generally of women, aimed at domestic service (SP-E10). The traffickers provide the victims with around €3,500 in order to enter as tourists (covering passport, aeroplane ticket and the money required as a tourist). They demand that the property of the family is pledged as collateral for the debt, but in reality, they take both the property and the money the victims earn in domestic service. They enter the country through Barcelona airport, with stopovers in Panama, Mexico, and Paris. Debt repayment is monthly with 10% interest. However, as it is a compound interest it proves impossible to end the debt. Furthermore, the costs of accommodation and upkeep are added to the debt (SP-E10). These costs are variable depending on the area and the season – between €5 and €10 are typical amounts. It is very significant considering the victims' monthly salary.

In the case of Chinese textile workshops that have been dismantled in Barcelona, trafficking occurred through the requests of companies set up for that purpose, which were in principle fronts but subsequently had some activity (SP-E14). Two or three workers are usually requested on behalf of these companies, fulfilling the requirements of Spanish law. This is what is known as "people laundering" (SP-E14). In these cases,

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<sup>12</sup> A police investigation in Murcia.

each worker had to pay between €16,000 and €18,000 for their job, and they worked in conditions of slavery, unaware that they were victims of a crime (SP-E14). The costs of recruitment and transportation of the victims do not differ greatly from those stated above for the purpose of sexual exploitation.

As mentioned previously the number of cases is very low and the information available is very scarce. As mentioned in the conclusions, there is a challenge ahead for the authorities to determine whether these crimes are marginal or not clearly identified yet.

### Estimates of costs of victims for traffickers

In Spain, the number of victims of trafficking for the purpose of labour or sexual exploitation are not known with exactitude. Figures are often mentioned that are not verified, which is due to a wish to create sensationalist effects, rather than actual or estimated accounting. The available data comes from NGO records of victim assistance, or from police operations recorded by the Public Prosecutor's Office. However, these samples are biased and do not represent the whole population, which tends to be hidden, wider and more diverse. In this regard, the samples examined in ethnographic studies can provide more accurate estimates. Using two academic studies that apply rigour and quality (Malguesini et al., 2005 and Sanchis, 2011),<sup>13</sup> we can estimate a figure of around 100,000 people that work as prostitutes. From the ethnographic work carried out by the team for this report, we can estimate that between 20% and 40% of these women could be, or have been, victims of trafficking.<sup>14</sup> If we use the mid-range to estimate the victims, we get a figure of around 40,000 women in Spain. Although we cannot determine the time period, it can be understood that this is a cumulative prevalence.<sup>15</sup> Using the percentage distribution of nationalities recorded in the state-level reports of NGOs<sup>16</sup> (Médicos del Mundo/Médecins du monde, 2017; APRAMP, 2017), that provide assistance to people who work as prostitutes and that detect trafficking victims, around 55% are from Latin America, 25% from eastern Europe, 15% from sub-Saharan Africa and 5% from Asia (China). We are aware that this is a hypothetical estimate as there are no real data that can validate it. The exact figure

<sup>13</sup> Malguesini et al., 2005. *Impacto de una posible normalización profesional de la prostitución en la viabilidad y sostenibilidad futura del sistema de pensiones de protección social*. [Impact of the possible professional normalization of prostitution in the future viability and sustainability of the social protection pensions system.] Unpublished report; Sanchis y Sierra, 2011. *El mercado de la prostitución femenina. Una aproximación desde el caso valenciano*. [The female prostitution market: an approximation using the example of Valencia.] *Política y Sociedad*, 48, 175-192.

<sup>14</sup> In the ethnographic work conducted in brothels, the women were asked how they started to work in prostitution, and between 2 and 4 women out of every 10 had been recruited and deceived to come to Spain by trafficking networks. The NGO Médecins du Monde found evidence of sexual trafficking for 573 people, 7% of the people assisted (9,451) in 2016. This percentage, however, is very low. It might indicate an annual prevalence, whereas our ethnographic data gives a cumulative prevalence. The distribution of potential victims differs by sector: while the women working as prostitutes on the street are mostly victims of trafficking or smuggling, this is not the case in brothels or apartments.

<sup>15</sup> Refers to the number of women that started prostitution as a consequence of trafficking at some point in the 2005 – 2017 period.

<sup>16</sup> Data calculated using the records of attendance to those working in prostitution, of the NGOs Médecins du Monde and APRAMP for 2016.

of sex workers remains hidden as in Spain there is a lack of studies to determine them with rigour.

According to two reports by the NGOs mentioned, more than 80% of the people who work as prostitutes in Spain are foreigners (Médicos del Mundo, 2017; APRAMP, 2017). If we rule out those of Spanish nationality, we find that the women of Latin American origin are the most numerous (Brazilians, Dominicans and Colombians), followed by those coming from eastern Europe (Romania and Bulgaria) and sub-Saharan Africa (Nigeria), and lastly those from Asia (China). The highest costs for traffickers are for those coming from Africa, due to the longer journey and larger number of intermediaries, and those from Latin America due to the greater number of women (see Table 7).

**TABLE 7. COSTS ESTIMATES FOR TRAFFICKING FOR THE PURPOSE OF SEXUAL EXPLOITATION**

|  | Sub-Saharan Africa   | Latin America         | Eastern Europe      | China             |
|--|----------------------|-----------------------|---------------------|-------------------|
| Costs per victim until arrival in Spain            | €10,000              | €3,000                | €150                | €2,000            |
| Estimating 40,000 victims<br>Cumulative prevalence | 15% (6,000)          | 55% (22,000)          | 25% (10,000)        | 5% (2,000)        |
| <b>Cumulative cost</b>                             | <b>€60 million</b>   | <b>€66 million</b>    | <b>€1.5 million</b> | <b>€4 million</b> |
| Estimating 7% annual prevalence of 7,000 victims   | 15% (1,050)          | 55% (3,850)           | 25% (1,750)         | 5% (350)          |
| <b>Annual cost</b>                                 | <b>€10.5 million</b> | <b>€11.55 million</b> | <b>€263,000</b>     | <b>€700,000</b>   |

*Source: Authors' calculations.*

Lastly, we estimate the annual prevalence volume of victims of trafficking for the purpose of sexual exploitation at 7% of the population (women) whose main activity is prostitution. This estimate is based on, as we have stated, the reports of the largest NGO in Spain (Médicos de Mundo, 2017), which assists a large section of society in contexts of prostitution and with long experience in victim detection.

### 3.4. The money deriving from the victims

Once in Spain, the victims are informed that they have incurred a debt of between €6,000 and €8,000 for those coming from Latin America, between €3,000 and €4,500 for those coming from eastern Europe, between €35,000 and €70,000 for those that come from sub-Saharan Africa and between €20,000 and €30,000 for those coming from China (SP-E02, SP-E05, SP-E12, SP-E13, SP-E14, SP-E07, SP-E08, SP-E06, SP-E11, SP-C02, SP-C03, SP-C04, SP-C05). All of these are in cases of sexual

exploitation. If the exploitation is for labour, the debt is not so high and is variable, depending on the sector of the labour market in which victims are being exploited.

In all cases the women are charged for room and board, around €300 to €500 a month in a shared apartment, which generally houses three other women in the same situation and who usually work as prostitutes on the street (SP-C02, SP-C03, SP-C04, SP-C05). Judging by the sentences (see Appendix 1), if they work on the street, they have to pay €100 a month for the street section they occupy, since it is controlled by pimps and organised groups.<sup>17</sup> If a woman has come with a child, a network member looks after it and charges around €200 a month for the service. The victims do not handle money, hence their working clothes, condoms, sex toys and other products that they need are provided by the exploiter. If they need asylum, they are charged €300 more for arranging it.

**TABLE 8. TRAFFICKING FOR SEXUAL EXPLOITATION**

| Costs   | Sub-Saharan Africa   | Latin America        | Eastern Europe       | China              |
|---|----------------------|----------------------|----------------------|--------------------|
| Costs per victim until arrival in Spain       | €10,000              | €3,000               | €150                 | €2,000             |
| Income: Debt demanded                         | €30,000 to €70,000   | €6,000 to €8,000     | €3,000 to €4,500     | €20,000 to €30,000 |
| Estimate of cumulative victims                | 15% (6,000)          | 55% (22,000)         | 25% (10,000)         | 5% (2,000)         |
| Estimated cumulative income At the minimum*   | <b>€180 million</b>  | <b>€132 million</b>  | <b>€30 million</b>   | <b>€40 million</b> |
| Estimated 7% annual prevalence, 7,000 victims | 15% (1,050)          | 55% (3,850)          | 25% (1,750)          | 5% (350)           |
| <b>Annual income At the minimum*</b>          | <b>€31.5 million</b> | <b>€23.1 million</b> | <b>€5.25 million</b> | <b>€700,000</b>    |

*Source: Authors' calculations.*

If they are accommodated in a brothel, there are other expenses that are added to their debt: kits of towels and sheets, between €5 and €10 for each client, an average of 10 clients a day, so €50-€100 a day; cosmetics, clothes, condoms, and other products that they need, around €300 a month; payment for the room, full board, between €40 and €80 a day (€1,500 to €2,400 a month); handling of documentation or visa renewal (€1,300); payment for photographic features for websites or

<sup>17</sup> There are several industrial estates where prostitutes work, such as Alfafar in Valencia, Guadalhorce in Malaga or Marconi in Madrid. In the Marconi industrial estate, on the outskirts of the city of Madrid, the locations for prostitution are controlled by a mafia that charges the women or their pimps.

internet advertisements (€1,000); cosmetic surgery.<sup>18</sup> In some brothels run by the traffickers, they also charge the women €30 for every client they do business with – in other words, as though it was a commission.<sup>19</sup>

This therefore means a minimum of between **€30 million and €180 million** in cumulative prevalence, and between **€700,000 and €31.5 million** in annual prevalence, that the trafficking networks would obtain solely in terms of debt incurred. However, to this debt other costs that are extracted from the victims must be added. The costs of accommodation, products or services that they need for themselves or to work as a prostitute are charged apart or added to the debt. These are summarised in Table 9.<sup>20</sup>

TABLE 9. OTHER EXPENSES EXTORTED IN ADDITION TO DEBT

| When exploited on the street   | When exploited in a brothel  |
|--|--|
| <ul style="list-style-type: none"> <li>• €300 to €500 a month for room and board if they live in an apartment</li> <li>• €100/month for a street section</li> <li>• Condoms</li> </ul>   | <ul style="list-style-type: none"> <li>• €4 to €8 a day for room</li> <li>• €1,000 internet advertising</li> <li>• €5 to €10 for sheet and towel kit for every client</li> <li>• Lingerie and other products for work</li> <li>• Photographic features for advertisements</li> </ul> |
| <ul style="list-style-type: none"> <li>• €300 for arranging asylum</li> <li>• €1,300 visa renewal</li> <li>• Cosmetic surgery (usually not compulsory)</li> <li>• €300 gynaecological check-ups (usually compulsory, monthly)</li> </ul> |  |

Source: Authors' calculations.

These expenses are difficult to count and estimate. While some of them are one-off (arranging asylum application, advertising or photographic feature), others are daily, such as the sheet and towel kit. The income obtained from working as a prostitute vary according to the place where it is undertaken, the province and the physical characteristics of the women.

The costs shown in the table above are the minimum, obtained in interviews that the team behind this report has conducted in other research on women who are not forced to work as prostitutes (Meneses Falcón, et al., 2017). From this occupation they could thus earn between €2000 and €8,000 a month, with an average of three clients a day. The prices can vary a great deal, depending on the type of sexual services

<sup>18</sup> Judgement 1/2015 of Russian network of traffickers.

<sup>19</sup> Case of Russian traffickers. Supposing an average of 10 clients/day, in an average brothel of 40 women, the daily earnings for the women's services are  $30 \times 10 \times 40 = €12,000$  in commission daily.

<sup>20</sup> Data collected in ethnographic work in brothels by the principal investigator of this report.

**TABLE 10. ESTIMATE OF INCOME FROM SEXUAL SERVICES**

| Street/Industrial estate | Brothel                                       | Apartment               |
|--------------------------|---|-------------------------|
| €5 to €40 per service    | €40 to €100 per service                       | €60 to €120 per service |
|                          | 50% commission fee for consumption of alcohol |                         |

Source: Authors' calculations.

that each woman offers and the length of time they spend with the client. In the case of brothels, the women also earn 50% commission for each drink the client has with her. In general, the price of the drink is between €10 and €20, and they usually have two or three drinks before performing sexual services. It is likely that these earnings increase under conditions of sexual exploitation in trafficking, because these women cannot choose their clients, are compelled to carry out all types of sexual practice and the number of clients is fixed by their traffickers.

Regarding labour trafficking, in order to make an estimate we rely on the examples given by our key informants in interview (SP-E07, SP-E08, SP-E06, SP-E11).

**TABLE 11. COSTS OF TRAFFICKING FOR LABOUR EXPLOITATION**

| Costs/Income                            | Domestic service                             | Agriculture   |
|---|--|---|
| Costs per victim until arrival in Spain | €3,500                                       | €150<br>Bus from Romania or Bulgaria  |
| <b>Income:</b><br>Debt demanded         | €3,500 +<br>120% annual maintenance expenses | €36/day picking strawberries (25 days, €900/month)<br>€47/day picking oranges (25 days, €1,175/month)<br>€150 documentation<br>€15/day tool hire and transport to the farm (25 days, €375)<br><br>Costs of room and board are sometimes charged separately. |

Source: Authors' calculations.

The oranges season (Seville) is three months long. Calculating the salary, tool hire and transport costs for the picking season, the earnings for each worker are approximately €4,650. In the case of strawberry, raspberry



and blueberry picking (Huelva), the season lasts four months<sup>21</sup> and the earnings €3,600 per worker (SP-E06, SP-E11). Some 15,000 people are needed for the strawberry harvest. According to our key informants (SP-E06, SP-E11), settlements of up to 5,000 men from sub-Saharan Africa, Romania and Bulgaria spring up for these harvests. A proportion of them will be victims of labour exploitation (a crime against workers' rights) or of trafficking for this purpose (particularly Bulgarians and Romanians). In some fruit-picking provinces, up to 18 worker settlements have been counted, with approximately 200 people in each, around 3,600 people in total, many of them with irregular documentation.

Victims of trafficking for labour exploitation are also charged for room and board (even though the accommodation is in warehouses or barracks in unhealthy conditions), work materials and tools, transport to the farm, and so on (SP-E06, SP-E11).

**TABLE 12. ESTIMATES OF INCOME FROM LABOUR TRAFFICKING  
BASED ON TWO CASES**

| Strawberry picking (Huelva)     | Orange picking (Seville)        |
|---------------------------------|---------------------------------|
| €3,600/worker/season            | €4,650/worker/season            |
| Crew of 100 workers<br>€360,000 | Crew of 100 workers<br>€465,000 |

*Source:* Authors' calculations.

The traffickers tend to be of the same nationality as the workers and usually contracted as overseers by the farm owners/agricultural businesses. In Andalusia, these overseers are called *Manijeros*. As they have paid for the bus ticket to bring the workers to Spain, they use this supposed debt as a reason not to pay them for work they do. At the end of the month instead of paying

them their full wages (around €900),<sup>22</sup> they deduct the costs of tool hire, transport, life insurance (which has been agreed with the bank on opening their current accounts and of which the workers know nothing about), and accommodation, which means that the final sum deposited in the workers' bank accounts is only €100 (SP-E06, SP-E11).

In Catalonia, trafficking networks for labour exploitation that use the form of worker cooperatives have been detected. In some cases, the cooperative covers the whole process. In many others, Spanish companies hire the cooperative to carry out certain jobs. Some of these cooperatives were dismantled in 2017 (SP-E14). Under this form of labour organisation, workers are not directly contracted, but are made members of the cooperative. They are only paid, supposedly, if there are profits. Victims work when there is demand whether this means two or twenty hours per day. The employer, or manager, is usually Spanish, but the person in charge of finding the victims has Chinese nationality residing in Spain. The victims must pay a debt of around €20,000 so their income is very small and barely covers their support. Some of the victims, once they have paid their debt, become part of the Chinese

<sup>21</sup> Sometimes there are several harvests, but we only estimate the picking of one harvest.

<sup>22</sup> Perhaps less because, although this is the amount that they are due as a standard, the overseer will offer them less money, around €400 to €500.

human trafficking organisation and, in turn, control or exploit other newly arrived.

### 3.5. Profits and profit sharing

As already pointed out, the destination of the money earned from exploitation will differ, depending on the type of trafficking network and the sums involved. Therefore, for the small-volume trafficker, the profits obtained will be their source of income for living, and depending on whether they are exploiting one or more victims, they may be able to acquire assets (a car, a house or some luxury item), but in general the low-level trafficker obtains a minimum of between €2,000 and 3,000 monthly through the exploitation of one victim.

When the organisation is medium-sized, in which there are at least four or five people involved in recruitment, transportation and exploitation, at least four or five victims are needed to gain a profit, depending on their origin.

An example of a medium-sized network would be any of the Nigerian networks. A specific case is court judgement 33/2015, Pontevedra (J14, in Appendix 1). In this judgement, three female victims are named, with debts of €45,000 each, making a total of €135,000. The three defendants have their money deriving from illicit means (bank transfers and deposits that cannot be accounted for) seized, amounting to: defendant A, €73,450 in two years; defendant B, €212,481 in two years and a Mercedes; defendant C, €310,000, in three years. This income comes to a total of €595,931, which reveals that more victims had been exploited than the three named in the summary. Most probably, part of this money is paid to members of the network with different functions, in Spain and in Africa.

The large, highly organised transnational networks, according to the analysis of court judgements, were from eastern Europe, specifically Russia, and from sub-Saharan Africa, specifically Nigeria. A Russian case (Judgement 1/2015, Madrid – J15, Appendix 1) provides suitable illustration.

The organisation is headed by a man, responsible for the network, and his wife, who is the bearer of all the former's assets and who collaborates in different tasks. He controls the whole business, even taking on the distribution of the women around the different brothels (internal trafficking). Another person recruits young women in different Russian cities, and yet another prepares the passports, altering the entry and exit stamps, without leaving Spain, sending them to Russia where they are falsified. There is also the person who distributes the women to the brothels, when the head man does not do so personally, collecting money off them (€1,500 per woman provided, 20% of their earnings and €1,300 for visa renewal), and another who controls, collects their money and exploits the victims in the brothels. A separate individual physically moves the victims from one club to another. Each woman is expected to earn from €4,000 to €6,000. The women pretend to

send money to their families, but the money goes to their recruiters in Russia. They open current accounts in Spain and collect the money directly from the brothel women in cash. Some of these brothels are the property of network members or have owners, also Russian, that collaborate with the organisation. The brothels to which they transfer the women are managed by members of the network.

From these cases and from the analysis of the interviews, we can point out several different forms of moving money:

- The Nigerian networks send the money to their country of origin, occasionally enduring poverty and scarcity in Spain, but they and their families have assets in Nigeria (SP-E12, SP-E13, SP-E14, SP-E02).
- When they use intermediaries on the sub-Saharan routes and networks, sometimes the victims are told to pay the network member who has collaborated on the journey instead of the final trafficker, and when the debt with the former is paid off, they continue paying the latter. Thus, the money is moved around less (SP-E12, SP-E13, SP-E14).
- The trafficking networks from eastern Europe invest money in assets and luxury items in their country of origin. On occasion, these groups display ostentatious wealth via Facebook, which means that this kind of social media publicizing can be used to monitor revenue from exploitation (SP-E01, SP-E02, SP-E03).
- Sometimes, it is not the traffickers that send the money but the victims, who wire the money to their families, and these families then pay the traffickers in the place of origin. These cases have been detected both in Latin America and in sub-Saharan Africa (SP-E01, SP-E02, SP-E05, SP-E12, SP-E13, SP-E14).
- Another form of handling the money in the case of Nigerian networks consists of sending various articles that are then sold in shops in Nigeria (SP-C01, SP-C02, 1W15). The delivery of products can be small or large scale. The shipment from the port of Barcelona every fifteen days of 53-foot containers completely filled with a very diverse range of products (cars, electrical appliances, clothes, butane canisters, etc.) has been documented (SP-E14). The money made from their sale is accumulated in a current account in Nigeria, which is used to make payments from there (SP-C02).
- On other occasions, the money transfer system known as Hawala is used. It is based on codes of honour and trust (SP-E01, SP-E12, SP-E13, SP-E14). Thus, a network member A, located in Spain, tells another member in Nigeria, B, whom he/she knows, to pay a third person, C. The relationship between A and B is based on trust and word of honour in the fulfilment of the request. When B needs a payment made in Spain, he/she turns to A, who returns the favour, thus meaning that the money is not moved and is very difficult to track. This payment system avoids transfers that can be tracked by the police, leaving no trace as there has been no physical transfer of money and is based on word and honour.
- In some cases, but above all in the eastern European networks, webs of ghost companies are created to launder the money, or in the purchase of assets by the traffickers or members of their families, in case they are detained and so that their assets are not

- seized (SP-E01, SP-E02, SP-E03, SP-E14).
- Nigerian and Chinese networks also carry the money personally to their countries. The amount of €10,000 is the maximum that can be taken in cash without having to be declared (SP-E05, SP-E14). Up to four journeys to Nigeria have been counted, each time carrying this sum of money, either some of the trafficking network members travelling separately or four people on the same journey (SP-E05, SP-E14). Sometimes, the money is shipped in cash in the containers that are chartered from the port of Barcelona (SP-E14).
  - Front men have also been used, or third persons for whom a bank account is opened, or the trafficker's asset is placed in their name, sometimes without them knowing this (SP-E03, SP-E05, SP-E14).
  - The Chinese organisations use loss-making companies to launder money, particularly Chinese restaurants or similar businesses (SP-E03, SP-E14, SP-E07).
  - There are cases of transfers to tax havens and movement of transfers to different countries until reaching those tax havens. Remitters are often used for sending money (SP-E03). In the case of Nigeria, current accounts can be opened without much identification or documentation (SP-E14).
  - Lastly, money transfers have also been detected entrusted to other people so that they make them instead of the traffickers, thus avoiding the appearance of the trafficker's name. The commission for doing so costs €100 per transfer. This method is used by Chinese and Nigerian networks (SP-E03, SP-E05, SP-E14).

### **3.6. The role and impact of the internet on human trafficking activities and finances**

The information and communication technologies have provided traffickers with greater flexibility in their actions and in obtaining the benefits from human trafficking. Three activities of traffickers benefit from the new technologies: the recruitment, the exploitation of victims and the movements of money (Hughes, 2014; Europol, 2016).

Although there are hardly any studies on the use of the internet to recruit victims for sexual exploitation in Spain, there is ample evidence that this means is used for that purpose. We have located ads in the Dominican Republic (Meneses-Falcón, 2017) for supposed jobs in Spain, obtaining significant monthly income. The advertisements refer to a web page where interested parties' data are requested for contact and recruitment. In interviews with convicted persons (SP-E01, SP-E02, SP-E05, SP-E12, SP-E13, SP-E14) it is evident that there is a significant recruitment activity in the countries of origin through newspaper and Internet advertisements. However, in the recruitment of victims for labour exploitation, newspaper ads or personal contacts are used (SP-E06, SP-E11).

When the victims for sexual exploitation are in Spain, the traffickers use the internet to advertise their victims as well as contacting customers (SP-E01, SP-E02, SP-E05, SP-E12, SP-E13, SP-E14). They do it through ads on existing web pages, or that they themselves create.

In a study carried out on flyers with advertisements for sexual services distributed on the windshields of cars on the streets of Madrid (Meneses-Falcón, et al., 2017), it became clear that most of them included internet addresses. Although a quantitative study is not carried out, a very significant percentage of them were suspected of sexual exploitation and coercion.

Sometimes, victims are forced to pose for photographs of these ads that in turn serve as control and blackmail to maintain their exploitation. Usually victims are threatened with sending them to their families. On the other hand, the use of security cameras inside the brothel also serves the traffickers to control the victims so they cannot escape exploitation. In addition, women of sub-Saharan origin are offered a mobile phone by the traffickers from which they are controlled (SP-E02, SP-E05, SP-E12, SP-E13, SP-E14).

Finally, there is evidence that the internet is being used as a fast and efficient way to make money transfers. As we have seen, traffickers use sophisticated methods for the movement of money with the objective of being undetected. However, transfers through the internet are still used, especially when dealing with small amounts. Generally, it is not the traffickers themselves who will make all the transfers, but they will use the victims or other people to make the transfers to a current account in their country. By doing so, they divide the total amount and avoid attracting the attention of the money laundering prosecutors (SP-E03, SP-E05, SP-E12, SP-E13, SP-E14).

#### **4. FINANCIAL INVESTIGATIONS OF HUMAN TRAFFICKING CRIMES: CHALLENGES AND GOOD PRACTICES**

As we have stated, up until now the investigation in Spain of trafficking crimes has been focused on the victims and the pursuit of the traffickers. This approach is evidenced both in the legislation and in the investigations and convictions. The modus operandi of the traffickers is ever more sophisticated and greater difficulty is being encountered in the prosecution of these crimes. Those that have been thwarted and the sentences imposed are based fundamentally on the declarations of the victims.

Among the challenges that must be faced, the following stand out:

1. Investigation methodologies based on following the financial transactions and on their tax implications have been scarcely used (SP-E01, SP-E02, SP-E03). The opening of these lines of investigation is recent (2017) and their results are still awaiting evaluation. These investigations require finance skills and a closer collaboration between the human trafficking and tax and money laundering law enforcement bodies. Currently the scarce resources available for the latter are concentrated on pursuing other types of crimes which involve higher economic volumes.

2. The statistics and data on the trafficking of human beings requires greater systematisation, organisation and unification. The information and data are dispersed, and they are not always in agreement when they come from different institutions. Greater transparency, and better accessibility, of the data is needed, as at times it proves difficult to locate and obtain them. As well as direct data, specific studies are needed of the context and market where the exploitation takes place. We are referring to the specific labour markets where trafficking for the purpose of labour is prevalent, and prostitution when the purpose is sexual. For the latter, there is no study on the national level that addresses its prevalence, its characteristics and its dimensions.
3. Greater effort is required in the detection and identification of trafficking for the purpose of labour exploitation. This is frequently not distinguished adequately from other offences against workers' rights, and the trafficking aspect often goes unnoticed. In order to achieve this, the following are necessary: a) better training of the professionals and police forces not specifically assigned to the pursuit of this crime; b) widening of the controls and inspections in the more precarious, temporary and seasonal sectors of the labour market, which is where those cases detected and identified have been found; c) improvement in labour legislation so as not to facilitate exploitation,<sup>23</sup> as almost everything results in an offence against workers' rights.
4. Those detained, investigated and convicted are, above all, intermediaries belonging to small and medium-sized networks. The investigation of and access to the network bosses and the more organised networks need to be conducted with greater emphasis and resources. Most of those convicted in Spain for trafficking crimes do not belong to large organisations and never occupy the highest positions of responsibility in them.
5. The falsification of personal documents, visas and entry and exit stamps is done with ease. The utilisation of the same passport for the entry of different people coming from sub-Saharan Africa is particularly frequent, given that once one person has entered the passport is sent back to be used by another person. The use of electronic chips or displays would make it possible to eliminate paper and the possible falsification of stamps.
6. The investigation of trafficking crimes is still very dependent on the declaration of victims, who do not tend to report or declare due to the fear they have of their traffickers. A change of focus must be put into effect, with more monitoring of the money, based on the prosecution of tax crime, money laundering and the unexplained wealth of the traffickers.
7. Spanish court rulings on trafficking networks of Latin American origin are scarce. However, the interviews obtained from informants and the results of the investigations conducted show that Latin American women are proportionally more numerous in the sector of prostitution. It should be examined whether this is a shortfall in getting to these

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<sup>23</sup> The businessman or overseer has a very long period of time in which to register the workers in the social security system. They can do so on the same day until midnight. The harvesting of agricultural products may be carried out between 6am and midnight, whether the worker has a residency or work permit or not.



criminal organisations or whether, on the contrary, in this migratory influx, smuggling predominates over trafficking.

Good practices that can be highlighted are:

1. The creation of the Office for Asset Recovery and Management (ORGA) in 2016 is a clear step forward in pursuing the human trafficking crimes in general and the financial aspect of it in particular. The Office applies the results of the management and realisation of the effects, assets, instruments and proceeds of crime for the purposes provided in the Spanish Law of Criminal Procedure. Although it deals with the assets recovered from all types of crime activities, in the case of human trafficking is already playing a pivotal role in detecting crime and incriminate criminals when other evidences are difficult to obtain. However, it is still early to evaluate how decisive is going to be in the coming future.
2. Spanish border controls are quite exhaustive and efficient, which has a double impact on trafficking. On the one hand it is making difficult the transfer of money from the destination to the origin countries. On the other hand, trafficking networks have to seek other destinations as transits in order subsequently to enter Spain.
3. The controls and inspections of brothels by the Spanish police since 2011 have enabled the dismantling of some trafficking networks and the stagnation or closure of many brothels practising exploitation, an effect that has gone hand-in-hand with the economic crisis. A strategy that has been used in recent years to evade these controls is the transfer of the business to apartments or houses that cannot be searched without a court order, because they are considered private property and not regulated by an operating licence for prostitution. Regulation of these businesses is needed to enable the Spanish police to carry out exhaustive inspections.
4. Medium-sized human trafficking networks originating in eastern Europe and sub-Saharan Africa have been dismantled, as can be seen from the Spanish conviction rulings, which have made it possible to learn more about how the trafficking networks operate.

## 5. CONCLUSION AND RECOMMENDATIONS

Spain has a strategic geographical position in Europe for the entry of victims of trafficking for the purpose of sexual exploitation from Latin America and sub-Saharan Africa. But the efficiency of border controls frequently leads the networks to other nearby countries as transit. However, most of the victims come from eastern Europe given that there are fewer risks and the movement of traffickers and victims is easier in the Schengen Area. The conditions of the agricultural labour markets and the market for sexual services means that Spain is an important destination for the trafficking networks to bring their victims. In general terms, it is worth pointing out that the trafficking organisations have little investment in the victims they recruit and reap significant profits from them. We can conclude with the following points:

1. The trafficking networks that invest the least are those originating in Eastern Europe, whose cost per victim is the price of the bus to bring them to Spain (€100); and those that invest the most are the sub-Saharanans, with a maximum cost of €10,000 (transportation, accommodation, straits crossing, documentation and bribes). In between are the investments made by networks originating in Latin America (€3,000) and China (€2,000).
2. In the case of trafficking for the sake of sexual exploitation, debts of €6,000 to €8,000 are demanded from Latin American victims, €3,000 to €4,500 for those from eastern Europe, €20,000 to €30,000 for those from China, and €30,000 to €70,000 for sub-Saharan Africans, approximately. To these earnings must be added other payments that are extorted from the victims, including room and board, documentation, asylum requests, sheet kits, commission for every client attended, medical check-ups, payment for the use of public spaces to work as a prostitute, etc.
3. With regard to the victims of trafficking for the sake of labour exploitation, the traffickers deduct between €3,600 and €4,650 from their pay per worker and season, and they also charge them for room and board, tool hire, transport to the farm, documentation, etc.
4. The destination of the money that they obtain from the victims may either be invested in Spain or, in most cases, sent to the country of origin of the trafficking organisation. There are several ways of sending the money: carrying it in cash on the person to the country of origin, by one or several people, with a maximum of €10,000 per person; paying somebody €100 to make a transfer; using the Hawala or Daigou<sup>24</sup> (Chinese) payment systems, based on codes of honour and favours; utilising loss-making companies to launder the money and later operate with it; using front men or third parties in whose name they put the assets or current accounts into which they have invested the money; using remitters; or the victim sends the money to his/her family and the latter then pays the traffickers in their country.
5. The new technologies are used by the trafficking networks in the recruitment of victims (job advertisements) and in advertising their victims (advertisements of sexual services). Other uses have not been detected in this research.

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<sup>24</sup> Daigou means "buying on behalf of." It is a channel of commerce in which a person outside of China purchases commodities (mainly luxury goods) for a customer in mainland China, since prices for luxury goods can be 30% to 40% higher in China than abroad. It is often used for money laundering.

## LIST OF INTERVIEWEES

| Respondent code | Position/Department                          | Institution/Role                                    |
|-----------------|--|---|
| SP-E01          | Attorney General                             | State Public Prosecution Office, Spain              |
| SP-E02          | Province Chief Attorney                      | State Public Prosecution Office, Spain              |
| SP-E03          | Public prosecutor economic affairs           | State Public Prosecution Office, Spain              |
| SP-E04          | Public prosecutor trafficking, Santo Domingo | State Public Prosecution Office, Dominican Republic |
| SP-E05          | Captain, Offences against person             | Guardia Civil (National)                            |
| SP-E06          | Lieutenant                                   | Guardia Civil (Regional)                            |
| SP-E07          | Inspector Seville 1                          | National police, UCRIF                              |
| SP-E08          | Inspector Seville 2                          | National police, UCRIF                              |
| SP-E09          | Inspector Seville 3                          | National police, UCRIF                              |
| SP-E10          | Inspector Murcia                             | National police, UCRIF                              |
| SP-E11          | Inspector Huelva                             | National police, UCRIF                              |
| SP-E12          | First Agent, Offences against the Person     | Ertzaintza, Basque Country                          |
| SP-E13          | First Agent, Offences against the Person     | Ertzaintza, Basque Country                          |
| SP-E14          | Sergeant, Human Trafficking                  | Mossos d'Esquadra, Catalonia                        |
| SP-E15          | Director                                     | ORGA  |
| SP-C01          | Criminal entrepreneur                        | Nigerian, trafficker                                |
| SP-C02          | Criminal entrepreneur                        | Nigerian, trafficker                                |
| SP-C03          | Criminal entrepreneur                        | Nigerian, trafficker                                |
| SP-C04          | Criminal entrepreneur                        | Romanian, trafficker                                |
| SP-C05          | Criminal entrepreneur                        | Paraguayan, trafficker                              |
| SP-C06          | Criminal entrepreneur                        | Romanian, trafficker                                |

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## APPENDIX 1. ANALYSIS OF SEXUAL TRAFFICKING SENTENCES IN SPAIN

| Nº  | Sentence  | Origin   | Profit from victim   |
|-----|---|----------|----------------------|
| J1  | 677/2012<br>Madrid<br>Sexual Trafficking            | Paraguay | €4,500               |
| J2  | 9/2013<br>Barcelona                                 | Romania  |                      |
| J3  | 153/2013<br>Madrid<br>Sexual Trafficking            | Romania  | €3,000               |
| J4  | Not registered/2014<br>Madrid<br>Sexual Trafficking | Romania  | Not specified        |
| J5  | 269/2014<br>Castellón<br>Sexual Trafficking         | Romania  | Not specified        |
| J6  | 327/2014<br>Madrid<br>Sexual Trafficking            | Brazil   | €3,000               |
| J7  | 341/2014<br>Madrid<br>Sexual Trafficking            | Guinea   | Not specified        |
| J8  | 186/2014<br>Valencia<br>Sexual Trafficking          | Nigeria  | €50,000              |
| J9  | 261/2014<br>Madrid<br>Sexual Trafficking            | Romania  | Not specified        |
| J10 | 733/2014<br>Madrid<br>Sexual Trafficking            | Nigeria  | Not specified        |
| J11 | 217/2014<br>Vigo<br>Sexual Trafficking              | Romania  | Transportation costs |
| J12 | 3/2014<br>Madrid<br>Sexual Trafficking              | Romania  | Not specified        |
| J13 | 333/2015<br>Madrid<br>Sexual Trafficking            | Romania  | Not specified        |
| J14 | 33/2015<br>Pontevedra<br>Sexual Trafficking         | Nigeria  | €45,000              |



| Nº  | Sentence  | Origin   | Profit from victim   |
|-----|---|----------|--|
| J15 | 1/2015  | Russia   | Various figures for a total amount in excess of €200,000                             |
| J16 | 57/2015<br>Palmas de Gran Canaria<br>Sexual Trafficking | Nigeria  | Various figures for a total amount in excess of €50,000                              |
| J17 | 80/2015<br>Valladolid<br>Sexual Trafficking             | Romania  | Not specified  |
| J18 | 379/2015<br>Madrid<br>Sexual Trafficking                | Romania  | Not specified  |
| J19 | 947/2015<br>Barcelona<br>Sexual Trafficking             | Romania  |  |
| J20 | 451/2015<br>Lleida<br>Sexual Trafficking                | Nigeria  |  |
| J21 | 4/2015<br>Madrid<br>Sexual Trafficking                  | Romania  |  |
| J22 | 34/2015<br>Madrid<br>Sexual Trafficking                 | Romania  |  |
| J23 | 8/2015<br>Ávila<br>Sexual Trafficking                   | Romania  |  |
| J24 | 809/2015<br>Madrid<br>Sexual Trafficking                | Romania  | Transportation costs<br>€100 per day (position on street)<br>€300 per week (renting) |
| J25 | 177/2015<br>Madrid<br>Sexual Trafficking                | Nigeria  | €50,000  |
| J26 | 420/2016<br>Madrid<br>Sexual Trafficking                | Nigeria  | €35,000  |
| J27 | 109/2016<br>Barcelona<br>Sexual Trafficking             | Nigeria  | €30,000 to<br>€55,000<br>Depending on the victims                                    |
| J28 | 433/2016<br>León<br>Sexual Trafficking                  | Brazil   | €30,000  |
| J29 | 211/2016<br>Madrid<br>Trata Laboral                     | Paraguay | €4,000   |
| J30 | 157/2016  | Nigeria  | €70,000  |

| Nº  | Sentence                                  | Origin  | Profit from victim |
|-----|---|---------|--------------------|
| J31 | 6/2016<br>Zaragoza<br>Sexual Trafficking  | Romania |                    |
| J32 | 538/2016<br>Madrid<br>Sexual Trafficking  | Nigeria | €4,000 per victim  |
| J33 | 786/2016<br>Madrid<br>Sexual Trafficking  | Romania |                    |
| J34 | 1002/2016<br>Madrid<br>Sexual Trafficking | Romania |                    |
| J35 | 97/2017<br>Albacete<br>Sexual Trafficking | Romania |                    |
| J36 | 67/2017<br>Madrid<br>Sexual Trafficking   | Nigeria | €50,000            |
| J37 | 166/2017<br>Madrid<br>Sexual Trafficking  | Nigeria | €50,000            |