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TRÁFICO INTERNACIONAL DE SERES HUMANOS CON FINES DE EXPLOTACIÓN SEXUAL

Cristina Rechea Alberola Andrea Giménez-Salinas Framis Este informe es la parte española de un informe europeo sobre Tráfico de seres humanos con fines de explotación sexual llevado a cabo por tres países de la Unión Europea: Finlandia, Italia y España. El informe corresponde a una investigación que se realizó en el marco de un proyecto STOP financiado por la Comisión europea (MON-EU-TRAF I). El informe europeo completo del primer proyecto puede consultarse íntegramente en la siguiente dirección de internet: www.transcrime.unitn.it/aree/progetti.dhtml?id=12

En este momento se está finalizando el segundo proyecto STOP relativo al mismo tema pero ampliado a los 15 países de la Unión europea.

TABLE OF CONTENTS

1 INTRODUCTION	2
2 CRIMINAL LAW RESPONSES	2
2.1 THE OFFENCE OF TRAFFICKING IN HUMAN BEINGS	2
2.1.1 Trafficking in labour	
2.2 Trafficking in human beings for the purpose of sexual exploitation	
2.3 Other information	
3 AVAILABLE OFFICIAL AND CONFIDENTIAL SECONDARY SOURCES	4
3.1 Trafficking in human beings for the purpose of sexual exploitation	4
3.1.1 Information on the sources of data on the phenomenon	
a) Sources of data on trafficking in human beings for the purpose of sexual exploitation	
b) Sources of data on other offences to which courts can refer in punishing "trafficking in human being	
purpose of sexual exploitation"	
b) Sources of data on indirect indicators of human trafficking for the purpose of sexual exploitation	5
3.1.2 Information on sources of data on the actors involved in the phenomenon	5
a) Sources of data on traffickers	
b) Sources of data on the victims of trafficking and sexual exploitation	
3.2 Illegal immigration	
3.2.1 Information on sources of data on the phenomenon	
a) Sources of data on specific "illegal immigration" offences	
b) Sources of data on other offences to which courts can refer in punishing "illegal immigration"	
c) Sources of data on apprehension at borders, expulsions and other measures	
3.2.2 Information on sources of data on the actors involved in the phenomenon	
a) Sources of data on illegal immigrants	7
4 TRAFFLOVING AND EVEL OLTATION PROCESS TO AND IN CRAIN	_
4 TRAFFICKING AND EXPLOITATION PROCESS TO AND IN SPAIN	/
4.1 Information from investigative and judicial cases	7
4.1.1 The trafficking process	7
a) The demand for human trafficking services	
b) The organised supply of human trafficking services	
4.1.2 The exploitation process	9
a) The exploiters	
b) The victims	11
4.2 Information from NGOs cases	11
5 COMMENTS AND SUGGESTIONS ON METHODS FOR DATA COLLECTION AND THE ESTI	MATION
OF HUMAN TRAFFICKING FOR THE PURPOSE OF SEXUAL EXPLOITATION	
or right in a frontier on the fold obe of beache extention	
ANNEXES – FIGURES AND TABLES	13
ANNEY 4. DATA CATHEDING FORMS HOFD TO DECORD INFORMATION IN THE MANIETERIO DELIMITEDIOD DATABAGE.	
ANNEX 1 - DATA GATHERING FORMS USED TO RECORD INFORMATION IN THE <i>MINISTERIO DEL INTERIOR</i> DATABASE ANNEX 2 - GENERAL INFORMATION	
DATA FROM THE CUERPO DE POLICÍA NACIONAL	
DATA FROM THE GUARDIA CIVIL	
ANNEX 3 - INFORMATION ON TRAFFICKERS	
THE MINISTERIO DEL INTERIOR DATABASE	
THE CUERPO NACIONAL DE POLICÍA - FOREIGNERS AND DOCUMENTATION DIVISION DATABASE THE GUARDIA CIVIL DATABASE	
ANNEX 4 - INFORMATION ON VICTIMS.	
THE MINISTERIO DEL INTERIOR DATABASE	
THE GUARDIA CIVIL DATABASE	
ANNEX 5 - INFORMATION ON ILLEGAL MIGRATIONS (THE MINISTER DEL INTERIOR DATABASE)	35

1 Introduction

The trafficking in human beings (most of the aliens) for the purpose of sexual exploitation is a relatively recent phenomenon in Spain, and it is for this the reason that such behaviour has only recently been criminalised. Human trafficking is becoming an increasingly serious problem, and the Spanish police are paying increasingly close attention to the criminal 'rings' that bring illegal immigrants into the country. Most of these organisations operate in the labour market, but others introduce immigrant women for the purpose of their sexual exploitation. Public opinion has been alerted by the media, and various NGOs (new and old ones) are working to help the victims of trafficking, giving them provisions and shelter and helping them with the paperwork required to legalise their positions. In the case of sexually exploited women, these organisations seek to convince them to report their traffickers/exploiters to the police.

At the same time, the methods used by the Spanish police to collect data on these offences have changed greatly in recent years, and they are bound to change further in the near future. However, at present, the official data are those collected at police stations when victims lodge complaints.

In 1998 Europol drew up and introduced a data collection form intended to gather national information on human trafficking and thereby enable comparative analysis of the phenomenon. Spain agreed to join the project and has substantially improved its data collection system. The *Guardia Civil*¹ drafts annual reports on human trafficking for the purpose of sexual exploitation on the basis of the Europol form, although the *Cuerpo Nacional de Policía*² does not.

By contrast, little information is available from judicial sources, due to the slowness of the system of justice in Spain and the difficulty of gaining access to data.

This research study has afforded the Spanish partners in the project new insights into the problem of human trafficking: it was found that a great deal of information was available and that the phenomenon was much more varied than first thought. It also became clear that the availability of information depends on the co-operation of the persons and institutions that possess it, with some of them being more willing to disclose their data than others.

The results of the research in Spain are summarised below according to the format for the National Report agreed by the project partners.

2 CRIMINAL LAW RESPONSES

2.1 The offence of trafficking in human beings

Article 318 bis of the new Immigration Law 4/2000 enacted on 11th January 2000, and which entered into force in February of that year, introduced a new chapter into the Criminal Code entitled "Offences Against the Rights of Foreign Citizens".³

Article 318 bis-1 states that "Those who promote, favour or facilitate the illegal trafficking of persons from, in transit through, or to Spain shall be punished with penalties of imprisonment from 6 months to 3 years and fines ranging from 6 to 12 months".

Aggravating circumstances are also foreseen.

Article 318 bis-2 states that "penalties of imprisonment from 2 to 4 years and fines from 12 to 24 months shall be imposed on those committing the offences described in the previous paragraph with animus lucrandi and the use of violence, intimidation or deception, or by abusing a situation of need of the victim".

Article 318 bis-3 states that penalties corresponding to the higher half of those penalties foreseen in the foregoing paragraphs shall be imposed should commission of the offence "jeopardise the life, health or integrity of persons or if the victim is a minor".

Article 318 bis-4 states that those who abuse their authority as law enforcement agents or public servants to commit any of the aforementioned offences shall be subject to the penalties mentioned above plus total disqualification from office for 6 to 12 years.

Article 318 bis-5 establishes that penalties of the immediate superior level of those foreseen in the foregoing paragraphs shall be imposed should the "offender belong to an organisation or association, even temporary, devoted to such activities".

¹ The *Guardia Civil* polices rural areas of the country and national borders.

² The *Cuerpo Nacional de Policía* polices urban areas.

³ The chapter on "Offences Against the Rights of Foreign Citizens" consists only of art. 318 bis.

The illegal trafficking of persons is also an administrative offence as introduced by Law 4/2000, article 50 of which defines this administrative offence as behaviour such to "induce, promote, favour or facilitate, as part of an organisation with animus lucrandi, the clandestine immigration of persons in transit through or destined for Spain". The penalty is a fine of up to $60.000 \in \text{or}$ alternatively deportation from Spain (article 53).

Only individuals can commit these crimes. Legal persons do not commit criminal offences under the Spanish Criminal Code. This general principle is cited by article 31, which states in compliance therewith that "those who act as directors, in fact or in right, of a legal person, or on behalf or in representation of others, shall be personally liable even though no conditions, qualities or relationships required by the criminal offence exist in order for that person to become liable, if such circumstances are fulfilled by the entity or persons on whose behalf or representation that person acts."

2.1.1 Trafficking in labour

Article 313-1 in the chapter on "Offences against Workers' Rights" punishes those who promote or favour by any means whatsoever the clandestine immigration of workers into Spain with a penalty of 2 to 5 years' imprisonment and a fine from six to twelve months.

2.2 Trafficking in human beings for the purpose of sexual exploitation

The 1999 reform of the Spanish Criminal Code introduced the specific offence of sexual exploitation, namely "coercion into prostitution" (article 188 of the Criminal Code). The second paragraph of article 188 recognises human trafficking for the purpose of sexual exploitation to be a criminal offence.

Article 188-2 of the Criminal Code punishes with imprisonment for between 2 and 4 years and fines ranging from 12 to 24 months "those who directly or indirectly favour the entry, stay or exit of persons from Spain in order to exploit such persons sexually, by using violence, intimidation or deception, or by abusing a situation of superiority, or by exploiting the victim's need or vulnerability".

Article 188-3 foresees penalties corresponding to the higher half of those penalties in the foregoing paragraphs as imposed on those commit the offences mentioned in the foregoing paragraphs by abusing their authority, be they law enforcement agents or public officials.

Article 188-4 refers to "persons under age" (i.e. minors) and establishes that penalties of the immediate superior level to those foreseen in foregoing paragraphs shall be imposed should the offence be committed against minors or persons of unsound mind for the purpose of introducing such persons to prostitution or to maintain them in that situation.

Article 188-5 states that the above mentioned penalties shall be imposed regardless of any other sanctions to be imposed for aggression or abuse committed on the prostituted person. Hence, the offence of human trafficking for the purpose of sexual exploitation must be punished separately from the offence of human trafficking and all the individual offences (sexual aggression) committed with regard the victim.

2.3 Other information

There are two special law enforcement units principally responsible for the investigation of human trafficking rings, one for each national security force. The EMUME Central unit of the *Guardia Civil* is integrated with the central and provincial brigades of the judicial police and investigates offences against women and minors. The unit in the *Cuerpo Nacional de Policía* is the Foreigners and Documentation Police Division. There are several investigative units in the Foreigners and Documentation Police Division which deal with the trafficking in human beings, each of them is specialised in a particular category of victim, i.e. women from Eastern Europe, Black Africa, Asia, or South America.

The Guardia Civil has carried out several police actions against human trafficking, most notably:

1) the Service Guidelines 3/2000 of the Directorate General on the action to be taken against the trafficking in women and the prostitution of minors. These guidelines require frequent inspections to be made of clubs in all areas under the *Guardia Civil*'s jurisdiction (especially rural ones), without waiting for accusations to be made or the suspicion of offences to arise. The aim is to dismantle rings trafficking in women, especially by encouraging victims to bring charges. During these inspections, female officials of the police units for women and minors interview prostitutes, inform them of their rights and explain how they can take action against their exploiters. In this case, exploited women can benefit from article 55 of Law 4/2000 and the Law on witness protection;

⁴ The chapter on "offences against workers' rights" comprises articles 311 to 318 of the Criminal Code and covers various types of crime connected with illegal activities in the field of work and employment.

2) Since the beginning of 2001, units must inform of any establishment in their jurisdiction where prostitution takes place. The number of rooms and reserved areas, as well as the number of women working in such establishments, either Spanish or foreign, must be estimated.

As regards victims, article 55 of Law 4/2000 on Immigration provides benefits for the victims of trafficking who decide to give evidence against criminal organisations. Victims who agree to do so avoid expulsion and prosecution for illegal residence in the country. The article also allows victims to choose between returning to their country of origin and obtaining a residence permit in Spain and/or a work I permit. Law 4/2000 on Immigration also gives the victims of traffickers eligibility for the country's witness protection programme instituted by Law 19/1994 of 23 December 1994, which provides various measures to protect witnesses. The personal data of victims may not be disclosed and procedures are laid down to prevent visual identification of victims. Article 3 of the law establishes that the police, district attorneys and judges must ensure that no pictures or images of protected witnesses are taken: any such material must be confiscated. The district attorney may ask for police protection for the victim throughout legal proceedings against traffickers should serious danger for the victim exist. Exceptionally, the victim may be issued with new identity documents and given economic assistance to change address or job. The witness may also request to be driven to court in an official vehicle and to be secluded in a reserved area with suitable protection.

3 AVAILABLE OFFICIAL AND CONFIDENTIAL SECONDARY SOURCES

3.1 Trafficking in human beings for the purpose of sexual exploitation

- 3.1.1 Information on the sources of data on the phenomenon
- a) Sources of data on trafficking in human beings for the purpose of sexual exploitation

Spain has one official database on the specific offence of trafficking in human beings for the purpose of sexual exploitation (i.e., coercion into prostitution - article 188 of the Criminal Code). This database is maintained by the *Ministerio del Interior* and stores investigative information relating to each chapter of the Criminal Code.

The information contained in this database originates from the data collection forms compiled by the police forces (the *Cuerpo Nacional de Policía* and the *Guardia Civil*) when they become aware of a case of human trafficking, either because a report has been made or through their own actions (see Annex 1). The data concern cases known to the police (see Annex 2) and the persons arrested prior to their committal to trial (see Annex 3, Tables 5-13). The variables collected in relation to the offence are: date, time, place, kind, classification of the offence (misdemeanour, felony, etc.), execution (attempted or committed), the means used to commit the offence (firearm, physical violence, psychological violence, intimidation, etc.), and *modus operandi*.

Other data are collected by the two Police units with competence on the human trafficking for the purpose of sexual exploitation. These data are processed separately by each department with information arising from concluded investigations. The result is two different databases, with no co-ordination between them and no common basis. It was therefore not possible to compare the data obtained by these means and to conduct combined analysis. However, the following brief description of the activities of the two Police units is possible.

- 1. Cuerpo Nacional de Policía Foreigners and Documentation Division. The Foreigners and Documentation Division of the National Police is responsible for investigation of trafficking in human beings. The Division is organised into various investigative units, each specialised in a particular category of victim, i.e. women from Eastern Europe, Black Africa, Asia. or South America. The Division uses the data collected during its investigations to compile a brief annual report on criminal offences such as coercion into prostitution (article 188 of the Criminal Code), offences against workers' rights (which comprehend article 313-1 of the Criminal Code), offences against the rights of foreign citizens (under article 318 bis of the Criminal Code), false documentation, and the falsification of residence permits. These data are therefore gathered when investigations have been completed, and they divide between (a) the number of rings identified and (b) the number of arrests made (see Annex 3, Table 14).
- 2. Guardia Civil EMUME Central. As said, the EMUME Central in the Guardia Civil is responsible, albeit not exclusively, for the investigation of human trafficking offences. Complete quantitative or qualitative analysis of the Guardia Civil data is forthcoming from research studies and solved cases. Moreover, since 1999 annual reports have been produced, on request by EUROPOL, which contains

data on the sex, age and nationality of offenders and their victims, as well as qualitative data on rings, their *modus operandi* and contacts in Spain. These data refer to already completed investigations (see Annex 3, Table 15 and Annex 4, Tables 22-25).

As regards judicial activity, the Ministry of Justice has a database, but it is of no use for analysis because it does not indicate offences separately.

b) Sources of data on other offences to which courts can refer in punishing "trafficking in human beings for the purpose of sexual exploitation"

Offence 1 - article 318 bis: Offences against the rights of foreign citizens (since 2000)

The data on this offence are also stored in the *Ministerio del Interior* database. The relative information has been collected since 2000, the year when article 318 bis was introduced into the Criminal Code. The variables on which data are collected with regard to the offence are those contained in the information recording form attached hereto in Annex 1.

Offence 2 - article 313-1: Traffic in the labour market

The data available with reference to article 313-1 are also those collected by the *Ministerio del Interior*. However, this database groups together all criminal offences included under the chapter "Offences against Workers' Rights" (articles 311-318 Criminal Code), so that it is impossible to obtain disaggregated data with reference to article 313.1 alone. It should nonetheless be noted that the majority of the offences committed under the above-mentioned chapter of the criminal code relate to illegal rings trafficking in persons for labour exploitation. The variables collected on this offence are those contained in the information recording form attached hereto in Annex 1.

b) Sources of data on indirect indicators of human trafficking for the purpose of sexual exploitation A useful indicator of the human trafficking for the purpose of sexual exploitation is the criminal offence of illegal detention and kidnapping. Most organisations engaged in trafficking for sexual exploitation illegally kidnap and detain their victims until they redeem their debts with the organisation. In Spain, however, the offence which probably gives the best measure of the overall phenomenon is coercion into prostitution (article 188 of the Criminal Code). Other offences that may help in the detection of trafficking are fraud committed to obtain a residence permit and falsification of documentation (forgery - article 390 of the Criminal Code). The only figures available on fraud or falsification are those produced by the National Police and included in Annex 3, Table 14.

3.1.2 Information on sources of data on the actors involved in the phenomenon

a) Sources of data on traffickers

The *Ministerio del Interior* database – The sheet on arrested people collects information on the following variables: a) origin of the action, b) current or future proceedings, c) collaboration with other police forces, d) date of birth, e) address, f) nationality, g) participation, h) injuries, j) gender, k) marital status, l) employment status, m) education, n) residence, q) drug consumption (type, frequency, time of consumption), r) alcohol consumption, s) police record, t) record of convictions (penitentiary, care centre, bail hostel, etc.), u) proposal for expulsion or rejection (only for foreigners), w) situation before and after the arrest (see Annex 1 and Annex 3, Tables 5-13).

However, it is impossible to determine whether an arrested person has simultaneously committed two or more crimes related to human trafficking because the database does not comprise this kind of information. The only information available is the number of previous police arrests (recidivism), and even in this case records are not kept on the kind of crimes that led to the previous arrests (see Annex 3, in particular Tables 11-13).

The Cuerpo Nacional de Policía - Foreigners and Documentation Division database - The Cuerpo Nacional de Policía, especially its Foreigners and Documentation Division, has gathered much more information on the trafficking in human beings for the purpose of sexual exploitation. Its data cover criminal offences such as coercion into prostitution, offences against workers' rights, offences against the rights of foreign citizens, false documentation, and the falsification of residence permits. Information on traffickers concerns the number of rings identified and the number of persons arrested (see Annex 3, Table 14).

Guardia Civil database - Complete quantitative and/or qualitative analysis of the data available from the Guardia Civil, is forthcoming from studies and solved cases. Data on perpetrators refer to sex, age and nationality, and also available is qualitative information on rings, their modus operandi and contacts in Spain (see Annex 3 Table 15).

b) Sources of data on the victims of trafficking and sexual exploitation

The *Ministerio del Interior* database - This provides detailed information on victims when it is compulsory for police forces to compile complaint sheets (see Annex 1), as in the case of sexual offences against, coercion into prostitution (article 188), trafficking and exploitation of minors, illegal detention and kidnapping. The data collected on victims concern: category, gender, age, nationality, relationship to the perpetrator of the offence (father or mother, child, spouse/partner, other relative, work/schoolfriend, casual acquaintance, other, none), injuries caused by the crime (no harm, non-serious harm, serious harm, death). Examples are provided in Annex 4 on victims (Tables 16-21).

The *Guardia Civil* database – As said, since introduction of the Directorate General of the Police Service Guidelines 3/2000 on action against rings engaged in the trafficking of women and the prostitution of minors, systematic inspections are carried out in clubs without accusations being necessary or suspicion that a criminal offence has been committed. These inspections yield data on victims: in particular, on the number, nationalities, genders, and ages of the prostitutes working in the clubs inspected. It is of utmost importance to know the number, nationalities, genders, and ages of people working as prostitutes who report traffickers/exploiters to the police. The reports on trafficking produced by the *Guardia Civil* also contain data on the situations of victims in Spain, e.g. how rings have exploited them, the means of coercion used, etc. (see Annex 4, Tables 22-25).

3.2 Illegal immigration

3.2.1 Information on sources of data on the phenomenon

a) Sources of data on specific "illegal immigration" offences

Illegal immigration is not a criminal offence according to the Spanish Criminal Code, but rather an administrative one. Official data on the administrative offence of "illegal immigration" are stored in the database of the *Ministerio del Interior* (see Annex 1). However, there is a specific database on immigration maintained by the *Dirección General de la Policía*, the police body competent for immigration, and it is not the same database as used for criminal offences. The police in this case are interested in only certain items of information: the nationality of the offender and the place where the infringement has been committed.

b) Sources of data on other offences to which courts can refer in punishing "illegal immigration" Law 4/2000 on the rights and liberties of foreigners in Spain introduced various infringements with reference to illegal immigration. Article 50 of such law defines the administrative offence as behaviour which "induces, promotes, favour or facilitates, as part of an organisation with animus lucrandi, the clandestine immigration of persons in transit through or destined for Spain". No data are available on these types of infringement.

c) Sources of data on apprehension at borders, expulsions and other measures

The *Dirección General de la Policía* collects data on apprehensions at borders and expulsions, as already said (immigration data). These data relate to definitions set out in administrative Law 4/2000, on the rights and freedoms of foreigners.

The definitions mentioned in the Law are the following:

- Illegal entry: applies to aliens who do not comply with the requirements established by law for entry into national territory;
- Prohibition to entry: applies to aliens who have been expelled from the country. These people may
 not re-enter Spain as long as the prohibition remains in force, and likewise, nationals of a country
 precluded from entry into Spain in accordance with a treaty executed between Spain and that
 country;
- Repatriation ("Devolucin"): a penalty that may be imposed on aliens expelled because they have illegally entered Spanish territory;
- Expulsion: the penalty that may be imposed on aliens who incur any of the events cited by article 26 of the former Law 7/1985. Since enactment of Law 4/2000, reformed by Law 8/2000, the reasons for expulsion have changed;
- Rejection at borders is an administrative measure. It may be applied by the police and it entails
 denial of entry to an alien at a border station who does not comply with legal requirements for entry
 into Spain.

Data on these penalties and administrative measures are published by the *Ministerio del Interior* in its Annual Report. Data on people apprehended at borders are available only for 1999. The data published in such the report refer to the above mentioned administrative offences. Data available concern expulsions, residents, repatriation. Repatriation may follow illegal or prohibited entry.

Data collected until 1999 refer to the former Law 7/1985 on Foreigners, whereas those collected since year 2000 concern the reforms and changes introduced by the new Law 4/2000 on the rights and freedoms of foreigners (see Annex 5).

3.2.2 Information on sources of data on the actors involved in the phenomenon

a) Sources of data on illegal immigrants

The *Dirección General de la Policía* database published by the *Ministerio del Interior* gathers data about foreigners. It includes information on stay permits, student cards, foreign residents (European and otherwise), expulsions, rejections at borders, repatriations and refugees. It also contains details on nationality and the Spanish province where the filing, expulsion or repatriation has occurred. In cases of rejections at borders, the reasons for the repatriation are also stated: lack of travel documentation, lack of visa, lack of economic means, false documentation, lack of reasonable documentation, other reason.

4 TRAFFICKING AND EXPLOITATION PROCESS TO AND IN SPAIN

4.1 Information from investigative and judicial cases

The information contained in this section of the report is based on the analysis of twenty-one cases of trafficking in human beings for the purpose of sexual exploitation investigated by the Spanish police during the years 1999, 2000 and 2001. The majority of these cases are investigative ones where the data originate from the investigations by the police as part of criminal procedures. In some cases, investigations are nearing completion; in others they have just begun. The research encountered difficulties in finding judicial cases in this matter because of the long time (around 5 years) that elapses before a court sentence. It was only possible to find out about cases in progress by consulting the information possessed by the police investigators.⁵

The research team decided to choose cases from the two national police bodies in order to obtain a representative sample of the situation in Spain. Six cases were provided by the *Cuerpo Nacional de Policia* (urban national police) and ten by the *Guardia Civil* (rural national police); the remaining five consisted of judicial cases. The information yielded by the *Cuerpo Nacional de Policia* cases was more detailed because we had access to all the files. The foreigners division of this police body centralises all investigations on Spanish territory into human trafficking and prostitution (most of them occurring in several provinces at the same time), and as a consequence possesses all the relevant dossiers. As for the *Guardia Civil*, its EMUME Central collects information on cases throughout the country, although investigations are carried out by the local office (*comandancia*) of the EMUME in the area where the case of human trafficking has been detected. The officers in charge of the investigation must send a brief report to the EMUME Central setting out the relevant data from the case. We started our information collection by consulting these briefs and then e obtained further information by asking the officers in charge of the investigation to complete the spreadsheets.

4.1.1 The trafficking process

The trafficking process is similar in all cases: a captor in the country of origin contacts the victim. The captor seeks to convince the victim of the economic advantages of working in Spain. In some cases the victims are told the truth about the job awaiting them in Spain, but their captors lie about the employment conditions and assure them that after some weeks of work they will be able to repay the sums due. Sometimes captors do not tell the truth about the work that the victims will be have to do in Spain, telling them that they will be employed as cleaners in hotels, childminders, etc. In other, more infrequent cases, the victims are kidnapped, brought to Spain and forced into prostitution.⁷

Captors always provide the documents and money necessary for the journey to Spain. They obtain passports⁸, invitation letters⁹, airline tickets, etc, and also give the victims around 1,000 US\$ to ensure that they are not stopped by the police because they do not have enough money to pay for their

⁵ The information from the police is the same as that possessed by courts, but court decisions are not included here.

⁶ Attempts have been made to construct a framework to comprise all information (*modus operandi*, etc.) on the cases of human trafficking for the purpose of sexual exploitation, but they have been unsuccessful.

⁷ Case *Operación turquesa* (investigative case no. 7).

⁸ In some cases, and when a large ring is involved, victims are provided with false passports (investigative case no. 12).

⁹ 'Invitation letters' are letters signed by Spanish citizens inviting victims to come to Spain on holiday.

holidays. This sum of money must always be repaid to the member of the organisation who meets the victims on their arrival in Spain.

In exchange for these services, the captors tell the victims that the money advanced can be reimbursed in Spain after a few weeks of work.

a) The demand for human trafficking services

When focusing on the characteristics of the trafficked women, ¹⁰ one must distinguish among their origins. Three main areas of geographical origin were identified in our twenty-one cases:

Eastern Europe - There were eight cases from Lithuania, Hungary or Romania, but the principal origin of victims was Russia (three cases). The women were aged between 20 and 31.¹¹ The fee paid to the traffickers was always around one million PTS (5,000 US\$). In two cases the debt was redeemed through the withholding of a percentage every month, even if the victim had completely repaid the sum advanced. In two cases the debt was less substantial (2,500 US\$) but the woman declared that she had been sold for the same price to another exploiter, so that she had to pay off twice the original debt.

South America - There were eight cases from South America. Colombia was the most common country of origin (five cases). The women were aged between 20 and 57, this last case being an exception; the eldest were 30 years old on average. The price paid to the traffickers was around 5,000 US\$ (between 400,000 PTS and 1 million PTS). The victims usually signed promissory notes for travel expenses in their country of origin. In one case, the victim had to pledge all her assets and obtain guarantees from all her family members in Colombia in order to ensure that her expenses were covered. The prices seem to be standardised for South American women. In some cases we noted that traffickers told the women that the debt was less than the sum demanded by the ring once the woman had arrived in Spain.

Black Africa - We came across two cases from Black Africa. The women were aged between 23 and 26. To be noted is that the sums paid for this traffic were eight times higher than those paid for women from other countries. In one case 8 million PTS were paid; in the other, the sum was 6 million PTS (48,100.00 EUR and 36,000.00 EUR). These victims are the worst treated and the most severely exploited. In one case, the document committing the victim to the organisation was a contract whereby the woman undertook to repay the sum and swore that she would not default or report her treatment to the police. Default gave the ring the right to kill the woman or any member of her family.

No further information is available from police investigations into the victims of trafficking. Information about their cultural and socio-economic circumstances could be made available by the NGOs, which are in contact with the victims, are therefore able to create the more confidential climate necessary to obtain such data. However, the NGOs that we contacted do not record this kind of information, and when they possess it, they are reluctant to share it. In any event, almost all the victims are women in serious economic difficulties, living in poverty, with children to bring up on their own, or similar circumstances.

b) The organised supply of human trafficking services

We do not have a great deal of information on the trafficking process, the number and characteristics of the persons operating in the countries of origin to entrap victims: it is difficult to identify the captors and it is even more difficult to apprehend them. In all cases, one or more members of the Spanish ring met the victims when they arrived in Spain. These persons transported the victims to clubs or apartments owned by the ring. In the latter case, the victims were then distributed among clubs. It sometimes happened that a member of the ring travelled with the victims (by plane or by train) in order to keep them under control.

The routes for trafficking depend on the victims' countries of origin.

Eastern Europe - In all cases the victims travelled to Barcelona with a stopover in Italy or Hungary. In most cases, the victims worked in locations situated on the eastern coast of Spain. This explains why all the women travelled to Barcelona, given that it is closer to that coast than Madrid. In one case, the final destination was Madrid, but the victim also transited through Barcelona. In general, the women travelled by plane; only in one case did the victim arrive by road.

South America - There are two main routes from South American countries. The first involves travel directly to Madrid or somewhere else in Spain, as planned. The second route brings women into Europe through a Schengen country (France, Germany, etc.) other than Spain and thence to Spain by car. As reported in one of the cases analysed, the first part of the journey was made by plane to Paris, where a member of the ring (the exploiter) picked up the victims and drove them to Spain.

¹⁰ We found only female victims. The *Guardia Civil* report cites a few cases of male victims, most of them minors.

¹¹ It is very difficult to identify the number of victims trafficked per case. In general, we know the number of victims who have complained to the Police, but we do not have information about the people trafficked by each organisation.

Black Africa - These routes are the most arduous for the victims because they must walk long distances to places where they can find 'easy' transport to Europe, which is usually Morocco). Once in Morocco, they enter Spain illegally by crossing the Straits of Gibraltar at night in rubber dinghies.

When the victims arrive in Spain, they are always met by a member of the ring, who takes and keeps all their documents, as well as the money given to them by the ring before their departure. The ring member then transfers the victims to hotels, clubs¹² or apartments owned by the ring, where they will live or wait to be moved to a club. Taxi drivers sometimes collaborate with the rings by transporting victims to their destinations.

We do not have information about the duration of the trafficking process. In one case reference was made to a 10-day period elapsing between the first contact in the country of origin and the moment when the victim began her journey to Spain. Women from Nigeria may undertake journeys lasting several weeks. In all cases but two, logistical support was offered by the organisation, which was sometimes an international group with contacts in Spain that distributed the women among clubs associated with the organisation. In the other two cases, the exploiting organisation¹³ consisted of Spanish citizens who brought the women into Spain from their countries of origin after contacting their captors. In these cases, the networks were not organised groups but ones created and operated by club-owners seeking to profit from the sex market and who therefore introduced trafficked women in their clubs to exploit them as prostitutes. These club-owners contacted the? persons able to recruit women in their countries of origin and traffic them into Spain. In one case, the Colombian girlfriend of a club-owner was used to attract her relatives to the club; in another, a Spanish club-owner contacted traffickers to bring women to his club. The spreadsheet used to record information on cases (spreadsheet 3) draws a sharp distinction between traffickers and exploiters. However, in some cases the difference between them is not clear-cut and the police does not make this distinction. It is difficult to determine whether or not traffickers and exploiters belong to the same organisation, and how they manage to negotiate with each victim jointly. Even more difficult is obtaining information on the cost of trafficking each victim. Only in one case was mention made of the sum earned by the captor for each victim trafficked (around 25 US\$).

4.1.2 The exploitation process

a) The exploiters

In almost half of cases, traffickers and exploiters belonged to the same organisation. Five cases consisted of international organisations with foreign members; in the remaining five cases, the members of the organisation were Spanish citizens. The international organisations were based in Eastern Europe (two cases), Nigeria (two cases), and South America (one case). Only Spanish citizens were implicated in the remaining fourteen cases. Spanish citizens always work with foreigners; the former usually being clubowners who contact the organisation in order to obtain women for exploitation in their clubs.

The exploiters are not particularly old: between 22 and 51 years of age. To be noted is that that the average age of the Spanish offenders was greater than that of their foreign accomplices. The members of international organisations were aged between 22 to 34.

Modus operandi

Living conditions

The women who contact the trafficking organisations are always misled by false promises. They agree to leave their countries because they are attracted by the prospect of legal employment in Spain which will improve the living conditions of their families. On their arrival in Spain, a member of the ring takes them to a hotel, club or apartment and informs them on the conditions of their stay in Spain: the debt they must repay for travel expenses (in most cases the debt to be repaid is higher than the price agreed) and the work they must do (provocative clothes are usually given to victims to make them start working immediately). The organisation also provides the victims with board and lodging, for which they must pay high prices (2,500 PTS for food¹⁴ and 8,000 PTS for accommodation per day (between 15 and 48 US\$)). In one case, a woman from Black Africa, the victim was forced to pay 100,000 PTS (598 US\$) per month for board and lodging.

¹² Clubs are places where the victims prostitute themselves (receive their clients) and also perform other services. However, the police have also found numerous victims working in hotels specifically used by the rings in order to evade the police inspections of clubs.

¹³ In some cases this is due to the fact that investigations are ongoing, so that the police have not yet arrested all the suspects or have difficulties in apprehending the organisation's international members.

¹⁴ They were usually allowed to have one meal per day.

The victims' work generally involves sexual relations with clients. They are obliged to "alternar" 15 clients and induce them to spend money on drink. In some cases the ring obliges the victims to earn a certain amount of money: for instance, a woman from Black Africa had to earn between 20,000 and 45,000 PTS per day (119 and 269 US\$).

Working conditions are harsh. In almost all cases, the victims must work seven days a week (from 6 p.m. to 3, 4 or 5 a.m.) and even when they are sick. They are subjected to constant threats, abuses and beatings to ensure that they accept these conditions.

Control systems

When women contact with the members of the rings, their names are immediately changed so that they will not be recognised while working in the clubs. The organisers also take away their personal documents to prevent their escape. The ring also moves victims around clubs so that they are not recognised by the police, and because clients normally want a variety of women.

The ring also offers the victims accommodation in order to keep them under control. In most cases victims are kept locked in the clubs or apartments where they live, without being allowed leave, and they are closely watched. *Mamis* – women (usually from the same countries of the victims) belonging to the ring - live with the victims and supervise them in the clubs, but some other member of the ring (waiter, assistant, guard, etc) is always present to keep watch on the women.

Members of the rings threaten the victims in various ways (e.g. captors in their countries of origin menace their families, their children, etc.) to ensure that they do not inform the police of their situation and do their work properly. In all cases, threats of violence or even death ensure that the victims work for the rings, pay the debt, accept its conditions, and do not report their situation to the police.

Intimidation takes various forms, according to the ring.

Eastern Europe - Members of these rings are extremely violent. They usually maintain control over their victims by employing physical violence and menaces against their families to. Menaces are carried out: in one case the ring set fire to the house of a victims' family, in another, they beat a woman who had to stitch her wounds herself because medical assistance was denied her.

South America - Members of rings threaten the families of the victims resident in their countries of origin. The victims or their relatives have usually signed promissory notes in their countries to guarantee payment of their travel expenses, and victims accept their conditions because they know they must reimburse their debts.

Black Africa - Victims from these countries are very poorly educated and have strong religious beliefs. The rings are very violent and menace them with voodoo rites. In one case, when the women arrived in Spain, criminals cut their hair and nails and took pictures of them naked. They then threatened the victims by telling them that they would use the pictures for voodoo rites. In another case, the victims signed their lives over to the organisation.

In almost all cases, the ring imposes penalties on the women in the case of misconduct: arriving late, talking to clients, going to the kitchen alone, not coming to work at weekends, etc. These penalties range from 50,000 to 150,000 PTS (250 to 7,500 US\$).

These control systems make it very difficult for victims to know their economic situation with the ring, and they enable the ring to extend the period of exploitation. The victims do not receive the money that clients pay to the club for their services. A club usually uses different coloured cards for each service, so that the women receive only these cards rather than money. These services are always closely controlled by members of the club (*mamis*, waiters, etc).

The rings also sell victims to other bosses so that the period of engagement begins again. The rings also extort large amounts of money for the release of their victims (i.e. 15,000 US\$). Benefits

We do not have precise data on the benefits provided by rings, only indications.

Until the victims' debts have been fully repaid, regardless of the period, they do not receive any money. The ring provides them with the bare necessities for survival, and the victims are not informed about the amount of debt still outstanding. The ring decides when the debt has been fully repaid and the victims are to be released. Sometimes, a ring forces its victims to pay a monthly percentage of their earnings, or a fixed sum, even if they have been released. In some cases victims are re-sold to other bosses and must consequently pay twice the same debt for their freedom.

In one case, the victim said that the clubs paid between 1,2 and 5 millions PTS (between 6,000 and 25,000 US\$) for each woman. In some cases the victims said that they were able to earn between 50,000 and 100,000 PTS (250-5,000 US\$) per day, depending on the club and the day of the week.

There is little information about the duration of exploitation. In the cases surveyed, exploitation could last between one month and a year. In the only case in which information about the duration of exploitation was forthcoming, the victim had to work for one year to redeem a debt of 5,000 US\$ (50% of the profit went to the club and the other 50% to the ring).

¹⁵ Alternar is the Spanish term for sleeping around. Clients come to the club to drink and talk to the women and sometimes to have sexual relations, but not always. Clubs earn money from drinks and other services.

Cases of exploitation were recorded throughout Spain - in the North, on the Mediterranean coast (Cataluña, Valencia, Alicante, Málaga) and in the central regions (Madrid, Castilla-La Mancha, Avila) – and were not concentrated in one particular area of the country.

In three cases, the exploiters did not seem to be organised. In such cases the exploiters were few people with no organisation: the owner of a club and his companion benefit from contacts with the international rings and/or personal connections to bring women to Spain and exploit them.

Roles of the members of the rings are similar in all cases. There was a/the leader (of the ring), native captors who recruited the victims in their countries of origin, club-owners or managers (usually Spanish citizens) who asked for women to exploit, traffickers who transported and controlled the victims until they were distributed to the clubs, controllers, i.e. *madames* or *mamis* (generally from the same country as the victims) who lived with the victims in the clubs and supervised them, and waiters, guards, etc., who controlled the victims while they were at work.

b) The victims

The average number of victims per ring was seventeen, but the figures extrapolated from the cases analysed are not exhaustive. The police do not collect a great deal of data from victims, except in case of complaint. The number of victims disclosed is probably not very representative of the situation as a whole, and the total number of victims would seem to be higher. No precise data are available on the victims' characteristics (e.g. nationality) because the cases investigated by the *Guardia Civil* do not yield detailed information.

Victims are normally aged between 21 and 29, but there are also victims in their forties or fifties.

4.2 Information from NGOs cases

Two different kind of NGO work with illegal immigrants in Spain: those that help them when they arrive in Spain (*Almeria Acoge*, *Guadalajara Acoge*, etc.) and those especially concerned with sexually exploited women, both Spanish and foreign (*Asociación para la Prevención*, *Reinserción y Atención de la Mujer*, *APRAM*). The NGOs belonging to the first group have been created only recently, when illegal immigration began to be a social problem and provoked xenophobic reactions. They work mainly with people trafficked for the labour market, but they often come across cases of sexual exploitation as well.

APRAM is a veteran NGO that has been working in the prostitution sector for years. Now that the 90% of prostitutes are foreigners (EL PAIS, 4 March 2001), it works mostly with these. The organisation's headquarters are in Madrid but it is now establishing branches in other provinces, especially on the south-eastern coast of the country where the problem is most severe. The *modus operandi* of this NGO is to seek out prostitutes in their places of work, especially the streets or public parks. and inform them about their rights and the advantages of complaining to the police. The organisation has flats providing secure accommodation for women who complain (other NGOs also offer accommodation of this type), and it works closely with the National Police.

When we asked NGOs for information, they were reluctant to provide it. We discovered later that they had had problems with the media and did not want to give out any information about the women in their care. This is certainly the main reason why we were unable to collect any significant and specific information on cases. Moreover, spring and summer are the seasons of the year when the NGOs work hardest.

As for quantitative data, we know that APRAM Madrid dealt with 48 cases in 2000 and 23 during the first seven months of 2001.

5 COMMENTS AND SUGGESTIONS ON METHODS FOR DATA COLLECTION AND THE ESTIMATION OF HUMAN TRAFFICKING FOR THE PURPOSE OF SEXUAL EXPLOITATION

The *Ministerio del Interior* database is very complete but nevertheless general. The same datasheet is used for every offence, so that when a specific offence is analysed, specific and important data are always lacking. The database relative to article 188 of the Criminal Code (coercion into prostitution) contains specific information on the offence of human trafficking for the purpose of sexual exploitation. This database has other shortcomings. Firstly, it collects data on investigations that have not yet been completed and which may be very different at the end of the investigative process. Secondly, the information gathered on victims is not exhaustive. Thirdly, very little information is gathered about the

modus operandi of the offence (although there is a very detailed spreadsheet for propriety crimes). One may therefore conclude that, although this database is a quite good instrument for the purposes of the *Ministerio del Interior*, it is of little use to our research because it affords little insight into the offences of interest to us.

The two police groups that investigate trafficking in human beings for the purpose of sexual exploitation follow different strategies. Information about modus operandi, menaces, living and working conditions are available only if the victims have decided to report to the police. Most of the court cases analysed were instituted as a result of complaint by a victim. The methods used by the two police bodies to persuade victims to complain are different. Some of the cases investigated by the Guardia Civil started from periodic inspections carried out in application of the new policy against human trafficking for the purpose of sexual exploitation (in compliance with the Service Guidelines 3/2000 of the Directorate General on actions against crime related to trafficking in women and the prostitution of minors). These quidelines require the police to make frequent inspections of clubs in each area under their jurisdiction (especially rural ones), rather than wait for accusations to be made or suspicion of offences to arise. The aim is to dismantle the rings trafficking in women mainly by means of accusations brought by victims. During these inspections, female members of the police units for women and minors interview prostitutes, inform them of their rights and the procedure for taking action against their exploiters, and explain the benefits provided by article 55 of Law 4/2000 and the Law on witness protection. Since the beginning of 2001, these units must inform of any establishment in their jurisdiction where prostitution is practised. The number of rooms and reserved areas, as well as the number of women, either Spanish or foreign, working in such establishments must be estimated.

It is for this reason that the *Guardia Civil* database is much more complete than the official one maintained by the *Ministerio del Interior*, in that it stores both quantitative and qualitative data on the phenomenon. The *Guardia Civil* compiles an annual report following the Europol model which includes all the above-mentioned data.

The *Cuerpo Nacional de Policía* seems to take a more passive approach, waiting until victims decide to complain. It does not have proactive measures with which to encourage complaints by victims, but instead works with the NGOs, whose role is to contact victims and persuade them to complain. In big cities (over which the *Cuerpo Nacional de Policía* has jurisdiction) most complaints are made on the promptings of NGOs (especially APRAM). However, the *Cuerpo Nacional de Policía* is not as thorough in its recording of data as the *Guardia Civil* and provides less interesting information.

In our view, the *Guardia Civil* and *Cuerpo Nacional de Policía* should create a common database so that data more closely reflect the phenomenon in both rural and urban areas of the country. We consider that the actions of the *Guardia Civil* in rural areas should be extended to the jurisdiction of the *Cuerpo Nacional de Policía* in urban ones, so that the data collected by each can be collated and analysed jointly, thereby enabling closer co-ordination in the fight against human trafficking.

We also consider it important that the NGOs should provide information and co-ordinate their services with the police. This would yield more and better information on the characteristics and demands of victims, help definition of the resources necessary to assist victims and create a climate of confidence which encourages complaints by future victims. These various forms of action are covered by article 55 of Law 4/2000 on Immigration, which provides benefits for the victims of human trafficking who decide to bring charges against criminal organisations. Victims who decide to complain will avoid expulsion and prosecution for illegal residence in Spain. The article also allows victims to choose either to return to their country of origin or to obtain a Spanish residence permit and a work permit. Law 19/1994 of 23 December 1994 on witness protection provides protection measures for witnesses.

As a consequence of our work in drafting this report, we believe that the main goal of the research should be to present the competent authority (the *Ministerio del Interior* in the Spanish case) with a datasheet comprising a new set of variables to be collected by police forces in the case of offences related to human trafficking for the purpose of sexual exploitation.

ANNEXES – FIGURES AND TABLES	
ANNUALS - I IGORES AND TABLES	
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ANNEX 1 DATA GATHERING FORMS USED TO RECORD INFORMATION IN THE MINISTERIO DEL INTERIOR DATABASE

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ΑI	NEX 2	
G	NERAL INFORMATION	

DATA FROM THE CUERPO DE POLICÍA NACIONAL

TABLE 1 – CASES KNOWN TO THE CUERPO DE POLICÍA

NACIONAL

(1997-2001)

YEAR	·	OFFENCE	
	COERCION INTO	OFFENCES	OFFENCES
	PROSTITUTION	AGAINST	AGAINST
		FOREIGNERS'	WORKERS'
		RIGHTS	RIGHTS
1997	130	=	467
1998	127	-	548
1999	226	-	748
2000	179	134	737
2001	45	99	157

Source: Cuerpo Nacional de Policía

TABLE 2 – CASES SOLVED BY THE CUERPO DE POLICÍA

NACIONAL

(1997-2001)

YEAR		OFFENCE	
	COERCION INTO	OFFENCES	OFFENCES
	PROSTITUTION	AGAINST	AGAINST
		FOREIGNERS'	WORKERS'
		RIGHTS	RIGHTS
1998	86	-	527
1999	246	=	911
2000	248	183	951
2001	84	163	249

Source: Cuerpo Nacional de Policía

DATA FROM THE GUARDIA CIVIL

TABLE 3 – CASES KNOWN TO THE GUARDIA CIVIL
(1997-2001)

	(1997-2001)											
YEAR		OFFENCE										
	COERCION INTO PROSTITUTION	OFFENCES AGAINST FOREIGNERS' RIGHTS	OFFENCES AGAINST WORKERS' RIGHTS									
1997	46	-	208									
1998	41	-	291									
1999	79	=	436									
2000	107	74	800									
2001	29	31	166									

Source: Guardia Civil

TABLE 4 – CASES SOLVED BY THE GUARDIA CIVIL (1997-2001)

YEAR		OFFENCE	
	COERCION INTO PROSTITUTION	OFFENCES AGAINST FOREIGNERS' RIGHTS	OFFENCES AGAINST WORKERS' RIGHTS
		RIGHTS	RIGHTS
1997	45	-	193
1998	40	-	273
1999	79	=	422
2000	99	72	776
2001	24	28	153

Source: Guardia Civil

NEX 3			
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FORMATION ON TRAFFICKERS	S		
			21

THE MINISTERIO DEL INTERIOR DATABASE

TABLE 5 – ARRESTS BY
THE CUERPO DE POLICÍA NACIONAL
(1997-2001)

YEAR	<u> </u>	OFFENCE	_
	COERCION INTO	OFFENCES	OFFENCES
	PROSTITUTION	AGAINST FOREIGNERS' RIGHTS	AGAINST WORKERS' RIGHTS
1997	132	0	467
1998	87	0	617
1999	213	0	853
2000	209	171	888
2001	70	149	220

Source: Cuerpo Nacional de Policía

TABLE 6 – ARRESTS BY THE GUARDIA CIVIL

YEAR		OFFENCE	
	COERCION INTO PROSTITUTION	OFFENCES AGAINST FOREIGNERS'	OFFENCES AGAINST WORKERS'
		RIGHTS	RIGHTS
1997	31	0	258
1998	31	0	290
1999	104	0	555
2000	123	97	1038
2001	21	30	199

Source: Guardia Civil

TABLE 7 – COERCION INTO PROSTITUTION ARRESTS BY AGE AND GENDER (1997-2001)

_	ARRESTS BY AGE AND GENDER (1997-2001)											
AGE	YEAR	1	997	1998 1999		2	000	2001				
	GENDER	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	
under 18		1	0	0	1	2	1	0	0	0	0	
18 - 20		5	4	2	1	3	3	5	11	1	6	
21 - 30		39	8	25	8	71	33	75	39	22	17	
31 - 40		43	16	26	12	81	19	81	26	19	5	
41 - 50		26	9	28	4	58	12	51	15	7	8	
51 - 64		10	2	7	2	29	2	22	5	3	2	
over 64		0	0	1	1	3	0	2	0	1	0	
TOTAL		124	39	89	29	247	70	236	96	53	38	

TABLE 8 – OFFENCES AGAINST THE RIGHTS
OF FOREIGN CITIZENS
ARRESTS BY AGE AND GENDER (2000-2001)

AGE	YEAR	2	000	2	001
	GENDER	MALE	FEMALE	MALE	FEMALE
under 18		10	1	0	0
18 – 20		13	1	3	1
21 – 30		88	17	38	15
31 – 40		43	13	48	15
41 – 50		35	6	40	6
51 – 64		29	2	10	1
over 64		9	1	2	0
TOTAL		227	41	141	38

Source: Ministerio del Interior

TABLE 9 - OFFENCES AGAINST WORKERS' RIGHTS ARRESTS BY AGE AND GENDER (1997-2001) AGE YEAR GENDER MALE | FEMALE | MALE | FEMALE | MALE | FEMALE | MALE | FEMALE | FEMALE under 18 18 - 20 21 - 30 31 - 40 41 - 50 51 - 64 over 64

Source: Ministerio del Interior

TOTAL

TAB	BLE 10 - CONT	TINENT OF ORIGII	N OF ARRESTED PERSONS (1997-2001)
		OFFENCES		
		AGAINST THE	OFFENCES AGAINST	COFRCIO

CONTINENT	OFFENCES	AGAINST THE NCES RIGHTS' OF FOREIGN CITIZIENS		FENCES ORKERS'	COERCION INTO PROSTITUTION					
	YEAR	2000	1997	1998	1999	2000	1997	1998	1999	2000
AFRICA		135	245	289	534	850	8	9	11	36
NORTH AMERICA										1
SOUTH AMERICA		18	10	44	74	104	16	9	24	41
ASIA		1	46	53	71	85				
MIDDLE EAST		1		1		1				1
EU		99	400	484	674	781	129	90	225	188
EUROPE - OTHERS		11	27	38	58	106	9	11	53	62
AUSTRALIA				1						
UNKNOWN				1						
TOTAL		268	728	911	1411	1927	163	119	317	333

TABLE 11 – COERCION TO PROSTITUTION
ARRESTED PERSONS BY PREVIOUS POLICE ARRESTS AND GENDER (1997-2001)

RECIDIVISM	YEAR	1	997	1	998	1	999	2	000	2	001
	GENDER	MALE	FEMALE								
no previous ar	rest	81	30	61	28	195	57	170	84	43	31
once		20	4	8	1	18	9	27	6	4	4
twice		5	4	6	1	8	4	14	3	3	0
three times		3	0	3	0	8	0	6	0	0	2
four times		2	0	2	0	5	0	1	0	2	0
five times		2	1	0	0	0	0	3	1	1	1
more than five	times	11	0	9	0	13	0	15	2	0	0
TOTAL		124	39	89	30	247	70	236	96	53	38

Source: Ministerio del Interior

TABLE 12 – OFFENCES AGAINST THE RIGHTS
OF FOREIGN CITIZENS
ARRESTED PERSONS BY PREVIOUS POLICE ARRESTS
AND GENDER (2000-2001)

RECIDIVISM	YEAR	· •	000	r e	001
	GENDER	MALE	FEMALE	MALE	FEMALE
no previous ari	rest	210	37	128	37
once		5	2	5	1
twice		3	1	1	0
three times		4	0	2	0
four times		2	0	2	0
five times		0	1	1 0	
more than five	times	3	0	3	0
TOTAL		227	41	141	38

Source: Ministerio del Interior

TABLE 13 – OFFENCES AGAINST WORKERS' RIGHTS ARRESTED PERSONS BY PREVIOUS POLICE ARRESTS AND GENDER (1997-2001)

RECIDIVISM YEAR		1997		1	1998		1999		2000		001
	GENDER	MALE	FEMALE								
no previous ar	rest	567	95	663	141	1127	180	1514	265	305	75
once		40	5	38	7	39	11	54	13	22	5
twice		5	1	22	4	15	3	32	2	6	1
three times		6	0	9	0	16	1	15	1	2	0
four times		5	0	6	0	1	1	13	0	4	1
five times		2	0	3	2	3	1	6	1	1	0
more than five	times	1	0	14	0	12	1	10	1	1	0
TOTAL		626	101	755	154	1213	198	1644	283	341	82

Source: Ministerio del Interior

THE CUERPO NACIONAL DE POLICÍA - FOREIGNERS AND DOCUMENTATION DIVISION DATABASE

TABLE 14 - RINGS DETECTED AND ARRESTS MADE (1999-2001)

		(1777-200)								
OFFENCE	YEAR										
	19	999	20	000	20	01*					
	RINGS	ARRESTS	RINGS	ARRESTS	RINGS	ARRESTS					
	DETECTE	MADE	DETECTED	MADE	DETECTE	MADE					
	D				D						
COERCION INTO PROSTITUTION	82	312	84	318	31	142					
OFFENCES AGAINST WORKERS'	56	109	67	120	22	46					
RIGHTS	30	109	67	120	22	40					
OFFENCES AGAINST	60	151	76	202	23	77					
FOREIGNERS' RIGHTS	00	131	70	202	23						
FALSE DOCUMENTATION	20	69	76	275	15	35					
FALSIFICATION OF RESIDENCE	26	55	14	32	5	8					
PERMITS	20	33	14	32	3	<u> </u>					
TOTAL	244	696	317	1010	96	308					

Source: Foreigners and Documentation Division (Cuerpo Nacional de Policía)

THE GUARDIA CIVIL DATABASE

TABLE 15 – CLUBS AND WORKPLACES, PERPETRATORS OF TRAFFICKING/EXPLOITATION OF PROSTITUTION AND REGIONS: RESULTS FROM THE INSPECTIONS MADE BY THE GUARDIA CIVIL FOLLOWING SERVICE GUIDELINES 3/2000 GDP (2000)

FOLLOWING SERVICE GUIDELINES 3/2000 GDP (2000)								
REGIONS	CLUBS	WORK SITES	PER	PETRAT	ORS			
			SPANI	FOREI	TOTAL			
			SH	GN				
		•	•	•	•			
MADRID	45	655	4	0	4			
CASTILLA-LA MANCHA	84	926	118	305	423			
EXTREMADURA	43	306	21	124	145			
ANDALUCIA	148	1135	44	152	196			
ALGECIRAS	6	150	1	32	33			
MURCIA	27	430	73	16	89			
COMUNIDAD VALENCIANA	104	703	47	173	220			
CATALUÑA*	52	405	314	37	351			
ARAGÓN	34	199	6	27	33			
NAVARRA	18	225	8	54	62			
LA RIOJA	9	237	9	38	47			
CASTILLA-LEON	103	1081	36	293	239			
CANTABRIA	23	273	4	90	94			
PRINCIPADO DE ASTURIAS	42	206	27	72	99			
GALICIA	147	994	28	28	56			
ISLAS CANARIAS	30	112	23	0	23			
BALEARES	28	54	7	1	8			
TOTAL	943	8091	770	1352	2122			

^{*} Lérida and Gerona depend on the Mozos de Escuadra

^{*} Data until March 2001

A	NNEX 4	
11	NFORMATION ON VICTIMS	

THE MINISTERIO DEL INTERIOR DATABASE

TABLE 16 - COERCION INTO PROSTITUTION VICTIMS BY AGE AND GENDER (1997-2001)

		VICII	MS BY A	E AND (GENDER ((1997-20	001)		
AGE	AGE YEAR		97	19	998	19	99	20	000
	GENDER	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
under 13	1	4	2	8	2		2		4
13					1		5		
14			1		3	1	3	1	3
15		2	10		6	2	9		3
16		1	3		4	2	5		5
17			7		10	1	12	1	11
18			10		7		27	2	18
19			19		9		39	1	35
20			16		17		46		46
21 - 30		2	105	4	100	2	283	11	265
31 - 40		2	34	3	35	1	79	1	59
41 - 50		1	8	1	8	1	6	2	6
51 - 64					1		3		3
over 64		-	1		1		1		2
TOTAL		12	216	16	204	10	520	19	460

Source: Ministerio del Interior

TABLE 17 – OFFENCES AGAINST THE RIGHTS OF FOREIGN CITIZENS VICTIMS BY AGE AND GENDER (2000)

(2000)									
AGE	YEAR	20	00						
	GENDER	MALE	FEMALE						
under 13		7	1						
13									
14									
15			1						
16			2						
17		1							
18		2 5							
19		6 1							
20		12 3							
21 - 30		126	45						
31 - 40		44	12						
41 - 50		8	5						
51 - 64		2							
over 64		1							
TOTAL		209	75						

TABLE 18 – OFFENCES AGAINST WORKERS' RIGHTS VICTIMS BY AGE AND GENDER (1997-2001)

VICTIMS BY AGE AND GENDER (, , ,		
AGE	YEAR	19	997 19		98 1999		99 2000		000
	GENDER	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
under 13					*				
13			1		*				
14					*	1			
15					*	1			
16				2	*	1		1	
17				2	*			1	
18				1	*		1	1	1
19				1	*	1		1	2
20			1		*		1	1	7
21 - 30		1	2	3	*	1	6	18	40
31 - 40		5		4	*	2	3	24	10
41 - 50				3	*	1	1	9	2
51 - 64				2	*	1	1	1	
over 64					*	1			
TOTAL		6	4	18		10	13	57	62

^{*} Data missing

TABLE 19 - COERCION INTO PROSTITUTION VICTIMS BY CONTINENT AND COUNTRY OF ORIGIN (1997-2001)* **YEAR** CONTINENT & COUNTRY **GENDER** MALE FEMALE MALE FEMALE MALE FEMALE MALE FEMALE MALE **FEMALE AFRICA EQUATORIAL GUINEA LIBERIA MOROCCO NIGERIA** SIERRA LEONE **AMERICA BRAZIL** COLOMBIA **DOMINICA ECUADOR VENEZUELA ASIA** CHINA SOUTH KOREA **THAILAND EUROPE** CZECH REPUBLIC **HUNGARY** LITHUANIA **ROMANIA SLOVAKIA OTHERS** OTHER EUROPEAN SPAIN

Source: Ministerio del Interior

TOTAL

* For each continent, the five countries with most victims have been selected.

TABLE 20 – OFFENCES AGAINST THE RIGHTS OF FOREIGN CITIZENS
VICTIMS BY CONTINENT AND COUNTRY OF ORIGIN
(1997-2001)*

CONTINENT	YEAR	2	000	2	001
& COUNTRY	GENDER	MALE	FEMALE	MALE	FEMALE
					<u> </u>
AFRICA	AFRICA			89	25
COSTA DE MAR	COSTA DE MARFIL			1	0
GUINEA BISSAU	J	0	0	1	0
MAURITANIA		3	0	2	0
MOROCCO		134	24	83	20
NIGERIA		5	0	0	4
SENEGAL		0	0	1	0
SIERRA LEONE		0	0	1	0
			,		,
AMERICA		32	39	8	23
BRAZIL		0	4	0	9
CHILE		1	0	0	0
COLOMBIA		17	19	3	11
ECUADOR	14	14	5	2	
PERU		0	0	0	1
ASIA		16	3	9	1
BANGLADESH		0	0	1	0
CHINA		6	3	2	1
INDIA		3	0	0	0
IRAK		2	0	1	0
PAKISTAN		4	0	5	0
			<u> </u>		
EUROPE		16	6	19	15
BULGARIA		3	0	0	0
LITHUANIA		1	1	4	7
POLONIA		4	3	2	0
RUMANIA		6	0	13	6
THE NETHERLAI	NDS	2	0	0	0
OTHERS		3	3	10	9
BELARUS		0	0	5	0
OTHER EUROP.		3	3	5	9
TOTAL		209	75	135	73
		207	, 0	,00	, ,

^{*} For each continent, the five countries with most victims have been selected.

TABLE 21 - OFFENCES AGAINST WORKERS' RIGHTS VICTIMS BY CONTINENT AND COUNTRY OF ORIGIN (1997-2001)* **YEAR** CONTINENT & COUNTRY GENDER MALE FEMALE MALE FEMALE MALE **FEMALE** MALE FEMALE MALE **FEMALE** * * **AFRICA ANGOLA** GUINEA REP. * * * * **MOROCCO** * * OTHER AFRICAN **AMERICA** * * BRAZIL * * COLOMBIA * * CUBA * * **DOMINICA ECUADOR** * * **ASIA** * * o o * * **CHINA EUROPE** * * **FRANCE** * * LATVIA * * LITHUANIA * * **PORTUGAL** * * **ROMANIA OTHERS** * * * * OTHER EUROP. **SPAIN** * *

**

* For each continent, the five countries with most victims have been selected.

^{**} Data missing

THE GUARDIA CIVIL DATABASE

TABLE 22 – CLUBS AND WORKPLACES, WOMEN WORKING AS PROSTITUTES AND REGIONS
RESULTS FROM THE INSPECTIONS MADE BY THE GUARDIA CIVIL FOLLOWING SERVICE GUIDELINES 3/2000 GDP (2000)

FOLLOWING SERVICE GUIDELINES 3/2000 GDP (2000)									
REGIONS	CLUBS	WORK	'	VICTIMS	S				
		SITES							
			SPANI	FOREI	TOTAL				
			SH	GN					
MADRID	45	655	138	617	655				
CASTILLA-LA MANCHA	84	926	68	1411	1512				
EXTREMADURA	43	306	43	327	368				
ANDALUCIA	148	1135	228	1913	2141				
ALGECIRAS	6	150	26	401	427				
MURCIA	27	430	82	281	363				
COMUNIDAD VALENCIANA	104	703	183	1955	2138				
CATALUÑA*	52	405	83	494	577				
ARAGÓN	34	199	49	452	501				
NAVARRA	18	225	5	382	387				
LA RIOJA	9	237	14	223	237				
CASTILLA-LEON	103	1081	151	2380	2516				
CANTABRIA	23	273	2	251	253				
PRINCIPADO DE ASTURIAS	42	206	32	367	399				
GALICIA	147	994	92	968	1060				
ISLAS CANARIAS	30	112	31	228	259				
BALEARES	28	54	25	154	179				
TOTAL	943	8091	1483	12804	14074				

^{*} Lérida and Gerona depend on the Mozos de Escuadra

Source: EMUME Central, Guardia Civil

TABLE 23 - FOREIGN AND SPANISH WOMEN WORKING AS PROSTITUTES IN CLUBS AND PROSTITUTES WHO REPORTED THEIR TRAFFICKERS/EXPLOITERS (1999-2001)								
YEAR	TOTAL KNOWN	I	FOREIGN	ı	,	SPANISH	I	
		WHO REPORTED			WHO	O REPOR	TED	
		no	yes	total	no	yes	total	
1999	672	515	75	590	*	82	82	
2000	14089	12644	160	12804	1272	13	1285	

^{*} Data missing

CONTINEN	199	200	CONTINE	199	200	CONTINE	199	200	CONTINENT &	199	200
T & COUNTRY	9	0	NT & COUNTRY	9	0	NT & COUNTRY	9	0	COUNTRY	9	0
AFRICA	90	163 7	AMERICA	417	897 9	ASIA	0	4	EUROPE	83	217 9
ANGOLA	0	1	ARGENTIN A	0	46	ARMENIA	0	1	ALBANIA		2
CAMEROON	0	3	BOLIVIA	1	36	INDONESI A	0	1	BELARUS		1
CAPE VERDE	1	31	BRAZIL	90	1878	THAILAND	0	2	BELGIUM		1
GUINEA BISSAU	9	183	CHILE	0	10				BOSNIA HERZEGOVINA	1	6
LIBERIA	16	104	COLOMBIA	257	4761				BULGARIA	1	38
MOROCCO	10	533	COSTA RICA	1	8				CZECK REPUBLIC	6	121
NIGERIA	20	480	CUBA	1	67				CROATIA		1
OTHER AFRIC.	0	4	DOMINICA	21	1099				ESTONIA	1	12
SENEGAL	0	1	ECUADOR	33	721				FRANCE		8
SIERRA LEONE	28	278	HONDURA S	0	1				GERMANY	2	26
SOMALIA	1	2	MEXICO	0	1				GREECE		3
SUDAN	5	14	PANAMA	0	9				HUNGARY	19	91
TUNISIA	0	3	PARAGUAY	4	69				IRELAND		1
			PERU	1	53				ITALY		11
			SALVADOR	0	3				LATVIA	2	22
			URUGUAY	0	20				LITHUANIA	2	171
			VENEZUEL A	8	197				MOLDOVA	2	24
					•	4			POLAND	1	90
									PORTUGAL	5	247
									ROMANIA		156
									RUSSIA	6	674
									SLOVAK REP.	3	71
									SLOVENIA	5	101
									THE NETHERLANDS		3
									UKRAINE	26	271
Total	199 9		590						UNITED KINGDOM		5
	200		12799						YUGOSLAVIA	1	22

TABLE 25 - VICTIMS WHO REPORTED THEIR TRAFFICKERS/EXPLOITERS BY NATIONALITY, GENDER, CLASS OF AGE AND CITY IN WHICH THEY WERE FOUND (2000)

NATIONALITY		SPAI	NISH			FOR	EIGN		TOTAL
GENDER	MA	\LE	FEN	IALE	MA	LE	FEM	ALE	
AGE	<18	>18	<18	>18	<18	>18	<18	>18	
MADRID							1	5	6
TOLEDO							1	21	22
CIUDAD REAL								5	5
ALBACETE								2	2
GUADALAJARA								2	2
CUENCA		1		1				1	3
BADAJOZ								2	2
CACERES		1	1					10	12
GRANADA								4	4
ALMERIA				1				9	10
JAEN			1						1
HUELVA								3	3
CORDOBA			1						1
CADIZ								2	2
ALGECIRAS								1	1
MURICA								6	6
CASTELLON							2	14	16
ALICANTE				4			1	4	9
BARCELONA								3	3
TARRAGONA								3	3
BURGOS								2	2
SALAMANCA								1	1
ZAMORA				2				3	5
VALLADOLID								1	1
PALENCIA								1	1
LEON								5	5
CANTABRIA								2	2
OVIEDO								8	8
GIJON								1	1
LA CORUÑA								6	6
LUGO								5	5
ORENSE								18	18
PONTEVEDRA								1	1
LAS PALMAS									0
BALEARES								4	4
TOTAL	0	2	3	8	0	0	5	155	173

ANNEX 5						
	ON ILLEGAL MIG	RATIONS (THE	MINISTER DEL	<i>LINTERIOR</i> DA	TABASE)	
						35

TABLE 26	- EXPULSIONS AND REPATRATIONS
TOTAL	AND COUNTDY* FIGURES (1007)

TOTAL AND COUNTRY * FIGURES (1997)									
TOTAL AND		EXPULSIONS		REPATR	ATIONS				
COUNTRY	EX ART. 26	EXPULSIONS ISSUED	EXPULSIONS EXECUTED	FOR ILLEGAL ENTRY	FOR PROHIBITION OF ENTRY				
TOTAL	15503	11212	4750	22572	447				
Algeria	3413	2563	324	22	16				
Brazil	499	412	217	10	46				
C.I.S.**	205	165	80	4	16				
China	400	204	111	1	22				
Colombia	1441	985	675	33	25				
Ecuador	312	190	143	5	5				
Morocco	3603	2991	1521	22230	129				
Poland	314	187	161	54	13				
Romania	545	306	226	42	23				
Senegal	303	220	96	4	6				

^{*} The ten countries with the highest figures have been selected.

Source: Ministerio del Interior

TABLE 27 - EXPULSIONS AND REPATRIATIONS

TOTAL AND COUNTRY* FIGURES (1998)									
TOTAL AND		EXPULSIONS	REPATRIATIONS						
COUNTRY	EX ART. 26	EXPULSIONS	EXPULSIONS	FOR ILLEGAL	FOR				
		ISSUED	EXECUTED	ENTRY	PROHIBITION				
					OF ENTRY				
TOTAL	18349	11514	5525	16878	320				
Algeria	3359	2103	621	52	12				
Brazil	689	461	267	10	33				
Colombia	1875	1330	855	27	22				
Czech Rep.	223	133	90	9	5				
Ecuador	510	232	171	4	6				
Morocco	4192	2970	1780	16504	124				
Nigeria	430	317	34	0	0				
Poland	360	162	152	17	11				
Romania	677	341	243	99	38				
Senegal	290	196	61	5	2				

^{*} The ten countries with the highest figures have been selected.

^{**} Armenia, Azerbaijan, Bielorussia, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tadzhikstan, Turmenistan and Uzbekstan.

TABLE 28 - EXPULSIONS AND REPATRIATIONS **TOTAL AND COUNTRY* FIGURES (1999)**

TOTAL AND COUNTRY TROOKES (1777)										
TOTAL AND		EXPULSIONS		REPATR	IATIONS					
COUNTRY	EX ART. 26	EXPULSIONS ISSUED	EXPULSIONS EXECUTED	FOR ILLEGAL ENTRY	FOR PROHIBITION OF ENTRY					
TOTAL	19667	10574	5232	18197	411					
Algeria	3317	1300	320	34	37					
Brazil	708	471	249	24	31					
C.I.S.**	522	227	122							
China	416	136	59	3	1					
Colombia	1972	1279	631	6	21					
Ecuador	682	325	170	6	4					
Morocco	4630	3024	2159	17823	187					
Nigeria	428	301	12	1						
Romania	965	586	283	38	39					
Ukraine	660	255	161	12	1					

^{*} The ten countries with the highest figures have been selected.
** Armenia, Azerbaljan, Bielorussia, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tadzhikstan, Turmenistan and Uzbekstan.