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PARA LA VIOLENCIA DE GÉNERO

**IV FOLLOW-UP REPORT ON  
THE COMPREHENSIVE PLAN  
TO COMBAT HUMAN  
TRAFFICKING FOR SEXUAL  
EXPLOITATION**

**2012**

**16 July 2013**

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## 1. Introduction.

This report complies with the mandate included in the Comprehensive Plan to Combat Human Trafficking for Sexual Exploitation 2009-2012 (hereinafter, "the Plan") to monitor the application of the measures implemented after its approval.

The Plan has been the main instrument for implementing actions to combat human trafficking for sexual exploitation in a coordinated and comprehensive manner.

Given the direct link between human trafficking and gender inequality the main victims being women and girls whose vulnerability is taken advantage of in their places of origin, the Plan defined trafficking in women for sexual exploitation in the context of the structural violence to which women are subjected.

Moreover, Royal Decree 200/2012, of 23 January, on the development of a basic organic structure for the Ministry of Health, Social Services and Equality, makes the Ministry responsible, through the Government Delegation against Gender Violence, within the scope of the General State Administration, for coordinating matters relating to female trafficking for sexual exploitation, and cooperating with the competent institutions and government bodies for the care and protection of victims.

The Government Delegation against Gender Violence has prepared this follow-up report on the execution of the Plan in 2012 with input from the rest of the departments involved.

The Plan concluded in 2012, so during the year the measures included in the Plan have been completed and the objectives have been achieved. At the same time, the activities and areas of coordination initiated under the Plan have been maintained.

In general terms, the execution of the Plan in 2012 reinforced the lines of work already undertaken, in particular with respect to the following aspects:

- o Improvement of the channels for inter-institutional coordination and for participation by specialised organisations.

- Collection of data on human trafficking for sexual exploitation to gain a better knowledge regarding the size of the problem and the response required in these situations.
- Drafting of observations and recommendations for legal projects dealing with care and protection for victims of trafficking and the prosecution of the crime; and reinforcing the fight against human trafficking through the early transposition of Directive 2011/36/EU.
- Monitoring of the application of the Framework Protocol for Victims of Trafficking.
- Ongoing training and specialisation courses for professionals in public and private bodies and giving this serious social problem more visibility through information and awareness-raising actions.
- Maintenance of resources for caring for victims of human trafficking for sexual exploitation through the annual call for grants to organisations with experience in care for victims and the updating of the guide for specialised resources.

In line with the structure of previous reports, the information relating to the execution of the Plan has been systematised by dividing actions into three types of intervention:

- **Research, awareness raising, training and prevention:** sets out information regarding the activities undertaken to improve knowledge of the trafficking in women for sexual exploitation and its prevention, in order to create a climate of public opposition to this situation and train professionals involved in cases of trafficking.
- **Protection for the victims of trafficking:** covers the development of measures to assist victims, including both funding for organisations offering comprehensive support, and the application of a Framework Protection Protocol for Victims of Trafficking.
- **Prosecution of the crimeCrime prosecution and prevention at international level:** information on the application of the legal mechanisms available for prosecuting traffickers and for the assistance and protection available to victims in legal proceedings; on international cooperation and development cooperation intended to prevent the capture of victims; and on cooperation and communication mechanisms between the different actors involved in the measures designed to combat trafficking in women for sexual exploitation.

## 2. Research, awareness-raising, prevention and training.

### 2.1 Research.

The Plan makes clear that improved knowledge of human trafficking for sexual exploitation is essential for combating the crime, and in particular for assigning specialised and proper assistance to its victims. That is why a series of research measures were included under the Plan and have been carried out throughout its implementation.

In 2012, in response to a study of resources available in Spain to provide assistance to victims of trafficking for sexual exploitation, the **Government Delegation against Gender Violence** again updated the Guide of Existing Resources the Support of Victims of Trafficking for sexual exploitation. It is included as Annex IV to the Framework Protocol for the Protection of Victims of Human Trafficking.

The updated version of the Guide includes information on public resources that are earmarked for assisting victims of trafficking for sexual exploitation. This information has been provided by the autonomous regions and the cities of Ceuta and Melilla through the Sectoral Conference on Equality.

The new updated version of the Guide of Resources in 2012 includes the following resources available across Spain:

- **Accommodation resources:** the map includes information on **21 organisations** specialising in assistance for victims of trafficking for sexual exploitation, covering all the autonomous regions. These organisations operate 43 accommodation centres with a total of **409 places**. The services provided are as follows:
  - 42 centres provide psychological support.
  - 29 centres provide healthcare support.
  - 29 centres provide programmes for finding a job.
  - 43 centres provide social programmes.
  - 38 centres provide legal assistance.
  - 27 centres provide training programmes.
  - 2 centres provide psychiatric support.
  
- **Outpatient resources:** **46 specialised organisations** provide services on an outpatient basis (no overnight stay). They also extend across the whole country,

assisting women who are victims of trafficking for sexual exploitation in **113 centres**, providing the following type of services:

- 80 centres provide psychological support.
- 77 centres provide healthcare support.
- 56 centres provide programmes for finding a job.
- 109 centres provide social programmes.
- 91 centres provide legal assistance.
- 44 centres provide training programmes.
- 1 centre provides psychiatric care.

## 2.2. Raising awareness.

In compliance with the objective of heightening public rejection of the trafficking of women for sexual exploitation under the Plan, various actions were undertaken in 2012 to raise awareness of these situations and encourage public rejection of them.

The Ministry of Health, Social Services and Equality promoted the following actions in 2012 through the Government Delegation against Gender Violence:

- **Ongoing "Blue Heart"** campaign promoted by the United Nations Office on Drugs and Crime. The campaign image was printed on the National Lottery tickets on the International Day against Sexual Exploitation of Women and Children, on 23 September, and it was publicised in the sporting press on 10 and 13 December to commemorate International Human Rights Day.
- Creation of a **specific section on the trafficking in women for sexual exploitation on the website** of the Government Delegation against Gender Violence, with the aim of raising awareness of trafficking for sexual exploitation<sup>1</sup>.
- Communication through the weekly distribution of the **bulletin "La DGVG Informa"** about the main news related to violence against women, including relevant information on actions taken in the fight against trafficking in women for sexual exploitation<sup>2</sup>.
- Continued promotion of the travelling exhibition **"No seas cómplice"** (Don't be an accomplice) around Spain. Its aim is to report situations of trafficking in women for sexual exploitation and its consequences, with the aim of dissuading

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<sup>1</sup> <http://www.msssi.gob.es/ssi/violenciaGenero/tratadeMujeres/home.htm>

<sup>2</sup> <http://www.msssi.gob.es/ssi/violenciaGenero/laDelegacionInforma/politicaSocialMenu.htm>

people from creating a demand. In 2012, this exhibition was transferred to the City Council of Seville for exhibition in the Reales Alcázares from 15 November to 27 December 2012.

- Participation in seminars, workshops and round tables with the aim of informing and raising awareness of the situation suffered by women and girls who are victims of trafficking, as well as the measures included in the Plan and the actions carried out by the Government Delegation against Gender Violence.

In addition, as in previous years, on the occasion of the **European Anti-Trafficking Day against trafficking in human beings (18 October)** the Ministry of Health, Social Services and Equality and the Ministry of Foreign Affairs and Cooperation, jointly promoted approval by the Cabinet of a Declaration in which the government undertakes to strengthen the fight against trafficking in human beings and to provide unconditional support and protection to its victims (Cabinet Agreement of 11 October 2012).

On 18 October 2012, with the aim of increasing awareness of the actions taken to fight against this serious infringement of human rights, the annual meeting of the Inter-ministerial Coordination Group for the Plan approved the III Follow-up Report on the Plan for 2011. Taking part were representatives from the ministries of Health, Social Services and Equality, Justice, Interior, Foreign Affairs and Cooperation, and Employment and Social Security.

Through its Human Rights Office, and pursuant to its responsibilities under the Plan, the Ministry of Foreign Affairs and Cooperation organised a panel discussion on the subject "Human trafficking and its victims" to celebrate European Anti-Trafficking Day. It was held at the Diplomatic School, and aimed to make the public aware of the efforts the Government of Spain and civil society is taking to combat this crime and offer comprehensive assistance for its victims; and also to contribute to a debate on how best to improve the effectiveness of the fight against trafficking. The event was attended by 100 people.

At the same time, the Human Rights Office provided its institutional support to the seminar on trafficking and femicide "Extreme forms of gender violence: trafficking in human beings and femicide from a global perspective", organised by the NGO Mujeres del Mundo. The event took place in Soria on 16 and 17 March 2012, with the aim of creating a space for meeting, raising awareness and sharing information on trafficking

in human beings for sexual exploitation and femicide. The seminar brought together the main organisations and specialists in the area with the collaboration of stopfemicidio.org, the Institute for Feminist Research of the Complutense University of Madrid and the City Council of Soria.

The Ministry of Education, Culture and Sport continued to publicise **resources related to violence against women** online through the **Intercambia internet portal** (an online space for the exchange of experiences and educational projects)<sup>3</sup>. These resources respond to the educational needs arising from the Plan to Fight against Human Trafficking for Sexual Exploitation.

Through the National Centre for Educational Innovation and Research, the Ministry once more this year organised annual meetings together with the Ministry of Health, Social Services and Equality, through the Institute for Women's Affairs. These meetings are a way of exchanging knowledge, projects and materials that promote coeducation. They are developed by the Equality Bodies and the Educational Administrations and attended by expert staff from central and regional government in the different autonomous regions and the cities of Ceuta and Melilla.

In the **tourism sector**, the Ministry of Industry, Energy and Tourism has worked on the following areas through the Secretariat of State for Tourism:

- Incorporation of Article 2 of the Global Code of Ethics for Tourism on prevention and protection against the exploitation of the most vulnerable human beings and in particular women and children into the text of all the bilateral agreements and memoranda of understanding on tourism signed by Spain with third parties.
- Introduction of specific recommendations on human trafficking in the Country Files prepared for the bilateral encounters between high-ranking Spanish officials and their counterparts from countries where human trafficking occurs.

To improve the information available to its staff, the Technical Unit of the Civil Guard's (Guardia Civil) Judicial Police (answering to the Ministry of the Interior) has distributed material related to the fight against trafficking in human beings (legislation, operational reports and practical improvements) through a module of the Civil Guard's Research System.

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<sup>3</sup> An online space for exchanging experiences and coeducational projects: [www.educacion.es/intercambia](http://www.educacion.es/intercambia)



Finally, conferences will be held as part of the Ministry of Defence's dissemination plan to make known this department's regulations relating to equality, reconciliation of work and family life, trafficking in human beings for sexual exploitation and gender violence in Spain and in its missions abroad. The locations of the conferences will be: Torrejón Air Base, the El Goloso Army Base, the Zaragoza Air Base and the Rota Naval Base.

### **2.3. Improvements in systems for the prevention and early detection of situations of trafficking.**

Actions set out in the Plan to improve **the systems for the prevention and early detection of situations of trafficking** have been implemented as follows.

1. With respect to **planning and increasing inspections in places at potential risk of human trafficking for sexual exploitation**, both the Operational Plans of the National Police Force and the Service Directive 40/2009 of the Civil Guard's Assistant Operational Directorate include preventive measures for establishments and premises where there may be possible situations of human trafficking. In 2012, the state law enforcement agencies carried out a total of 2,201 administrative inspections in premises where prostitution was carried out.
2. Actions were undertaken to improve the capacity of the state law enforcement agencies to carry out research aimed at obtaining **more information on criminal organisations dedicated to human trafficking**. The Central Illegal Immigration Network and Forgery Unit (UCRIF Central) carries out studies and analyses on the modus operandi of criminal organisations dedicated to trafficking, as well as the profile of those responsible. The reports it prepares are submitted to the Intelligence Centre against Organised Crime (CICO) and INTERPOL.
3. CICO is part of the Interior Ministry's Secretariat of State for Security. It is continuing to update its **Situation Report Database (BDIS)**, which includes intelligence data related to organised crime groups operating in our country, among which are those linked to human trafficking for sexual exploitation. The law enforcement agencies supply the data for this system.

In addition, work has continued to update the **Database of the Research Registry System (SRI)**, which includes police researches relating to organised crime, including those related to human trafficking for sexual exploitation. Again, it is the law enforcement agencies that supply the data.

CICO also has a **specific trafficking database (BDTRATA)**, which includes information from law enforcement agencies relating to administrative inspections carried out on premises where prostitution takes place; as well as official police reports within the framework of researches carried out against criminal activity relating to sexual exploitation and trafficking in human beings for sexual exploitation.

The data management systems, in particular BDTRATA, have provided the following:

- Knowledge of the number, distribution and profile of victims, as well as the criminal groups and modus operandi related to sexual exploitation and trafficking in human beings for sexual exploitation in Spain (Annex I).
- Easier decision-making on the allocation of resources for prevention and the fight against human trafficking.
- Easier preparation of situation and outlook reports on the prevention and fight against human trafficking and response at national and international level to the statistical requests received by the Ministry of the Interior on this crime.

As well as preparing reports and studies on trafficking in human beings for sexual exploitation, the studies and analyses on the modus operandi of criminal organisations dedicated to trafficking, as well as other profiles of traffickers, the preparation of Situation and Outlook reports on gangs trafficking in human beings and the establishment of strategic priorities every year, the CICO prepares a Situation Report on Trafficking in Human Beings for sexual exploitation, and other sector-based reports for this purpose. The Situation Report on Trafficking in Human Beings for 2011 was published in 2012.

4. **Preparation of protocols for detecting and reporting situations of trafficking and sexual exploitation**, in compliance with the measure included in the Plan for preparing Protocols to foster detection in health, social and educational areas. The following actions have been carried out within this area:

- On a proposal by the Commission against Gender Violence of the Inter-territorial Council of the National Health System, the new **Common Protocol for healthcare actions against gender violence** was approved on 20 December 2012. It was adapted to contexts of greater vulnerability<sup>4</sup>, with the aim of providing professionals in the healthcare sector with standard guidelines for action, in both care and monitoring and in the prevention and early diagnosis of gender violence in any of its manifestations.

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<sup>4</sup> The complete text of the Common Protocol for Health Action against gender violence, 2012, adapted to the context of greater vulnerability, is available at:  
<http://www.msssi.gob.es/ssi/violenciaGenero/violenciaGenero/protocoloActuacion/ambSanitario/home.htm>

Although special reference is made to violence by the partner and/or former partner, the Protocol includes a specific mention of the most vulnerable groups and points to certain situations that may increase the possibility of suffering gender violence and/or aggravating its consequences for health.

It also instructs healthcare professionals on how women and girls who are the object of trafficking experience extreme violence, and may have been kidnapped or attracted by false promises of achieving better living conditions in another country. It points to the consequences and serious after-effects produced by these situations, as well as the difficulty these women find in accessing the health system and being treated safely and confidentially, as their contact with healthcare personnel is often their only opportunity of asking for help.

In addition, the Commission against Gender Violence of the Inter-territorial Council of the National Health System has developed a common methodology for identifying, collecting and spreading **good practices implemented by the health services** of the autonomous regions on healthcare actions against gender violence. This includes healthcare attention in contexts of special vulnerability, such as that of women and children in situations of trafficking and sexual exploitation.

- Through the Sub-Directorate General for Integration of Immigrants, in 2012 the Secretary General for Immigration and Emigration of the Ministry of Employment and Social Security prepared a **Common Protocol** designed to establish guidelines for detection and intervention in possible cases of human trafficking for sexual exploitation that may be detected in the Social Work Unit (UTS) of the Asylum and Refugee Office (OAR), the Refugee Reception Centres (CAR) or the Temporary Immigrant Accommodation Centres (CETI), which answer to the Secretariat General for Immigration and Emigration of the Ministry of Employment and Social Security, as well as migration centres and care provisions of the NGOs where programmes subsidised by the Directorate General for Migrations are run. This is a common working document, based on an analysis of current law and existing protocols in the centres in question or provisions involved.
- Within the scope of the Ministry of the Interior **protocols are applied for the coordination of police operations related to organised crime**, including trafficking in human beings. They are prepared with the aim of coordinating operations in cases where the Database of the Research Registry System (SRI) of

the Intelligence Centre against Organised Crime (CICO) detects matches in researches of organised gangs. These interventions are coordinated by CICO through meetings to coordinate operations where data match.

CICO is also in charge of coordinating police operations that involve the state law enforcement agencies and regional police forces to dismantle organised crime groups that traffic in human beings. They include mechanisms by which NGOs provide immediate assistance for victims, including the process of using specialised resources for caring for victims of trafficking managed by non-profit organisations.

## 2.4. Training.

With respect to the **training given to civil servants and professionals in public and private institutions**, the various ministries involved in developing the Plan have continued the work begun in previous years. The following initiatives are worth highlighting:

- The **Ministry of the Interior** has revised and updated the content related to human trafficking for sexual exploitation at all levels and of the training of staff in the state law enforcement agencies, both generally and in specialised areas. Specifically, the following work has been carried out:
  - The Civil Guard has included content related to trafficking for sexual exploitation both in the general training received by specialists (the Basic and Higher Course for Specialists in the Judicial Police) and in the specific training for the Specialists in Women and Children (EMUME). These contents have also been included in the training of officers of the Civil Guard, in seminars on citizen security for NCOs in territorial units and in the courses on technical research for staff in the judicial police. To improve the preparation and updating of specialists in the Structural Units of the Civil Guard's Judicial Police, in 2012 a day seminar was held on research and analysis in the area of trafficking in human beings. In total 54 components of the structural units of the Judicial Police took part in this training, as well as students on the basic and higher Judicial Police courses, training academies for officers, and staff who carry out continuous training in the Operational Research Course.
  - The National Police Force (CNP) has updated the course material on trafficking in human beings for sexual exploitation that is used in courses organised at the CNP's Training, Promotion and Retraining Centres.

- Specific courses have also been organised by the CNP relating to trafficking in human beings and on techniques applied to its prevention, research and control. A total of 89.1% of the staff in the units combating illegal immigration and forgery (UCRIF) received a specialisation course.
- National Police Force staff seconded abroad (councillors and attachés of the Interior Ministry and liaison officers) have received specific training; and training has been given to civil servants in the asylum and refugee offices of the Ministry of the Interior.
  - Almost all the staff of the National Police Force on international missions have received specific training relating to trafficking in human beings.
- o Within the scope of the **Ministry of Justice**, the Legal Studies Centre (CEJ) organised the following activities in 2012 in relation to the trafficking in human beings for sexual exploitation for a total of 1,380 people:
- "Proving cases of trafficking in human beings", held in Madrid from 25 to 27 April 2012, within the framework of the continuous training programme.
  - "Trafficking in human beings. The effect of the reform approved by LO 5/2010, of 22 June", held in Madrid on 16 and 17 April 2012, as part of the continuous training programme.
  - Incorporation of specific training in a selective access course for the career of Public Prosecutor, in the area of the programme of initial training: it was given to 123 trainee prosecutors in the 52nd **graduating class**.
  - Seven continuous training activities in which 101 active prosecutors were trained in this area.
  - Training of 1,156 trainee members of the state law enforcement agencies who have been trained in combating trafficking in the 13 specialisation courses for the judicial police.
- o The **Government Delegation against Gender Violence** of the **Ministry of Health, Social Services and Equality** organised the following training actions in 2012:
- Training course held in November 2012 for staff in the Coordination and Violence against Women units in the government delegations and sub-delegations and Insular Departments, including trafficking for sexual exploitation; 30 people from these units took part in the course.
  - Organisation of a training course for instructors to test the effectiveness of the proposed common guidelines for detection of victims of trafficking prepared as part of the ISEC "Eurotrafguid" project. The course

- involved professionals from various ministerial departments, autonomous regions, non-profit organisations and local government.
- Internal training course for civil servants from the Ministry of Health, Social Services and Equality, held on 29 November 2012. It included a session on trafficking in women for sexual exploitation, with 15 people taking part.
- The **Directorate General for Family and Children's Services** of the Ministry of Health, Social Services and Equality ran a new edition in 2012 of the 30-hour online training course on "Trafficking in children and adolescents for sexual exploitation: comprehensive care for victims". It was given to 46 professionals in the public social services system specialising in children.
  - The **Ministry of Defence** has provided training for its civil and military staff on equality, including training on trafficking for sexual exploitation, as a continuation to training carried out in previous years:
    - Training in seminars at international level on the application of UN Security Council Resolution 1325/2000 on Women as Active Agents in Peace and Security and its action plan specified below:
      - "Implementation of the UN Security Council Resolution 1325" in Slovenia.
      - "Implementation of UNSCR 1325 on women, peace and security in the countries of north Africa" in Brussels (Belgium)
      - "EU Informal Task Force 1325" in the Council of the European Union, Brussels (Belgium).
      - Annual meeting of the NATO Committee on Gender, held in Brussels (Belgium).
      - International Committee on gender violence in armed conflicts in Lisbon (Portugal).
    - Organisation of conferences on subjects related to equality and gender, trafficking in human beings and reconciliation, given to military staff within the study plans for the different courses for promotion to higher career levels, in particular, the promotion course for Commander of the Joint Forces, the training course for promotion to Lieutenant Colonel of Medical Officers and training courses for promotion in the Army.
    - Almost all the staff of the Army on international missions have received specific training on human trafficking.
  - The **Ministry of Foreign Affairs and Cooperation** has also carried out the following actions for training professionals:

- Inclusion of a talk on prevention of trafficking in human beings in the annual course on consular affairs given at the Diplomatic School for civil servants appointed abroad to carry out consular tasks in Consulates and Embassies. The talk was given on 4 June 2012.
- The training given by the Human Rights Office to civil servants who will carry out consular tasks abroad includes information on trafficking in human beings, with the aim of improving information, early detection and recognition of visa requests that may be associated with these situations.

### 3. Assistance and protection for victims of trafficking.

#### 3.1. Victim support and protection.

The Comprehensive Plan includes two types of actions to improve the assistance and protection provided for victims of trafficking for sexual exploitation:

- The preparation and development of protocols for action and coordination to improve the information, assistance and protection provided to victims and witnesses.
- The establishment of measures to guarantee access by victims to specialised resources offering information, assistance and protection.

With respect to the first action above on preparing and developing protocols for action and coordination to improve the information, assistance and protection provided for victims and witnesses, in 2012 procedures were implemented that are included in the **Framework Protocol for the Protection of Victims of Human Trafficking**, approved in October 2011.

At the same time, in compliance with the provisions of clause 4 of the Inter-institutional agreement that approved the Framework Protocol, the Monitoring Committee for the protocol was created on 7 June 2012, at the initiative of the Government Delegate for Gender Violence, who chairs it.

The members of the Monitoring Committee are the ministries of Health, Social Services and Equality, Interior, Justice, Employment and Social Security, the State Prosecutor's Office and the General Council for the Judiciary. The Monitoring Committee meets every half year, and its last meeting was on 26 November 2012.

The Committee's main aim is to monitor the application of the Framework Protocol since its approval, based on information provided by each of the institutions taking part. These, in turn, are responsible for the developing of the procedures included in the Framework Protocol.

The following are some of the measures implemented since the approval of the Protocol, aimed at improving the detection, identification, assistance and protection of victims of trafficking:



- o More emphasis on cooperation mechanisms at territorial level to promote the adoption of protocols developing the Framework Protocol, as well as other coordination mechanisms between institutions signatories of the Framework Protocol.
- o Promotion of actions to improve the collection of information on criminal cases related to trafficking in human beings, to obtain increasingly reliable information on the research carried out into trafficking and the criminal cases that are classified as related to trafficking.
- o Preparation of protocols for action to improve the level of detection and identification of possible victims of trafficking by professionals from different areas.
- o Programming of training actions for professionals to improve the level of detection and identification of possible victims of trafficking in human beings, as well as their protection.
- o Updating of information on resources and services for care of victims of trafficking for sexual exploitation included in Annex IV of the Framework Protocol.

In addition, at the proposal of the Ministry of Health, Social Services and Equality, the Sectoral Conference on Equality at its meeting on 21 May 2012 modified its Regulation on Organisation and Operation to include within its scope "care for victims of trafficking for sexual exploitation". The meeting set out the content of the Framework Protocol and urged the regional government authorities to boost the development of the Framework Protocol for the protection of victims of trafficking at a regional level.

The Secretariat General for Immigration and Emigration of the Ministry of Employment and Social Security has prepared a **consolidated draft of a Protocol for unaccompanied minors (MENA)**, through a working group participated by the State Prosecutor's Office, the ministries of the Interior, Foreign Affairs and Cooperation, and Justice, and the Directorate General for Family and Children's Services of the Ministry of Health, Social Services and Equality.

In addition, with respect to **access by victims to specialised resources for information, assistance and protection**, funding was organised for specialised resources for the comprehensive care of victims of trafficking for sexual exploitation through the following calls for grants:

- o Ministry of Health, Social Services and Equality:

- A call grants for projects by **non-profit organisations with accredited experience** in protection, employment assistance and guidance, training, medical, legal and psychological support for women who are victims of trafficking for sexual exploitation and their children, for 2 million euros.

The corresponding call for grants for 2012 was made Under Order SSI/1839/2012 of 2 August, approving the regulatory bases for awarding public grants for projects providing assistance and social support to women who are victims of trafficking of human beings for sexual exploitation.

A total of 40 organisations have received grants to carry out the following projects:

a) Detection of possible victims, involving the application for funding for equipment to enable contact to be made with victims, such as mobile units or help lines, delivery of material, with the aim of giving potential users information on the resources available through the project and offering support, referral or assistance.

b) Information and advice services, psychological and social assistance, healthcare, legal support and/or referral to other facilities, when these services do not form part of a comprehensive care system.

c) Assistance, protection and basic living essentials for users, when comprehensive services are involved, regardless of the administrative situation of users and whether or not they have applied for the period of re-establishment and reflection provided for under Article 59 bis of Organic Law 4/2000, of 11 January, on the rights and freedoms of foreigners in Spain and their social integration.

d) Social and employment integration of women who are victims of trafficking for sexual exploitation, including training.

The data relative to this call for grants are included in Annex 1 of this report.

- Within the scope of the annual call for **grants paid for by the tax amount earmarked from income tax returns**, programmes have been financed for the assistance and protection of victims of trafficking and sexual exploitation carried out by non-governmental organisations and non-profit organisations.

- Among the priority programmes receiving grants in the group of Children and Families, funding was provided for 11 programmes dedicated to prevention, detection and assistance, where necessary, in cases of abuse and exploitation of children, including sexual exploitation, for a total of 446,506.48 euros.
- As a priority aimed at preventing and eradicating violence against women, in all its forms: in the 2012 call for grants a total of 16 programmes were subsidised aimed at preventing violence against women and providing comprehensive assistance for victims through support centres and other care services, as well as prevention and information programmes, with funding of 1,539,305 euros.
- The Ministry of Employment and Social Security:
  - **Programmes co-financed by the European Fund for the Integration of third-country nationals (EIF)** and projects financed by the **call for grants under the General Regime for immigrants, asylum seekers, refugees and displaced persons in a situation of social vulnerability or risk of social exclusion**. Among them are:
    - The development in 2012 of 8 programmes aimed at the comprehensive care of victims of human trafficking, raising awareness, creating support networks and other actions designed to eradicate trafficking for labour or sexual exploitation, funded under the 2011 call for grants.
    - Funding from the 2012 budget of 5 programmes designed to fight against human trafficking for sexual exploitation. They will be executed in 2013, with total funding of 425,000 euros.
  - **Programmes co-funded by the European Refugee Fund (ERF)**, which has included among its priorities care for victims of trafficking in human beings:
    - From the budget of the 2011 call for grants, and to be executed in 2012, funding was granted to an organisation to develop a programme of comprehensive care for women asylum seekers who are victims of human trafficking.
    - From the 2012 budget, and to be executed in 2013, an organisation has received grants to develop a programme of comprehensive care for women asylum seekers who are victims of human trafficking, for a total of 30,777.88 euros.

In addition, with the aim of being able to offer professionals an **updated list of resources and services for caring for victims of trafficking for sexual exploitation**, and thus to guarantee adequate information is available to victims, the Government Delegation for Gender Violence regularly revises the Guide of Resources and distributes it through its website<sup>5</sup>.

The Structural Units of the Civil Guard have distributed promotional material prepared by the organisations specialising in caring for victims of trafficking, in addition to the information provided to all possible victims of trafficking in human beings with respect to their rights and resources when sufficient indications of possible trafficking are available. In all, they have contacted with more than 8,000 potential victims.

### **3.2. Legal and procedural measures.**

The Comprehensive Plan makes various regulatory proposals with the aim of guaranteeing immediate and sufficient care for all victims and to ensure their protection.

Given that most of the proposals gave rise to legislative reforms in 2009, 2010 and 2011, 2012 marked the consolidation of this legislation and provided access to better data on its application.

In addition, 2012 saw the approval of **Royal Decree 1192/2012, of 3 August, regulating the status of insured and beneficiary party for purposes of healthcare assistance in Spain** provided by public funds through the National Health System. Its Fifth Additional Provision provides for access to healthcare for victims of trafficking who are in an illegal situation and who have been granted the legal period for re-establishment and reflection.

Various **legal projects have also been prepared to improve the assistance and protection given to victims of trafficking**. Specifically, the Ministry of Justice has worked on developing some of the following measures:

- Preparation of a bill on free legal aid, which lays down that victims of trafficking may receive free legal advice when they file a complaint, and that the same legal representative may assist victims of trafficking in the different cases they are involved in. It also provides for the training

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<sup>5</sup> <http://www.msssi.gob.es/ssi/violenciaGenero/tratadeMujeres/ProtocoloMarco/DOC/GUIARECURSOS.pdf>

and specialisation of lawyers provided under legal aid, as included in the regulation established by Directive 2011/36/EU, of 5 April. A further step forward in the protection of victims is proposed by recognising their right to free legal aid "without the need to prove insufficient resources to pay for litigation."

- Preparation of an organic law reforming the Criminal Code, which proposes the modification of Article 177 of the Code to transpose fully Directive 2011/36/EU, of 5 April, related to the definition of the crime, as well as modifying the rules on seizure to simplify the recovery of goods proceeding from the crime.

With respect to **improving data**, progress has been made by the State Prosecutor's Office and the Ministry of the Interior through the database on trafficking of the Intelligence Centre against Organised Crime (CICO); and by the Ministry of Health, Social Services and Equality, through an analysis by the Government Delegation against Gender Violence of data provided in its call for grants. Information on this is available in Annex 1 of this report.

## 4. Prosecution of the crime and prevention at source.

### 4.1. Prosecution of the crime.

The Plan includes various measures in its different subject areas designed to comply with the aim of **"fighting decisively against the trafficking in human beings for sexual exploitation and against the active operation of traffickers and procurers"**, such as those aimed at improving the systems of prevention and detection of trafficking or the improvement in the capacity of the state law enforcement agencies to investigate and fight against trafficking. The execution of these measures is alluded to in sections 2.3 and 2.4 of this report.

Among the measures implemented to assist in the prosecution of crime, both the National Police Force and the Civil Guard have Asset Research Sections that submit reports to the judicial authorities on the movable and immovable assets held by members of the gangs in order to decide on whether to take preventive measures.

Equally, the police are becoming more specialised in the financial research of crimes related to trafficking. The Civil Guard's Judicial Police department, supported by CICO, has organised training at different staff levels to provide experience in financial and asset questions for investigators and analysts.

Professionals have also taken part in forums organised by INTERPOL, EUROPOL and OLAF (the EU's anti-fraud office), exchanging information with other countries about these questions, all of which has improved the level of their knowledge.

It is important to note that the information exchange on suspicious financial transactions with the Executive Service of the Commission for the Prevention of Money Laundering (SEPBLAC) has been automated, and the interconnections with institutions related to economic information have been improved. These institutions include Notary Councils, Registrars, the Company Registry, Property Registry and the Tax Authorities.

Most criminal cases have been prosecuted using the definitions (Article 318 bis of the Criminal Code) prior to the reform carried out through Organic Law 5/2010, of 22 June, as the events took place before the entry into force of the reform. However, in 2012 prosecutions have also taken place against people committing acts occurring when Article 177 bis of the Criminal Code was in force, with two convictions:

- o Two people of Paraguayan nationality, one man and one woman, were convicted in the Provincial Court of Madrid.
- o One person of Bulgarian nationality was convicted in the Provincial Court of Barcelona.

## 4.2. International cooperation

With the aim of **informing and raising awareness to prevent the capture of possible victims in their countries of origin**, various initiatives have been pursued in the area of **international cooperation**.

To begin with, the **Ministry of Foreign Affairs and Cooperation** has supported projects in Latin America and Asia for the prevention and fight against trafficking in women and girls for sexual exploitation, above all through the following:

- o A joint programme "Integrated response strategy for the prevention and eradication of all forms of gender violence", which ended in 2012, financed by the PNUD-Spain fund for Colombia, with the aim of contributing to the eradication of all forms of gender violence and with particular emphasis on those that are most common and serious in the national and regional context: violence by partners, sexual violence, traditional practices that infringe the rights of indigenous women, human trafficking and violence by members of illegal armed groups.
- o Joint support with the UN Office against Drugs and Crime (UNODC) for the Regional Project against Human Trafficking and illicit trafficking of immigrants in Central America. Its overall aim is to promote the application of the Protocol for preventing, suppressing and sanctioning human trafficking, especially of women and children, which is included in the United Nations convention against Transnational Organised Crime; in particular, those provisions related to mechanisms for research, international cooperation and information on the crime of human trafficking.
- o Systematic introduction of good practices through the Convention for Strengthening Capacities of Government Bodies and civil society to provide comprehensive protection for children and adolescents, in particular against the trafficking of children and adolescents in Ecuador, El Salvador, Guatemala, Honduras and Nicaragua. This process was completed in 2012. It is a contribution to the creation of a Regional Coalition against human trafficking in

- Central America and the consolidation of the National Panels making it up (in a strategic alliance with the International Organisation for Migration (IOM)).
- o The Spanish International Cooperation for Development Agency (AECID) has promoted actions within the framework of the project "Strengthening institutions and the prospects for gender in Mercosur" implemented by the Mercosur Group Specialising in Women in Brazil, Argentina and Paraguay. One of its priority components is the trafficking of women for commercial sexual exploitation. Other significant interventions include the Project to Strengthen Gender Policies in Uruguay (2010-2012), which has included the design and publication of "*La trata de mujeres con fines de explotación sexual comercial en el Uruguay*" (Trafficking of women for commercial sexual exploitation in Uruguay).
  - o In Paraguay, the Spanish Embassy is one of the institutions making up the Inter-institutional Panel for preventing and combatting human trafficking (<http://mesa-trata.webnode.es>). AECID has also financed the following projects:
    - Protection of the rights of female victims of violence and trafficking by the Prosecutor's Office, which has a unit specialising in human trafficking and the sexual exploitation of children and adolescents. This project ended at the close of 2012.
    - "Effective mechanisms for cooperation between Paraguay and Spain in relation to forced prostitution and people trafficking", promoted by the Association for the Prevention, Reintegration and Care for Prostituted Women (APRAMP), completed in 2012.
  - o In Uruguay, in 2012 AECID supported the Comprehensive Programme for the Fight against Gender Violence, by which the state responds to situations of trafficking of children, adolescents and women. One of the activities undertaken was consolidation of the progress made in policies on the fight against trafficking of women to improve the inter-institutional protocol for assisting women in a situation of trafficking. This activity was promoted by the National Institute for Women's Affairs.
  - o The project "For the suppression of sexual abuse and commercial sexual exploitation of children" aims to establish a space offering protection against child sexual exploitation of children in the city of Phnom Penh and other regions in Cambodia. The project has been executed by the organisation APLE and financed by AECID through the Open and Permanent Call (CAP) system.
  - o AECID supports the establishment and development in Vietnam of the "Peace House Shelter: Project supporting victims of Human Trafficking", which aims to



empower and reintegrate women and children who have been victims of trafficking into society and help promote gender equality in Vietnam. The project has generated and developed a model of care for victims that is unique of its kind in Vietnam because of the comprehensive range of services it provides. The assistance includes accommodation, comprehensive physical and mental healthcare, legal assistance, occupational training and financial support for reintegration in the communities of origin.

- The collaboration with UN-Women has executed the following projects in South Asia:
  - "Fight against trafficking in South Asia", concluded in December 2012.
  - "Regional Programme for empowerment of migrant working women in South-East Asia" (2011-2014).

In addition, with the aim of having an impact on policies fighting trafficking from the human rights perspective, the Ministry of Foreign Affairs and Cooperation has carried out the following actions through the Human Rights Office (ODH):

- Inclusion of human trafficking in messages on human rights matters in bilateral contacts between Spain and other countries (visits by foreign dignitaries to Spain or with our high-ranking officials abroad).
- Inclusion of human trafficking in multilateral control mechanisms such as the Universal Periodic Review (EPR), by which the UN Human Rights Council regularly reviews compliance with the obligations and commitments in the area of human rights for each of the UN's 192 Member States.
- Support and negotiation of the different resolutions approved by bodies such as the United Nations General Assembly (UNGA), the United Nations Office on Drugs and Crime (UNODC) and the United Nations Human Rights Council. In all of them a human rights approach has been fostered by making the victims a priority when it comes to studying the phenomenon of trafficking, rather than ideas based on prosecuting crime.
- Promotion of ongoing dialogue with the non-profit organisations that work in the area of the fight against trafficking in human beings for sexual exploitation, whether from the point of view of research, raising awareness and prevention, or of protection for victims of trafficking.

In order to facilitate the processes of identification and documentation of victims of human trafficking, as well as providing easier contact with the organisations that provide assistance for victims, the **Ministry of the Interior** has established areas for

collaboration in the countries of origin. This has mainly been done through the ministry's councillors and attachés posted in embassies in the main countries of origin.

The usual exchange of information relating to trafficking of human beings has also been maintained with the different international policy cooperation organisations: INTERPOL, EUROPOL, SIRENE and EUROJUST.

In fact, EUROPOL has a point of contact for specific analysis called PHOENIX to analyse the information from operations that combat human trafficking where they involve various countries within EUROPOL or EUROPOL and third countries.

In 2012 the Technical Unit of the Civil Guard's Judicial Police received 170 messages through this collaboration with councillors of the Interior Ministry and Police Attachés in the countries of origin, transit and destination of victims of human trafficking, as well as through its cooperation with EUROPOL and INTERPOL. The National Police Force's UCRIF unit has participated in 9 joint operations with police units from other countries.

When the judicial authority considers that coordination is more efficient for an operation through judicial mechanisms, the collaboration channels with EUROJUST and IBER-RED are used; in the case of IBER-RED through contact between the Coordinating Prosecutor for Immigration and the Prosecutor for Immigration of IBER-RED.

In the **Ministry of Justice**, the Directorate General for International Judicial Cooperation and Religious Affairs helps strengthen legal cooperation in general for research of all types of crime, including human trafficking.

The function of this Directorate General is important in the handling of the different applications for international judicial cooperation, as well as its informal work making cooperation as easy as possible through its position as a hub between the different cooperation networks at EU level (European Judicial Network, EJM) or with Ibero-America (IBER-RED). Various officials have been designated to act as contact points for this purpose.

In addition, within the framework of the Conference of Ministers of Justice of the Ibero-American Countries (COMJIB), work continues on the fight against organised crime to harmonise different definitions of crimes, including human trafficking. This means applying the recommendations approved at the 17th Plenary Meeting of the Ministers held in Mexico 2010 relating to the minimum and common regulations for criminal penalties for people trafficking.

With respect to the evaluation of compliance by Member States Parties to the Council of Europe Convention on Action against Trafficking in Human Beings, made in Warsaw in 2005 and ratified in 2009 by Spain, the Spanish government proposed the designation of a Spanish forensic doctor to form part of the Council of Europe's expert group on the trafficking of human beings, GRETA.

Participation by the **Ministry of Employment and Social Security** at international level in the following projects is relevant here:

- o The European NGO Platform against trafficking, exploitation and slaveries (ENPATES) (2010-2012) project, whose aim is to create a platform for organisations that work on the fight against people trafficking, systematise information and create common mechanisms for awareness-raising. The countries taking part in this project include Germany, Austria, Belgium, France, the Netherlands, Italy, the United Kingdom, Romania and Spain.
- o The SAFER PATH project called a "System Action for the Empowerment of Refugees and the Protection against Trafficking in Human Beings", completed in 2012, in which Italy, France, the United Kingdom and Spain took part. The aim of the project was to prepare models for identifying, protecting and referring victims of trafficking from among those seeking international protection.
- o Participation in the SaviAV Social inclusion and vocational integration of Asylum seekers and Victims of human trafficking. This network exchanges information and good practices on tools for detecting/identifying victims and the methodology of intervention, as well as carrying out studies on the content and organisation of subsequent training actions to transfer the knowledge acquired. It is a transnational network co-financed by the European Commission (DG Employment and Social Affairs) under the transnational cooperation budget of the European Social Fund 2007-2013. Those taking part include Germany, Belgium, Greece, Italy, Sweden, Estonia, Finland and Spain.  
Spain participates through the Red Ariadna, made up of professionals from the Refugee Reception Centres (CAR), which answer to the Secretariat General for Immigration and Emigration, and non-profit organisations specialising in intervention with asylum seekers, refugees and people under international protection (ACCEM, CEAR and the Spanish Red Cross).

Within the European Union, the government delegation for Gender Violence in the **Ministry of Health, Social Services and Equality** has taken an active role in implementing actions in the ISEC "Eurotrafguide" project for the joint development of guidelines for the detection of victims of human trafficking in Belgium, Greece, France, the Netherlands,

Spain and Romania, promoted by the French Ministry of Foreign and European Affairs and co-financed by the European Union.

The project activities were initiated in 2012, with the preparation of a guide of good practices for the detection, identification and referral of victims of trafficking in human beings and common guidelines and Directives for the detection of victims of trafficking. They have been useful for preparing tools to train professionals in different areas who may enter into contact with possible victims of trafficking.

Before validation, a pilot phase was organised in Spain in November 2012, consisting of a training activity for trainers (professionals specialising in the area), who in turn were responsible for making known the detection tools among non-specialised professionals by training actions or other ways. They would then report on the effectiveness of the procedure for detecting possible victims of trafficking.

The following public and private organisations have participated in the development of the project, in coordination with the Government Delegation against Gender Violence:

- o Non-profit organisations: The Spanish Red Cross, the Association for the Prevention, Reintegration and Care for Prostituted Women (APRAMP), Accem and the Spanish Commission for Refugee Aid (CEAR).
- o The Labour Inspectorate and the Secretary General for Immigration and Emigration of the Ministry of Employment and Social Security.
- o UCRIF, the Technical Unit of the Civil Guard's Judicial Police and the Intelligence Centre against Organised Crime (CICO) of the Ministry of the Interior.
- o The State Prosecutor's Office.
- o The Directorate General for Family and Children's Services of the Ministry of Health, Social Services and Equality.
- o The Service for the Protection of Minors in Granada of the Regional Government of Andalusia.
- o The Spanish Federation of Municipalities and Provinces (FEMP).

#### **4.3. Institutional cooperation.**

More emphasis was placed on actions strengthening **inter-institutional coordination and cooperation** in 2012. The following meetings were held within the framework of the Plan's provisions:

- Meeting on 18 October 2012 of the **Inter-ministerial Group for coordinating the Plan**, chaired by the Government Delegate on Gender Violence, for approval of the III Follow-up Report on the Execution of the plan, which was later submitted to the Cabinet and the Equality Committee of the Congress of Deputies for their review.
- Meeting of the **Social Forum against trafficking of human beings for sexual exploitation**. This is a platform for participation and exchange by non-profit organisations specialising in comprehensive care for victims of trafficking in human beings for sexual exploitation. It was held on 19 July 2012 to report on the actions carried out by the Government Delegation against Gender Violence with relation to the execution of the Plan, in order to include the concerns and proposals by the organisations taking part in the Forum and to make progress in commitments to collaborate in the fight against trafficking in human beings for sexual exploitation.

New lines of action have also been created with other administrations and institutions with responsibilities in the fight against trafficking:

- Creation on 7 June, 2012 of the **Monitoring Committee on the Framework Protocol for Protection of Victims of Human Trafficking**, included in Clause VI of the inter-institutional agreement approving the Protocol. A second meeting of the Monitoring Committee was held on 26 November 2012, guaranteeing the continuous monitoring of the application of the Framework Protocol.
- Agreement of the **Sectoral Conference on Equality** on 21 May 2012 to modify its Regulation with the aim of including "assistance for victims of trafficking of human beings for sexual exploitation."

At the same time, collaboration was requested from the autonomous regions to help the development of the Framework Protocol on the Protection of Victims of Human Trafficking in their respective territorial areas.

Finally, to boost the monitoring and coordination of actions for the care and protection of female victims of trafficking for sexual exploitation in each region, the Government Delegation against Gender Violence has increased the involvement of the Units for Coordination and on Violence against Women in the Government Delegations, Sub-Delegations and the Insular Departments. It has promoted their training in this area and included among their functions the fight against trafficking in human beings for sexual exploitation.

## 5. Conclusions.

The execution of the Comprehensive Plan to Combat Human Trafficking for Sexual Exploitation ended on 31 December 2012.

The follow-up on the execution of the Plan in 2012 makes clear that over the four years of the Plan the different ministerial departments have included measures adopted in the Plan's first year in force into their ordinary activity and ensured they continued throughout the period.

At the same time, in 2012 the appropriate measures were executed to ensure the Plan would be completed within its scheduled period, as explained in the III Report on the Execution of the Plan in 2011. Above all, the need to make progress on the following aspects was made clear:

- Research, raising awareness, prevention and training.
  - Continue to raise awareness among the population in general.
  - Boost the recognition of 18 October as the International Day against Trafficking in Human Beings.
  - Make progress in raising awareness, improving skills and specialised training for the professionals involved.
- Care and protection for victims:
  - Carry out continuous monitoring of the application of the Framework Protocol to allow the participation of organisations specialising in assistance for victims.
  - Promote coordination between the different public administrations with powers in this area.
  - Study the indications available for detecting and identifying victims.
  - Maintain updated the Guide of Resources for the care for victims of trafficking in human beings for sexual exploitation.
  - Improve the monitoring of the assistance provided to victims of human trafficking for sexual exploitation by organisations benefiting from public subsidies.
- Legislative measures:

- Reform the Law on Criminal Proceedings to bring the provisions affecting crimes related to trafficking into line with other legal provisions.
  - Increase the seizure of goods proceeding from people trafficking.
  - Make progress in the transposition of Directive 2011/36/EU.
- o Prosecution of the crime:
- Extend the collection of data on human trafficking for sexual exploitation to improve knowledge regarding the size of the problem and the response needed to these situations.

In 2012 the following actions were carried out in accordance with these indications:

- The continuity of information, training and raising-awareness actions begun in 2009, which have been integrated into the working plan of each department.
- The constitution and notification by the Monitoring Committee of the Inter-institutional Agreement approving the Framework Protocol for the Protection of Victims of Human Trafficking.
- The creation and promotion of platforms for the exchange of information and cooperation between the different institutions and bodies involved in this area. Particular emphasis has been placed on collaboration with the autonomous regions and cities of Ceuta and Melilla in relation to care for victims of human trafficking for sexual exploitation within the framework of the Sectoral Conference on Equality.
- The improvement of resources aimed at assisting victims of trafficking in human beings for sexual exploitation, by supporting specialised organisations through calls for grants.
- Regular updating of the Guide of Resources for the care for victims of trafficking in human beings for sexual exploitation.
- The preparation of tools for the detection of possible victims of human trafficking by professionals not specialised in the area but who may enter into contact with possible victims in their daily activity.
- All the institutions are working to improve the system of information gathering and monitoring, with the aim of achieving reliable data on the extent of trafficking in human beings for sexual exploitation in Spain and the institutional response to these situations. In 2012 data are already

available on the application of changes to the law introduced in 2010 and 2011.

Finally, a major effort has been made to maintain the funding of measures included in the Comprehensive Plan, increasing the amount spent on resources aimed at assisting and protecting victims, as well as the training and specialisation of professionals, particularly of the state law enforcement agencies, taking advantage of existing information and raising-awareness campaigns to continue to strengthen public opposition to this situation.

Thus in 2012, the General State Administration allocated 4.9 million euros to execute the measures included in the Plan.



**ANNEX:**

**THE COMPREHENSIVE PLAN  
TO COMBAT HUMAN  
TRAFFICKING FOR SEXUAL  
EXPLOITATION**

**2012 DATA**

## 1. Law enforcement actions<sup>6</sup>

### 1.1 Prevention

- 2,201 administrative inspections of places of prostitution.
- In urban areas (38%), rural areas (32%), outskirts of cities and industrial estates (30%).
- 12,305 people at risk detected, mainly women. An average of 6 people at risk have been detected per inspection.<sup>7</sup>
- 92% of people at risk are legally in Spain.
- "Strip clubs" are the venues with the greatest number of people at risk (73%).

### 1.2 Police prosecution of crimes of trafficking in human beings for sexual exploitation and of sexual exploitation.

- 239 police statements/reports (55 involving trafficking in human beings for sexual exploitation and 184 involving sexual exploitation).
- Actions against 4 criminal organisations and 12 criminal gangs linked to human trafficking and 5 criminal organisations and 19 criminal gangs related to sexual exploitation.
- 566 people arrested, 195 for trafficking in human beings and 371 for sexual exploitation. Those arrested for human trafficking are mainly Romanian (46%), Spanish (23%) and Nigerian (10%). Those arrested for sexual exploitation are mainly Spanish (46%), Chinese (17%) and Romanian (14%).
- 976 victims identified (125 of trafficking for sexual exploitation and 851 of sexual exploitation).
- The most common profile of a victim of trafficking is as follows:
  - A woman between the ages of 18 and 22.
  - Without the proper legal papers.
  - Mainly from Romania and Paraguay (27%, respectively) and Brazil (10%).
- 21 victims under legal age identified (6 victims of trafficking and 15 of sexual exploitation).

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<sup>6</sup> Data from the Ministry of the Interior (law enforcement agencies) referring to trafficking in human beings and sexual exploitation.

<sup>7</sup> Person at risk: a person detected by the state law enforcement agencies engaged in prostitution in locations where inspections are carried out.

## 2. Judicial actions<sup>8</sup>

### 2.1 Preliminary proceedings:

Proceedings for human trafficking for sexual exploitation 2012: 131		
People investigated:	Victims:	Criminal organisations:
650	406	25

- o People arrested and presumed authors are mainly Romanian (161), Spanish (114), Chinese (58), Nigerians (51) and Paraguayans (33).
- o Alleged victims of human trafficking for sexual exploitation are mainly Romanian (103), Paraguayan (70), Chinese (45) and Nigerian (22).

### 2.2 Provisional classifications:

INDICTMENTS FOR HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION 2012											
Articles 318 bis and 188 of the Criminal Code (before the Criminal Code reform)						Article 177 bis of the Criminal Code (after the Criminal Code reform)					
No	Accused: 51		Victims: 46			No	Accused: 15		Victims: 13		
	Men	Women	Men	Women	Minors		Men	Women	Men	Women	Minors
14	35	16	14	32	0	9	10	5	0	11	2

- o Those accused are mainly Spanish (20), Romanians (10), Brazilian (9) and Nigerian (7).
- o Among the victims there are 29 Brazilians and 7 Romanians (2 minors).

### 2.2 Sentences:

- o Two convictions:
  - The Provincial Court of Madrid: two convicted of Paraguayan nationality, one man and one woman. Two victims of Paraguayan nationality, both women.

<sup>8</sup> Monitoring data of actions by the Public Prosecutor's Office in 2012, based on an analysis of the criminal proceedings underway (not differentiating between the preliminary investigation researches, fast-track proceedings trails or committal proceedings) and of the indictment actually filed.

- The Provincial Court of Barcelona: one man convicted of Bulgarian nationality. One female victim of legal age of Bulgarian nationality.

### 3. Protection of foreign victims of human trafficking who are irregular immigrants.<sup>9</sup>

- Of the 976 victims of human trafficking for sexual exploitation and of sexual exploitation identified in 2012, 377 were in an irregular situation (39%). All of them were offered the chance to take advantage of the statutory period of recovery and reflection.
- In 2012, 81 victims of human trafficking for sexual exploitation and of sexual exploitation in an irregular situation agreed to take up the period of recovery and reflection.
- A total of 60 periods of recovery and reflection were accepted and 11 refused.<sup>10</sup>
- In addition, 66 authorisations for residence and employment under exceptional circumstances were made (55 provisional and 11 final).

### 4. Support for victims of human trafficking for sexual exploitation<sup>11</sup>.

- A call for grants was issued for 2012 under the terms of Order SSI/1839/2012 of 2 August, approving the terms and conditions for the concession of public grants to projects offering support and social assistance to women who are victims of trafficking in human beings for sexual exploitation. The recipients were 40 non-profit organisations that specialise in caring for victims of human trafficking for sexual exploitation, including victims who are minors, as well as their children.

Some of these organisations also make use of associates. Overall, they have made available the following resources to women who are possible victims of human trafficking for sexual exploitation:

RESOURCES WITH ACCOMMODATION	TOTAL ACCOMMODATION RESOURCES (flats, reception centres, etc.)	PLACES	MINORS
		49	250
OTHER RESOURCES	OUTPATIENT ASSISTANCE	MOBILE UNITS	PHONE LINES

<sup>9</sup> Ministry of the Interior data.

<sup>10</sup> This figure refers to the number of periods of recovery and reflection that were granted and refused in 2012, regardless of the time when the proposal for the award was made.

<sup>11</sup> Ministry of Health, Social Services and Equality.

	(centres)		
	81	57	25 (15 lines with 24-hour service)

- o In 2012 a total of 34,532 women at risk were contacted<sup>12</sup> through the various forms of contacting possible victims (mobile units, phone lines, visits to flats and sites, etc.) as well as referral by the state law enforcement agencies and other bodies and services. Of these, 5,898 received assistance.
- o Of the total women assisted, the subsidised organisations have seen signs or detected situations of human trafficking for sexual exploitation or sexual exploitation in 1,317 of them; and a total of 192 reports were filed in these cases.
- o Of the women in whom signs of human trafficking were detected, 44% were aged between 26 and 35, with their main countries of origin being Romania, Nigeria and Brazil.
- o In 57% of the 199 reports filed, the possible victims were aged between 18 and 25, and 13 were under 18.

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<sup>12</sup> 18,275 people contacted through the service of the 57 mobile units, 7,129 through calls to the organisations' phone lines (not all the organisations with a phone line have figures on the women contacted by this system) and 977 people referred by the law enforcement agencies and other bodies and services; the rest were either contacted through visits to flats or premises where prostitution exercised, or it was the women who went to the organisation's centre.