

Procedure that follows the preliminary identification of the victim during and along the application of international protection. Actors first notified and involved in and upon the identification.

The asylum procedure instructors of the Oficina de Asilo, attached to the Ministerio del Interior, can detect signs of trafficking in the context of an asylum application, both in the in-country procedure (regular refugee status determination procedure), and in the process at the border (accelerated procedure, i.e. at border points or detention centres). In accordance with the Framework Protocol, they have an obligation to inform the police authorities assigned to the asylum procedure about the detection of possible signs of trafficking so that they then inform the specialised human trafficking police.

When the instructor within the Oficina de Asilo or the police assigned to the asylum procedure notify the police specialised in dealing with the detection of the possible signs, we can in practice find two scenarios:

1. That the specialised trafficking police formally activate the identification procedure. In the event that the formal identification procedure is activated, as we have already explained in the identification question (No. 7), the police must have a specialised entity to assist the victim throughout the formal identification procedure.
2. That it does not activate the formal procedure because it considers that the evidence found is not such or that it is insufficient.

On other occasions, it is the attorneys on duty ex officio or the specialised asylum lawyers of non-governmental organizations that assist applicants who communicate the detection of that evidence to the instructors at the Oficina de Asilo.

UNHCR protection officers can also find evidence of trafficking as they have access to asylum request interviews in Spain.

In the in-country procedure (regular refugee status determination procedure), the Unidad de Trabajo Social of the Ministerio de Trabajo, Migraciones y Seguridad Social, which assesses social protection needs and the vulnerability of the various cases, can also find evidence of trafficking. The Unidad de Trabajo Social can, after making a first assessment of the case, request the intervention of entities specialised in trafficking to be able to confirm whether these find evidence of trafficking and that these can offer the alleged victim resources adequate to their needs and considering their possible risk situation.

In those cases, in which a boat arrives at Spanish territory, the action procedure is that the police will, after the migrants have received primary attention from the Spanish Red Cross, take their fingerprints and collect their personal information. If, in this context, they detect possible evidence of trafficking, they must inform, and refer the case to, the Police unit specialised in human trafficking. These people are transferred to humanitarian reception resources, some of which are specialised in addressing situations of special vulnerability and from there they often begin their asylum application process. In that context, the organisations that manage these shelters can detect

evidence of trafficking and usually inform the Unidad de Trabajo social of the Ministerio de Migraciones so that the case can be referred to a specialised resource.¹

Procedure of preliminary identification and further notification at border crossings

When possible evidence of trafficking is found in the border procedure (accelerated procedure at border points), the instructors of the Oficina de Asilo must notify this information to the police authorities. Police authorities specialised in trafficking will assess, using the information sent to them in writing on the case, whether or not to activate the formal identification procedure. If they activate the formal procedure, an entity specialised in assisting victims of trafficking must participate. If the specialised police consider that the person is a victim of trafficking, the person enters the territory regardless of whether their asylum application is admitted for processing or not.

If the specialised police authorities do not formally activate the formal identification process or if, after the assessment interview, they do not consider that they are victims of trafficking, the person can be admitted to the territory if their asylum application has been admitted for processing. Otherwise they will be returned to the last place from which they travelled to Spain.

In October 2019, a Procedimiento Piloto de Derivación De Potenciales Víctimas De Trata De Seres Humanos Solicitantes De Protección Internacional Aeropuertos {Pilot Procedure for the Referral of Potential Victims of Trafficking in Human Beings Applicants for International Protection of Airports} - Madrid Barajas was approved, promoted by the Secretaría de Estado de Migraciones of the Ministerio de Trabajo, Migraciones y Seguridad Social.

The Objective of the new Procedure is ***"To establish guidelines for the arrival of foreigners at airports requesting international protection when it is suspected that they may be subject to a situation of human trafficking for their proper referral to an appropriate resource"***.

The Administration services **involved in the procedure are:** Oficina de Asilo y Refugio, Subdirección General Programas Protección Internacional of the Ministerio de Migraciones, Trabajo y Seguridad Social, the Delegación Gobierno para combatir la Violencia de Género of the Ministerio de Presidencia, Relationships with the Courts and Equality, and the Unidades de Coordinación y Violencia contra la Mujer, of the Ministerio de Política Territorial y Función Pública;

Other actors involved: UNHCR, Red Cross, NGOs specialising in trafficking: Adoratrices - Proyecto Esperanza, APRAMP, Diaconate, Fundación Cruz Blanca and an NGO specialised in Asylum: CEAR

The **steps in the procedure are as follows:**

1. Detection of signs of trafficking and communication to the Oficina de Asilo

If any of the actors involved in the asylum procedure finds possible evidence of trafficking in an asylum application, they must fill in a form with the evidence for trafficking found and communicate it to the asylum instructor of the Oficina de Asilo y Refugio.

2. Communication to the Red Cross

The asylum instructor who has found possible evidence of trafficking in an application or who has received information from any of the actors involved communicates it to the Red Cross. This

¹ According to a Lawyer from the organization CEAR (personal communication, December 16th, 2019)

organisation has a team present at the airport, in the asylum seekers' room at the airport, to offer social support to people who are there waiting for a response to their asylum application.

The Red Cross contacts the entity specialising in trafficking on duty (three specialised entities take shifts of 10 days each to cover the entire month).

3. Specialised entity intervention

The entity specialising in trafficking on duty will receive the evidence file, will coordinate with the various actors who have information on the case and will move to the airport to establish direct contact with the possible victim to assess their situation and their needs and confirm whether evidence of trafficking has been found or not.

4. Confirmation or not of evidence and referral to the appropriate resource depending on the case

After that intervention the entity will issue a report, communicating the finding or not of evidence to the authorities of the Oficina de Asilo and making a proposal for intervention in accordance with the needs detected. The specialised entity will have to specify whether it considers that the person should be accepted:

- Into a general resource within the framework of the international protection system
- Into a resource for especially vulnerable populations within the international protection system
- Into a resource specialised in trafficking within the framework of the asylum protection system

The procedure provides that the possible victim must be informed of their rights and their options and that they will be offered the resources considered appropriate for their situation, but they will have the final decision on whether or not to enter a specialised resource for victims of trafficking within the asylum framework.

Procedure that follows a first contact from the specialized anti trafficking organization with a presumed victim towards the application for asylum. Role of the specialized anti trafficking organization in referring to asylum actors.

When our entity detects that a trafficking victim we are dealing with (detected or formally identified) may be in need of international protection, we coordinate first with the Legal Service of CEAR (Comisión Española de Ayuda al Refugiado - Spanish Commission for Refugee Assistance), an organisation specialised in the asylum framework with which we have established a collaboration agreement for cases with a connection between trafficking and asylum. We work in coordination so that CEAR can assess the asylum case and assist the person from the very first moment to submit their asylum application under the best circumstances. Together we take care of the case throughout the entire process so that the person can be dealt with comprehensively, according to their dual status as a victim of trafficking and an asylum seeker. We coordinate and work together to justify the case and so the asylum authorities receive full, detailed information about their circumstances and needs, within the appropriate timeframe for the appropriate decisions to be taken.

Another possibility is that some person or entity finds evidence of trafficking after the person has formalised their asylum application and it has already been admitted for processing. Sometimes the person is receiving support from entities specialised in asylum and these, within the framework of their intervention, find some signs of trafficking. In these circumstances, the organisation that is providing support to the person may contact a specialised trafficking entity directly to assess the

case and confirm whether or not it finds evidence of trafficking or the Unidad de Trabajo Social of the Ministerio de Migraciones. Should the detection of evidence be confirmed, it is possible to proceed later, if the possible victim of trafficking so wishes, to initiate the formal identification procedure with the authorities specialised in trafficking.

In any event, if evidence of trafficking and a possible risk situation are found in cases of forced return to their country of origin, it is very important to communicate it formally and in detail to the authorities of the Oficina de Asilo so that this aspect can be taken into account in the assessment of the granting or not of the asylum status or of subsidiary protection.

Measures foreseen at national law for victims of human trafficking, when applying for asylum, in order to meet his/her special needs (e.g. trauma, safety of their integrity, etc.). Referral of victims to specialized organizations, authorities or bodies.

Ley 12/2009, of October 30, regulating the right to asylum and subsidiary protection provides, in its article 46, titled General protection regime that:

1. Within the framework of this Law, and in the terms in which it is implemented as regulations, the specific situation of applicants or beneficiaries of international protection in vulnerable situations, such as minors, unaccompanied minors, persons with disabilities, older people, pregnant women, single-parent families with minors, people who have suffered torture, rape or other serious forms of psychological, physical or sexual violence and victims of human trafficking will be taken into account.

2. Given their situation of special vulnerability, the necessary measures will be taken to provide a different processing, when necessary, of the international protection requests made by the persons referred to in the previous section. Likewise, specific processing will be given to those who, due to their personal characteristics, may have been subject to persecution for several of the reasons provided for in this Law.

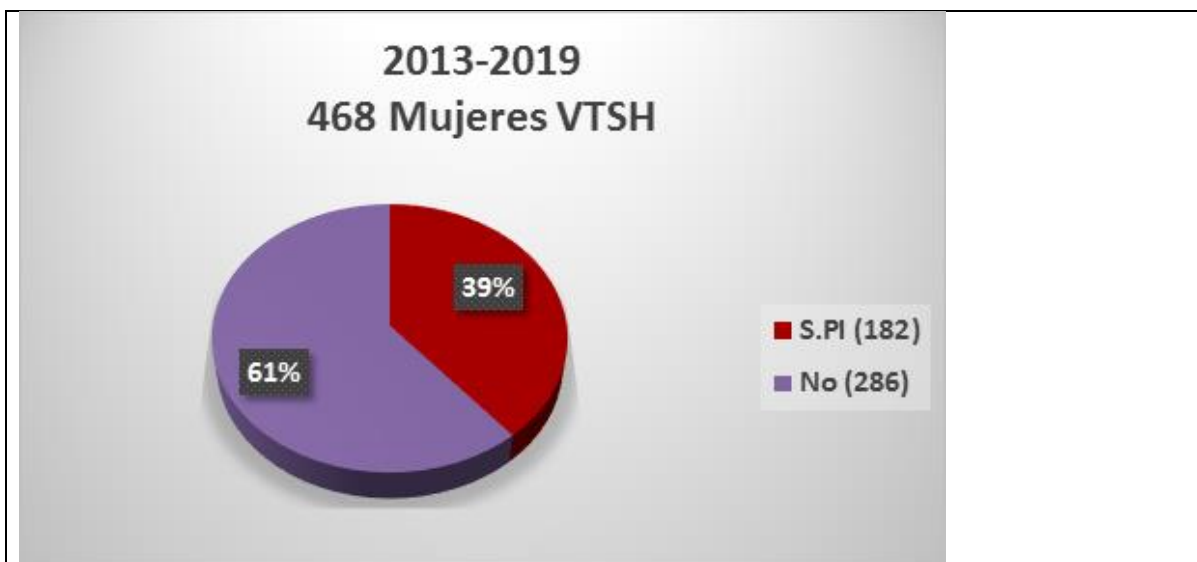
3. For humanitarian reasons other than those given in the subsidiary protection statute, the permanent stay of the applicant for international protection in Spain may be authorised under the terms established by the current regulations on aliens and immigration.

The Ley de Asilo should have been implemented through regulations that specify the conditions, measures and requirements for applications, however, 10 years after its approval, the asylum law still does not have an implementation regulation.

Number of asylum applicants (and beneficiaries, if any) assisted by Proyecto Esperanza-Adoratrices between 2013-2019

If your organization is not dealing with trafficked persons applicant or beneficiaries of asylum, please consult other organizations in your country involved in the asylum system.

Between 2013-2019, 182 asylum seekers = 39% of total trafficking survivors were assisted by Proyecto Esperanza.



Access to the labour market by applicants for international protection. Timeframe and conditions in the access to the labor market.

In Spain people applying for asylum can legally work 6 months after their asylum application has been admitted for processing. They can work in any sector, with no geographical limitations within Spain.

With a pending application/ongoing asylum procedure, does the trafficked person have the right to apply for a residence permit, on the ground of his/her trafficking experiences? Can the two processes be reconciled and simultaneous?

A victim of trafficking who has a provisional residence and work permit as a victim of trafficking, either because of their collaboration with the police or judicial authorities, or because of their personal circumstances, can simultaneously have a request for asylum admitted pending its resolution.

If their asylum application is resolved favourably and they are granted asylum status, they must decide which of the permits they want to keep, because having the asylum status granted means they cannot keep the other permit.

If a trafficked person, holder of a residence permit in your state applies for international protection: does the Dublin III Directive enter into force? Is there any additional procedure needed in order to plead to the jurisdiction? Is your state responsible for the examination of the application?

In this case, according to the Dublin law, if the person who has been trafficked has been granted a residence permit because of their status as a victim and subsequently submits an asylum application, the State that granted the residence permit is the State competent to assess and resolve their asylum application.²

Description of the type of challenges/shortcomings and good practices/good examples with respect to the granting of international protection for trafficked persons.

²According to a Lawyer from the organization CEAR (personal communication, December 16th, 2019)

Among the shortcomings, we highlight the absence of a clearly differentiated procedure for cases of vulnerable asylum seekers, including victims of trafficking. In this sense, the lack of regulatory development has prevented defining what measures will be taken to give a different processing to requests for international protection made by people who are in a situation of vulnerability, in accordance with article 46 of the Asylum Law.

In practice, asylum instructors frequently limit interviews with the requesting person in a situation of vulnerability to avoid re-victimisation.

In Spain, some years ago, the competent authorities within the asylum framework considered that asylum protection was incompatible with protection as a victim of trafficking through the law on the rights and freedoms of foreigners in Spain. They considered that the two protection frameworks were exclusive, but in the last 3 years there have been very significant advances that support compatibility between the two protection systems.

Since 2010 we at Proyecto Esperanza have built strategic alliances with entities specialised in the care of asylum seekers, especially with the Comisión Española de Ayuda al Refugiado (CEAR). This collaboration has been very positive and fruitful. Both organisations have had training exchanges and have worked closely on many cases of victims of trafficking seeking asylum.

Both organizations, CEAR and Proyecto Esperanza, together with the Red Española contra la Trata de Personas, of which both organizations are members, have been constantly influencing the Public Administration to achieve:

- that victims of trafficking are not being excluded from the international protection framework
- an improvement of the detection of possible cases of trafficking within the framework of the asylum procedure
- an adequate assessment of the specific needs of possible victims and offering them support and acceptance into suitable, specialised resources.

Since mid-2016, we have observed, together with UNHCR and other organizations providing legal and social support to asylum seekers, a more sensitive approach to the assessment of asylum applications from presumed victims of THB during the accelerated procedure (i.e. at border points or detention centers) and a higher admissibility rate in the regular refugee status determination procedure.

In terms of reception, specific reception places are financed by the Ministerio de Migraciones for people in vulnerable situations. For women victims of trafficking, it is very positive that in the last two years they have begun to finance specific reception places within the international protection framework, managed by entities specialised in comprehensive support for women victims of trafficking, including Proyecto Esperanza. However, these specific places are not intended for men or for minors who are victims of trafficking seeking asylum.

Among the advances we highlight, is that in April 2019 we were summoned by the Ministerio de Migraciones, together with other organisations specialised in supporting victims of trafficking, to participate in the drafting of the Procedimiento de Derivación de Potenciales Víctimas de Trata de Seres Humanos solicitantes de Protección Internacional en el Aeropuertos {Procedure for the Referral of Potential Victims of Trafficking in Human Beings requesting International Protection in Airports} that was approved on October 15, 2019 (See details in question No. 37)

We also consider very positive that since 2018 border police officers working in the international airport in Madrid have been trained to better detect trafficking indicators at the border and to better intervene in cases where the person files an Asylum request at the border and trafficking indicators emerge.

In parallel with these advances, significant difficulties have arisen in the last two years, related to the fact that there have been numerous personnel changes in the Oficina de Asilo, in particular changes in the asylum instructors, who have the fundamental role of admitting, or not, to processing of applications and preparing the file and proposing a positive or negative criterion for the inter-ministerial commission on asylum and refugees to make the final decision on the case. These changes have meant having to retrain the staff employed, both in everything related to the asylum framework in general, and in the specific issue of human trafficking. We believe that the training they have received has not been enough.

Another major difficulty has arisen from the exponential increase in asylum applications filed in Spain in the last 3 years. Although there has been an increase in staff dedicated to processing applications and preparing files, the staff is clearly insufficient for the number of applications submitted. This often means that, when a person expresses their intention to formalise an asylum application, they will be given an appointment months later. In some Spanish provinces they have to wait between 8 and 12 months to formalise the application. Subsequently, the time taken for the resolution of the applications can be greatly extended, there are people who wait years for their case to be resolved.

On the other hand, although the number of reception places financed by the Ministerio de Migraciones has increased, the reception system is saturated, as there are more people in need of reception than there are places available.

Another of the challenges, despite the progress, is that we consider it necessary to continue improving the detection of evidence of trafficking within the framework of the asylum procedure by all the actors and to continue to strengthen the training on possible connections between trafficking and asylum for key agents of:

- the police assigned to the asylum procedure
- Lawyers
- Interpreters

Case Study

Case 1

**International Protection and Trafficking
Granted
+
Forced Return under Dublin**

Mrs. M is an 18 years old Nigerian woman, from a family with very limited economic resources and without formal education. A woman from her region offered her to travel to Europe to work under the condition of paying the sum of 40.000€ on travel expenses. Since Mrs. M was not familiar with the Euro real value she considered it an amount she could take on and, therefore, agreed to the proposal. To seal the agreement, the woman who had offered her to travel took Mrs. M to perform a voodoo ritual.

Mrs. M started her trip to Morocco accompanied by a man who abused her; as a result, she got pregnant. She crossed the Gibraltar Strait in a small boat whilst heavily pregnant. When she reached the Spanish South shore she received assistance from the humanitarian aid to immigrants' programme and gave birth to her son. Following the instructions of her trafficker Mrs. M applied for asylum and didn't tell anyone her true story.

When her asylum request was admitted to be processed Mrs. M, following the indications given by the trafficking network, moved to a different Spanish province, where she lived in a flat together with her traffickers and was forced to engage in prostitution in order to pay her debt off. When her asylum request was refused her administrative situation in Spain became irregular. Subsequently the trafficking network sent Mrs. M to Switzerland (where they considered she would make more money), where she continued being exploited. In Switzerland the trafficking network continued pressing and controlling her under the threats of killing her family if she did not pay her debt off. Mrs M. had to leave her son in charge of a Nigerian woman.

Whilst in Switzerland, Mrs. M presented another asylum request, but, since her fingerprints had been registered in the informatics system EURODAC, she was returned back to Spain upon enforcement of the Dublin Regulation. Upon arriving in Spain Mrs. M was sent to a temporary reception centre for vulnerable persons whose asylum request has been rejected, run by the NGO CEAR (Spanish Commission for Refugees). CEAR staff identified possible trafficking indicators in Mrs. M case and they referred her to Proyecto Esperanza.

We at Proyecto Esperanza interviewed her and she told us the situation she'd been going through. We offered her to stay in our shelter and to receive specialized support, to which she agreed. In February 2016, together with CEAR's legal department, we supported Mrs. M in presenting a second asylum request, this time providing all the information about the real facts. On the other hand, and due to her fear of the trafficking network, Mrs. M refused contact with the police unit specialized in trafficking in order to be formally identified as a victim of trafficking.

Since she had not completed the payment of her debt, Mrs. M manifested being very scared about her family in Nigeria as they received constant threats from the traffickers. At the same time, and because of her very deteriorated mental and physical health she felt unable to continue engaged in prostitution. A few months later the threats against her family were enforced: a group of men went to Mrs. M's family home in Nigeria, burnt it and beaten his brother. Later on, her parents were killed

by gunshots.

All this information was incorporated into her asylum request file, and finally in March 2018, Mrs. M was granted refugee status.

Case 2	International Protection and Trafficking <ul style="list-style-type: none">- Asylum status denied Recovery and Reflection Period <ul style="list-style-type: none">- Denied Forced Removal
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Mrs. T is a 38 years old woman originally from Vietnam who fled her country for reasons of gender-based violence in the context of marriage.

In Cambodia she met a woman who offered her to travel to China for work, saying she would pay for her travel expenses. Mrs. T accepted. She was transferred to China, as part of a bigger group, first in a van and afterwards by ferry. Once in China she was exploited for labour in the agriculture sector. She remained in this exploitative situation for years. During this time, she was retained and deprived from freedom. At one point Mrs. T was given by her traffickers to a man who was looking for a domestic worker. She was subjected to labour exploitation and to continuous sexual aggressions, as well as to degrading treatment in addition to being always locked inside the house.

She eventually managed to run away from that house and got in touch with a Vietnamese woman who offered her the possibility of travelling to Dubai. In Dubai she worked as a live-in domestic worker for a family. She did get a salary, but her employer continuously sexually abused her. A few months later, and for this reason, she left the house. Is in that context that she met some Vietnamese whom took her to their place, where she met other women who were also staying there. Mrs. T realized they were engaged in prostitution. She wasn't forced into prostitution because, she's told, was too old, but she's offered a trip to Europe where she could work (without specifying the type of work she would be doing). Since she had acquired a debt of 10.000\$, and due to her vulnerable position, Mrs. T had no other option than to agree. Before starting her trip those persons spoke to her sister in Vietnam, and made sure to know where she lived.

Mrs. T requested internal protection upon arrival at the Madrid airport. In parallel, the Framework Protocol for the Protection of Victims of Trafficking in Human Beings was activated after the staff in charge of reviewing the asylum requests identified indicators of trafficking in Mrs. T international protection request. In spite of this Mrs. T asylum request was refused, as it was the appeal request she filed. On the other hand, the police unit specialized on trafficking went to the airport to interview Mrs. T, but they didn't observe indicators of trafficking in her story. Her asylum lawyer (belonging to CEAR, the Spanish Commission for Refugees) submitted a plea of urgent measures to avoid the deportation of Mrs. T on the basis of the dangers she would face if deported ("medidas cautelarisimas" in

Spanish), which were, also, refused. This case was later on appealed to the European Court of Human Rights, which also rejected it.

At the moment of her deportation back to Dubai (the country she had travelled to Spain from) by the Spanish authorities she showed a strong opposition and physically refused to get into the airplane. Under those conditions the airplane commander refused to allow Mrs. T boarding. Since Mrs. T deportation was not possible, she was allowed entry into the Spanish territory with disciplinary measures according to which she had to abandon Spain in 15 days, in accordance to the Spanish immigration law.

Since from our perspective it was a case that showed clear indicators of trafficking we at Proyecto Esperanza offered Mrs. T a place in our shelter. The day after she checked inn, Mrs. T told us she was very afraid of the traffickers' reprisals against her family in case she would not pay her debt off, since they knew where her sister was living. It was for this reason that Mrs. T decided to abandon the shelter and come back to her traffickers and submit to their conditions. We informed the police unit specialized on trafficking of this situation.

Case 3	International Protection and Trafficking - Good Practise - Case Dublin Convention Referral from Denmark to Spain
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Nigerian woman, from a family with limited resources, who works as a street vendor. She meets a woman with whom she shares her concerns about her precarious economic situation and who tells her that she can help her get out of this situation. In exchange for 50,000 euros, she offers to finance and organize her trip to Europe, and to provide her with a job offer once there. The woman agrees, unaware of the difference in value between naira and euros, and ignoring the exorbitant amount of money she agrees to pay as a debt.

Upon her arrival to Spain by plane, two men pick her up at the Madrid airport. They take her travel documents away and take her to an apartment where she is raped and held for three months. During those months she is forced into prostitution every day of the week, from 5:00pm until 6:00am the next day. At the end of each night they take away all the money she has earned.

At the end of those three months, the trafficker sends the woman to Denmark in order to keep her in prostitution and generate more income, while continuing to subject her to constant threats

In one year, she earns 11,000 euros for the trafficking network. Meanwhile, her family in her country of origin receives threats from the trafficker because, in her opinion, she is not paying off her debt quickly enough.

Intervention and referral

After several months in Denmark, the woman is detected by the Danish authorities as a victim of trafficking for sexual exploitation in prostitution, and is formally identified as a victim of trafficking by the Danish Immigration Service.

The Danish authorities inform the woman of her rights, and she receives specific support as a victim of trafficking. She is granted a reflection recovery period.

The woman applies for International Protection in Denmark and the Danish authorities apply the Dublin Regulation, coordinating her return to Spain so that the Spanish authorities can assess her asylum application, since Spain is the country of her entry to Europe.

She is referred by the Danish authorities to Proyecto Esperanza as a specialized anti-trafficking organization so that she can receive comprehensive support upon her arrival in Spain.

Even though a formal cooperation or referral agreement doesn't exist between Proyecto Esperanza and the Danish counterpart, a prior knowledge exists between both organizations since representatives from the Danish organization have previously visited Proyecto Esperanza during a study visit to Spain.

At Proyecto Esperanza we are provided with an initial assessment of the woman's needs from Denmark. Additionally, we carry out a preliminary risk assessment whilst the woman is still in Denmark. Both assessments are completed once she arrives in Spain. Before her arrival, she receives information about her rights and options in Spain.

In order to ensure her correct detection and specialized reception in Spain, prior to her arrival, from Proyecto Esperanza we coordinate with the organization offering support to migrants returned to Spain under the Dublin Regulation at the Madrid airport, as well as with the National Police,

Upon arrival at the airport the coordination works correctly, and the woman is referred to Proyecto Esperanza, where she receives information about her rights and options in Spain, as well as comprehensive support, including accommodation, medical and psychological support, support for socio-labour integration and legal advice.

The woman formalizes a new asylum application in Spain, providing information on the trafficking situation she has experienced, and on the well-founded fear she has of returning to her country where she may receive reprisals from the trafficking network to which she has not finished paying the debt demanded.

Good practices:

- The referral takes place with sufficient time to be able to work the case properly, and to adequately prepare the intervention for the moment when the woman is returned to Spain in application of the Dublin Regulation.
- The Danish authorities issue and share, with the woman's authorization, a detailed report that facilitates the understanding of the situation in which she finds herself.
- The referring organization in Denmark facilitates the direct contact of the victim with the receiving organization in Spain, while she is still there, so that she can be directly informed of her options and rights and can raise all doubts and questions, thus generating trust and a bond between the woman and Proyecto Esperanza as the receiving organization.
- With adequate time, Proyecto Esperanza coordinates with the authorities and other key actors to be able to guarantee, in an adequate manner, the woman's reception from the first moment she returns to Spain.

Observations:

- In order to provide adequate support and protection, it is imperative to have sufficient time to coordinate the case, including detailed information. This allows for an individualized assessment of the victim's needs and risks.
- Promoting and facilitating the victim's direct contact with the receiving organization in the country to which she is to be returned before the trip provides her with rapport and a sense of calm, and helps to generate the trust and bond necessary to be able to do a good job.
- In cases of application of the Dublin Regulation where a victim of trafficking is returned to the country where she has been previously exploited, and where the trafficking network continues to operate, if there is no proper referral and coordination between all actors, as there was in this case, there is a high risk that the victim will be traced and subjected to exploitation again.
- In this case, the woman did not have any support network in Spain, so the referral by the Danish authorities to Proyecto Esperanza was crucial for her to have her basic needs covered, to access her rights, and to carry out a comprehensive recovery process as a victim of trafficking.

Case 4	International Protection and Trafficking - Bad practice case Dublin Convention Referral from Denmark to Spain
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18 years old woman from Guinea-Conakry. There is no detailed information about her situation in her country of origin. The only available information is that she was a victim of trafficking for sexual exploitation in prostitution in both Spain and Germany.

Intervention and referral

Whilst at a center for asylum seekers in Germany, the woman is returned to Spain by the German authorities in application of the Dublin Regulation without any information, coordination or referral.

Once in Madrid, the woman telephones the professionals at the German asylum center desperately asking for help. She informs them that she is homeless and living in the street, without economic resources or support of any kind, and that she is being, once again, exploited in prostitution.

Staff at the German center contacts Proyecto Esperanza through the 24-hour emergency telephone number, and facilitates the woman's telephone number so that we can try to contact her urgently and offer her support. They do not provide us with any detailed information about the case, the woman's situation, or where she is.

We try to contact her immediately on the cell phone number provided, but it is not operational, and neither that day nor in the following days and weeks we manage to contact her. It is impossible to locate her and offer her help.

We provide the little information we have to the police and the emergency social services, but, in spite of following up the case, we have not been able to locate the woman.

Challenges:

- The German authorities do not inform the asylum center in Germany where the woman was initially held about her return to Spain.

- Despite her highly vulnerable profile, the German authorities also do not share any information, nor coordinate with the Spanish authorities, or with any specialized organization to organize the reception of the woman in Spain.
- No detailed information about the case is provided or offered by the asylum center in Germany that contacted Proyecto Esperanza.
- It is impossible to locate the woman on the cell phone number provided.

Observations:

- This case is a resounding example of malpractice.
- The authorities failed in their obligation of due diligence by not carrying out any information management or coordination in a situation that affected a woman in a position of extreme vulnerability.
- The poor performance of the authorities resulted in the re-victimization of the woman who, in the absence of any support and help, ended up being sexually exploited again in prostitution and disappeared.