

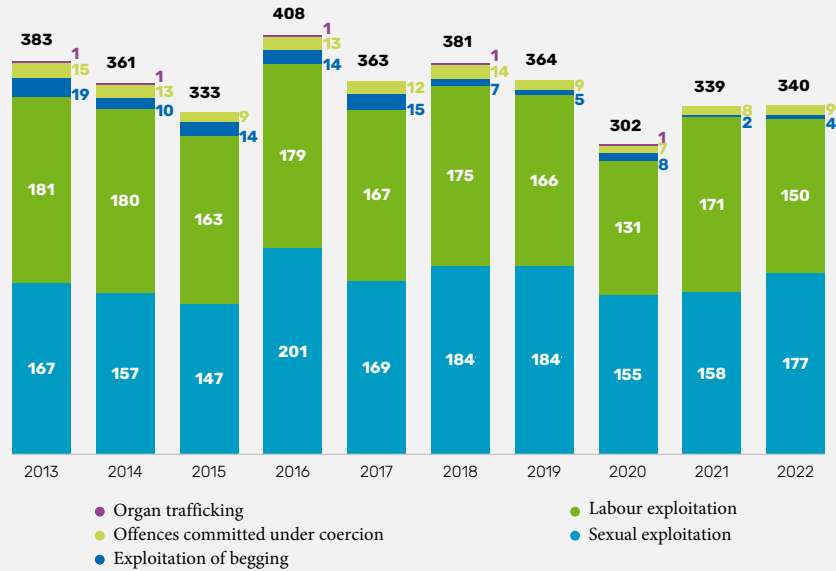
1. Human trafficking

Human trafficking offences (police data)

Human trafficking offences recorded 2013-2022

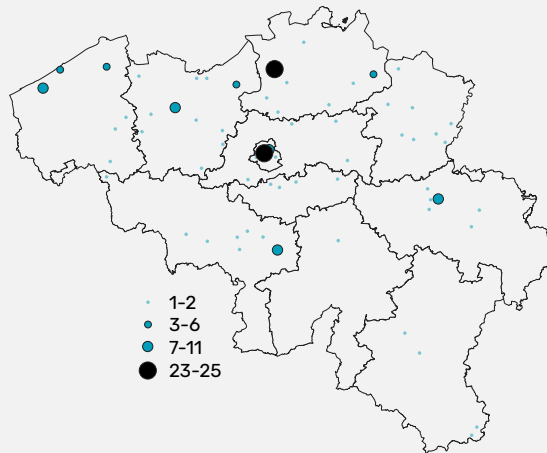
In 2022:

- 340 offences linked to human trafficking were detected by the police, a figure comparable to last year's.
- Sexual exploitation (52%) and labour exploitation (44%) remain the most detected human trafficking offences.
- However, there were also nine cases of offences committed under coercion and four cases of exploitation of begging.



Sexual exploitation offences recorded

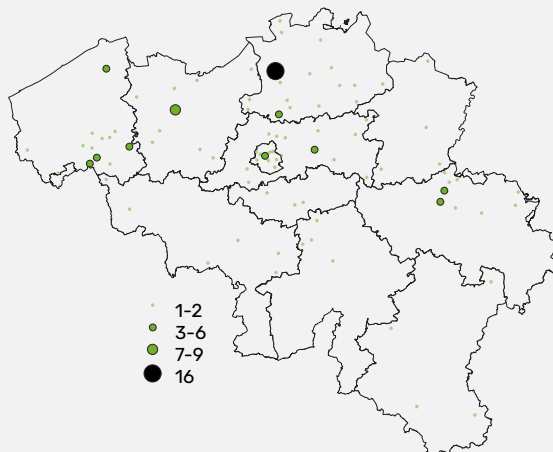
In 2022, **sexual exploitation** was most often detected in large conurbations such as Brussels-Capital (46 offences in the 19 municipalities), Antwerp (23), Ghent (9) and Liège (9).



Province	Number of offences
Brussels-Capital	46
Antwerp	34
East Flanders	22
West Flanders	20
Hainaut	15
Liège	14
Limburg	8
Luxembourg	6
Flemish Brabant	5
Walloon Brabant	5
Namur	2
Total	177

Labour exploitation offences recorded

The majority of trafficking offences for the purpose of **labour exploitation** were recorded in the cities of Antwerp (16 offences), Brussels-Capital (16 offences in the 19 municipalities) and Ghent (9). Contrary to sexual exploitation, geographic expansion was greater and the offences recorded seem to be far less connected to city centre environments.



Province	Number of offences
Antwerp	36
West Flanders	25
East Flanders	18
Flemish Brabant	16
Brussels-Capital	16
Liège	15
Hainaut	7
Luxembourg	5
Limburg	5
Namur	4
Walloon Brabant	3
Total	150

NSSO inspection department (ECOSOC teams) – Human trafficking for the purpose of labour exploitation

To present the work of the ECOSOC teams and their role in the fight against human trafficking, two indicators have been used:

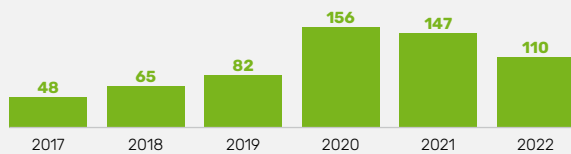
- The annual number of presumed victims of human trafficking, from closed investigations, given to the judicial authorities on the basis of criminal reports or police reports.
- The number of checklists drawn up every year. In this case, a checklist is drawn up for every presumed victim as soon as there is sufficient evidence of a possible trafficking situation, regardless of the investigation's status (at the start, during, or at the end).

Not all of the investigations closed were opened in the same calendar year; some investigations take several months or years to complete. This is also why the number of presumed victims from closed investigations is not the same as the number of presumed victims from checklists.



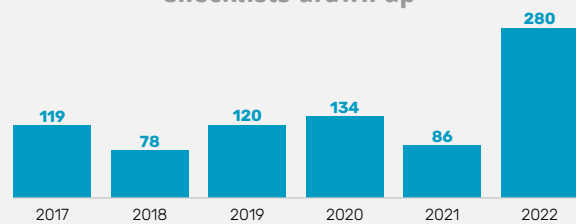
» See the external contribution at the end of this chapter for more information on the results of the NSSO's inspection services.

Presumed victims in closed investigations



In 2022, 110 potential victims of trafficking were referred to the judicial authorities after the investigation was closed. This is 25% less than in 2021. The vast majority of these victims were men (100). As in 2021, a surprisingly high number of Romanian victims were employed in the agriculture and horticulture sector.

Checklists drawn up



There were 280 checklists in 2022, which means that three times more victims were detected than in 2021. This figure is strongly influenced by large-scale cases of exploitation identified on several building sites during the summer of 2022.

Nationality	Agriculture & horticulture	Construction	Road transport	Retail	Garages	Hospitality	Domestic work	Others	Total
Romania	29	7							36
Lithuania			7						7
Slovakia		7							7
Bulgaria		6							6
Afghanistan				1	4				5
Belgium								5	5
Morocco			1	2			2		5
Brazil			1			1	1	1	4
Nigeria								4	4
Belarus			3						3
Ivory Coast								3	3
Ukraine				3					3
Burkina Faso						2			2
Congo								2	2
Eritrea				2					2
Guinea-Bissau								2	2
India		2							2
Others	1	1	1	1	1	2	2	4	12
Total	29	23	13	9	5	5	3	23	110

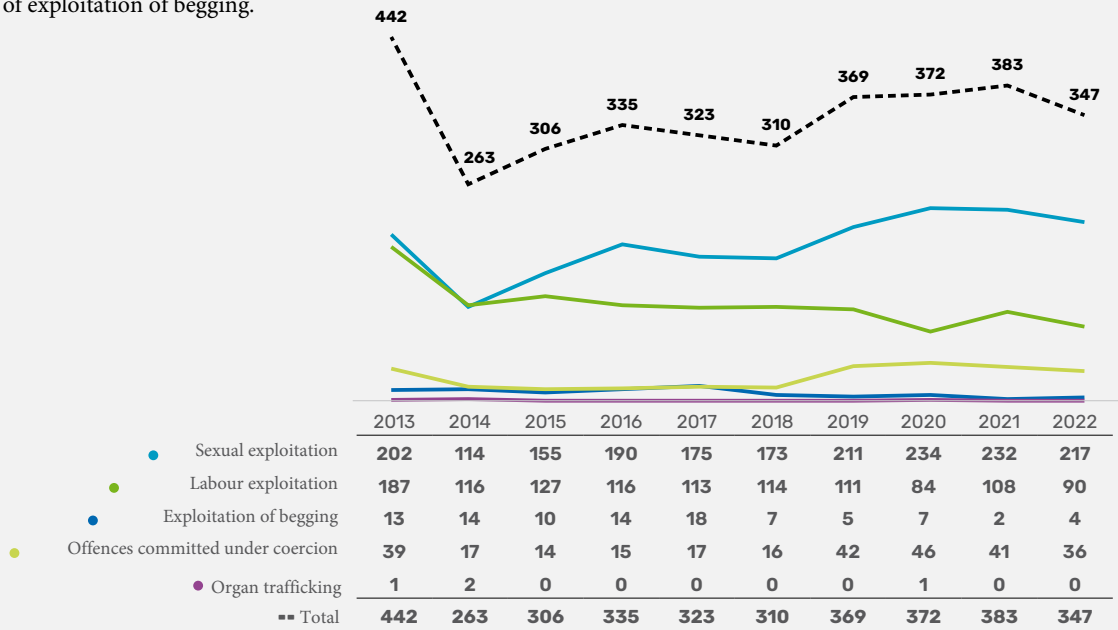
Nationality	Construction	Agriculture & horticulture	Food industry	Retail	Hospitality	Other personal services	Road transport	Domestic work	Cleaning	Others	Total
Turkey	87										87
Philippines	43										43
Bangladesh	30										30
Romania		26									26
Ukraine	18	3									21
Brazil	8	3		1			1	1	1		15
Morocco	5	2					2			2	11
Slovakia	7										7
China					1	3					4
Iran					2				2		4
Ivory Coast										3	3
Spain						2		1			3
Poland	3										3
Afghanistan				1							1
Congo										2	2
Eritrea				2							2
Guinea										2	2
India	2										2
Pakistan					2						2
Others	2	1	1	2	3			1		1	11
Total	205	27	9	7	7	5	3	3	3	11	280

Human trafficking cases submitted to the public prosecutor

In 2022:

- The criminal prosecutors' offices received 347 criminal cases related to human trafficking, i.e. only slightly less than in 2021.
- This slight decrease was observed for each purpose of exploitation, with the exception of exploitation of begging.

A **new criminal case** is opened on the basis of an initial police report (subsequent reports will not lead to the opening of a new criminal case). A new criminal case can also be opened on the basis of a complaint or a civil action.



As at 7 May 2023, a third of the criminal cases submitted in 2022 were dropped

Of the 347 criminal cases submitted to the public prosecutors' offices in 2022, 117 cases were dropped as at 7 May 2023.

In 90 cases, this decision was taken because the case could not lead to prosecution (mainly owing to a lack of evidence or the fact perpetrators could not be identified). In 27 cases, prosecution was not considered worthwhile.

Methodological remarks

- This is data from the College of Prosecutors General as at 7 May 2022.
- It relates to the number of criminal cases received by the criminal prosecutors' offices (including the federal prosecutor's office) and is limited to offences committed by adults.
- The cases submitted to the public prosecutor's office of Eupen have only been recorded since 19 February 2019. The previous years were not taken into account owing to a problem in IT system harmonisation.
- A risk of double-counting exists for cases sent to another district for a decision, or when they have been sent to another division in the same judicial district.
- There can be one or more defendants in the same case.



Jurisdiction: extent of a jurisdiction's territorial competence. Belgium is composed of five major jurisdictions, each with a court of appeal. Each court of appeal has jurisdiction over several judicial districts.



- Antwerp → Antwerp and Limburg
- Brussels → Brussels (Brussels and Halle-Vilvoorde), Louvain and Walloon Brabant
- Ghent → West Flanders and East Flanders
- Liège → Liège, Eupen, Namur and Luxembourg
- Mons → Hainaut

Jurisdiction of Antwerp

- The total number of new criminal cases concerning human trafficking has fallen for the third year running.
- This trend can be explained by the decrease in the number of new criminal cases involving sexual exploitation.

Jurisdiction of Brussels

- In 2022, 100 new criminal cases linked to human trafficking were recorded, i.e. the highest number of all the jurisdictions.
- The trend has been slightly upward since 2018.
- Almost 8 new criminal cases out of 10 were linked to sexual exploitation (77).

Jurisdiction of Ghent

- The total number of new criminal cases concerning human trafficking has remained relatively stable over the past few years.

Jurisdiction of Liège

- The total number of new criminal cases concerning human trafficking has fallen for the second year running.
- This trend can be explained by the decrease in the number of new criminal cases involving labour exploitation.

Jurisdiction of Mons

- A large number of new criminal cases concerning human trafficking related to acts of forced criminality, a striking trend that has been going on since 2019.

This unusual trend has been reported to the relevant departments and was being examined in greater detail at the time of writing.

Federal public prosecutor's office

- An increasing number of new criminal cases are being recorded by the federal public prosecutor's office, even though the absolute numbers remain relatively low.
- In 2022, all the new criminal cases related to sexual exploitation.

Classification of charges

- | | | |
|---------------------------|-----|---|
| ■ Sexual exploitation | 37L | Art. 433 quinquies § 1, 1° of the Criminal Code |
| ■ Labour exploitation | 55D | Art. 433 quinquies § 1, 3° of the Criminal Code |
| ■ Exploitation of begging | 29E | Art. 433 quinquies § 1, 2° of the Criminal Code |
| ■ Forced criminality | 55F | Art. 433 quinquies § 1, 5° of the Criminal Code |
| ■ Organ trafficking | 55E | Art. 433 quinquies § 1, 4° of the Criminal Code |



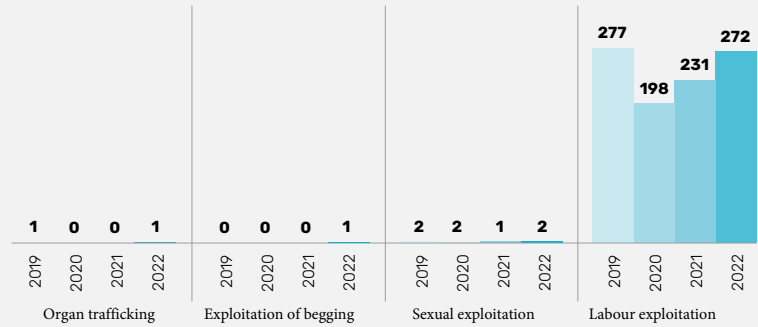


Human trafficking cases submitted to the labour prosecutors' offices

In 2022:

- Labour prosecutors' offices received 276 criminal cases concerning human trafficking, i.e. almost 20% more than in 2021.
- Given the specific remit of the labour prosecutor's office, these cases mainly concerned labour exploitation (272).
- However, two new criminal cases were also opened for sexual exploitation, one for organ trafficking and another for exploitation of begging.

Human trafficking cases submitted to the labour prosecutors' offices



Labour prosecutor	New cases of labour exploitation in 2022
Antwerp	68
Ghent	67
Brussels	51
Liège	35
Halle-Vilvoorde	18
Louvain	16
Walloon Brabant	9
Hainaut	8
Total	272

As regards labour exploitation cases specifically:

- The cases were mainly recorded by the labour prosecutors' offices in Antwerp, Ghent (25% each), Brussels (19%) and Liège (13%).
- The labour prosecutors' offices of Hainaut and Walloon Brabant recorded the lowest number of criminal cases, with 8 and 9 cases respectively.

10% of criminal cases received in 2022 were dropped as at 7 May 2023

Of the 276 criminal cases received by labour prosecutors' offices during 2022, 28 cases were dropped as at 7 May 2023.

In 23 cases, this decision was taken because the case could not lead to prosecution owing to lack of evidence.

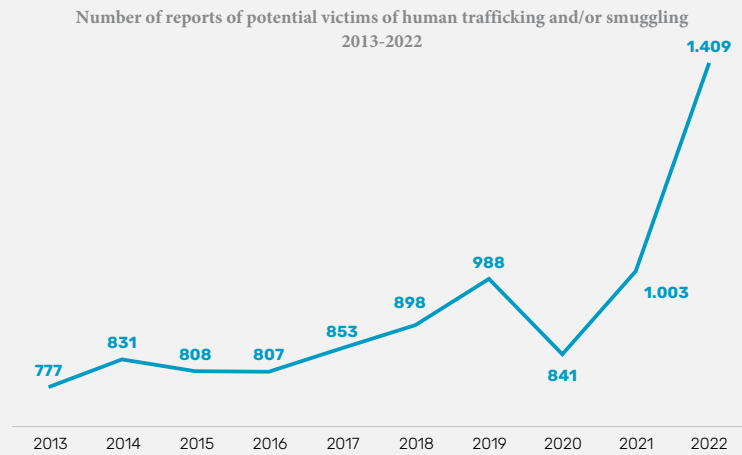
Methodological remarks

- This is data from the College of Prosecutors General as at 7 May 2023.
- It relates to the number of criminal cases received by the labour prosecutors' offices and is limited to offences committed by adults.
- This data is available as of 2019.
- A risk of double-counting exists for cases sent to another district for a decision, or when they are sent to another division in the same judicial district.
- There can be one or more defendants in the same case.

Reports submitted to specialised centres

The annual **number of reports** submitted to specialised centres has increased significantly in recent years. More than 1,400 presumed victims were reported in 2022, i.e. 40% more than the previous year.

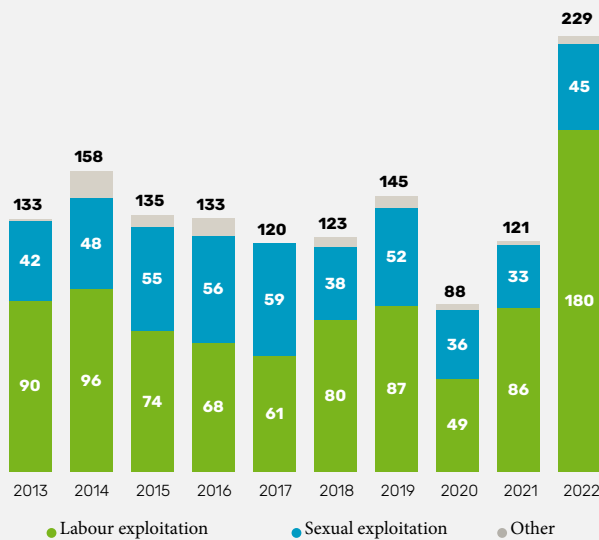
This high increase can partly be explained by the widespread cases of exploitation found at several building sites during the summer of 2022.



Source: Payoke, PAG-ASA, Sliya

New support for human trafficking victims initiated by the specialised centres

Number of cases of support initiated for THB victims according to type of exploitation 2013-2022



Never before have so many victims of human trafficking joined a support programme as in 2022.

In 2022:

- Support was initiated for 228 victims of human trafficking, almost twice as many as in 2021. Two types of exploitation were identified for one and the same victim, so they were counted twice in the graph (229 instead of 228).
- Among these new cases of support, there was a record number of **180 victims of labour exploitation**, mainly of Filipino (67), Bangladeshi (31) and Moroccan (27) nationality.
- In addition, **45 victims of sexual exploitation** were able to join a support programme, mainly of Brazilian (12), Nigerian (5) and Afghani (5) nationality. Of note: four Afghani victims were underage boys.
- The four other cases of support were initiated for victims of forced criminality.

Support is initiated as soon as the first phase (period of reflection) has begun, i.e. as soon as Annex 15 has been issued.
 >> For more information, see 'Documents issued by the Immigration Office'.



The data related to new cases of support does not reflect the extent of work carried out by the specialised centres.

Support may last several years, but its duration is not discussed here as an indicator. However, the Immigration Office's figures on the renewal of documents in the context of human

trafficking proceedings can be used as an indicator in this respect.

Source: Payoke, PAG-ASA, Sliya

New support for THB victims initiated in 2022 per type and per nationality

Nationality	Labour exploitation				Sexual exploitation					Forced criminality				Total	
	Women		Men		Women		Men		x	Women		Men			
	<18	≥18	<18	≥18	<18	≥18	<18	≥18	<18	≥18	<18	≥18			
Philippines			67										67		
Bangladesh			31										31		
Morocco	3		24	1	1		1						30		
Afghanistan			9				4	1					14		
Brazil			1			12							13		
Romania	1		3	1	3								8		
Nigeria	1		2		5								8		
Ivory Coast			6										6		
Iran	2		2										4		
Ukraine	2		1										3		
Serbia	1									2			3		
Peru					2				1				3		
Ghana			2		1								3		
Spain	1		1	1	1								3		
China			2		1								3		
Netherlands	2				1								3		
Algeria			2										2		
Angola			1		1								2		
Tunisia			1	1									2		
Sudan			1										1		
Hungary					1								1		
Palestine			1										1		
Belgium					1								1		
Senegal			1										1		
Madagascar					1								1		
Surinam			1										1		
Benin					1								1		
Ethiopia			1										1		
Venezuela					1								1		
Rwanda								1					1		
Congo Brazzaville			1										1		
Iraq			1										1		
Bosnia-Herzegovina										1			1		
Colombia			1										1		
Syria			1										1		
Albania												1	1		
Guinea			1										1		
Ecuador	1												1		
Pakistan			1										1		
Niger					1								1		
Total	0	14	0	166	6	31	4	3	0	1	3	0	0	1	229

Victims of human trafficking who entered the procedure (IO)

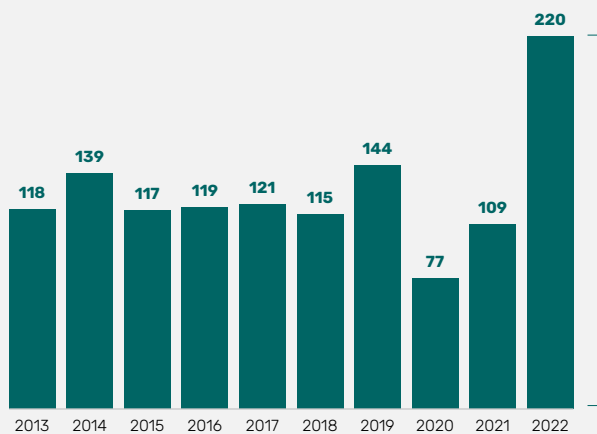
In Belgium, human trafficking victims who agree to cooperate with the judicial authorities can benefit from a specific residence status (Articles 61/2 to 61/5 Aliens Act).

This is subject to three basic conditions, namely that the victim:

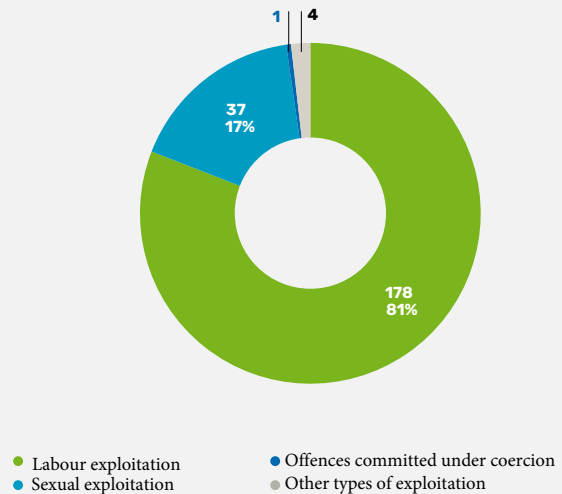


- cooperates with the criminal investigation into human trafficking;
- cuts off all contact with the exploiter;
- agrees to be supported by one of the specialised centres.

Number of human trafficking victims who entered the procedure



THB victims who entered the procedure in 2022, per type of exploitation



The number of human trafficking victims who entered the procedure has doubled, with a particular emphasis on labour exploitation.



The category 'other types of exploitation' corresponds to cases for which the type of exploitation was not clearly identified at the time of the first application.

In 2022:

- 220 trafficking victims entered the procedure, i.e. twice as many as the previous year.
- This twofold increase can be found mainly among labour exploitation victims (178 people) and therefore falls within the scope of large-scale exploitation observed at several building sites during the summer of 2022.
- In addition, 37 victims of sexual exploitation also entered the procedure, a figure that has remained relatively stable over the past few years. One victim was coerced into committing offences.
- According to IO data, no victim of organ trafficking or exploitation of begging entered the procedure in 2022. On the other hand, there is reference to four victims of 'another type of exploitation'.

N.B.: there is some information that the Immigration Office prefers not to divulge to prevent the identification of anyone involved.

Among the 178 victims of THB for the purpose of labour exploitation in 2022:

- The large majority of victims were men (168), while there were 10 women.
- As regards the nationality of these victims, there was a large group of Filipinos (67), Bangladeshis (32) and Moroccans (26). The relatively high number of victims of Filipino or Bangladeshi nationality is in stark contrast with the previous decade. Between 2013 and 2021, two Filipinos and seven Bangladeshis in total entered the procedure.

Among the 37 victims of THB for the purpose of sexual exploitation in 2022:

- The victims are mainly women (31), although there were six male victims.
- In terms of nationality, there was a large group of Brazilians (11), then Nigerians (6) and Romanians (4).

Victims of THB who entered the procedure, by age, gender and type of exploitation

		0-17	18-25	26-30	31 and +	Total	Men	Women
Sexual exploitation	2019	3	28	12	9	52	3	49
	2020	0	7	12	7	26	3	23
	2021	1	6	7	12	26	2	24
	2022	3	13	11	10	37	6	31
Labour exploitation	2019	7	13	11	57	88	65	23
	2020	2	8	6	32	48	37	11
	2021	5	9	14	52	80	62	18
	2022	4	9	20	145	178	168	10
Exploitation of begging	2019	1	1	0	1	3	1	2
	2020	0	1	0	0	1	0	1
	2021	0	1	0	0	1	0	1
	2022	0	0	0	0	0	0	0
Offences committed under coercion	2019	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0
	2022	0	0	0	1	1	1	0
Other types of exploitation	2019	0	0	1	0	1	0	1
	2020	2	0	0	0	2	0	2
	2021	1	0	0	1	2	2	0
	2022	3	1	0	0	4	3	1
Total	2019	11	42	24	67	144	69	75
	2020	4	16	18	39	77	40	37
	2021	7	16	21	65	109	66	43
	2022	10	23	31	156	220	178	42

Documents issued by the Immigration Office to victims of human trafficking and smuggling

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
OLT 45 days	28	32	17	10	3	0	0	0	0	0
Annex 15	0	0	0	0	20	44	43	16	42	49
Certificate of immatriculation (CI)	117	133	114	116	112	113	136	80	98	204
CI extension	15	11	22	26	31	19	16	7	6	4
Human trafficking/ A card	98	84	90	84	97	91	108	78	62	140
Human smuggling/ Extension A card	458	443	425	413	383	348	370	384	398	395
B card	44	33	36	49	50	61	42	29	25	35
Humanitarian A card	2	2	6	2	0	3	3	5	0	1
Extension A card	31	30	29	20	29	20	26	34	40	49
B card	24	21	36	22	23	18	26	13	22	14
Total	817	789	775	742	748	717	770	646	693	891

In 2022:

- The Immigration Office took 891 positive decisions to issue or renew a residence permit. These decisions concern new victims as of 2022, but also victims from previous years who are in the process of being granted victim status and for whom one or more decisions were previously taken.
- A very high number of certificates of immatriculation and A cards were granted, i.e. twice as many as in 2021. This twofold increase can largely be explained by the fact that several nationalities (e.g. Filipinos and Bangladeshis) appeared as victims in the case of wide-scale exploitation identified at several building sites during the summer of 2022.

Annex 15

When a victim goes to one of the specialised centres, this residence document is requested by the centre. Annex 15 is valid for 45 days and covers the so-called reflection period. During this period, the victim has time to decide whether to cooperate with the criminal investigation or to abandon the procedure. If the victim files a complaint directly or makes statements against the perpetrators, this document is not requested; instead, a certificate of immatriculation (CI) is requested immediately. Since 21 May 2017, Annex 15 has replaced the order to leave the territory (OLT) - 45 days. The type of document has changed while the legal basis and conditions for obtaining it remain unchanged.

Certificate of immatriculation

If the victim decides to cooperate with the criminal investigation (make statements and/or lodge a complaint), the centre requests a certificate of immatriculation. This is valid for a period of three months and can be extended once for another three months, provided that the case is still ongoing at the public prosecutor's office.

A card

This residence permit is valid for six months and is issued under various conditions, namely that the magistrate accepts the classification of victimisation. It can be extended for the same period of time as long as the legal proceedings are ongoing.

B card

A residence permit for an indefinite period of time is granted if the victim's statements or complaint have led to a conviction or if the charges of trafficking or smuggling with aggravating circumstances have been accepted in the indictment of the public prosecutor's office or the labour prosecutor's office.

Humanitarian regularisation

The minister or their representative may decide to regularise the stay of a victim by virtue of their discretionary power.



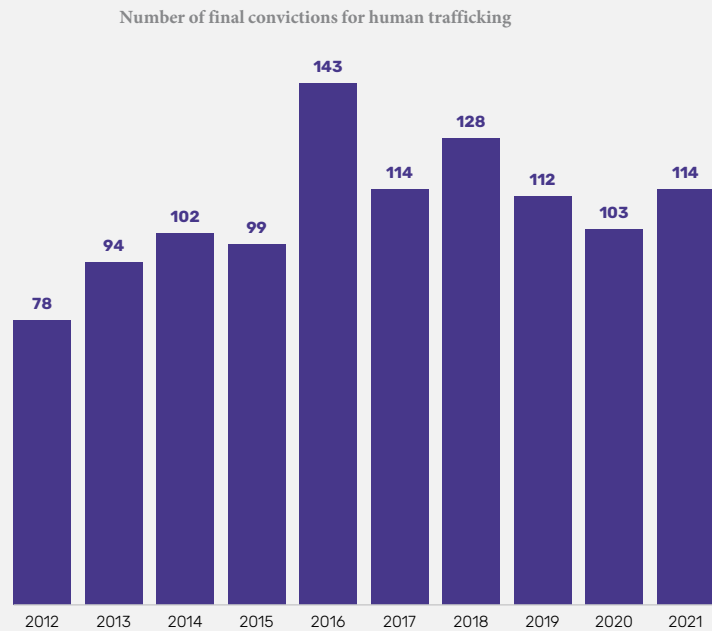
Final convictions for human trafficking

In 2021, 114 final convictions were pronounced for human trafficking, i.e. 11 more than in 2020, a year marked by the coronavirus, and a level comparable with that of the period between 2017 and 2019.

Given that a conviction can be accompanied by several sentences, the total number of sentences is higher than the number of convictions. Hence, 377 sentences were handed down in 2021.

90% of all convictions result in a prison sentence combined with a fine (suspended or not).

In 94 cases, the convicted person was deprived of their civil rights and in 57 cases, there was confiscation. Other forms of punishment are only occasionally handed down.



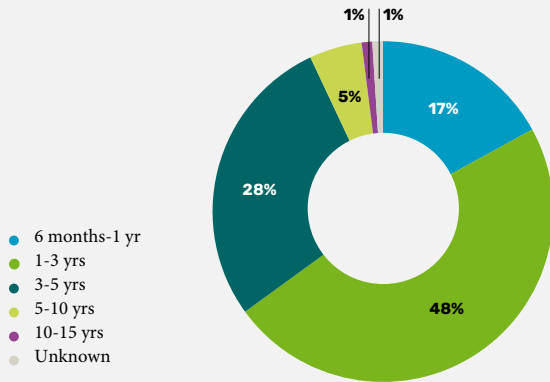
Main sentences	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Prison sentences	72	82	93	94	128	93	120	100	97	104
Not suspended	36	45	37	41	40	44	63	43	42	46
Suspended (partly or fully)	36	37	56	53	88	49	57	57	55	58
Fine	71	85	99	82	132	109	126	103	97	105
Not suspended	43	54	62	49	73	58	83	51	54	48
Suspended (partly or fully)	28	31	37	33	59	51	43	52	43	57
Confiscation	31	40	58	53	64	39	67	58	38	57
Deprivation of rights (Art. 31 Crim. Code)	58	57	73	53	115	71	102	85	77	94
Community service	0	3	3	1	6	2	1	4	0	5
Others	5	11	3	3	4	7	19	14	12	12
Total	237	278	329	286	449	321	435	364	321	377

Methodological remarks

- These figures concern the number of final convictions, which can therefore no longer be the subject of an appeal.
- Since the type of exploitation is not known for each conviction, this data is presented in an aggregated form.
- Several cases were entered into the database a few months late, which explains why the data for 2022 is not available yet.
- This data corresponds to the status on 16 May 2023.



Duration of the prison sentences pronounced in 2021 (suspended or not)



As regards the duration of the prison sentences handed down:

- More than 3 prison sentences out of 4 were 1 to 5 years.
- Prison sentences of 5 to 10 years were handed down in 5 cases.
- One prison sentence of 10 to 15 years was handed down in one case.

Main nationalities of persons convicted of human trafficking in 2021

Nationality	2021
Belgium	42
Unknown	11
Romania	10
Bulgaria	8
Italy	4
Nigeria	4
Turkey	4
Albania	3
Spain	3
France	3
Morocco	3
Czech Rep.	3
Netherlands	2
Others	14
Total	103

In 2021, as in previous years, the nationality of a large number of convicted persons was unknown. Therefore, the nationality of 11 % of the convicted persons remains unknown. Among the others convicted, no less than 26 different nationalities were listed.

As in previous years, there was a high number of Belgian nationals (41% of cases). The other main nationalities were Romanian and Bulgarian.