

Kingdom of Belgium



The fight against trafficking and smuggling in human beings

Policy and approach

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1. Introduction

Trafficking in human beings is a worldwide phenomenon affecting each and every country, including Belgium.

Trafficking in human beings constitutes a fundamental violation of human rights.

Although trafficking in human beings may take on various forms, it always implies exploitation, making its victims end up in degrading, unworthy situations. Besides sexual and economic exploitation, other types of exploitation occur, e.g. organ trafficking.

A mere criminal law approach is not sufficient to actually combat trafficking in human beings. Therefore, Belgium has from the beginning opted for a multidisciplinary approach, as required by the Council of Europe Convention on Action against Trafficking in Human Beings of 2005¹ and by the EU directive of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims².

The Belgian approach is co-ordinated by the Interdepartmental Coordination Platform for the Fight against Trafficking and Smuggling in human beings. Its policy is oriented towards the so-called 4 P's : prevention, prosecution, protection and partnership.

This brochure aims at informing you about the legislation regarding trafficking in human beings and the Belgian approach to combat trafficking in human beings.

Bureau of the Interdepartmental Coordination Unit

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¹ <http://conventions.coe.int/Treaty/en/Treaties/Html/197.htm>

² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>

2. National legislation

The findings of a parliamentary committee of inquiry entrusted with investigating trafficking in human beings as a result of a number of tragic facts gave rise to **the law of 13 April 1995 containing provisions to combat trafficking in human beings and child pornography**. The same law also provided a legal ground for the prosecution of “smuggling in human beings”.

On 10 August 2005 a new law on trafficking in human beings was enacted (**law of 10 August 2005 to amend a number of provisions in order to strengthen the fight against trafficking and smuggling in human beings and against slumlord practices**).

In doing so, Belgium adapted its national legislation to the new international³ and European instruments⁴ that have been adopted in recent years.

The new law makes a clear distinction between trafficking in human beings, on the one hand, and smuggling in human beings, on the other hand, and defines the crimes respectively in the Criminal Code (new article 433quinquies et seq.) and in the law of 15 December 1980 concerning access to the territory, stay, residence and the removal of foreigners (article 77bis et seq.).

This law also amended article 10ter of the introductory part of the Code of Criminal Procedure. In virtue of article 10ter anyone, either a Belgian national or a foreigner involved abroad in trafficking and, in addition also in smuggling in human beings under aggravating circumstances, can be prosecuted in Belgium.

In **2013**, two legal provisions were established in order to clarify and extend the definition of trafficking in human beings⁵ and the penalisation of the exploitation of begging and prostitution, trafficking in human beings and smuggling in human beings compared to the number⁶ of victims. This was accomplished within the context of the transposition into Belgian law of Directive 2011/36/EU of the European Parliament and of the Council of Europe of 5 April 2011 on preventing and combating trafficking in human beings and protecting the victims thereof.

³ Additional protocol to prevent, suppress and punish trafficking in persons, especially women and children, and Additional protocol against smuggling of migrants by land, sea and air, supplementing the UN Convention against transnational organised crime.

⁴ Council Framework decision (2002/629/JHA) of 19 July 2002 on combating trafficking in human beings, Council Framework Decision 2002/946/JHA of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence and the Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence.

⁵ Law of 29 April 2013 amending article 433quinquies of the Criminal Code for the purpose of clarifying and extending the definition of trafficking in human beings, Belgian Official Journal 23 July 2013

⁶ Law of 24 June 2013 concerning sanctions regarding the exploitation of begging, prostitution and trafficking and smuggling in human beings as compared to the number of victims, Belgian Official Journal 23 July 2013.

2.1. Trafficking in human beings

Art. 433quinquies of the Criminal Code (C.C.) defines **trafficking in human beings** as follows:

“the recruitment, transportation, transfer, harbouring, reception of a person, including the start or transfer of control over that person, in order to enable:

1° the exploitation of prostitution or other forms of sexual exploitation;

2° the exploitation of begging;

3° the employment of persons in circumstances contrary to human dignity;

4° the removal of organs, in violation of the Law of 13 June 1986 concerning the removal and transplant of organs, or of human organs and tissues, in violation of the Law of 19 December 2008 on the obtaining and use of human organs or tissues intended for human medical applications or for the purpose of scientific research;

5° or, to force that person to commit a crime or an offence against his will.

Except for the case as mentioned under point 5, it is irrelevant whether the person referred to in paragraph 1, gave his/her consent to the intended or actual exploitation.”

Thus trafficking in human beings encompasses various types of exploitation such as sexual and economic exploitation, exploitation of begging, the illegal removal of organs and tissues, as well as making a person commit a crime by force.

Anyone can be a victim of trafficking in human beings: foreigners as well as non-foreigners. Therefore a new article was introduced in the Penal Code.

Any evidence of exploitation will provide sufficient grounds for qualifying a situation as trafficking in human beings. Whether the victim has consented to the exploitation is irrelevant, except for point 5 - make a person commit a crime or an offence by force -, in which case, the evidence that force has been used must be produced.

The period of limitation relating to sexual offences only runs from the day on which the victim has reached the age of 18, which is a noticeable improvement regarding the victim status.

2.2. Smuggling in human beings

Article 77bis of the Law of 15 December 1980 concerning Access to the Territory, Stay, Residence and the Removal of Foreigners (the “Law of 15 December 1980”) defines **smuggling in human beings** as:

“Help, by whatever means, either directly or through an intermediary, a citizen who is not a national of a Member State of the European Union or of a State party to an international Convention concerning the crossing of external borders which is binding on Belgium to enter or transit the territory of that State or to reside in it, in breach of the legislation of the said State, for direct or indirect financial gain”.

The aim of making profit – financial gain - is one of the main characteristics of the crime of smuggling in human beings.

This characteristic distinguishes smuggling in human beings from facilitation of illegal immigration.

Actions to facilitate illegal immigration are punishable on the basis of **article 77** of the Law of 15 December 1980, unless these actions are *mainly motivated by humanitarian considerations*.

2.3. Sanctions and aggravating circumstances regarding trafficking and smuggling in human beings

Trafficking and smuggling in human beings are punishable with a prison sentence of 1 to 5 years and a fine of 500 to 50.000 Euro⁷.

The fines are applied in function of the number of victims. The high fines are proportional to the huge profits traffickers and smugglers in human beings make.

The Law of 10 August 2005 distinguishes three levels of aggravating circumstances regarding trafficking and smuggling in human beings:

The *1st level* sets a prison sentence of 5 to 10 years and a fine of 750 to 75.000 Euro⁸ in case:

- The offender abused either his/her authority over the victim or the authority or the power inherent to his/her function;
- The offender – civil servant – acted in the exercise of his functions.

The *2nd level* of aggravating circumstances sets a prison sentence of 10 to 15 years and a fine of 1.000 to 100.000 Euro⁹ in case:

- The victim of the offence is a minor of age;
- The offender imposed on the vulnerable position of a person as a result of factors such as an illegal or precarious administrative status, a precarious social status, age, pregnancy, a disease or a physical or mental infirmity or ailment, implying that the victim has no proper or acceptable defence;
- The offence has been committed by using either directly or indirectly deceit, violence, threats or any kind of coercion;
- The offence has endangered the life of the victim either intentionally or as a consequence of gross negligence;
- The offence has caused an apparently incurable disease, either a permanent physical or psychological incapacity, the total loss of an organ or serious mutilation;
- The activity concerned has become a habit;
- It concerns a deed of participation in the main or accessory activity of an association, whether or not the offender has a leading position.

⁷ The fines are multiplied by 5.5 (the "surtax").

⁸ Art. 433sexies C.C. and art. 77ter of the Law of 15 December 1980.

⁹ Art. 433septies C.C. and art. 77quater of the Law of 15 December 1980.

The *3rd level* of aggravating circumstances sets a prison sentence of 15 to 20 years and a fine of 1,000 to 150.000 Euro¹⁰ in case::

- The offence unintentionally caused the death of the victim;
- The offender(s) (was)(were) (a) member(s) of a criminal organisation.

¹⁰ Art. 433octies C.C. and art. 77quinquies of the Law of 15 December 1980.

2.4. Trafficking and smuggling in children

The law does not provide an exact definition of “trafficking in children” or “smuggling in children”. However, the minority of the victim of trafficking or smuggling in human beings constitutes an aggravating circumstance and therefore appeals for a harsher sentence. A minor of age is every person under the age of 18 ¹¹.

For unaccompanied foreign minors who fall victim to trafficking in human beings, specific and appropriate provisions apply which duly take into account their particular situation and vulnerability. Furthermore, the competent authorities must consider the best interests of the minor as long as the procedure runs. The minor will also be placed under guardianship. Accommodation is offered by a specific reception centre for unaccompanied minors.

The legislator also punishes offences such as sexual abuse, corruption or prostitution of minors¹² as well as child pornography¹³ in situations other than sexual exploitation against the background of trafficking in human beings (433quinquies, 1° CC).

¹¹ Art. 1 of the Convention on the Rights of the Child

¹² Art. 379 and 380, § 1 and 3 C.C.

¹³ Art. 383bis C.C.

3. The Belgian coordination mechanism

3.1. Interdepartmental Coordination Platform for the Fight against Trafficking and Smuggling in human beings

In order to coordinate the various initiatives taken within the framework of the fight against trafficking and smuggling in human beings, an **Interdepartmental Coordination Platform for the Fight against Trafficking and Smuggling in human beings** (ICP) has been set up. This Platform exists since 1995 but it has been given a new boost by the Royal Decree of 16 May 2004 concerning the fight against trafficking and smuggling in human beings.

The chairmanship of the ICP is held by the Minister of Justice. The Federal Centre for the analysis of migration flows, the protection of fundamental rights of foreigners and the fight against human trafficking¹⁴ (further the Federal Centre of Migration) fulfils the role of secretary. The ICP is made up of all the federal players, both operational and political, actively involved in the fight against the aforementioned phenomena. It includes representatives of the Prime Minister, the Ministers of Justice, the Interior, Employment, Social Security etc. and their administrations, next to representatives of the Board of Prosecutors General, the Federal Public Prosecutor's Office and Child Focus.

The 1st of September 2014 a Royal Decree of 21th of July 2014 amending the Royal Decree of 16th of May concerning the fight against smuggling and trafficking in human beings entered in force. This Decree led to different changes in regard to the composition of the ICP and her Bureau.

The specialised reception centers attended regularly certain meetings of the Bureau, however they were until now no "official" member of the ICP. Since the new Royal Decree they are formally included in the mechanism.

Moreover, in order to emphasise the focus on the financial aspect of THB it seemed relevant to appoint a representative of the Financial Intelligence Processing Unit in the coordination mechanism.

In addition, a representative of the regions and the communities was added to the ICP. The regional social inspection services are not competent for trafficking in human beings but they can act as an intermediary. The communities are responsible for the formation and assistance to persons, which includes the youth assistance, the reception and integration of persons.

Finally it was decided that a representative of the Board of Prosecutors-General should be added as an observant member of the Bureau. There were already regular contacts between the main coordinator of the Network of smuggling and trafficking in human beings and the president of the Bureau but representation of the Board of Prosecutors General, however, will facilitate the direct interaction between all partners in the Bureau.

Along with this coordination task, the ICP must also submit the results of the fight against trafficking and smuggling in human beings to a critical assessment.

¹⁴ In 2014, the Centre for Equal Opportunities and Opposition to Racism was split up into the Federal Centre for the Analysis of Migration Flows, the Protection of the Fundamental Rights of Foreigners and the Fight Against Human Trafficking, on the one hand, and the Interfederal Centre for Equal Opportunities and Opposition to Racism and Discrimination, on the other hand.

As the ICP only meets two or three times a year, a “Bureau” made up of the major departments involved in the fight against trafficking and smuggling in human beings, has been set up. The Bureau meets on a monthly basis. It is responsible for the daily functioning of the ICP and prepares or carries out its decisions, recommendations and initiatives.

The chairmanship of the Bureau is held by the Criminal Policy Service. The Federal Centre of Migration is responsible for the secretariat. The other members of the Bureau are representatives of the Immigration Office, the Central Unit Human Trafficking of the Federal Police, the State Security, the Social Inspection Department of the FPS Social Security and the Monitoring of Social Legislation Department of the FPS Employment, Labour and Social Dialogue and of the FPS Foreign Affairs. The Board of General Prosecutors is also participating as an observant.

3.2. Members of the Interdepartmental Coordination Platform and/or members of the Bureau of the Interdepartmental Coordination Platform

3.2.1. Criminal Policy Service – Directorate-general Legislation, Fundamental Rights and Duties, FPS Justice – *Chairmanship of the Bureau/Member ICP*

Since 3 March 2014, the Criminal Policy Service comes under the Directorate-general Legislation, Fundamental Rights and Freedoms of the Federal Public Service (FPS) Justice.

The Criminal Policy Service provides information on the evolution of criminality and makes proposals to integrate certain orientations into the criminal policy, in order to streamline the investigation and prosecution policy and to harmonize prevention, repression and sentence enforcement policies.

The Criminal Policy Service holds the chairmanship of the Bureau of the Interdepartmental Coordination Platform for the Fight against Trafficking and Smuggling in human beings. Within the framework of its activities for the Interdepartmental Coordination Platform for the Fight against Trafficking and Smuggling in human beings, the Service for criminal Policy has for example acted as project leader for the evaluation of the circular of 26 September 2008 on the introduction of a multidisciplinary cooperation regarding victims of trafficking in human beings and/or of certain aggravated forms of smuggling in human beings.

The Criminal Policy Service has also been commissioned to draw up the biennial governmental report on this issue. This report provides a general survey of all the initiatives taken by the ministerial departments and by the actors involved.

These governmental reports are available at www.dsb-spc.be under the section « criminalité » - "traite et trafic des êtres humains".

Every two years, the Criminal Policy Service organizes, in consultation with the network of excellence "Trafficking and Smuggling in Human Beings", a workshop for all the magistrates and police officers who are dealing with these phenomena. This workshop is designed to stimulate the exchange of information and experience. Furthermore, the Criminal Policy Service is also yearly involved in the assessment of the directive concerning investigative and prosecutorial procedures on trafficking in human beings and of the directive "smuggling in human beings"

3.2.2. Federal Centre for the Analysis of Migration Flows, the Protection of the Fundamental Rights of Foreigners and the Fight Against Human Trafficking (formerly Centre for Equal Opportunities and Opposition to Racism) – shorted Federal Centre of Migration – *secretariat Bureau/ICP*

In 1995, the law has entrusted the Centre for Equal Opportunities and Opposition to Racism with the task to boost the fight against trafficking in human beings, in complete independence. In 2004 its task was extended to smuggling in human beings.

In 2014, the Centre has been reformed. Hence, its competences with regard to trafficking in human beings are conferred upon **the Federal Centre for the Analysis of Migration Flows, the Protection of the Fundamental Rights of Foreigners and the Fight Against Human Trafficking**, shorted **Federal Centre of Migration**.

In practice, the Federal Centre of Migration's mission in the field of trafficking and smuggling in human beings consists in:

- drawing up an annual independent and public assessment report on the outcomes of the fight against trafficking and smuggling in human beings, which must be submitted to the government, the parliament and all competent partners;
- the follow-up of the cooperation between the three specialised reception centres for victims (Pag-Asa, Sürya, Payoke);
- taking cases of trafficking and smuggling in human beings to court;
- assuming the secretariat of the Interdepartmental Coordination Platform for the fight against trafficking and smuggling in human beings.

The information relating to trafficking in human beings is available on the Federal Centre of Migration's website – <http://www.diversitybelgium.be/> – under the link “Human Trafficking”, where you can access the annual reports issued by the Centre, the aforementioned multilingual information brochure for victims of human trafficking, relevant jurisdiction as well as other documents.

3.2.3. The Central Unit Human Trafficking within the Federal Criminal Police – FPS Interior - *member of the Bureau/ICP*

The Central Unit Human Trafficking is part of the Federal Criminal Police. This unit supports both the local and federal police in the areas related to trafficking in human beings – including the making and dissemination of child pornography – and to smuggling in human beings. This support ranges from the provision of assistance in the field, the collection and supplying of good practices, giving of advice, the investigation into a possible connection between Belgian and international cases and the facilitation of development of partnerships with foreign police services to the specialised support. The central unit delivers for example specialised support to the investigation and of the analysis of image storage media in case of child pornography and internetrecherche.

The Central Unit is also the police contact point for non-police services, bodies and organisations having questions concerning the various forms of trafficking or smuggling in human beings or wanting to share information on these matters with the police. In order to resolve certain problems related to trafficking and smuggling in human beings, the Central Unit systematically opts for an integrated approach in partnership.

The Central Unit spreads “good practices” for both assessments, controls as recherche by different ways. It helps with the development of different formations “trafficking and human beings” for the beginning policemen or the specialised researchers trafficking and smuggling in human beings. It develops flyers and checklists, which are internal spreaded, but they also send a newsletter trafficking and human beings amongst others to the specialised magistrate trafficking and smuggling in human beings.

The Central Unit is the central contact point for each police officer, the federal office of the public prosecutor, all Belgian partners “trafficking and smuggling in human beings”, Interpol, Europol, different international organisations, but also specialised foreign police services trafficking and smuggling in human being who are searching for a Belgian contact point.

The Central Unit also draws up al action plans concerning Trafficking and Smuggling in Human Beings in the framework of the priorities of the (police) National Security Plan and the national Action Plan. The Unit also cooperates with the four-yearly EU “law-enforcement” action plans trafficking and smuggling in human beings and fills the Belgian commitments and actions in with other departments and services.

Website : www.fedpol.be

3.2.4. The Immigration Office (Office des Etrangers) – FPS of the Interior - Member of the Bureau/ICP

The Immigration Office, a Directorate-General of the FPS of the Interior, also contributes to the fight against trafficking in human beings, against the background of the Belgian multidisciplinary approach opted for in this matter.

Three internal units of the Immigration Office are directly involved in the fight against trafficking in human beings: the Unit 'Unaccompanied minors and victims of trafficking in human beings' (Mineurs –Traites des êtres humains), the Investigation Unit (Recherches) and the Judicial Unit (Judiciaire). Three other internal units are indirectly involved: the Unit 'Hearings' (Interviews) attached to the directorate 'Asylum' (Asile), the closed 'Centres' and the Unit 'Immigration Officers' (Fonctionnaires à l'immigration).

The Unit 'Unaccompanied minors and Victims of trafficking in human beings' is responsible for the investigation and follow up of the administrative files of these two categories of people and, in this capacity, it issues residence papers as well.

The Investigation Unit is responsible for collecting and centralising all the internal information on the illegal immigration, trafficking and smuggling in human beings issue.

The Judicial Unit delivers operational and administrative support in the field to the police and control services while carrying out controls.

When either the Unit "Hearings" attached to the direction "Asylum", or the closed detention 'Centres' deal with foreigners who are presumed victims of trafficking in human beings, they inform them on the existence of the status of victim of trafficking in human beings.

Immigration officers collect, within the limits of their competences, information on trafficking in human beings during their visits to the countries of origin or the countries of transit.

Website: www.dofi.fgov.be

3.2.5. The social inspection services – FPS Social Security and FPS Employment, Labour and Social Dialogue - Members of the Bureau/ICP

The Social Inspection Service of the FPS Social Security as well as the directorate-general Monitoring of Social Legislation of the FPS Employment, Labour and Social Dialogue actively participate in the fight against trafficking in human beings at two levels:

1° On the one hand, both services participate in the coordination meetings provided for by Col 01/07;

2° On the other hand, they carry out targeted controls, mainly in the so-called «(high)-risk» sectors (prostitution, exotic restaurants, agriculture, horticulture, clothing factories, the building sector and, more specifically, building renovation).

During these controls, the inspection services check whether social legislation is complied with, particularly by looking at the "social papers", labour conditions, pay and employment of foreign workforce. That way, they help to detect cases of trafficking in human beings.

Moreover, the social inspection of the FPS Social Security checks whether the workers have duly been registered and whether the employer has an insurance cover against accidents at work. The absence of a social security registration and of an insurance against accidents at work can indicate cases of trafficking in human beings. The worker's status is another element that needs control : the self-employed status e.g. can reveal a false status (false self-employed), which can also indicate cases of trafficking in human beings.

These controls take place within the framework of legal district units (one unit per legal district under the presidency of the Labour Auditor) but can also be done outside the framework of the legal district unit. The social inspection services generally are provided assistance by the (local and federal) police services.

General information on the FPS Social Security is available on the website: <http://www.socialsecurity.fgov.be/fr/nieuws-sociale-zekerheid.htm>. Please click under the heading "A propos du SPF", on the section "l'inspection sociale", in order to locate this department within the FPS. You will find here general information on the missions and the competences of the department as well as a number of contact data (addresses, phone numbers and e-mail addresses) of the directorate-general and of the regional social inspection entities. The section 'organigramme' provides the same information.

If you click under the heading "News& Publications" in the section "Publications", you will find the annual reports (in French) of the FPS Social Security. In each year report you can find a general overview of the duties the Directorate-General Social Inspection has fulfilled as well as the statistics concerning the controls it has carried out and the cases it has dealt with.

Information concerning the fight against illegal employment is available on the website of the FPS Employment, Labour and Social Dialogue: <http://www.employment.belgium.be/home.aspx>. By clicking on its homepage in the 'Guide de A à Z', on the letter L (as in 'Lutte contre le travail illégal'), you will find out more about this issue..

3.2.6. The FPS Foreign Affairs - Member of the Bureau/ICP

The department 'Trafficking in human beings' is attached to the Directorate-General Consular Affairs (DGC).

Its main role is to ensure the cooperation between the services concerned and the diplomatic missions in developing the governmental policy, and more specifically, in terms of prevention and information.

The department 'Trafficking in human beings' contributes to the participation of Belgium in the activities of international organisations with regard to the fight against trafficking and smuggling in human beings.

Website: www.diplomatie.be

3.2.7. Board of Prosecutors General- Network of Excellence 'Trafficking and Smuggling in human beings' – observant member of the Bureau/ICP

The Minister of Justice establishes the guidelines of the criminal policy, including those concerning the investigation and prosecution policies, after having consulted the Board of Prosecutors General (made up of the five Prosecutors General to the Courts of Appeal).

The Board of Prosecutors General, which falls under the Minister of Justice, makes decisions in order to achieve as much as possible a coherent implementation and coordination of the policies and an optimal functioning of the Public Prosecutor's Office.

Each Prosecutor General must deal with a number of issues, for which he has specific competences and in which he acts as a reference magistrate. The trafficking in human beings issue comes under the Prosecutor General of Liège.

Networks of excellence were set up in order to offer specialised support in a certain number of matters. Thus, the Prosecutor General of Liège is assisted in his task by a network of excellence 'Trafficking and Smuggling in human beings'.

The network of excellence is made up of the members of the Public Prosecutor's Office who are involved in the fight against trafficking in human beings, members of the Criminal Policy Service and of the Central Unit Human Trafficking of the Federal police. Depending on the issue on the agenda, external bodies can be invited to participate as well, such as : the Federal Migration Centre, the Immigration Office, Social inspection services, academic staff...

A coordination team is responsible for the daily management as well as for the coordination of the activities of the network of excellence 'Trafficking and Smuggling in human beings'.

Its duty is to formulate answers as to the enforcement of the law – questions from magistrates on individual cases – and as to the development of a criminal policy – questions from the Board of Prosecutors General.

3.2.8. The Federal Office of the Public Prosecutor – FPS Justice - Member of the ICP

The jurisdiction of the Federal Public Prosecutor covers the entire territory of the country. The fight against trafficking and smuggling in human beings is a security issue of prior importance the legislator entrusted to the Federal Office of the Public Prosecutor. It is conducted at both the national and the international level.

At the national level, the Federal Public Prosecutor coordinates all the prosecution actions, including cases related to trafficking and smuggling in human beings. The coordination role of the Federal Public Prosecutor is aimed at streamlining the flow and exchange of information between the various Public Prosecution Offices, the investigating magistrates and the police services dealing with the same criminal phenomenon (in the current case, trafficking and smuggling in human beings).

At the international level, the Federal Public Prosecutor's duty is to streamline international cooperation as trafficking in human beings generally is a transnational crime.

3.2.9. Specialised reception centres (NGO) - member of the ICP

3.2.9.1. Introduction

Since 1995, three specialised centres have been given recognition as reception centres for providing shelter and assistance to victims of trafficking and of certain aggravated forms of smuggling in human beings. These three reception centres are: Pag-Asa (located in Brussels), Sürya (located in Liège, in the Walloon Region) and Payoke (located in Antwerp, in the Flemish Region).

On 1 June 2013, a legal basis was created via the Royal Decree of 18 April 2013 with regard to the recognition of the centres specialised in the reception of and assistance to victims of trafficking in human beings and of certain aggravated forms of trafficking in human beings and with regard to the authorization to start legal actions.

These three officially recognized specialised reception centres for victims of trafficking in human beings provide shelter, care, psychological and medical assistance as well as legal assistance. These centres are the only centres competent for requesting residence permits or their renewal with the Immigration Office. They also can start legal actions on behalf of victims of trafficking and smuggling in human beings.

These centres work with pluridisciplinary teams made up of educators, social workers, criminologists...). In consultation, they draw up the assistance scheme for the victim.

This assistance scheme is threefold: it covers psychosocial and medical assistance, administrative assistance and legal assistance. The centres also have a shelter at a secret location.

For unaccompanied minor victims of trafficking in human beings, a series of special measures have been developed. They are provided care and assistance in specific centres.

The three recognized specialised reception centres provide administrative and legal assistance.

3.2.9.2. Residential or ambulant care and assistance

The victims often do not know another environment than the one in which the exploitation took place and/or in which their security was put at risk. The centres therefore offer shelter to the victims, where they can stay during a limited period of time. Afterwards, ambulant assistance is started up. If a stay in a shelter reveals unnecessary, ambulant assistance can begin immediately.

3.2.9.3. Psychosocial and medical assistance

Psychosocial and medical assistance is designed to help and assist the victims in order to enable them to come to terms with the way things turned out as well as with what they have been through, to gain control over their lives in the best possible way and to make realistic plans for the future. Concretely, this means e.g. helping them with the registration for language courses, for professional education or in their active search for a job.

3.2.9.4. Administrative assistance

This assistance mainly includes the application for papers related to the status of victim of trafficking in human beings.

3.2.9.5. Legal assistance

The centres have been set up for defending the rights and interests of the victims during the legal procedure against trafficking issues. They offer the services of a lawyer. Thus the centre is sufficiently well-informed to decide whether it will go to court. The reception centres can also make civil claims either on their behalf or on behalf of the victim.

3.2.9.6. Financial assistance of victims of violent intentional crime

Pursuant to the law of 26 March 2003, victims of trafficking in human beings were given access to the *Commission pour l'aide financière aux victimes d'actes intentionnels de violence* (Financial Aid Commission for Victims of **Violent Intentional Crime**). Since 2009 the law can be applied to every person on the territory who has been a victim of a violent intentional crime.

3.3. Initiatives in the framework of prevention, investigation, prosecution and protection of victims

3.3.1. National action plans concerning trafficking in human beings

On 11 January 2008 a first National Action Plan 2008-2012 was adopted by the Federal Council of Ministers. This National Action Plan specifically paid attention to prevention and awareness raising, an aspect previously lacking in the Belgian system combating trafficking and smuggling in human beings. Until then very few initiatives had been taken to raise awareness of the fight against trafficking and smuggling in human beings in the private and public sector.

In 2012, a new National Action Plan with regard to the fight against trafficking in human beings (2012-2014) was submitted to the Ministerial Council. The plan follows the first action plan and is the basis for a concrete approach in the course of the next two years. The new action plan is more pragmatic and concrete than the previous versions and the subjects treated correlate to the governmental agreement. Prevention, protection of victims, investigation, prosecution and conviction of traffickers in human beings form the guideline of the plan.

Moreover, particular attention is paid to the situation of persons of foreign origin who are in a vulnerable position. 19 propositions insist on the need for realistic measures that are workable in the short term. Stricter prosecution policies for and the perpetrators of trafficking in human beings, awareness-raising campaigns, recognition of the specialised reception centres for victims are only a few examples in the vast variety of new initiatives.

The bureau has started in 2014 with the development of a new Action Plan.

The various National Action Plans on trafficking in human beings can be found on the website of the Criminal Policy Service: www.dsb.spc.be.

3.3.2. Specific initiatives for prevention

In the framework of the prevention of trafficking and smuggling in human beings, various awareness-raising and information campaigns have been set up.

In this context, the Interdepartmental Coordination Platform for the fight against trafficking and smuggling in human beings has been focusing onto the preventive aspect within the framework of the Action Plans:

- On the initiative of the Bureau and of the FPS Foreign Affairs and following the demand of the Belgian diplomatic missions, an information leaflet on the economic exploitation was published in 2009. This leaflet aims at pointing out to persons of foreign origin who apply for a working visa the risks of being exploited. Moreover it advises them to gather full information with their potential employer before leaving to Belgium. Therefore, different contact points have been mentioned in this leaflet. The leaflet was made available to different "test" ambassadors, whose embassies include the document in the visa applicant's passport. This information leaflet has been sent to the diplomatic missions concerned (China, India, Ecuador, Philippines). An information leaflet for the embassies of Brazil and Morocco was published in 2011, complemented in 2012 and 2013 by leaflets for Thailand, Tunisia, Nigeria and Algeria.

You are about to go work abroad, in Belgium.

Welcome,

Remember that you have obligations as well as rights (www.limosa.be). In some cases, if your rights are not being respected, you might find yourself in a situation of exploitation

Therefore, it is important for you to know your rights before leaving:

- Did you sign a **labour contract** in a language that you understand?
 - Insist for such a document to be drafted and signed by yourself and your employer
 - Even if there is no labour contract, you still have rights
- Do you know for whom and where you are going to work?
- Do you know the type of work that you are going to do and **the term** of your contract?
- Do you know the amount of **your salary**?
 - You have to know that in Belgium a minimum salary exists according to the type of work that you are going to do
- Do you know **the amount** of working hours (per day, per week) provided for?
 - Please, notice that working hours per week are limited in Belgium.
 - If you do overtime, you must be paid for the extra hours
- Do you know that you are entitled to leave of absence (per week, per year)?
- Do you know that you have also rights if you are ill or if you had a **work accident**?
- Do you know that your employer cannot dismiss you overnight?
- Do you know that travel expenses cannot be deducted from your salary?

If you answered one or several of these questions with "no", make some more inquiries before leaving.

You can also find information on the website www.limosa.be

- In cooperation with the FPS Public Health, the Bureau has developed an awareness-raising instrument on behalf of the medical staff in hospitals, susceptible to be confronted to potential victims of trafficking in human beings. In this context, there was consultation with the three specialised reception centres.

The brochure "Trafficking in human beings – how to react?" explains the problem, illustrates the situation of the victims and demonstrates the way in which medical staff can help them. For example: medical staff can refer victims to specialised reception centres where they can receive psychological, administrative and legal aid. This initiative was launched in 2012 and relaunched in June 2014.



- **Fedasil** In 2012, Fedasil (Federal Agency for the reception of asylum seekers) took the initiative of raising the awareness of and informing teams working in the field with unaccompanied foreign minors (UFM) with regard to trafficking in human beings. The objective was to improve the system for the detection and protection of child victims and to set up a referral system to the specialised centers. In this context, two workshops have been organized so far.

In the course of these workshops a brochure on trafficking in human beings by the working group Prevention of the Bureau was distributed.

Moreover, campaigns were launched by the Federal public services:

- **The Immigration Office** e.g. operates in the countries of origin of the (potential) victims of trafficking in human beings. These campaigns are aimed at making people in these countries aware of the risks they can be exposed to when travelling unadvisedly to the EU, e.g. following a promise they have been made or in their search for a job.

Reference can be made to a campaign that was set up in the context of **preventing the economic exploitation** of Brazilian citizens in Belgium. In 2009 and 2010, two projects have been initiated:

- In 2009 the IOM organised in cooperation with the Immigration Office an information and awareness-raising campaign in Belgium. The aim was to make potential victims more resilient through information in order to prevent them from falling prey to traffickers in human beings. This campaign included information sessions, posters and leaflets in Portuguese, a website in Portuguese, the installation of a hotline, as well as an elaborate information brochure in Portuguese.
- The second project, initiated in 2010, was a mixed project in Brazil and Belgium aimed at establishing bilateral cooperation between all competent services in the two countries. This project included the organisation of two workshops in Goiania and Brussels in order to examine together with the Brazilian authorities the forms the prevention with regard to the economic exploitation of Brazilian citizens should take.

These contacts have led to the development of a further cooperation between Belgium and Brazil which is aimed at the further development of direct channels of communication and information exchange as basis for the future cooperation and communication.

The conclusions of these meetings were incorporated into a report which was signed by both parties.

- **The FPS Foreign Affairs and Development Cooperation** provides its staff with training sessions in order to enable them to find out if visa applications e.g. are related to trafficking or smuggling in human beings. The Belgian diplomatic and consular missions are informed on the methods the traffickers and smugglers in human beings are using.

Other awareness-raising and information campaigns are conducted through a theme-related partnership:

- An interdisciplinary working group “Stop child prostitution”, including among others **ECPAT, Child Focus, the Federal Public Services (FPS) Defence and Foreign Affairs, the Criminal Policy Service (FPS Justice) and the Federal Police**, launched an information campaign entitled “Stop child prostitution” in 2004 and relaunched it in 2007 and in 2010, along with a website: www.stopkinderprostitutie.be/. This initiative provided tourists with information on the child prostitution issue and advised them on the way to react. In 2014 the campaign will be celebrating its tenth anniversary, a reason for the working group to launch a new national “Stop child prostitution” campaign in the run-up to the 2014 World Cup Football. This campaign, directed against the sexual exploitation of children, is meant for tourists setting off for Brazil and more specifically for the World Cup.

Finally, some of the campaigns also appeal to the citizens. The specialised reception centres for victims of trafficking and aggravated forms of smuggling in human beings regularly organize awareness-raising campaigns in the form of seminars, poster campaigns and publications in order to confront the public to the different forms of trafficking in human beings.

3.3.3. Investigation and prosecution

The Ministerial Directive – Col 01/2007¹⁵- *concerning Investigative and Prosecutorial Procedures on Trafficking in Human Beings* outlines the criminal prosecution policy regarding trafficking in human

¹⁵ Entered into force on 1 February 2007.

beings focusing on a multi-disciplinary approach of the issue. It is the second update of the first Directive of 1999, the so-called Col 12/99. The Directive is aimed at combating all forms of trafficking in human beings (see point 2.1). In 2014 the directive concerning investigative and prosecutorial procedures is revised.

The Directive standardises the direction of the investigation services and the prosecution of trafficking in human beings in the field, but it also takes into consideration specific local circumstances. Specialised reference magistrates for trafficking in human beings therefore are deployed on places of key importance to the prosecution of trafficking in human beings.

The Directive sets out the investigation and prosecution priorities in the fight against trafficking in human beings. Absolute priority is given to the following criteria: the young age of the victims, the extent of the infringement of human dignity and the degree of violence used or threatened. Of second priority are those situations in which a certain number of elements either point to the existence of a criminal organisation or to the repeated occurrence of the offence, or reveal the major social impact of the offence.

Furthermore, the directive provides a coordination structure for the reference magistrates at various levels: the Public Prosecutor, the First Instance Prosecutor, the Labour Attorney General and the Labour Auditor. In each judicial district, all the control, inspection and police services involved in the fight against trafficking in human beings meet periodically ¹⁶ under the chairmanship of the reference magistrate. During these meetings, the participants discuss the information available on pending investigations and evaluate the controls carried out in high-risk sectors or places for trafficking in human beings. Forthcoming actions are being prepared here, as well. These regular meetings facilitate the exchange of information and the mutual co-operation. The reference magistrate may invite partners or experts who can make a useful contribution to the investigation and the prosecution of trafficking in human beings.

Besides, the directive also pays particular attention to the collection of information at both local and national level in order to map the various forms of trafficking in human beings, its extent, including the high-risk sectors and places. The combination between the data related to the apprehended persons and the data regarding the managers and the owners of high-risk places enable to steer new actions or more thorough investigations.

In case of more thorough investigations, the directive recommends to make the best possible use of financial investigations and specific investigation methods.

Eventually, the directive stipulates that each action must duly respect the victims' rights. These persons must first, and above all, be seen as victims of trafficking in human beings, even if they have broken a Belgian law (e.g. illegal residence situation, infringement of the social security legislation,...).

This directive is evaluated each year.

As mentioned above, the law clearly distinguished between trafficking in human beings and smuggling in human beings. Moreover, as practical experience indicated that the investigation into smuggling in human beings requires the participation of and coordination with other key partners, a specific directive concerning smuggling in human beings was drawn up. Its development was based upon the existing coordination and consultation structures concerning trafficking in human beings.

This directive entered into force on 13 May 2011.

¹⁶ In principle, at least every three months

3.3.4. National referral mechanism for victims of trafficking in human beings and/or of certain aggravated forms of smuggling in human beings

3.3.4.1. History

As early as in 1993, a specific scheme for providing aid and assistance to victims of trafficking in human beings was introduced in Belgium. The integral scheme was embedded in a ministerial circular of 1994 and in two ministerial directives of respectively 1997 and 2003. It then was a set of all sorts of provisions concerning a.o. the issue of temporary (in some cases, permanent) residence papers.

In accordance with the EU Directive of 29 April 2004 concerning the issuance of temporary (and in some cases permanent) residence permits to victims of trafficking in human beings who cooperate with the competent authorities, a legal basis has been provided by the Law of 15 September 2006 amending the Aliens Law of 15 December 1980 (art. 61/2 to 61/5).

At the end of 2008, the integral victim protection scheme was integrated into a new ministerial circular of 26 September 2008 concerning the introduction of a multi-disciplinary cooperation as regards the victims of trafficking in human beings and/or of certain more aggravated forms of smuggling in human beings¹⁷.

The main goal of the aforementioned circular is defining the procedures for the identification, referral, reception and assistance of potential victims of trafficking in human beings and/or of certain more aggravated forms of smuggling in human beings. The circular also stipulates the conditions which must be met in view of obtaining the victim status.

In order to efficiently organise the actions, a multi-disciplinary cooperation between the services involved, has been set up. The cooperation involves police and inspection services, the Immigration Office, the recognised and specialised reception centres for victims of trafficking in human beings and the reference magistrates for trafficking in human beings on the level of the public prosecutor and on the level of the auditor.

In view of achieving the said goals, each of the aforementioned services involved is instructed on its role in the various stages of the process and the frontline actors are made aware of the actions they are expected to take.

The current system is designed to meet two different requirements: on the one hand, offer the victims a series of aid and assistance measures; on the other hand, combat persons and networks involved in trafficking in human beings. In order to achieve the latter, it is essential for the victim to cooperate.

It must be emphasised that the victim protection scheme covers all forms of exploitation of trafficking in human beings as described before (see point 2.1).

The victim protection scheme can also apply to victims of certain aggravated forms of smuggling in human beings as mentioned in article 77quater, 1 to 5, of the Law of 15 December 1980, in the following cases: the offence has been committed against an unaccompanied minor, the offence has been committed by abusing the particularly vulnerable situation of the victim, the offence has been committed by using either directly or indirectly deceit-violence-threats or any kind of coercion; the offence has endangered the life of the victim either intentionally or as a consequence of gross negligence; the offence has caused an incurable disease, either a permanent physical or psychological incapacity, or the total loss of an organ or of the use of an organ; the offence has caused serious mutilation.

¹⁷ Belgian Official Journal of 31 October 2009

The status of victim of trafficking in human beings can be granted either to third-country nationals or to nationals of the Member States of the European Union. The status of victim of smuggling in human beings under aggravating circumstances can exclusively be granted to third-country nationals.

A number of additional provisions concern specific categories of victims such as private domestic staff of members of diplomatic missions and unaccompanied foreign minors.

3.3.4.2. *The three conditions which must be met simultaneously in order to be granted the victim status*

In order to be granted the status of victim of trafficking in human beings, the victims must meet simultaneously the following three conditions:

1. Sever all relations with the presumed perpetrators;
2. Accept assistance offered by a specialised and recognised reception centre for victims of trafficking in human beings;
3. Cooperate with the judicial authorities by making a statement or by filing a complaint against the perpetrators. The making of statements, in this case, must be construed in a broad sense, such as e.g. the victim providing information.

If the presumed victim is a unaccompanied foreign minor, the three aforementioned conditions must be looked at with due flexibility, taking into account the higher interest of the child and its particular vulnerability.

3.3.4.3. *Identification, information and referral of the victims*

In most cases, victims of trafficking in human beings are identified by police and inspection services. As frontline services, the latter play a key role in the correct implementation of the procedure.

They use indicators of trafficking and smuggling in human beings. The indicators of trafficking in human beings are embedded in the above directive Col 01/07. They allow to ascertain whether a certain case is related to trafficking in human beings or not.

In addition, these services are regularly granted training sessions in the combat against these phenomenons.

The said services must inform the victims on the existence of the victim protection scheme, e.g. by means of a multilingual information leaflet ¹⁸. Each presumed victim must be referred into one of the three recognised and specialised reception centres for victims of trafficking in human beings.

These three recognised and specialised reception centres provide accommodation, assistance, psychological and medical assistance as well as legal assistance (see point 3.2.9). These centres are exclusively competent for applying for residence permits or the renewal thereof with the Immigration Office.

When the police or inspection service identifies a person as a victim of trafficking in human beings, it simultaneously takes the following steps:

¹⁸ Cf. <http://www.diversitybelgium.be/> , www.dofi.fgov.be, www.polfed-fedpol.be and www.poldoc.be

- inform the magistrate to the public prosecutor's office;
- contact one of the specialised reception centres;
- inform the Immigration Office.

3.3.4.4. Procedure

1. Beginning of the procedure – two phases

a) 1st phase (reflection period): issue of an order to leave the territory within a 45-day period.

This phase is aimed at allowing victims to come to rest and to regain serenity. During the said period, the victim can decide if he/she wishes to file a complaint or make a statement or if he/she prefers returning to his/her country of origin. During this period, the victim is entitled to social protection.

If the victim does not hold a residence permit, the specialised reception centre may issue him/her with an order to leave the territory within 45 days. If the victim immediately lodges a complaint or makes a statement, this phase is redundant.

During this first phase, the presumed victim cannot be expelled..

b) 2nd phase: issue of the 3-month registration certificate

As soon as the victim has filed a complaint or made a statement, he/she is entitled to a three-month certificate of registration. This document is once renewable for three months.

In this phase, the victim is persuaded, in his own interest, into making an effort to prove his/her identity either by producing a national passport, a valid travel document or a national identity card.

The victim is entitled to social benefits and is authorised to work as soon as he/she is in possession of a work permit C.

2. Grant of the provisional victim status – issue of a proof of registration in the alien's register, valid for six months - renewable

The magistrate to the Public Prosecutor's Office is competent for granting the provisional victim status, taking into account the advices from the other partners involved. Before granting this status, the magistrate to the Public Prosecutor's Office must confirm that:

- the investigation or the legal action is still pending;
- the person involved in this phase is still to be considered as a victim of trafficking in human beings or as a victim of certain aggravated forms of smuggling in human beings;
- the person involved is willing to cooperate within the framework of a legal action;
- the person involved has severed all relations with the presumed perpetrators;
- the person involved is not considered as a possible threat to public order or national security.

In this phase, the victim is then provided with a proof of registration in the alien's register. This proof is renewable under the same conditions as long as the legal action is pending. The victim is entitled to social benefits and is authorised to work as soon as he/she is in possession of a work permit C.

3. Conclusion of the procedure – 3 possibilities

a) Issue of a permanent residence permit

The competent minister or his deputy may grant a permanent residence permit to the victim through the issue of a proof of registration in the alien's register (permanent residence) when:

- the complaint or the statements have resulted in a legal conviction : the perpetrators thus have been convicted (in the first instance) for trafficking in human beings;
- in his prosecution, the magistrate to the Public Prosecutor's Office has withheld the charge for trafficking or smuggling in human beings under aggravating circumstances.

b) Return

In some cases, the victim prefers returning to his/her country of origin. The return will then be organised through the International Organisation for Migration (IOM) or through a non- governmental organisation.

c) Ending of the procedure

The magistrate to the Public Prosecutor's office can decide autonomously and at any time that the person concerned is no longer to be considered as a victim of trafficking in human beings. He therefore consults police and/or inspection services, the specialised reception centre for victims of trafficking in human beings as well as the Immigration Office.

During the procedure, the Immigration Office can withdraw the residence permit in the following cases:

If the person concerned holds a 3-month registration certificate, his residence permit can be withdrawn in case:

- it has been established that the holder has voluntarily renewed contacts with the presumed perpetrators;
- the victim ceases to cooperate with the magistrate to the Public Prosecutor's Office;
- the victim is considered as a possible threat to public order or national security;

Or, the person concerned holds a proof of registration in the alien's register, his residence permit can be withdrawn in case:

- the judicial authorities have made the decision to stop the proceedings;
- the victim's cooperation is fraudulent or his/her complaint is fraudulent or wrongful. In that case, the Immigration Office will consult the reference magistrate and inform the specialised reception centre.

3.3.4.5. Two specific categories of victims of trafficking in human beings

1. Unaccompanied foreign minors (UFM)

To unaccompanied foreign minors who are a victim of trafficking in human beings, apply specific and appropriate provisions, which duly take into account their particular situation and vulnerability (among others, concerning identification and care, confirmation of their identity and guardianship).

According to the provisions, the unaccompanied foreign minors will be immediately issued with a proof of registration during the reflection period. Furthermore, the competent authorities must consider the best interests of the child as long as the procedure runs. These authorities take the necessary actions in order to establish the identity and the nationality of the minor and to find his/her family. The minor will also be placed under guardianship.

Accommodation is offered by a specialised reception centre for unaccompanied foreign minors. This centre will provide administrative and legal assistance, in cooperation with one of the three specialised reception centres.

2. Domestic staff of diplomats

In order to work in Belgium as a member of domestic staff of diplomats, the foreigner must hold a special identity card which he personally must collect with the Protocol and Security Department of the FPS Foreign Affairs. His/her request for a special identity card as well as for its yearly renewal will be followed by a meeting with a competent official of the aforementioned department. During this meeting, the employee will be provided with information and advice in case problems would arise during his/her employment.

If a member of domestic staff of diplomats wishes to be eligible for the “trafficking of human beings” procedure, a criminal investigation should be conducted under the Belgian legal system. However, taking into account the absolute diplomatic immunity, such investigation is impossible.

This circular delivers a certain number of specific measures, though.

To enable a member of the domestic staff to apply for the status of victim of trafficking in human beings, the magistrate to the public prosecutor’s office can advise positively on the reality of the situation of exploitation and trafficking in human beings. In such case, the magistrate to the public prosecutor’s office confronts the statements of the (presumed) victim with other specific elements of the case beyond checking whether the labour agreement has been complied with.

Furthermore, the circular stipulates that the victim only is entitled to the victim status as far as he/she accepts being assisted by a reception centre, has severed all relations with the presumed perpetrator(s) and cooperates with the magistrate to the public prosecutor’s office. The victim then must renounce his status as a member of domestic staff and return the special identity card. Afterwards, an application for a proof of registration can be filed..

3.3.4.6. Assessment

This multi-disciplinary circular has been the subject of an assessment by the Interdepartmental Coordination Platform for the fight against trafficking and smuggling in human beings.

In 2014 they started to adapting the text of the multi-disciplinary circular on the basis of the conclusions and recommendations of this assessment.

4. National rapporteur or equivalent mechanism (NREM)

The Directive of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims determines in its article 19 that each member state has to establish a national rapporteur or an equivalent mechanisms.

The tasks of such mechanisms shall include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organisations active in this field, and reporting.

In Belgium existing texts already organised already different mechanisms which meets to the requirements of the Directive.

Finally, the Royal Decree of 21th of July 2014 amending the Royal Decree of 16th of May concerning the fight against smuggling and trafficking in human beings has given a formal framework to exercise the mission of the National Rapporteur. This Royal Decree came into force on the 1st of September 2014.

Thereby according to the Royal Decree of the 21st of July 2014 the National Rapporteur or equivalent mechanism consist of:

1° The ICP as coordination body and the rapporteur of the State under it's legal mandate to implement article 12 of the law of 13 April 1995 containing provisions to combat trafficking and smuggling in human beings and according to Chapter II of the Royal Decree of 16th May 2004. Within the ICP the SPF Justice, president of the Bureau, is responsible for the draft of the biannual report of the government.

2° The federal centre for the analyse of the migration flows, the protection of the fundamental laws of foreign people and the fight against trafficking in human beings as independent rapporteur under it's legal mandate of Article 3 of the Law of 17th of August 2013 amending the Law of 15 February 1993 establishing a Centre for Equal opportunities and Opposition to Racism with a view to its transformation into a federal centre for the analysis of migration flows, the protection of the fundamental rights of foreigners and the fight against human trafficking and under Chapter I of the Royal Decree of 16 May 2004.

However, the main task of the ICP remains of course coordinating, presenting and introducing a policy.

5. Personal data of the actors

5.1. Presidency of the Bureau

- **Criminal Policy Service – Directorate-general Legislation, Fundamental Rights and Duties, FPS Justice**
Boulevard de Waterloo/ Waterloolaan 115,1000 Brussels
 - President: Jean-François Minet
✉ jean-francois.minet@just.fgov.be
 - Collaborator: Barbara Vangierdegom
✉ barbara.vangierdegom@just.fgov.be
- **General e-mail address of the Bureau of the ICP:** teh-mh@dsb-spc.be

5.2. Secretariat of the Bureau

Federal Centre of the Analysis of Migration Flows, the Protection of the Fundamental Rights of Foreigners and the Fight Against Human Trafficking – Federal Centre of Migration
Rue Royale/ Koningsstraat 138, 1000 Brussels
✉ epost@cntr.be
<http://www.diversitybelgium.be/>

5.3. Other members of the ICP and/or the Bureau:

- **Board of Prosecutors General**
Secretary of the Board of Prosecutors General
Rue Ernest Allard 42 / Ernest Allardstraat 42
1000 Brussels
- **Federal Public Prosecutor's Office**
Rue aux Laines 66, boîte 1 / Wolstraat 66 bus 1
1000 Brussels
- **Immigration Office**
FPS Interior
World Trade Center, Tour II
Chaussée d'Anvers 59B/ Antwerpsesteenweg 59B
1000 Brussels
www.dofi.fgov.be
- **FPS Social Security**
Centre Administratif Botanique/ Administratief Centrum Kruidtuin
Finance Tower
Boulevard du Jardin Botanique 50, boîte 100 / Kruidtuinlaan 50, bus 100

1000 Brussels
<http://socialsecurity.fgov.be>

- **FPS Employment, Labour and Social Dialogue**
Rue Ernest Blerot 1 / Ernest Blerotstraat 1
1070 Brussels
<http://www.werk.belgie.be/home.aspx>
- **Central Unit Human Trafficking
Federal Judicial Police
Direction Criminality against persons
FPS Interior**
✉: dgi.djp.mh.dir@police.be
www.fedpol.be
- **FPS Foreign Affairs**
Rue des Carmélites 15 / Karmelietenstraat 15
1000 Brussels
<http://diplomatie.belgium.be/en/>

5.4. Specialised centres for the reception of and assistance to victims of trafficking in human beings

- **Pag-Asa**
Rue des Alexiens 16 /Cellebroersstraat 16
1000 Brussels
☎ +32 (0)2 511 64 64
✉ info@pag-asa.be
www.pag-asa.be
- **Payoke**
Leguit 4
2000 Antwerpen
☎ +32 (0)3 201 16 90
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www.payoke.be
- **Sūrya**
Rue Rouveroy 2
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