

# Action plan Fighting human trafficking 2021-2025



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# 1 Introduction

## 1.1 Background

Human trafficking, often referred to as "modern slavery", is both an international and a national concern. At a global level, it is very difficult to know the exact extent of this phenomenon, as a large proportion of cases remain undetected and states use different methods to record instances.

According to the latest United Nations Global TIP Report, in 2015 and 2016, between 20,000 and 25,000 victims were detected (out of 100 countries studied)<sup>1</sup>.

The Global Slavery Index (2018), on the basis of projections, estimates the number of potential victims in Belgium at 23,000 and the number of victims per 1000 inhabitants in Europe and Central Asia at 3.9<sup>2</sup>.

In Myria's 2020 annual report, the number of newly accompanied victims was 145 in 2019 in Belgium.

Although these figures are not all comparable, it is likely that the number of victims identified in Belgium is still far below the reality.

It is therefore important to continue the efforts made thus far.

Under the previous term of parliament, various advances were made:

The National Referral Mechanism was updated in 2016 to take greater account of the issue of Belgian victims. In addition, the issue of the exploitation of minors was further highlighted. Indeed, the cases related to the exploitation of minors by 'loverboys' (the "Romeo pimp" method) resulted in the creation of new databases. The assessment of the multidisciplinary circular also pointed out the difficulties of communication between the youth prosecutors' offices and the district prosecutors' offices, depending on whether one was dealing with a situation of a minor in danger (potentially a victim of human trafficking (HT)) and the other with a case of HT involving victimised minors. Finally, the complex interplay between the victim protection procedure and the rules of youth care gave rise to different discussions.

Although progress has been made in terms of awareness-raising, improving information exchange, etc., efforts still need to be made to ensure targeted protection for minors who are victims of HT.

In terms of the reception of victims of HT, efforts have been made to finance reception centres. However, it should be noted that it has not been a smooth ride. While it is good news that part of their budget has become structural, there are still unknowns about the

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<sup>1</sup>Global Report on TIP, UNDOC, 2018, p.23

<sup>2</sup> <https://www.globalslaveryindex.org/resources/downloads/>

non-structural part of this budget. It would be appropriate to resolve this issue so as to ensure a smoother working environment for everyone.

While Belgium has stepped up its awareness-raising efforts, for example by participating in the United Nations Blue Heart Campaign and the European Crime Prevention Network's (EUCPN) "Know your rights" campaign, there are still other areas where work could be further developed. For example, the issue of due diligence has become more important in recent years. Initiatives could be taken to further anchor the issue of human trafficking in the policies implemented.

Belgium has already adopted and implemented three action plans (including the 2015-2019 plan extended to 2020). For each of these, the majority of the projects that were envisaged have been carried out, others have been started but not yet finalised<sup>3</sup>. The coronavirus crisis is having an impact on certain projects, especially those that require a lot of consultation between different participants. These projects can only be fully developed once a more or less normal situation has been restored. The crisis has also had consequences for practices in the field: more difficult inspections, even greater reliance on the web, etc.

This new action plan aims to provide a framework for the years 2021 to 2025, building on the previous plan but also introducing proposals for initiatives on topical issues in the fight against human trafficking. The strengthening of collaboration with the federated entities is one of the important points insofar as each one can serve as a relay for certain sectors that are specific to its jurisdiction.

This action plan also takes into account the Myria recommendations that have been addressed to Belgium in various reports or assessments. This action plan also takes into account the results of international recommendations that have been addressed to Belgium in different reports or assessments, including the assessments and recommendations (of 9 February 2018) of GRETA (Council of Europe Group of Experts on Combating HT) as well as the 2020 General Recommendation of the CEDAW Committee (Convention on the Elimination of All Forms of Discrimination against Women) on trafficking in women and girls in the context of global migration.

Finally, the plan aims to harmonise with other relevant national action plans, such as the National Action Plan to Combat Gender-Based Violence and the National Action Plan on Women, Peace and Security.

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<sup>3</sup>This action plan summarises what has been implemented.

## 1.2 Human trafficking in Belgium

Human trafficking occurs in many sectors. In general, the largest number of victims are identified in the context of sexual and labour exploitation. Even though internationally sexual exploitation is often pointed out as the first form of trafficking, in Belgium it can be observed that economic and sexual trafficking are almost at the same level because of the specialised checks carried out by the social inspectorates.

Visible forms of trafficking for sexual exploitation are found mainly in bars. Direct violence against exploited prostitutes is used by certain criminal groups, but the majority of pimps use more subtle methods of coercion (bewitchment in the African environment, false promises through seduction, blackmail of the family in the home country, etc.).

“Private” prostitution and the exploitation that can accompany it has also increased with the development of the Internet or other modern means of communication.

With regard to prostitution, particular attention should be paid to the effects of possible decriminalisation and its impact on the figures for human trafficking.

Women are the main victims of sexual exploitation. They are also victims of other specific forms of exploitation, due to pervasive and persistent gender-based inequalities and discrimination. Moreover, poverty and unemployment affect them more than men. They are often marginalised even before they are victims. This Action Plan therefore recognises that human trafficking includes a gender dimension, which requires a gender-transformative approach. It is therefore important to address the root causes of trafficking in women and girls and to respond to their gender-specific needs.

In terms of economic exploitation, few sectors are spared. Although the construction, transport, night-shop and catering industries are mainly concerned, victims are regularly identified in the context of domestic exploitation, agriculture, meat processing, nail salons, etc.

In addition, operators here set up complex structures to avoid being identified or to hide their liability (false independents, chain of subcontractors, etc.).

The socio-economic consequences of the current pandemic are also having an impact on human trafficking. The number of people in vulnerable situations is increasing, as is the risk of economic and sexual exploitation.

Finally, other forms of human trafficking have emerged. Convictions for trafficking for the purpose of begging are beginning to appear.

Particular attention should also be paid to the use of people to commit a crime. In a number of cases, traffickers take advantage of certain people’s vulnerability to make them perform wrongful acts and avoid detection. Minors appear to be the intended targets of this form of exploitation.

Even though convictions in Belgium are relatively high, the whole system is based on case identification. However, this is not always easy, as the perpetrators are so ingenious in

concealing their activities or in silencing the victims. New digital technologies and social media play an important role in this respect.

On the ground, however, there is a lower level of reporting by the enforcement services, which is offset by a higher level of reporting by the voluntary sector. It is important to give a new meaning and priority to the work of the inspection services in identifying cases of HT.

This action plan therefore aims to develop new perspectives to continue the Government's commitment to combat this phenomenon.

## 2 Ensuring that we optimise our legislative or statutory instruments and continue to implement them effectively

### 2.1 [Criminal legislation and enforcement of sentences](#)

As part of the implementation of the 2015 - 2019 Action Plan, various legislative measures have been taken, in particular to ensure optimal compliance with the EU Directive of 5 April 2011 (Directive 2011/36):

Firstly, the aggravating circumstances provided for in Article 433septies of the Criminal Code have been extended to cover all the *modi operandi* cited in the 2011 European Directive. This includes abduction, deception and the offer or acceptance of payments or benefits to obtain the consent of a person with authority over another. The *modus operandi* of fraud is already covered by the term "fraudulent practices".

In order to bring the current legislation into line with Article 10(2) of the Directive on extraterritorial jurisdiction, the attempt has been included in Article 10ter of the Preliminary Title of the Code of Criminal Procedure. Previously, this article only referred to serious forms of the offence of human trafficking (which correspond to the ordinary form of human trafficking in European and international instruments)

These changes were introduced by the Act of 31 May 2016 supplementing the implementation of European obligations in the field of sexual exploitation of children, child pornography, human trafficking and facilitation of unauthorised entry, transit and residence.

Furthermore, the principle of non-punishment of victims of trafficking, already put into practice via the criminal policy circulars, was also introduced into the legislation in 2019 in the form of an absolute excuse clause via Article 433quinquies §5. A double safety lock now exists: the instructions contained in the criminal policy circulars and the legal provision that can be used in a later phase of the trial.

Finally, the statute of limitations for sexual offences against minors, including trafficking for the purpose of sexual exploitation, was abolished by the Act of 14 November 2019.

### 2.1.1 Sanctions, security measures, alternatives to prosecution, guilty plea, etc.

While taking into account that the current legislation addresses trafficking in a particularly effective way in terms of its scope and refinements, there are still certain issues that have not been sufficiently addressed and to which attention should be paid.

In terms of the execution of sentences or pre-trial measures, some inconsistencies were noted during the discussions on loverboys (or "Romeo pimps") who exploit minors.

Firstly, the reform of sexual criminal law will have to be taken into account.

Secondly, it will also be examined whether an amendment to the provisions on immediate arrest is justified to prevent human trafficking for the purpose of sexual exploitation of minors.

Furthermore, in terms of alternatives to prosecution, in Belgium it is theoretically possible for the penal transaction (216 bis Ccr [Code of Criminal Procedure]) to be applied to cases of HT. This is not specifically incompatible with international instruments on trafficking as long as the victims can benefit from the specific protection procedures guaranteed to them.

At present, a proposed transaction before a request by the prosecutor could theoretically result in the non-application of measures to issue a permanent residence permit to the victim of trafficking. This issue will need to be discussed with the College of Public Prosecutors to see if criminal policy guidelines should be issued in this regard.

In addition, pleading guilty (216 Ccr) is now (since 2016) possible in Belgium. While the law has provided for exceptions to its application for acts of indecency and rape, trafficking for sexual exploitation is not included in these exceptions. Human trafficking is considered a serious human rights violation, so that the question of applying a guilty plea to this offence is generally raised.

The authority (Justice) should study ways of amending the regulations to ensure that residence permits are issued to victims in cases where no indictment is issued by the prosecutor's office for reasons beyond the victim's control.

Project	Responsibility	timing
<b>On the basis of a prior review by the Bureau of the Interdepartmental Unit for Human Trafficking and People</b>	Human Trafficking and People Smuggling Office or ad-hoc working group	2022 - 2023

**Smuggling (hereinafter Human Trafficking and People Smuggling “Bureau”) or an ad-hoc group develop proposals for legislative changes incorporating:**

- **An adaptation of immediate arrest after screening;**
- **A proposed solution for the protection of victims in the event of a transaction (possibly via the same mechanism as that found for exploitation in a diplomatic context);**
- **A clear position on pleading guilty to at least sexual exploitation.**
- **Examine the possibility of extending the hypotheses for issuing an indefinite residence permit to victims of trafficking in cases where no indictment is issued by the prosecutor’s office for reasons beyond the victim’s control (e.g. transaction before indictment, etc.)**

### 2.1.2 Punishing the client who knew or should have known that he/she was using the services of a trafficked person

The Council of Europe Convention on Action Against Trafficking in Human Beings provides in its Article 19 that

*Each Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences under its internal law, the use of services which are the object of exploitation as referred to in Article 4 paragraph a of this Convention, with the knowledge that the person is a victim of human trafficking.*

The EU Directive of 5 April 2011 on preventing and combating human trafficking and protecting its victims provides in its Article 18.4. :

*In order to make the prevention and combating of human trafficking more effective by discouraging demand, Member States shall consider taking measures to establish as a criminal offence the use of services which are the objects of exploitation as referred to in Article 2, with the knowledge that the person is a victim of an offence referred to in Article 2.*

These provisions of international instruments are not positive obligations (*states are considering*).

Several years ago, an ad-hoc working group of the Human Trafficking and People Smuggling Office discussed the issue of punishing clients who knew or should have known that the services provided by an intermediary were provided under human trafficking conditions.

The Human Trafficking and People Smuggling Office will examine whether such a mechanism could serve as a basis for reflection on a broader implementation of the principles contained in the international texts than is currently the case.

An ad-hoc working group will be set up for this purpose.

## 2.2 Continuation of the criminal policy

Belgium has had criminal policy guidelines in place since the late 1990s, which have been refined over time and have progressed with legislative developments. Currently Col 01/2015 organises the policy of investigation and prosecution of human trafficking.

It provides for the appointment of reference magistrates, the holding of coordination meetings within the districts, and gives instructions on the investigation and the attitude to be adopted towards victims.

While an update is not on the agenda as the circular is working well overall<sup>4</sup>, there are some concerns that need to be addressed as far as crime policy is concerned.

In general, under the previous term of parliament, there was a difficulty in the perception of trafficking cases at the level of the youth prosecutors' offices, which are not in themselves specialised in this issue.

Discussions have also been undertaken between the expert assessment networks on 'human trafficking and people smuggling' and 'youth' of the College of Public Prosecutors (College PGs)

Both networks also participate in political working groups on the issue of 'loverboys' or the exploitation of minors. These groups involve the Communities, which allows for a fruitful exchange of information on practices, what works and what needs to be adapted.

At the present stage of the initiatives taken, there is a need, among other things, to strengthen or provide more training/information to youth magistrates on the issue of trafficking.

To this end, particular attention will be paid to updating the "HT" sheet for on-duty magistrates. Although this sheet summarises the steps to be taken in the event of a suspicion of trafficking, it does not address the issue of trafficking in minors as such.

In addition, the assessments of COL 01/15 will continue.

In its latest annual report 2019, Myria reported on the need to build capacity at the police, judicial and social inspectorate levels<sup>5</sup>. The number of identified situations is stagnating, police officers and SIs in the field keep indicating that their capacities have been diminished and that they could clearly uncover more trafficking situations. It is therefore necessary to ensure that the priorities set in theory are followed up on the ground by ensuring that the teams are strengthened and that the Federal Judicial Police (PJF) has a strong HT team in each judicial district. In accordance with the coalition agreement, this implies sufficient resources for all specialised services, magistrates, police and inspection services.

This reinforcement is also necessary in the area of internet research. The web and social networks are now fully used by criminal organisations to achieve their goals. The fight against organised crime, including human trafficking, requires an effective approach, for example, to the online recruitment of victims.

It is also necessary to ensure the proper implementation of the non-punishing provisions for victims of trafficking and to examine any obstacles to filing a complaint in order to propose measures to remove these obstacles.

Finally, within the framework of the statistical reflections in the Justice Department and the College of Public Prosecutors, it will be examined to what extent it is possible to

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<sup>4</sup>The circular has recently incorporated the new elements of the non-punishment clause.

<sup>5</sup>Annual report on human trafficking and people smuggling: Empowering victims, Myria, part 5 - recommendations, 2019

register the acts of trafficking for which the method of pimping adolescents has been used. However, the technical limitations of the encoding must be taken into account.

Project	Responsibility	Timing
<ul style="list-style-type: none"> <li>- <b>Ensure that appropriate communication is established between youth magistrates and magistrates specialising in HT</b></li> <li>- <b>Ensure that youth magistrates are trained/informed on aspects related to trafficking in minors.</b></li> </ul>	College PGs (expert networks on human trafficking, people smuggling and youth)	2022
<b>Adapt the sheet for duty magistrates</b>	College PGs	2021-2022
<b>Carry out the second assessment of Col 01/2015</b>	College PGs / Criminal Policy Department	2021
<b>Increase the capacity and material support of services in charge of identifying trafficking to ensure the implementation of investigation and prosecution objectives</b>	Minister of the Interior/Minister of Justice/Minister of Employment and Social Affairs (on the determination of policy priorities)	2021

### [2.3 Facilitate and increase reporting of fraudulent financial transactions/operations potentially linked to human trafficking and people smuggling](#)

As the 2018 annual report of the Financial Intelligence Processing Unit (FIU) indicates, human trafficking and people smuggling are among the most lucrative criminal activities within the EU.

*The financial flows observed by CTIF in connection with sexual exploitation frequently consist of money remittances to regions that are known to be sensitive to human trafficking. Information such as the identification of common counterparties in transfers made by numerous senders, enhanced by police intelligence, has led to links with prostitution rings.*

*With regard to labour exploitation, criminal groups are responding to the growing demand for cheap labour in many Member States. As Europol points out, criminals take advantage of differences in labour laws and organise the exploitation of victims in the grey area between legal employment and labour exploitation. CTIF's experience confirms the links with social fraud, involving the setting up of fraudulent constructions to mask exploitation: cascades of subcontractors, false self-employment, false posting of workers using mailbox companies in Eastern Europe. Connections with organised crime are increasingly being observed<sup>6</sup>*

In 2018, 20 cases of suspected trafficking and 17 cases of suspected smuggling were referred by CTIF. In 2019, there were 17 and 13 such cases respectively.

In order to improve the reporting of financial transactions potentially linked to human trafficking and people smuggling, the Interdepartmental Unit has set up a working group that brings together Justice, CTIF, the College PGs, the Federal Police and FPS Finance.

The group developed a list of indicators that was distributed in 2018 via Febelfin to the federation's member banking institutions.

However, the work must continue along two lines:

- The adaptation and distribution of these indicators to money transfer agencies. One of the difficulties in this context is that, unlike the banks, there is no federation for these agencies in Belgium. This requires case-by-case contact;
- Maintain knowledge at the level of banking institutions, e.g. through updates of information on indicators and trends in people smuggling and human trafficking.

CTIF will continue its work by passing on to the judicial authorities any suspicious cases that might reveal human trafficking activities.

It should be taken into account that the coronavirus crisis has an impact on this project, which requires different forms of consultation.

Furthermore, in general, financial investigation is of great importance in human trafficking cases. When these means are identified they can be seized/confiscated and then contribute to the compensation of victims. It is therefore important that investigative and judicial capacity is strengthened to carry out this part of the work.

Project	Responsibility	Timing
The working group set up will continue the dialogue with Febelfin in order to organise an interactive meeting with professionals in the sector, to keep them informed of developments in offenders' practices and to keep knowledge up to date.	Ad-hoc Group Trafficking and Smuggling / CTIF Unit	2022

<sup>6</sup> CTIF, Annual Report 2018, pp. 13-14.

The working group will contact the transfer agencies individually (no federation) to ask them to use the indicators		2021-2022
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### 3 Provide training for specialist and non-specialist actors

Numerous training courses have already been organised by the various departments and partners involved in the fight against human trafficking. These concerned both control and inspection services, as well as magistrates or certain front-line actors who do not have an investigative role.

Training should aim to ensure that every field worker or partner who may identify a potential case of trafficking is trained and informed.

In addition, training should take into account the evolution of the trafficking phenomenon. In its 2017 annual report, Myria pointed out that there is a need for magistrates and inspectorates to have more knowledge on the use of the internet by networks and the possibilities for investigation from there. This issue should also be emphasised in relation to economic exploitation. Myria therefore recommended that training courses should also focus on a practical approach (e.g. computer exercises).

The integration of these issues should be considered in future training.

The gender dimension of human trafficking should also be taken into account by substantially incorporating it into basic and further training in HT.

#### 3.1 [National Social Security Office \(NSSO\) training](#)

At the level of the NSSO the following training courses will be organised:

- Basic training in HT for the NSSO's front office staff (description of the phenomenon and HT indicators) and training in HT (economic exploitation) for new social inspectors hired by the NSSO;
- Training in HT (economic exploitation) based on the study of judgments rendered in matters of HT in order to highlight the important elements retained for the incrimination and conviction in matters of HT, intended for the social inspectors of the ECOSOC teams of the NSSO;
- Training on the calculation of the financial benefit for the social inspectors of the NSSO's ECOSOC teams.

In addition, the NSSO's HT Service will participate in training courses for other non-specialised HT inspection services.

### 3.2 Social inspection training (FPS Employment)

At the level of the Control of Social Laws - Labour Inspectorate of the FPS Employment, HT training is included in the list of permanent training courses ; training offered each year to officers in order to keep their knowledge up to date, taking into account the evolution of social regulations and the concrete situations encountered in the field.

This training is given in collaboration with and with the support of the NSSO. This is basic training, appropriate to the Social Law Enforcement services.

This HT training is also included in the list of training courses to be followed by trainee inspectors.

### 3.3 Police

Police training is one of the cornerstones of victim identification and referral. In recent years, and in particular following the terrorist attacks of 2016 which mobilised a lot of capacity on terrorist issues, there has been a decline in the precise knowledge of the instruments and procedures to be followed in the field of victim protection, whether in relation to human trafficking or people smuggling.

The difficulty does not come from the specialised teams of course, but from the services that might be confronted with trafficking cases during other inspections.

As a result, it appeared that it would be interesting to update the training given and to reorganise a curriculum adapted to the latest developments in the phenomenon and in the regulations.

A working group has been set up for this purpose within the federal police, in which the Human Trafficking and People Smuggling Office is represented.

Due to the coronavirus crisis, it was not possible to launch these new courses in 2020.

The group aims to organise new training courses from 2021.

### 3.4 Aliens' Office / Asylum Sector

At the level of the Aliens' Office, basic training will be provided for all front-line services and therefore in particular for professionals likely to be in contact with a potential victim of HT. An "information manual" will also be developed.

The training on offer should be appropriate to both the services of the Aliens Office and the services of FEDASIL.

The training will focus on HT indicators, knowledge of the services that can be contacted and the procedure to follow.

### 3.5 Magistrates

Training for magistrates will continue to be provided for both non-specialised and specialised magistrates, concurrently or alternately, and in accordance with the provisions of the Judicial Training Institute.

For non-specialised magistrates, this will be basic training aimed at providing information on the specifics of human trafficking, drawing attention in particular to the role of duty magistrates faced with a human trafficking situation. Attention will also be paid to strengthening the knowledge of specific procedures related to human trafficking among youth magistrates.

For specialised magistrates, this will be a training course on topical issues that characterise the evolution of the subject in theory and practice.

### 3.6 Training for the youth care sector

The Action Plan 2015 - 2019 had highlighted the need to develop more initiatives to improve the detection of potentially trafficked minors.

In addition, an addendum<sup>7</sup> to this action plan was adopted, which included the main measures to be developed. This addendum remains in full force and effect.

Myria's 2018 annual report focused on this issue with a series of cases illustrating situations of exploitation of minors. The report recommended, among other things, to:

- Continue, intensify and diversify training efforts on trafficking in minors for frontline actors, magistrates, guardians, youth care services.
- Establish a task force to examine this particular issue.

During the previous term of parliament two working groups were set up to better address the issue of care for minors who are victims of human trafficking: a working group responsible for monitoring the measures to be taken at the level of the Flemish Region and a working group at the level of the French and German-speaking Communities. Each of these groups has developed approaches linked to the priorities identified in each community.

In Flanders, it is about the problem of 'loverboys' and the reception of under-age victims, in the French and German-speaking Community, it is about the application of procedures for the orientation of victims of trafficking and training.

Within the framework of this action plan, each federated entity will pursue the objective of training and informing the youth care sector and the institutions with jurisdiction in

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<sup>7</sup> <http://www.dsb-spc.be/doc/pdf/Addendum-plan-action-teh-FR.pdf>

this area in order to ensure that a minor who is a potential victim of trafficking is properly identified and directed to the appropriate structures. The training courses will be organised in a multidisciplinary way so that the various actors in the sector are represented: reception centres, magistrates, police officers, etc.

In Flanders, since 2021, a working group has also been set up to combat teenage pimps, with representatives from the FPS Justice, magistrates, law centres, the police, “agentschap opgroeien” and the cabinet of the Flemish Minister of the Environment, Energy, Tourism and Justice, the group is looking at ways to prevent perpetrators who use teenage-pimp methods from reoffending (in terms of punishment, conditions, monitoring, etc.).

### 3.7 [Practical tool for practitioners](#)

There is already a booklet with trafficking indicators available for inspection services and police services. In addition, during training courses, other practical tools are made available to partners according to their role.

If this approach is to be pursued, the use of new information tools, such as electronic tools or mobile phone apps, should be considered. Myria's 2019 annual report also recommended raising awareness of the multidisciplinary circular through appropriate tools.

To this end, the possibility of developing a mobile application/website with the basic instructions of the circular will be examined, possibly in the framework of a European project. In addition, a coordination website will be created.

Project	Responsibility	Timing
<b>Creation of a didactic application for information on the application of the victim referral mechanism</b>	Human Trafficking and People Smuggling Office	2024 - 2025
Establishment of a website on HT coordination	Criminal Department.	Policy 2022

### 3.8 [Information for diplomats](#)

Diplomats working abroad should be made aware of the issue of human trafficking. On the one hand, in the context of the management of the diplomatic post and consular aspects, and on the other hand, in the context of the dialogues they may have with their counterparts in the country in which they are posted. Belgian diplomacy must be able to play a proactive role when necessary to encourage measures taken to combat trafficking or to ensure discussions between our countries on this issue.

The following initiatives will be taken:

1. The fact sheet on trafficking will be updated by the FPS Foreign Affairs and the Human Trafficking and People Smuggling Office. This fact sheet summarises the issues surrounding trafficking, provides information on international sources and gives basic advice to diplomats;
2. The sheet will be distributed during bilingual briefings for diplomats assigned to new posts. In addition, at some of these sessions direct information will be provided by the FPS Foreign Affairs. A section on the identification of signs of human trafficking will also be included in order to specifically raise awareness among consular officers;
3. Finally, diplomats will be asked to ensure a minimum of monitoring of the HT situation and to exchange information with the country in which they are posted or over which they have jurisdiction. A circular from the Minister of Foreign Affairs will be prepared for this purpose.

Project	Responsibility	Timing
<p><b>Update the basic information sheet for diplomats.</b></p> <p><b>Include in the training sessions for diplomats assigned to new posts direct information on the subject of trafficking.</b></p>	<p>Minister of Foreign Affairs / SPF Foreign Affairs with the Human Trafficking and People Smuggling Office.</p>	<p>2022</p>

## 4 Refining the protection status of victims and improving the position of reception centres

At an institutional level, significant progress has been made over the last ten years. The system for issuing residence permits to victims of trafficking was introduced in the law of 15 December 1980; the multidisciplinary circular of 23 December 2016 (formerly circular of 16 September 2008) contributes to the clarification of the role of each party; the reception centres have been recognised by Royal Decree and are now members of the Interdepartmental Unit (Royal Decree of 21 July 2014 amending the Royal Decree of 16 May 2004<sup>8</sup>).

However, a number of issues remain to be addressed.

### 4.1 [Structural funding of reception centres](#)

In this context, the protection and assistance of victims is a central element. While Belgium was one of the pioneer states in creating or supporting assistance schemes for victims of trafficking, these assistance and protection measures are now found in most international instruments.

In addition to the Palermo Protocol, Belgium has ratified the Council of Europe Convention on Action against Trafficking in Human Beings (Warsaw, 16 May 2005) and must also respect the implementation of the European instruments that it has transposed into its national law (Directive of the European Parliament and of the Council of 5 April 2011 on preventing and combating human trafficking and protecting its victims, replacing Council Framework Decision 2002/629/JHA)

Obligations under international instruments include assistance and protection of victims.

States must ensure that assistance and support is provided to victims so that they can exercise their rights in criminal proceedings. The assistance includes the provision of a place to stay, legal assistance and also the provision of medical care.

The 2011 EU Directive also states that assistance and support measures should, where appropriate, be adapted to the gender equality dimension.

In Belgium, recognised reception centres provide this support and accommodation. However, there has been a debate for years now about how to fund them. The sources of this funding exist at both federal and state level. At the federal level, recognised reception centres often reported that there was no structural funding and that the amounts paid were not or were rarely indexed. As a result, there is often uncertainty about the level of services they will be able to provide. This is all the more true because they are often asked to participate in awareness-raising or training initiatives, whereas the monitoring of individual victims' situations is their primary mission.

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<sup>8</sup> M.B. 01 September 2014

GRETA, the Council of Europe's assessment body on the implementation of the Warsaw Convention, has highlighted this issue as one of the main points of attention that authorities should pay in the fight against trafficking.

Thus the GRETA report states that:

*GRETA urges the Belgian authorities to secure adequate funding for the specialised reception centres for victims of trafficking in order to ensure their unimpeded operation and the provision of all assistance measures envisaged in Article 12 of the Convention<sup>9</sup>.*

Between 2015 and 2019, the federal part of the financing of the centres was secured via the recurrent budget in the general expenditure budget and an exceptional budget from the interdepartmental provision made available by the Minister of Justice and the State Secretary for Equal Opportunities. This second budget was necessary in view of the lack of indexation for several years and the redesign of the Immigrant Policy Impulse Fund (FIPI).

From 2020 onwards, it was decided to centralise these budgets at the Justice level because of the department's coordinating tasks in this area.

Part of the interdepartmental provision has been incorporated in the general expenditure budget, but the other part amounting to 252,000 euros is still an Interdepartmental Provision (IDP).

While the decisions taken have ensured that the mechanism for assisting victims of human trafficking continues to function well, juggling different budgetary sources complicates matters and means that the money sometimes arrives late in the year.

As a result, the IDP budget for the reception centres will be reincorporated into the general expenditure budget. This will speed up the delivery of the budget and contribute to the sustainability of the funding of the reception centres.

The Federal Government only contributes to the aspects related to contact with the authorities, the legal and administrative aspects of the centres' work; the reception and accommodation aspects are the responsibility of the federated entities, each of which makes a contribution in this respect.

Project	Responsibility	Timing
<b>Include the entire federal budget for HT reception centres in the general expenditure budget to be repeated each year rather than resorting to exceptional budgets</b>	Justice / Equal Opportunities	2021

<sup>9</sup> Second GRETA report (2017), p. 27 - <https://rm.coe.int/greta-2017-26-frg-bel-en/1680782ae0>

## 4.2 Adaptation of the national referral mechanism for victims of HT

As the previous Action Plan had already underlined, there is a need to work on a better identification of trafficked minors.

Myria dedicated its 2018 annual report to this specific issue, including illustrating the problem of exploited Nigerian minors.

During the previous term of parliament, several questions arose and initiatives were also taken to address the issue.

Thus, on the one hand, the practice of 'loverboys' who sexually exploit minors was one of the points of particular attention; on the other hand, the question of the articulation of federal and community norms on the protection of under-age victims was also an element for action.

In July 2018, the Interdepartmental Coordination Unit for the Fight against Human Trafficking adopted an addendum to the national action plan on the fight against human trafficking, specifically addressing the issue of minors.

The addendum consists of various objectives and recommendations, including that of examining how the current status of victim of HT can be adapted to the specific situation of minors

From the discussions in the working groups with the federated entities, it has emerged that it might be relevant to provide for an addendum for each Community that would describe precisely how the federal provisions relate to the decree provisions, more specifically what are the correct steps to be followed that correspond to the application of the different norms when it comes to a minor.

Furthermore, in the context of the discussions that took place on the issue of minors in extraordinary Human Trafficking and People Smuggling Office meetings, it became clear that the national referral mechanism would benefit from more general clarification on a few points.

This is the case, for example, in relation to the follow-up of the situations of Belgian victims who are minors or adults. Although the guidance of Belgian victims has already been taken into account in the circular, it is not always explicit on certain aspects of the follow-up of their case. One solution could be to amend the law of 13 April 1995 to mention that Belgian victims also benefit from the support of the recognised specialist centres referred to in the law of December 1980.

The question also arises whether it should not be made clearer that all potential victims should be reported (anonymously) to the shelters, even those who refuse follow-up. The aim would be to have a better picture of the number of actual alerts. Indeed, our data is often limited to victims who are actually in the protection procedure, and this is not always sufficient, especially to respond to internal and international assessments<sup>10</sup>.

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<sup>10</sup> There is a pilot project for this at Payoke in Antwerp.

In addition, the assessment of the circular of 23 December 2016 will have to be carried out.

Finally, Myria stated in its 2018 annual report<sup>11</sup>: "*Adequate information in an accessible language to the foreign minor is therefore essential, both on his or her rights and on the possibilities and limits offered by the requirements of the procedure. He or she must be able to make an informed decision on whether or not to make statements. A child-friendly information tool could usefully be developed.*"The Human Trafficking and People Smuggling Office will liaise with relevant actors to implement this recommendation.

Attention should also be paid to international recommendations, for example by consulting the ODHIR (Office for Democratic Institutions and Human Rights) practical manual on "National Referral Mechanisms".

This will also take into account the recommendations of the assessment study of the National Action Plan on Business and Human Rights published in March 2021<sup>12</sup>. In addition to adequate referral of victims, they call for more active support for victims of trafficking through economic support and information on how to claim their rights. In particular, they note the difficulty for victims of economic exploitation to obtain compensation from a public institution when they are recognised as victims of trafficking.

On this issue, reference is made to other points in the Action Plan, in particular the project on an information document/tool for victims on compensation/wage recovery (point 4.3.).

Project	Responsibility	Timing
<b>Adapt the circular for each Community in relation to the steps to be followed for minors in order to ensure better protection and guidance while taking into account federal and Community standards</b>	Justice/OE/Com. Ger./Reg. Flam.	Fr/Com. 2021
<b>Amend the law of 13 April 1995 to specify that Belgian victims also</b>	Justice	2023

<sup>11</sup> Annual report on human trafficking and people smuggling: Minors at serious risk, recommendations point 1.3, Myria, 2018

<sup>12</sup>Full report: <https://nationalbaselineassessment.be/fr/publicaties-fr/rapport-final-de-la-nba-sur-les-entreprises-et-les-droits-de-lhomme/> and Summary of these recommendations: <https://www.nationalbaselineassessment.be/wp-content/uploads/2021/02/1022021-NBA-Stateolder-consultation-Pillar-I-UAntwerpen.pdf>,

<b>benefit from the support of specialised reception centres recognised at administrative and judicial level.</b>		
<b>Develop a child-friendly tool to inform minors about the HT procedure</b>	Justice / Human Trafficking and People Smuggling Office	2023
<b>Assessment of the multidisciplinary circular of 23 December 2016</b>	Human Trafficking and People Smuggling Office	2021-2022
<b>To ensure that the provisions on non-punishment of trafficked persons are properly implemented and to examine any obstacles to filing a complaint in order to remove these obstacles</b>	Justice/Asylum & Migration	2021 - 2023

#### 4.3 [Facilitating wage recovery](#)

When an employer is convicted but the victim has returned to his or her country, the law of 12 April 1965 on the protection of workers' remuneration allows the amounts recovered to be returned. Furthermore, when payment cannot be made directly because the worker has not left any contact details, the amount due must be paid to the Caisse des dépôts et consignations. It is then up to the victim to come forward to recover the amount.

An information leaflet will be prepared on the conditions and procedures to be followed so that potential victims can recover the amounts due to them.

<b>Project</b>	<b>Responsibility</b>	<b>Timing</b>
<b>Prepare an information brochure on the recovery of amounts due to victims of HT.</b>	FPS Employment / Social Security in consultation with the Human Trafficking and People Smuggling Office (follow-up)	FPS 2022

4.4 [Nominate a contact person at the National Institute for Social Insurance for the Self-Employed \(NISSE\) and refrain from charging social security contributions for false self-employed persons recognised as victims of trafficking.](#)

In its 2013 report, the Federal Migration Centre suggested that when the 'false self-employed' mechanism has been used and the person is recognised as a victim of human trafficking, the NISSE should be able to be informed of this and clear some of the debts incurred.

In the framework of the work of the Human Trafficking and People Smuggling Office, in particular the member representing the FPS Social Security, a consultation will take place with the NISSE to examine this possibility. Consideration will then be given to introducing appropriate amendments where necessary. The mechanism could be included in the 2016 Multidisciplinary Circular that organises the protection of victims of trafficking. Such a mechanism should only be applicable once a victim has received a first Certificate of Registration of Foreigners (CIRE), which would have a suspensive, if not definitive, effect once the status of victim of trafficking has been maintained until the perpetrator is convicted.

Project	Responsibility	Timing
<b>Nominate a contact person at the NISSE and limit the social debt for victims of human trafficking</b>	Minister for the Self-employed, Agriculture and Social Integration / INASTI in coordination with the Human Trafficking and People Smuggling Office (FPS Social Security)	2023

## 5 Maintaining an international focus in the fight against human trafficking

In recent years Belgium has worked with various international organisations or collaborated regularly on certain projects, in particular with the United Nations, the Organization for Security and Co-operation in Europe (OSCE), the Council of Europe, the European Union, BENELUX, the International Organization for Migration (IOM), etc.

In addition, Belgium, via the Department of Foreign Affairs, has contributed 2 million euros to the United Nations Trust Fund for Victims of Human Trafficking.

This cooperation and these discussions will continue by ensuring Belgian representation as soon as added value can be provided and by exchanging information with partner countries in the fight against HT within and outside the EU.

At the United Nations level, Belgium systematically participates in the Conference of the Parties to the United Nations Convention against Transnational Organized Crime. We also provide support and expertise to the Working Group on Trafficking in Persons and the Special Rapporteur on Trafficking in Persons. .

Belgium is also very active within the OSCE, notably through its role as "Lead Partner" for the EU Member States. This active role should continue, also through Belgium's participation in OSCE events and meetings of national co-ordinators and rapporteurs in the OSCE region.

BENELUX collaboration has been deepened after being initiated by the Netherlands in 2012. During the last Belgian Presidency (2018), the issue of raising awareness of the medical community about the signs of human trafficking was put on the agenda.

The Federal Migration Centre and the Criminal Policy Department (for the Human Trafficking and People Smuggling Office) systematically participate in the meetings of the informal network of national rapporteurs and equivalent mechanisms organised by the EU following the EU Council conclusions of 4 June 2009.

In 2016, Belgium underwent its second assessment by GRETA (Council of Europe Monitoring Mechanism). Although the assessment was generally positive, there is still work to be done on certain issues, such as the identification of under-age victims. The next assessment will start in 2020.

Belgium will continue to take cognisance of the various external international assessments submitted to it and respond to them as far as possible.

Finally, Belgium supports the implementation of the United Nations resolution of 19 December 2018, the "Global Compact for Safe, Orderly and Regular Migration", in particular its objective no. 10 which aims to fight against human trafficking in all its forms.

## 5.1 [The flyer for Belgian diplomatic posts abroad](#)

In 2009 a flyer was created in the framework of an ad-hoc working group of the Interdepartmental Unit. The Flyer is managed by FPS Foreign Affairs. It was developed at the request of a Belgian post abroad which noted risks related to suspicious work visa applications. It has been translated and distributed to ten of our posts abroad (depending on the number of victims identified in Belgium).

The previous action plan provided for a rewriting of this document. This was completed in 2019. A phase of translation and discussion is under way with Belgian posts abroad to make the necessary translations before making them available.

It will also be interesting - in connection with the distribution of the new flyer - for the Human Trafficking and People Smuggling Office to look at the needs of the posts in this respect. As we can see with the migration crisis, the operating methods have evolved between 2009 and today.

Project	Responsibility	Timing
<b>The flyer for diplomatic posts will be distributed in the Belgian posts most affected</b>	FPS Foreign Affairs and the Human Trafficking and People Smuggling Office	2022

## 5.2 [Exploitation of domestic staff in the private service of a diplomat](#)

Since October 2016, the monitoring of the treatment of private domestic servants and their living and working conditions has been strengthened. Since then, there is not only a compulsory interview when the first special residence permit is issued, but also when it is renewed. As the maximum validity of their special residence permit is one year, there is at least one interview per year.

In addition, private domestic servants can already request additional direct interviews with a person from the relevant department of the Directorate of Protocol at any time, in addition to the usual mandatory interviews. During the very first interview after arrival in Belgium, the person is given the usual information on his or her rights and obligations under Belgian labour and social law, as well as the contact details of the case manager responsible at the Protocol Directorate.

During this first interview, they are also given the contact details and explanations of the Commission des Bons Offices (CBO). The CBO was established by ministerial circular of 23 May 2013 with the target audience being diplomatic missions in their capacity as employers of locally recruited staff, the locally recruited staff themselves, and private domestic servants. One of the objectives of the CBO is to answer questions from locally recruited staff or private domestic servants about their rights and to mediate between them and the employer in case of complaints.

On 28 January 2021, the updated version of the standard employment contract for private domestic servants containing the new rates for 2021 was published online, as an annex to the Protocol Guide "Privileges and Immunities" which is available on the FPS Foreign Affairs website.

In the past, the official publication of an adapted version of the model contract has been slightly delayed, but this has not compromised the rights of private domestic servants. Indeed, each time a new application is made to recruit a private domestic servant, the green light is given only after verification that the salary recorded corresponds to the latest applicable scale.

The revised standard contract rates published in January will be updated again at the next indexation by the Joint Committee No. 323 with jurisdiction for domestic workers, usually in January of each year.

### 5.3 Develop tools to facilitate the application of the referral mechanism for victims found in a Benelux country and between Benelux countries

On 2 April 2014, an expert meeting was organised by Belgium with the BENELUX Secretariat. The purpose of the meeting was to discuss the application of victim protection mechanisms when a victim is found in one country and has been exploited elsewhere.

In these situations, it is not always easy to know what to do. In Belgium, a victim can normally only benefit from the residence permit system if an investigation and legal proceedings are taking place here. So what should be done when it is known that the victim has been exploited on the territory of a border country? How can we direct him/her to this other country if necessary? What contacts should be made?

Under the Belgian presidency, a brochure had already been drawn up that listed the various procedures and contact points in each Benelux country. After assessment, it appeared that it would be useful to examine possible avenues and consider solutions that take into account the challenges that arise, particularly in terms of the identification, reception, assistance and protection of victims at cross-border level

Project	Responsibility	Timing
Adapt the Benelux brochure to make the most relevant information directly accessible Examine the concrete possibilities for further work on cross-border victim care.	Benelux Working Group	2021

## 6 Raising awareness and providing information

Attention has been drawn by various international reports<sup>13</sup> to the need to strengthen public information and awareness initiatives.

In particular, the issue of information on sexual exploitation and violence against women and girls should be the subject of more initiatives. These aspects will therefore be better integrated into the initiatives described below.

Information and awareness-raising should concern authorities and professionals who may be in contact with potential victims of trafficking, as well as civil society stakeholders or citizens in general.

In this context, work with the federated entities is essential in order to reach the widest possible audience.

Different measures have already been detailed concerning information and training for administrative actors (training at different levels, diplomats, etc.). Therefore, only complementary elements and initiatives that are more focused on raising civil society's awareness will be discussed here.

### 6.1 Context and evolution of the phenomenon of HT

The Belgian context and figures on human trafficking should be monitored on a permanent basis.

In particular, specific attention should be paid in the coming years to the effects of a possible decriminalisation of prostitution and its impact on human trafficking (and people smuggling) figures.

Where appropriate, an assessment should be carried out on this subject following the entry into force of the relevant legislation.

Project	Responsibility	Timing
To assess the impact of legislative changes in the field of prostitution on human trafficking (and people smuggling).	Trafficking and Smuggling Unit (ad-hoc working group)	2023

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<sup>13</sup> GRETA,

[http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA\\_2013\\_14\\_FGR\\_BEL\\_with\\_comments\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2013_14_FGR_BEL_with_comments_en.pdf), p. 34.

## 6.2 Continuing to integrate the fight against human trafficking into the perspective of sustainable development and responsible business conduct

On 1 January 2016, the 17 Sustainable Development Goals of the 2030 Agenda for Sustainable Development - adopted by world leaders in September 2015 at a landmark United Nations Summit - came into force. Through these goals, countries have committed themselves to reducing the factors that create inequality and poverty and to combating the environmental damage identified in the 17 goals.

In particular, goal number 8 aims to ensure decent work, free from slavery or human trafficking:

*Objective 8.7 Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.*

On the other hand, the OECD Guidelines for Multinational Enterprises specify, in their chapters IV and V, the standards to be complied with in terms of human rights, on the one hand, and employment and industrial relations, on the other. *(chapters IV and V) They therefore call on companies to contribute to "the abolition of child labour" and "the elimination of all forms of forced or compulsory labour", of which economic exploitation is one form. These companies are also encouraged to encourage companies, suppliers and subcontractors to apply the principles of responsible business conduct in line with these principles.*

These principles and rights are developed in the ILO Conventions identified as fundamental, including ILO Convention No. 29 against Forced Labour and its 2014 Protocol.

In order to meet these objectives - in addition to the other measures described in this action plan - Belgium will take various initiatives to strengthen the approach to sustainable development and Responsible Business Conduct in the framework of public/private dialogue.

The good practices and recommendations contained in the OECD's Due Diligence Guidance for Responsible Business Conduct (general guidance and sector-specific guidance) will be taken into account in developing these initiatives.

The instruments listed in the Human Rights Toolbox<sup>14</sup> will provide valuable guidance to companies in meeting their human rights obligations in respecting human rights in their (trans)national activities.

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<sup>14</sup> <https://entreprises-droitshomme.be/>

## 6.2.1 Due diligence

### a) Supporting a regulatory framework

A regulatory initiative is announced at EU level in 2021 to develop a cross-cutting framework to require companies in all sectors to integrate "sustainable corporate governance" into their strategy. To achieve this, a company must develop a process to identify, prevent, reduce and report on the negative impact of its activities, particularly in the area of human rights (including social rights), the environment and good governance, along the entire value chain (due diligence). The text should specify the obligations of directors within companies and the responsibilities that will follow. Non-compliance may result in sanctions.

The European Commission launched a consultation prior to the drafting of this text. It closed on 8 February 2021. Belgium contributed to this and supported the adoption of such a European framework. It will support the integration at national level of the European regulation that will be developed to ensure the adoption of a due diligence process by companies and thus contribute to preventing economic exploitation in particular and to making principals responsible (in the context of supply chains).

In the context of the transposition of this European regulation into national law, account will be taken of the recommendations arising from the assessment of the Business and Human Rights Action Plan. "In addition to the above-mentioned recommendations, Belgium has also adopted a 'Policy Statement on Human Trafficking', which encourages Belgium to assess the situation of vulnerable communities, including victims of human rights violations, such as victims of human trafficking.

### b) The EU Regulation on minerals from conflict zones (Regulation (EU)2017/821 of 17 May 2017)

This European regulation, which came into force on 1 January 2021, aims to "curb the trade in four minerals, tin, tantalum, tungsten and gold, the exploitation of which sometimes finances armed conflicts or involves forced labour<sup>15</sup>."

It establishes a duty of care for the companies concerned (i.e. importers of tin, tantalum, tungsten and gold from the EU). Under this, companies must implement five steps as set out in the OECD's "Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas". These steps aim to: require these importers to assess the risks associated with their sourcing of raw materials from a conflict zone or fragile region, including the likelihood that these raw materials may be financing conflict, forced labour or other risks mentioned in the regulation; develop a strategy to respond to the risks identified; and publish a report on the results of this exercise. In this way, companies control their supply chains, and ensure that they manage these risks responsibly.

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<sup>15</sup> [https://ec.europa.eu/trade/policy/in-focus/conflict-minerals-regulation/regulation-explained/index\\_fr.htm#due-diligence](https://ec.europa.eu/trade/policy/in-focus/conflict-minerals-regulation/regulation-explained/index_fr.htm#due-diligence)

Under the Regulation, companies are therefore obliged to examine the risk of human trafficking in relation to their supply of these raw materials and, if necessary, to stop it.

#### c.) Responsible public procurement

The law of 17 June 2016 on public procurement pays particular attention to the issue of social dumping. The Federal Government has considerably strengthened the rules against social dumping in public procurement and concessions. There is no universally used or regulatory definition of the term "social dumping". But the term is considered to cover a wide range of abusive practices and circumvention of legislation that make the following possible:

unfair competition by illegally reducing labour and operating costs

violation of rights, exploitation of workers, human trafficking, etc.

The rules to combat social dumping have been significantly strengthened. These measures were developed in consultation with the social partners and the Public Procurement Commission. To assist public purchasers, both the federal, Walloon and Flemish governments have produced guides containing practical guidelines for contracting authorities in the fight against social dumping.

An arsenal of tools has been developed to raise awareness and combat social dumping, particularly in the "fraud-sensitive sectors": the construction, cleaning, security, meat, transport and metal sectors.

The federal government's guide<sup>16</sup> refers to a Charter with proposed commitments for contracting authorities. A related circular is to ensure that the Charter is implemented within the federal contracting authorities, which must set an example in this respect. More information at:

<https://www.publicprocurement.be/fr/documents/guide-de-lutte-contre-le-dumping-social-dans-les-marches-publics-et-les-concessions-0>

#### 6.2.2 Disclosure of non-financial and diversity-related information by certain large companies

The law of 3 September 2017 on the publication of non-financial information and information relating to diversity by certain large companies and certain groups provides for a mechanism for the communication of non-financial information by large companies which must include, in particular, their efforts on "human rights" issues. However, human trafficking is not mentioned as such.

While the concept can be understood in terms of "human rights", it would be much clearer in relation to the objectives of sustainable development to mention it explicitly in the text of the law.

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<sup>16</sup> [https://www.publicprocurement.be/sites/default/files/documents/social\\_dumping\\_fr\\_003\\_0.pdf](https://www.publicprocurement.be/sites/default/files/documents/social_dumping_fr_003_0.pdf)

The law will be adapted so that human trafficking is explicitly included in the respective articles of the law dealing with human rights and corruption.

Project	Responsibility	Timing
<b>Adapt the law of 3 September 2017 to explicitly include human trafficking</b>	IFDD /SPF Economy/SPF Justice (to be integrated in the reform of texts either HT or specific law)	2022/2023

### 6.3 Raising awareness of the issue of human trafficking among the general public

Since the first action plan, information and awareness-raising have been important aspects of the fight against trafficking. However, the initiatives were mainly focused on certain sectors or actors because there was a desire to work in "concentric circles". Human trafficking is however identified in almost all sectors, even those that one would not think of at first sight (embassies, subcontracting chains of large companies, etc.).

On this basis and taking into account the initiatives already taken, for example with the hospital/medical sector or with the social welfare sector, it is now appropriate to further extend this awareness-raising and information approach.

#### 6.3.1 EUCPN campaign

In 2019, a model awareness-raising campaign (especially for potential victims) was developed by the European Crime Prevention Network (EUCPN), which asked which states were willing to contribute to its promotion.

Belgium has decided to support this campaign. In practice, however, this sharing had to be limited because the timing between the availability of the campaign and the date for sharing (18 October - European Anti-Trafficking Day) was very short for the year 2019. This also made the release of budgets more complex.

However, this campaign is intended to be repeated. A working group will be set up to coordinate the organisation of the campaign at both federal and federated entity level.

Project	Responsibility	Timing
<b>Continue and expand the spread of the EUCPN Campaign</b>	FPS Interior (Prevention) / FPS Justice + Regions and regional partners	2022 - to be repeated in subsequent years at a frequency to be determined

In addition, the Myria 2020 report highlighted the issue of domestic exploitation as a phenomenon that is difficult to identify as it takes place in the private sphere.

Consideration should be given to how to draw attention to this phenomenon in future awareness-raising campaigns.

### 6.3.2 Blue Heart Campaign

Belgium officially supports the United Nations Blue Heart Campaign<sup>17</sup>. The campaign aims to encourage everyone to get involved and support the fight against this crime.

The campaign material is mainly used on 30 July, which is World Anti-Trafficking Day.

In 2019, the departments and partner organisations of the Interdepartmental Unit contributed to the campaign via their social networks and other means. The cities of Brussels and Bruges also participated.

In 2020, the collaboration with the UN office in Brussels continued in order to extend the campaign’s communication channels (use of projectors, Manneken Pis, Grand Place, Bruges, etc.).

Project	Responsibility	Timing
<b>Spreading awareness of the UN Blue Heart Campaign</b>	Departments and services involved in interdepartmental coordination	2021 - to be repeated in subsequent years at a frequency to be determined

### 6.2.3 Raising awareness in specific sectors

#### A. Raising awareness in the medical sector

An information campaign on trafficking indicators has already taken place three times with this sector. The distributed brochure addresses trafficking from these different angles and typical situations that health professionals may be confronted with (work accident that in fact hides a HT situation, forced abortion, etc.).

In order to take into account the gender dimension, gynaecological services will be among those addressed by the campaign, since cases of forced abortion in the prostitution environment have already been observed in other European countries.

The campaign will be repeated at least once between 2021 and 2025.

Project	Responsibility	Timing
<b>Repeat the hospital/medical information campaign</b>	FPS Justice + FPS Public Health	To be carried out at least once between 2021 and 2025

<sup>17</sup> <https://www.unodc.org/blueheart/>

## B. Awareness raising and training in the civil aviation sector

Human traffickers regularly move victims from one country to another to evade identification, checks or investigation, or simply to transport them to their place of exploitation.

Air transport is a quick way to achieve this.

Various states have therefore developed training programmes for airport security staff or for the cabin crew of interested companies.

In this way, victims have sometimes been identified during the flight and protected on arrival.

Although airport police in Belgium are well trained on the issue of human trafficking and people smuggling, there is not yet a programme for airline or airport staff.

Several issues should therefore be addressed:

- Develop a list of indicators and a basic training programme;
- Examine whether reporting procedures are sufficiently adapted to potential trafficking situations.

At the same time, it should also be remembered that airports are also places where public awareness can be raised. It will therefore be examined to what extent the EUCPN campaign can also be used in the main halls.

This project is currently suspended due to the coronavirus crisis. As the aviation sector is hard hit, it was felt that it would be better to continue with the project once some calm had returned to the sector.

Project	Responsibility	Timing
<b>Develop a list of indicators and a standard procedure for the identification of potential victims of HT by the aviation sector</b>	Trafficking and Smuggling Unit - ad-hoc working group of the Human Trafficking and Smuggling Office	2022

## C. Awareness raising in the education sector and among young people

Minors may be approached by 'loverboys' who will seek to exploit them sexually. This is particularly the case when these minors are already in socially or emotionally fragile situations. In addition, sexual exploitation can also take other forms for which it is important to provide indicators and means of action.

It is important to inform the education sector and in particular the school environment about what human trafficking is, about typical situations of exploitation of under-age boys and girls, and about the signs that may indicate that a minor might be exploited. It is also necessary to raise young people's awareness of the issue through education so that

they can recognise and apply defensive strategies in the face of these risks, and in particular the risks of prostitution-related behaviour in relation to HT.

Information will therefore be shared either through training or guides on human trafficking indicators and the help that can be given or obtained.

Finally, it will be necessary to work out with the federal and regional actors concerned a reflection on the appropriate assistance to be provided to vagrants from MENA, potential victims of HT, present in Belgium but unwilling to use the Fedasil reception network in its current form.

Project	Responsibility	Timing
<b>Raising awareness of the issue of human trafficking and trafficking in minors in particular among the school sector and young people</b>	Flanders / French-speaking Community / German-speaking Community	2022/2023

#### D. Raising awareness of PCSWs

The PCSWs (Public Social Welfare Centres) are in regular contact with vulnerable people likely to be approached by human traffickers. It is important to consider information and awareness-raising for PCSW staff so that they can, if necessary, respond correctly with regard to a potential victim or vulnerable people.

During the first assessment of the multidisciplinary circular of 2008, it appeared that some PCSWs were aware of the problem (those located in the cities where the reception centres work), but this was not the case for other PCSWs. Therefore, an awareness-raising initiative could be useful.

The Unit Bureau will examine with the competent services what kind of initiatives can be put in place (brochure, article in an internal magazine, training, etc.).

Project	Responsibility	Timing
<b>Raising awareness of the issue of HT among PCSWs</b>	Human Trafficking Office with the competent services and departments	2023

#### E. Hospitality sector

The hospitality sector is very vulnerable to human trafficking, particularly with regard to forced prostitution, forced crime and domestic servitude.

Human trafficking in this sector can also be facilitated by the fact that more and more operations in the sector can be done online: booking, etc.

Moreover, as we have seen from a well-publicised case in Belgium, the luxury hotel industry is not immune to human trafficking. In this situation, one floor of the hotel had

been privatised and people were being exploited. The hotel managers' knowledge of what was going on in this privatised floor could never be established, but if there had been a better knowledge of what HT was, perhaps this kind of situation could have been avoided.

In this context, the NGO ECPAT is participating in the ALERT project, which incorporates a dimension related to information for the hotel and tourism sector. The Belgian authorities will support the initiatives taken in this framework by involving the competent services that can bring added value to the project.

Project	Responsibility	Timing
<b>Raising awareness of the issue of trafficking in the hotel sector by supporting existing projects or developing complementary initiatives</b>	Unit - Human Trafficking and People Smuggling Office / Fed Pol	2021- 2022

#### 6.4 Coordination and IAMM

The Interdepartmental Coordination Unit for the Fight against Human Trafficking and People Smuggling was created in 2004. The Royal Decree of 16 May 2004 was subsequently amended in 2014 in order to, among other things, integrate certain important actors such as CTIF and the federated entities into the mechanism.

This has enabled the initiatives taken to be expanded and new projects to be started at different levels of competence in the country.

It might be useful to review the composition of the Unit and the Human Trafficking and People Smuggling “Bureau” as new actors could be involved or other long-standing institutions whose involvement would be useful.

For example, the Federal Police is represented both in the Human Trafficking and People Smuggling “Bureau” and in the Unit, but the question has already arisen as to whether the local police should be represented in the Human Trafficking and People Smuggling “Bureau”, as there is a major challenge in raising awareness of trafficking among non-specialised police officers.

New initiatives also exist in the area of human and corporate rights as well as non-discrimination and gender equality, which are obviously linked to the issue of trafficking.

The Human Trafficking and People Smuggling “Bureau” should therefore reflect on the composition of the bodies of the co-ordination mechanism and if necessary make a proposal for adaptation.

Project	Responsibility	Timing
<b>Screen the composition of the Trafficking and Smuggling Unit and the Human Trafficking and People Smuggling “Bureau” with a view to updating their composition</b>	Human Trafficking and People Smuggling “Bureau”	-2022/2023

Concerning the "CIATTEH" (Centre for Information and Analysis of Human Trafficking and People Smuggling). It should be noted that this has never been implemented, despite the various avenues examined.

On paper, the aim was to set up a computerised network for secure information exchange between the partners of the Unit.

In practice, the project encountered various difficulties:

- Lack of a specific budget to create this computer network - need for technical/IT support;
- Insufficient capacity to manage both the work of the Unit and the work of an information centre; the implementation of the Unit's projects is in itself time consuming;
- Initial cross-referencing objectives too ambitious;
- Definition of objectives to be clarified, taking into account, for example, the existence of images of the phenomenon already used in the framework of criminal policy.

Therefore, when reviewing the composition of the Trafficking and Smuggling Unit/Office, it should be considered whether the CIATTEH’s objective should not be redefined in order to have a realistic implementation given the available means.

Project	Responsibility	Timing
<b>Review the objectives set for the CIATTEH and redefine the mechanism to make it functional in relation to the means and capacities available</b>	Human Trafficking and People Smuggling “Bureau” / Unit	2021 – 2022