

# 2025 Trafficking in Persons Report: Belgium

## BELGIUM (Tier 1)

The Government of Belgium fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Belgium remained on Tier 1. These efforts included prosecuting more trafficking cases, investigating more labor trafficking cases, and extensively cooperating with foreign authorities on international anti-trafficking law enforcement efforts. For the first time in three years, courts reported awarding compensation to trafficking victims. Although the government meets the minimum standards, it convicted fewer traffickers, reported fewer victims identified and assisted, and continued to impose several conditions – such as participation in a criminal case – on victims' access to services, including access to residence permits, which constrained victim identification and limited services for victims. In addition, courts continued to issue fully or partially suspended sentences to a significant number of convicted traffickers, which weakened deterrence.

## PRIORITIZED RECOMMENDATIONS:

- Ensure victims have access to the full range of services regardless of the outcome of the case against the trafficker or whether they choose to participate in criminal justice proceedings.
- Vigorously investigate and prosecute trafficking crimes and seek adequate penalties for convicted traffickers, which should involve significant prison terms.
- Train officials on the use of procedures for the proactive identification of trafficking victims among vulnerable populations, including victims of forced criminality and child victims, and for the referral of victims to care.
- Implement a systemic victim-witness assistance program to increase protective services for victims participating in criminal justice proceedings.
- Ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked.
- Strengthen international law enforcement cooperation to prevent and investigate extraterritorial child sexual exploitation and abuse by Belgian citizens.
- Coordinate and centralize the collection of timely trafficking data across the government to effectively analyze efforts.
- Improve victims' ability to access court-ordered restitution in criminal cases and ensure victims exploited by means other than physical violence have full access to victim compensation.
- Revise the definition of human trafficking under Belgian law to more closely align with the definition in the 2000 UN TIP Protocol.

## PROSECUTION

The government slightly increased anti-trafficking law enforcement efforts.

Belgium criminalized sex and labor trafficking through a 2005 amendment to the 1995 Act Containing Measures to Repress Trafficking in Persons, which prescribed penalties of one to 15 years' imprisonment and a fine for crimes involving adult victims and 10 to 20 years' imprisonment and a fine for crimes involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other grave crimes, such as kidnapping. Belgium's definition of trafficking in persons was broader than the definition in the 2000 UN TIP Protocol. Inconsistent with the definition of trafficking under international law, the

law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime. In addition, Belgian law allowed the failure of an employer to meet the prevailing wage and working conditions to constitute “exploitation,” and the government included these cases in its prosecution data. GRETA reported this overly broad definition could lead to confusion between trafficking and other criminal offenses and possible difficulties in mutual legal assistance with foreign governments that used a definition more consistent with the UN TIP Protocol.

The government did not report anti-trafficking data consistently from year to year, making it difficult to assess its law enforcement efforts, and it lacked a coherent system to collect law enforcement and victim data for trafficking cases, which hindered its ability to track and evaluate its efforts. Authorities investigated 354 cases in 2024 (249 sex trafficking and 104 labor trafficking, including 17 forced criminality and one forced begging, and one unspecified trafficking) compared with 468 investigations in 2023. The government reported labor courts investigated 213 additional labor trafficking cases. The government prosecuted an unknown number of defendants in 75 cases in 2024, compared with 51 cases in 2023. Authorities reported 104 convictions in 2023, the most recent year for which data was available, compared with 123 convictions in 2022. Courts sentenced 88 convicted traffickers to prison terms in 2023 (107 in 2022); however, 56 of the sentences were suspended or partially suspended (48 in 2022). Of the prison sentences issued in 2023, including those that were suspended or partially suspended, 29 were for terms of three to five years, and 10 were for more than five years. Experts attributed the high number of suspended sentences to several factors, including overcrowding in Belgian prisons, frequent use of pre-trial detention, the imposition of financial penalties, the law’s overly broad definition of human trafficking, and the application of lighter sentences for traffickers with minimal roles in an organization. The failure to sentence many traffickers to significant terms of imprisonment weakened deterrence, undercut broader efforts to hold traffickers accountable, and did not adequately address the nature of the crime. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes.

The government mandated anti-trafficking trainings for some judicial officials, and trafficking was included in basic training courses for law enforcement. Federal and regional governments continued trainings on topics such as investigations, prosecutions, and victim identification for front-line workers and first responders. The government cooperated extensively with EU agencies and member states to conduct investigations, coordinated with foreign authorities to investigate organized trafficking rings in multiple countries, and cooperated with Chinese and Brazilian police on sex trafficking investigations. The government extradited five suspected traffickers to foreign authorities and received five extradited suspected traffickers.

## **PROTECTION**

The government maintained victim protection efforts.

Data sources for victim identification and assistance differed from previous years, which may have resulted in underreporting. Due to the broad definition of labor exploitation under Belgium’s anti-trafficking law, data on the identification of labor trafficking victims may have included cases that did not constitute trafficking crimes under the international law definition. The government formally identified and assisted at least 93 victims in 2024, some of whom experienced more than one type of exploitation, (47 male and 46 female; 61 victims of labor exploitation, 29 victims of sexual exploitation, two victims of forced criminality, and 13 victims of unspecified forms of exploitation), compared with 157 victims in 2023 and 237 in 2022. First responders maintained an NRM to identify victims and refer them to care. The government funded trainings and awareness-raising campaigns targeting front-line professionals on victim identification. Although some police units and prosecutors specialized in trafficking cases, observers noted local police units often lacked specialized anti-trafficking officers, faced resource constraints and staffing shortages, and struggled to recognize trafficking indicators, which hindered victim identification efforts. Authorities at asylum and detention centers reported staff were trained to screen migrants, refugees,

or asylum seekers for trafficking indicators; however, given the limited time to do so, observers reported instances where individuals often were not screened for trafficking indicators before being turned away at border points. In particular, experts reported challenges in identifying child victims. Many authorities who did not specialize in trafficking cases reportedly confused child trafficking victims with those of other crimes, such as migrant smuggling and child abuse. Authorities sometimes failed to properly notify child protective services when they identified an unaccompanied child victim.

The government allocated €1.38 million (\$1.44 million) to three specialized NGO-run shelters in 2024, compared with €1.39 million (\$1.46 million) in 2023. The three NGO-run shelters were formally recognized as part of the government's official anti-trafficking response; other organizations, including those accommodating child victims, were not considered official victim service providers under the NRM. Two of three government-funded shelters reported receiving 1,056 referrals of victims and potential victims in 2024, compared with three government-funded shelters that reported 1,548 referrals in 2023. Shelters provided psycho-social, medical, and legal care and were open to all adult victims. The independent Federal Migration Centre (Myria), in its capacity as the national rapporteur, provided oversight and coordination for the shelters. GRETA previously noted, however, that the limited capacity of the official specialized shelters hindered potential victims' access to services; victims were not often fully informed of their right to such services unless they had contact with the shelters.

Authorities placed child trafficking victims in government-funded shelters for children. The government funded a temporary residence center for unaccompanied female potential trafficking victims between the ages of 14 and 18, which offered shelter, legal assistance, and follow-on assistance plans and did not require victims to participate in investigations to receive support. Shelters for asylum seekers, including unaccompanied children, faced significant strain, and many children reportedly went missing from shelters each year; these children were vulnerable to trafficking. Single male asylum-seekers were not eligible for housing through the federal asylum agency, increasing their vulnerability to trafficking.

The government conditioned its victim assistance services on three criteria: victims had to end contact with the trafficker, agree to counseling at a shelter, and assist in the prosecution of the trafficker. Identified victims were eligible for a 45-day reflection period to decide whether to participate in criminal justice proceedings; the government repatriated foreign victims who chose not to do so to their country of origin. Potential victims had access to social services during this period. The government granted foreign victims who participated in criminal justice proceedings three-month residence and work permits and protective services. If a public prosecutor confirmed the individual was a trafficking victim, they could receive a six-month residence and work permit, renewable until the end of the criminal case; victims who were not citizens of EU member states could obtain permanent residency only upon the successful conviction of traffickers. GRETA expressed concern residency was, in practice, tied to the outcome of the criminal case rather than the victim's willingness to participate in criminal justice proceedings; victims could lose their official victim status – along with residence permits and related services – if a settlement was reached with the trafficker prior to indictment, the case was dismissed within two years of charges being filed, or the alleged perpetrator had diplomatic immunity. In the absence of a conviction, authorities could grant residence permits indefinitely to non-EU victims if authorities were able to bring formal charges against the trafficker. Victims who chose not to accept the conditions were eligible for other types of assistance, including access to temporary housing and psycho-social care, and non-EU victims could apply for humanitarian residency. Nonetheless, observers noted the conditions the government attached to victim assistance were difficult for many victims to meet, especially for child victims. Few child victims received residence permits, and GRETA expressed concern residency for non-EU child victims was contingent upon cooperation with law enforcement instead of the best interest of the child. In addition, foreign victims were only granted relief from deportation if they participated in criminal justice proceedings. The government issued 214 residence permits for trafficking victims in 2024.

Gaps in identification efforts made victims, especially victims of forced criminality, vulnerable to inappropriate penalization solely for unlawful acts committed as a direct result of being trafficked.

Belgian law included a non-punishment provision, but GRETA and an NGO noted inconsistencies in authorities' application of the provision. For example, GRETA noted authorities rarely properly identified child victims of forced criminality and instead treated them as underage offenders. During criminal proceedings, victim-witness protection was available; children and other victims, as determined by authorities on a case-by-case basis, could testify via video. Prosecutors could seize assets of suspected traffickers during an investigation and request restitution for victims in court through the confiscation of these assets; however, in practice the amount of confiscated assets available for victims was often limited. For the sixth consecutive year, the government did not report data on courts granting restitution. Victims could claim compensation in local courts but often had to prove their case involved physical violence to receive compensation. Victims could also seek compensation through a compensation fund for victims of violence; GRETA noted the requirements for victims to claim compensation from this fund were often difficult to meet. For the first time in three years, the government reported awarding compensation to nine victims, totaling €111,227 (\$115,741). The high costs of legal representation often discouraged victims from choosing to participate in criminal and civil proceedings and prevented many from seeking compensation.

## **PREVENTION**

The government maintained prevention efforts.

The Inter-Department Coordination Unit to Combat Trafficking coordinated government-wide anti-trafficking efforts and monitored implementation of the 2021-2025 NAP; the unit met once in 2024. The Ministry of Justice (MOJ) chaired the unit, comprised of government ministries and agencies, the three government-funded shelters, and Myria. Myria served as the secretariat and the independent national rapporteur; it produced an annual report on government anti-trafficking efforts and made recommendations. The government did not report the total funding it allocated to prevention activities but noted federal, regional, and local governments devoted resources to anti-trafficking efforts. The government conducted anti-trafficking awareness campaigns targeting vulnerable groups, employers, front-line practitioners, Belgian embassies and consulates abroad, and the general public. In 2024, Belgium held the rotating chair of a working group focused on human trafficking efforts between Belgium, the Netherlands, and Luxembourg. The MOJ maintained a website to report suspected trafficking crimes. Three government-funded NGOs maintained 24/7 hotlines; the government did not report how many calls led to the identification of victims or further investigations.

The government continued to train labor inspectors on trafficking indicators. Labor inspectors conducted routine inspections of worksites; however, the government did not report referring any potential trafficking crimes to law enforcement or identifying any potential trafficking victims. Some migrant workers were not allowed to change employers without obtaining authorization from the government, increasing their vulnerability to trafficking. The government continued a widely used program that subsidized the wages of domestic workers and criminalized exploitative practices, such as the confiscation of passports and contract switching. The government did not make efforts to reduce the demand for commercial sex acts. The government did not make efforts to reduce the demand for participation in extraterritorial child sexual exploitation and abuse by its citizens despite allegations of such actions by its citizens; however, the law permitted the prosecution of Belgian citizens for participating in extraterritorial child sexual exploitation and abuse. In May 2024, Parliament passed a law that allowed individuals in commercial sex to sign formal employment contracts, which gave them access to health insurance, leave, unemployment, pension, and other rights. Under this law, employers of individuals in commercial sex are required to apply for state authorization to operate and adhere to safety protocols and background requirements; the government did not report impacts to its anti-trafficking efforts resulting from this law.

## **TRAFFICKING PROFILE:**

Trafficking affects all communities. This section summarizes government and civil society reporting on the nature and scope of trafficking over the past five years. Sex and labor traffickers exploit foreign and domestic victims in Belgium. Traffickers exploit Belgians, particularly women and girls, in sex trafficking. Traffickers increasingly use technology, including online platforms, to recruit victims or to further coerce and exploit sex trafficking victims. Sex traffickers also increasingly use online booking and vacation rental platforms to arrange venues to exploit sex trafficking victims. Traffickers increasingly exploit victims, including children, in forced criminality, including drug smuggling or theft. Foreign victims come primarily from Asia (including Afghanistan, China, India, Thailand, and Vietnam), Eastern Europe (including Albania, Hungary, Romania, and Ukraine), and Africa (including Morocco and Nigeria). Sex traffickers exploit foreign children, including Roma and Nigerian girls. Organized Nigerian and Ghanaian sex trafficking networks operate throughout Belgium. Traffickers increasingly exploit children from Afghanistan in sex trafficking. Thai criminal organizations exploit Thai women in sex trafficking in massage establishments that are frequently managed by Belgian citizens. Chinese national sex traffickers recruit Chinese national women in China and exploit them in Belgium. Officials report South American trafficking rings, particularly from Brazil, increasingly operate in Belgium. Traffickers recruit girls from Eastern Europe on social media by posing as potential romantic partners. Belgian citizens participate in extraterritorial child sexual exploitation and abuse.

Labor traffickers exploit victims in agriculture, restaurants, bars, factories, horticulture sites, fruit farms, construction sites, shipping, nail salons, cleaning businesses, and retail shops. Traffickers exploit men and women in domestic servitude, including in the diplomatic community. Labor traffickers exploit Vietnamese victims in nail salons. Within the Romani community, traffickers exploit Roma children in forced begging and forced criminality. Asylum-seekers who have their applications for legal status denied, those unable to be accommodated at reception centers, migrants transiting through Belgium, including to the UK, and unaccompanied migrant children are highly vulnerable to trafficking. Refugees, including women and children fleeing the Russia-Ukraine war, are vulnerable to trafficking.