RECOMMENDATION 7

Introduce an obligation to report on the risks of human trafficking as part of due diligence.

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In current legislation on the disclosure of non-financial information and as part of the transposition of Directive 2022/2464 on corporate sustainability reporting, Belgium should include the need for companies to specifically indicate whether their activities present a risk of human trafficking and labour exploitation and how their policy aims to prevent human trafficking. In doing so, companies would report on the risks associated with their own activities and value chain. **Companies need to know exactly what they need to disclose and how they need to disclose it, and that they can adopt certain disclosure standards.** Reports should be **published online** on company websites and in a national register to ensure **sufficient transparency** for consumers, investors and other stakeholders. The information disclosed by companies as part of this process could be used as part of an investigation into human trafficking and labour exploitation.

Victims

RECOMMENDATION 8

Better detection of groups of victims without agency.

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Greater specialisation is needed within the frontline services that deal with human trafficking, such as the ECOSOC teams and the FJP, to gain the trust of certain groups of victims found in high-risk sectors. These are often vulnerable groups of victims with no agency in exploitative situations, such as illegally employed Vietnamese. Frontline services need to be constantly aware of how to detect situations such as human trafficking. The role of these services is essential here, as they are often the only ones able to detect and get these particularly vulnerable groups of victims out of their distressing situation. The authorities must also be aware of the crucial role played by frontline services.

RECOMMENDATION 9

Have the authorities cancel the social security debts of bogus self-employed workers who are victims of human trafficking.

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RECOMMENDATION 10

Adopt a number of legislative changes to improve victim support.

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Among the victims of labour exploitation, there are many bogus self-employed people, who are unaware that they are working under this status. These victims unwittingly risk incurring a heavy burden of debt, as they were not in a position to pay their social security contributions during their period of exploitation.

Myria's 2012 annual report[602] had already identified this problem and made recommendations in this respect. Subsequently, this point was included and further developed in the National Action Plan to Combat Trafficking in Human Beings 2015-2019[603], but it was never implemented. Nevertheless, this problem still exists[604] and was taken up again in the National Action Plan to Combat Trafficking in Human Beings 2021-2025[605].

In such cases, labour prosecutors should inform the National Institute for the Social Security of the Self-Employed (NISSE) that the person has been identified as a victim of human trafficking – and is therefore a bogus self-employed worker – and ask the NSSO to carry out an investigation at the employer's premises. In addition, the NISSE should **designate a contact person** who can cancel the debts once the public prosecutor's office or the labour prosecutor's office has recognised the person as a victim of trafficking.

Myria is in favour of several of the Parliamentary Committee's legislative recommendations relating to victims, such as the **introduction of a simplified procedure to grant victim status** when victims have complied with the conditions of the procedure, but the status is terminated for reasons beyond their control (discontinuation of proceedings, dismissal, out-of-court settlement) (recommendation 57), or an **effective compensation mechanism** for victims, by amending the Law of 1 August 1985 (recommendation 52). It hopes that the necessary steps to make these changes will be taken soon.

602 Myria, Annual Report 2012, Trafficking and smuggling of human beings, Building trust, pp. 23, 29 and 104.
603 Criminal Policy Department, Action plan to 'Combat human trafficking 2015-2019', p. 24.
604 VRT NWS, Gent draaischijf voor sociale uitbuiting van Bulgaren: "Echte maffiapraktijken, ik kreeg 50 euro per week".
605 Criminal Policy Department, Action plan to 'Combat human trafficking 2021-2025', p. 24.

RECOMMENDATION 11

Ensure a lawyer is quickly appointed for victims.

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Myria supports the recommendation of the Parliamentary Commission on human trafficking to maintain **a list of lawyers specialising in human trafficking and smuggling through legal aid offices,** and to ensure the immediate appointment of a lawyer (recommendation 24). Myria has already highlighted the importance of this in its 2019 annual report on victims' right to legal aid and protection. GRETA has also made it one of its points of attention in its third round of evaluation of Belgium. Myria therefore hopes that these measures will be implemented rapidly.

RECOMMENDATION 12

Improve the detection and protection of child victims by favouring their reception in small facilities, for instance.

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Several of the Parliamentary Committee's recommendations aim to improve the detection and protection of child victims, which Myria welcomes. Myria therefore encourages the rapid implementation of recommendations such as favouring the reception of unaccompanied foreign minors (UAMs) in **small facilities by guaranteeing specific security measures** (recommendation 53), providing **a single point of contact at all** Fedasil **reception centres** and partner facilities, and training them adequately (recommendation 55), or strengthening interaction between youth prosecutors' offices and the reference magistrates for trafficking in human beings (recommendation 91).