

PART 3: KEY FIGURES CONCERNING THE STAKEHOLDERS IN HUMAN TRAFFICKING AND SMUGGLING

Introduction

Myria received the following figures from six stakeholders likely to play a role in human trafficking cases in Belgium. If these stakeholders are also active in human smuggling, the related key figures are also mentioned.

Here are the six stakeholders in question:

1. the police, with information from the general national database;
2. the social inspection services;
3. the College of Public Prosecutors, with information relating to prosecutions led by the public prosecutors' offices;
4. the Immigration Office (IO);
5. PAG-ASA, Payoke and Sürya: specialised victim reception centres;
6. the Criminal Policy Service (CPS), with information relating to convictions.

For each of these data sources, we have provided:

- a description of the nature and origin of the data;
- a presentation of the data, together with a short commentary;
- if necessary: an analytical commentary concerning the section of data in question or additional information.

Given that this data is provided by the stakeholders themselves, it gives an accurate overview of their interventions and shows how they have evolved over time.

However, the data isn't harmonised between the stakeholders. The result is that this data isn't sufficiently useful to assess the policy and support strategic analyses. These shortfalls also have a significant impact on the possibilities of reporting to the European institutions.

1. Police data

1.1. Description of the data

The federal judicial police provides information in the form of maps, created by strategic analysts from the department involved in the fight against crimes against persons. These maps are elaborated on the basis of data available in the police's general national database (GND). The police has used the same syntax for the fourth consecutive year, which means it is possible to see the evolution of police interventions.

1.2. Data relating to human trafficking

1.2.1. Presentation of data relating to human trafficking

Figure 1. Human trafficking offences per commune and purpose of exploitation *(Source: Police's general national database)*

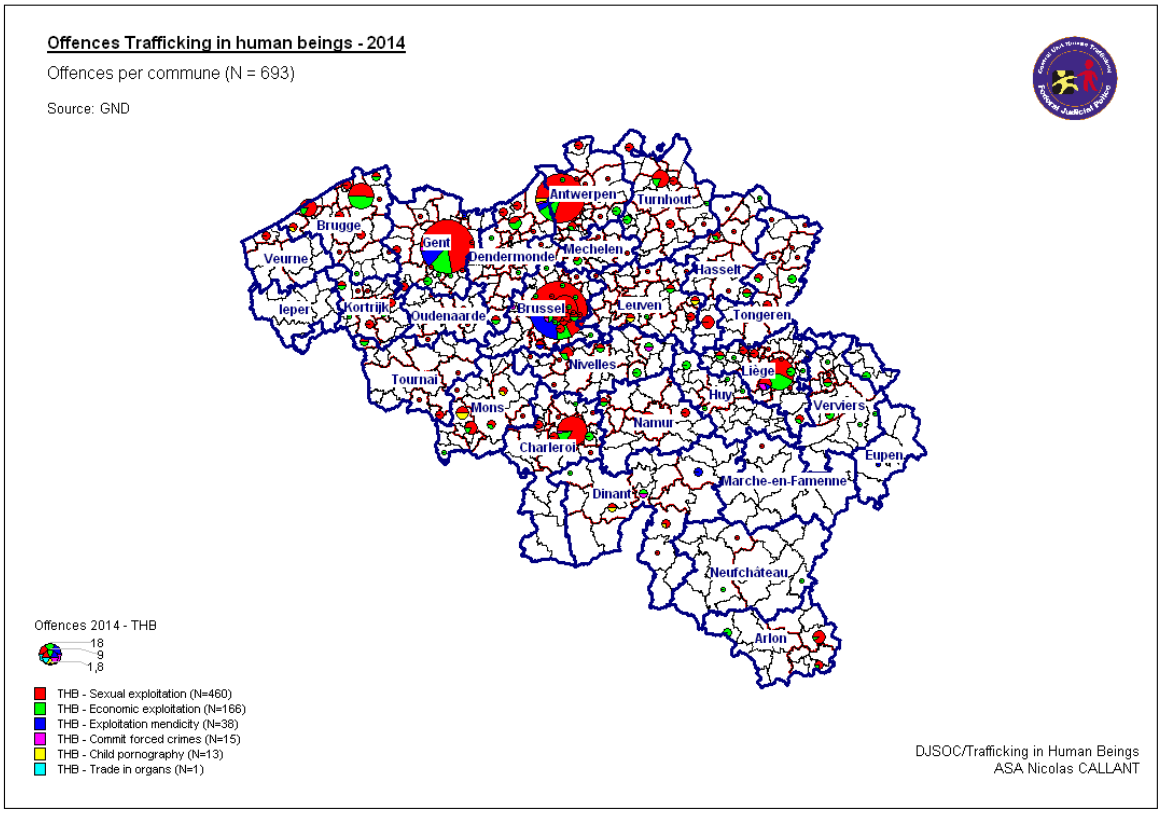


Table 1. Human trafficking offences per year and per purpose of exploitation *(Source: Police's general national database)*

Year	Sexual exploitation	Child pornography	Labour exploitation	Begging	Crime	Organ trafficking	Total
2011	481	85	333	47	10	1	**957**
2012	466	51	321	44	13	1	**896**
2013	586	201	273	33	14	1	**1,108**
2014	460	13	166	38	15	1	**693**

Reports and trends

- Sexual exploitation and forced labour remain the two most widespread forms of exploitation, but they are at their lowest since 2011. As regards sexual exploitation, there were 460 reports, which is less than in 2012. As regards forced labour, this has fallen by half compared with 2011.
- As regards begging and coercion to commit a crime, the two most recent forms of exploitation, the figures are relatively stable. Again, there were about 40 cases of exploitation of begging (38) and a slight increase (from 14 to 15) in coercion to commit a crime.
- Only one act of organ trafficking was reported again.
- The 13 reports establishing a link between human trafficking and child pornography show a sharp drop compared with 2013, but also compared with 2011 and 2012. In the 2013 annual report, Building bridges, we assessed this exceptional figure in 2013 in a commentary.
- Even without taking into account the acts of child pornography, 2014 is still the year with the lowest number of reports since the use of the current syntax in the general national database.

Contrary to 2013 (during the Termonde and Kortrijk period), no local figures stood out in 2014.

1.2.2. Commentary

The fall in the figures linked to labour exploitation runs parallel to the following evolution in the number of reports established by the social inspection services, and the clear increase in the Immigration Office's figures concerning the number of victims given victim status in 2014, mainly to persons aged between 26 and 30 years old.

Considering the lack of a systematic analysis, also between the stakeholders, it is impossible to attribute this phenomenon to, for instance, the hypothesis that more victims of labour exploitation spontaneously came forward than in the past. It is difficult to assess this hypothesis. This lack of analysis remains problematical.

Furthermore, the labour prosecutors don't systematically record incoming cases, which means that this section of data is also incomplete.

1.3. Data relating to human smuggling

1.3.1. Presentation of the data relating to human smuggling

The following map only mentions one figure concerning human smuggling. It encompasses not only human smuggling offences, but also assistance in entering the country or illegal residence (Article 77 of the Law on Foreigners) and even situations where illegal residence was reported in combination with an element of smuggling or exploitation.

Figure 2. Human smuggling offences per commune (*Source*: *Police's general national database)*

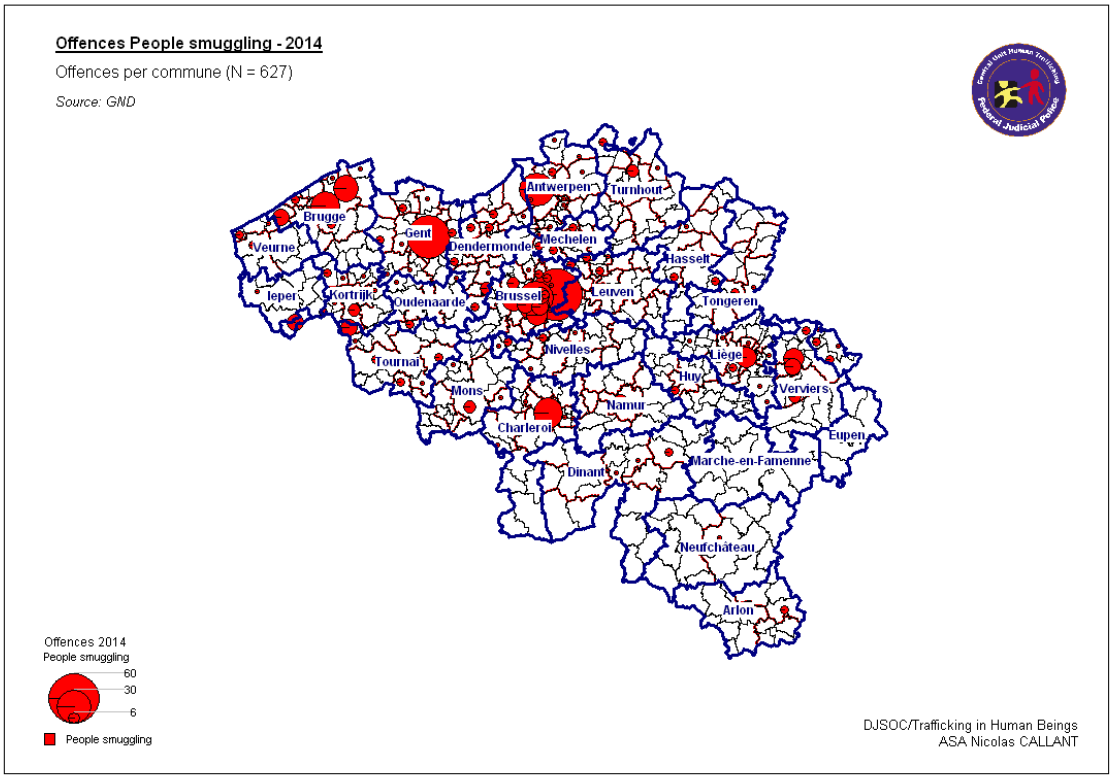


Table 2. Evolution in the number of acts of human smuggling according to the syntax *(Source: Police's general national database)*

Year	No.
2011	268
2012	233
2013	597
2014	627

1.3.2. Commentary on the data relating to human smuggling

Like human trafficking, the evolution in the figures concerning human smuggling is based on the GND maps. Above all, they illustrate the police's interventions, but don't offer an overview of the phenomenon's evolution.

More detailed figures are available concerning the reports of offences relating to human smuggling. Table 3 shows the evolution of the figures over the past three years.

Table 3. Evolution in the reports of offences relating to human smuggling *(Source: Police's general national database)*

Reports	Year		
	2012	2013	2014
# foreigner/ illegal residence assistance offences	274	260	194
# human smuggling offences	266	211	207
# interceptions of illegally staying foreigners	28,01	26,54	24,84

Of additional interest are the very recent answers given to parliamentary questions relating to people climbing into vehicles in peripheral parking areas. The first piece of additional information includes figures concerning reports of people climbing into vehicles and the second one includes figures

concerning reports following arrests during transit migration.

a) Climbing into vehicles in peripheral parking areas: several reports in West Flanders

The first piece of additional information is based on a parliamentary question[449] relating to people climbing into vehicles in peripheral parking areas. The answer given by the Federal Police's Administrative Police Operations Department (DOP/Mig), shows that the interceptions in highway parking areas were only recorded in the district of West Flanders. It emerges that there has been an almost constant increase in the number of reports of people climbing into vehicles over the past seven years.

Table 4. Interceptions of people climbing into vehicles, carried out by the West Flanders police services *(Source: questions and answers, the Chamber)*

	Interceptions of people climbing into vehicles
2007	111
2008	154
2009	166
2010	246
2011	310
2012	309
2013	367
2014	375

We can deduce from the increase in the number of interceptions of people climbing into vehicles, carried out by the West Flanders police services and the fall in the total number of interceptions on a national level, that the police's interceptions have been increasingly focused on the phenomenon of people climbing into vehicles or that they have been increasingly confronted with it.

The answer to the parliamentary question provides us with details concerning the month during which the reports occurred, the police unit responsible for them and the communal area concerned. But since it has always been practically impossible up until now to establish a link between the reports and the people, we shall only mention the detailed figures of the nationalities.

[449] Written question No. 314 of 21 April 2015 from Deputy Renate Hufkens, 2015, DO 2014201502660, see the Bulletin of written questions and answers, *Parl. doc.*, Chamber, QRVA 54/027, 2 June 2015, pp. 99-100, available via the following link: www.lachambre.be/QRVA/pdf/54/54K0027.pdf.

Table 5. Nationalities of the people intercepted by the West Flanders police services
(Source: questions and answers, the Chamber)

Nationality	2007	2008	2009	2010	2011	2012	2013	2014	TOTAL
Iran	10	9	30	49	102	118	141	125	**584**
Syria		2			7	16	88	76	**189**
Afghanistan	3	48	77	65	96	55	57	64	**465**
Pakistan	1			1		15	3	26	**46**
India	44	37	15		1	4	24	23	**148**
Iraq	32	27	21	52	46	25	20	19	**242**
Eritrea	13	22	4	3	24		6	12	**84**
Albania					2		8	6	**16**
Egypt					3	1	1	6	**11**
Sudan	1			14				5	**20**
Kuwait					3	1	2	4	**10**
Vietnam	2		9	55	6	43	5	2	**122**
Bangladesh		1				2	2	2	**7**
Turkey					8	16	2	1	**27**
Georgia				2				1	**3**
Ukraine								1	**1**
Tunisia							1	1	**2**
Chad								1	**1**
Unknown	1		2		1				**4**
Belarus					2	1			**3**
Somalia							1		**1**
Serbia-Montenegro		1							**1**
Palestine	2	7	5	3	7	11			**35**
Nigeria							2		**2**
Morocco			1		1				**2**
Libya						1			**1**
Lebanon	1								**1**
Kosovo							2		**2**
Hungary							1		**1**
Bulgaria							1		**1**
Algeria	1		2	2	1				**6**
TOTAL	**111**	**154**	**166**	**246**	**310**	**309**	**367**	**375**	**2,038**

b) Arrests during transit migration, some national findings

This additional information is also based on a parliamentary question[450] concerning people climbing into vehicles in peripheral parking areas, but it also offers an answer that includes much broader information, both in geographical terms and in terms of the type of findings during transit migration.

Table 6. Number of people arrested following transit migration, on a country-wide scale *(Source: questions and answers, the Chamber)*

	2010	2011	2012	2013	2014	2015 (Jan-April)
East Flanders	201	145	199	158	283	66
West Flanders	1,922	1,337	1,305	920	984	233
Antwerp	32	57	60	47	59	46
Brussels	96	49	138	144	370	106
Flemish Brabant	20	18	41	14	41	14
Limburg	_	_	_	4	_	_
Namur	12	6	13	6	9	6
Liège	4	5	25	12	81	25
Luxembourg	13	6	13	4	15	4
Hainaut	3	12	39	20	44	7
Walloon Brabant	0	0	0	0	5	0
Total	**2,373**	**1,635**	**1,833**	**1,329**	**1,891**	**515**

The table shows the number of people arrested following transit migration, especially when climbing into trucks in peripheral parking areas, discovery of people in the parking area or in the surrounding area, or during actions focused on transit migration.

[450] Question No. 116 from Deputy Renate Hufkens, of 21 April 2015, DO 2014201502661. See the Bulletin of written questions and answers, *Parl. doc.,* Chamber, QRVA 54/026, 26 May 2015, pp. 192-195, available at the following link: www.lachambre.be/QRVA/pdf/ 54/54K0026.pdf.

Table 7. Nationalities of the people arrested in Belgium following transit migration *(Source: questions and answers, the Chamber)*

Nationality	2010	2011	2012	2013	2014	2015 (Jan-April)
Afghanistan	201	164	255	157	167	72
Albania	8	53	105	151	155	78
Algeria	678	508	490	159	113	35
Angola	1	0	0	0		0
Armenia		0	0	0		0
Bangladesh	2	21	7	6		2
Bosnia		0	0	0		0
Bhutan		0	0	0		0
Bulgaria		0	0	0		0
Burkina Faso		0	0	0		0
Cameroon		0	2	0		0
China	6	1	4	0	4	5
Colombia			3	0		0
DR of Congo	1	0	0	0		0
Egypt	2	20	4	6	9	1
Eritrea	34	52	49	89	236	18
Ethiopia	1	0	1	0	5	0
Georgia	2	0	1	0	1	0
Ghana		0	0	0		0
India	429	138	94	191	94	3
Undetermined	11	4	8	10	9	2
Indonesia		4	0	0		0
Iraq	181	70	58	30	37	41
Iran	235	267	302	229	290	73
Kosovo		0	1	4	4	3
Kuwait		14	5	5	23	3
Lebanon	2	0	0	0	3	0
Liberia	1	0	0	0		0
Libya	8	18	10	10	10	0
Macedonia		0	0	0		0
Mali	2	2	0	0		0
Morocco	96	74	71	74	121	36
Mauritania	4	2	1	0		0
Moldavia	3	0	0	0		0
Mongolia		0	0	0		0
Myanmar			1	1		0
Nepal		0	3	0		0
Nigeria		0	0	1		0
Pakistan	4	9	76	22	42	13
Palestine	204	78	48	15	11	3
Romania		0	0	0		0
Russia		1	0	0		0
Serbia		0	2	0		0
Somalia	15	24	0	6	8	2
Sudan	33	2	4	11	17	9
Sri Lanka	3	0	15	1	4	0
Syria	2	13	74	123	483	99
Tanzania		4	2	0		0
Tunisia	44	43	21	8	23	2
Turkmenistan			1	0		0
Turkey		7	16	10	9	2
Ukraine		0	4	1		0
Vietnam	160	42	95	9	13	13
Yemen		0	0	0		0
TOTAL	**2,373**	**1,635**	**1,833**	**1,329**	**1,891**	**515**

Table 8. Number of IO decisions in reaction to the police's administrative reports concerning people climbing into vehicles in peripheral parking areas *(Source: questions and answers, the Chamber)*

Year	Allowed to leave	OLT	Detentions
2010	1,212	844	317
2011	65	1,101	115
2012	64	1,377	106
2013	114	939	109
2014	249	1,240	130
2015 (Jan-April)	54	162	58

Table 8 shows the number of decisions taken by the IO (allowed to leave, order to leave the territory and continued detention with a view to expulsion from the country) in reaction to the police's administrative reports received in relation to people climbing into vehicles in peripheral parking areas. However, there is no link between the arrest data and the expulsion data. It should be noted that overall, approximately one decision out of 10 leads to detention.

2. Data from the social inspection services

2.1. Description of the data

Inspections are carried out within the framework of COL 01/07 (ministerial directive of 14 December 2006 relating to the investigation and prosecution policy in terms of human trafficking) and are generally conducted by the Social Inspectorate (SI) of FPS Social Security, as well as the police services (federal police and local police) and sometimes also by the Social Legislation Inspectorate (SLI) of FPS Employment in certain sectors (exotic restaurants, cleaning companies, horticultural and agricultural companies, clothing manufacturers, the prostitution sector)[451]. The inspections are also sometimes carried out in places where people are employed (building sites, scrap merchants, forestry companies, markets, etc.) following information received by the police or inspection services concerning a potential case of exploitation (information provided by the labour prosecutor for instance).

The following data is based on a table from the social inspectorate of FPS Social Security, indicating five parameters: the victims' country of origin, the economic sectors, the types of offences, the number of offences and the number of workers who were reportedly victims of these offences.

This data is the result of the statistical processing of all the reports: on the one hand, the pro justitia (PJ) sent by the King's prosecutor and/or the labour prosecutor, and on the other hand, the criminal reports addressed to the labour prosecutor, the public prosecutor or the investigating judge when the latter conducted an investigation.

2.2. Presentation of the data relating to human trafficking

Table 9. Reports concerning human trafficking offences for the purposes of labour exploitation *(Source: SI, calculations Stéphane Leo)*

	2010	2011	2012	2013	2014
Police reports	34	33	38	29	37
Number of workers	120	46	123	69	48

In 2014, 37 reports were drawn up by the Social Inspectorate, in which it reported on human trafficking offences for the purposes of labour exploitation[452]. The statistical data

[451] See: Annual Report 2010, Supervision of Social Legislation, Chapter 8. The fight against human trafficking: www.emploi.belgique.be.

[452] 37 reports, including four pro justitia concerning five workers and 33 criminal reports concerning 43 workers.

doesn't provide any information on the gender or age of the victims but, instead, information on their nationality or the sector in which they were working[453].

Table 10. Reports on human trafficking in 2014 (n = 37) according to the economic sectors to which they apply, the number of workers and the main nationalities of the workers *(Source: SI, calculations Stéphane Leo and the Federal Migration Centre)*

Economic sector	Reports	Workers	Main nationalities of workers ≥ 2
Retail trade	9	7	Morocco 5
Hotel & catering	8	11	Egypt 5
Construction	7	9	Bulgaria/ China/ Morocco/ Romania 2
Domestic work	4	4	
Garages	2	2	
Wholesale trade	2	3	Morocco 3
Forestry	1	8	Romania 8
Cleaning	1	1	
Other	3	3	
Total	**37**	**48**	

Observations and trends

We would like to underline the nine reports concerning the retail trade and the fact that only seven workers were implicated. According to the social inspectorate, this could be because there were reasons preventing inspections. In these cases, a pro justitia or a criminal report is drawn up, but there is no mention of the number of workers who are victims.

[453] NACe-Bel, nomenclature of activities, www.statbel.fgov.be/fr/binaries/Frnace 2008 avec notes explicatives_tcm326-65642.pdf

Table 11. Workers who were reported as victims of human trafficking in 2014 (n = 48), nationalities and main sectors of exploitation *(Source: SI, calculations Stéphane Leo SI and the Federal Migration Centre)*

Nationality	Workers	Sector of exploitation
Morocco	15	Retail trade 5 / Wholesale trade 3 / Construction 2 / Hotel & catering 2
Romania	12	Forestry 8 / Construction 2 / Hotel & catering 2
Egypt	6	Hotel & catering 5
Bulgaria	3	Construction 2
China	2	Construction 2
Algeria	1	
Saudi Arabia	1	
Armenia	1	
Bangladesh	1	
Benin	1	
Burma	1	
Cameroon	1	
Ghana	1	
Togo	1	

Observations and trends

Compared with 2013, we noticed a drop in the number of sectors that were found to be the subject of human trafficking by the Social Inspectorate.

As regards nationalities, the trend over the past few years has been confirmed. Moroccans (15) and Romanians (12) are once again the two main nationalities of workers.

Again in comparison with 2013, the year during which 27 workers were concerned, the number of Romanian workers decreased significantly (in 2013, there was only one case in the meat processing sector, in which 17 workers were involved).

However, we have again noted the presence of only one report concerning a very high number of workers: it concerns eight Romanian victims of human trafficking in the forestry sector. The acts took place in Wallonia, and one victim obtained the status of victim.

There were also six Egyptians, five of whom were discovered in the hotel & catering sector.

2.3. Data from the Social Legislation Inspectorate

The Social Legislation Inspectorate didn't note any human trafficking offences in 2014.

2.4. Commentary

Once again, Myria would like to underline the added value of joint reporting, among all the social inspection services, focused on human trafficking. As long as the labour prosecutors attached to the employment tribunals don't systematically record prosecutions in cases of human trafficking, it will be impossible, based on statistical information, to show the evolution of the approach to human trafficking for the purposes of labour exploitation.

We would also like to recommend that the social inspection services record the gender and age category of the victims/workers.

The SLI's lack of (reported) findings concerning human trafficking raises certain questions. The SLI is in charge of the employer/worker relationship and it is therefore the inspection service's responsibility to check that the directive on "sanctions" is being respected. When these findings are presented, cases of human trafficking in particular may be discovered.

3. Data from public prosecutors' offices

3.1. Description of the data

The data published in this report was provided by the statistical analysts of the College of Public Prosecutors. They reflect the information known to them on 10 January 2015 concerning the cases dealt with by the Crown Prosecution Service in 2013.

Note two intrinsic limitations: the cases only concern adults and data from the public prosecutor's office in Eupen is missing. The last point will be amended next year: on 1st April 2014, the new legal landscape saw the light of day, which is why the figures this year will be presented for the last time in accordance with the former breakdown into 28 judicial districts (the public prosecutor's office in Eupen is therefore not included).

More important still is the fact that cases dealt with by labour prosecutors are absent from this data. Despite the fact that the labour prosecutors have the opportunity to record this data in the REA/TPI system, which forms the basis of this data collection, this isn't done systematically. Consequently, cases concerning human trafficking for the purpose of labour exploitation dealt with in the labour courts are missing. This structural under-reporting concerning these prosecutions is a major shortfall.

3.2. Presentation of the data relating to human trafficking

Table 12. Cases brought before the public prosecution service in 2010, 2011, 2012, 2013 and 2014 concerning acts of human trafficking, according to the jurisdiction and the purpose of exploitation
(Source: College of Public Prosecutors – statistical analysts)

HUMAN TRAFFICKING		37L: **Sexual** exploitation (art. 433quinquies §1, 1°)	29E: Exploitation of **begging** (art. 433quinquies §1, 2°)	55D: Labour exploitation (art. 433quinquies §1, 3°)	55E: Illegal **organ** harvesting (art. 433quinquies §1, 4°)	55F: Coercion to commit a **crime** (art. 433quinquies §1,5°)	**TOTAL**
ANTWERP	2010	49	0	31	0	2	**82**
	2011	31	2	41	0	3	**77**
	2012	27	0	28	0	4	**59**
	2013	26	1	38	0	2	**67**
	2014	26	2	26	1	1	**56**
BRUSSELS	2010	76	2	21	1	2	**102**
	2011	99	5	30	1	1	**136**
	2012	111	4	46	0	3	**164**
	2013	116	5	35	1	14	**171**
	2014	26	3	25	0	7	**61**
GHENT	2010	29	1	39	0	4	**73**
	2011	15	1	42	0	0	**58**
	2012	28	1	35	0	3	**67**
	2013	22	2	52	0	6	**82**
	2014	38	3	30	0	1	**72**
LIÈGE	2010	17	2	22	0	10	**51**
	2011	21	0	25	0	4	**50**
	2012	16	2	32	1	2	**53**
	2013	22	4	43	0	15	**84**
	2014	14	6	25	0	7	**52**
MONS	2010	4	0	23	0	1	**28**
	2011	4	0	27	0	5	**36**
	2012	5	0	22	0	5	**32**
	2013	9	0	16	0	1	**26**
	2014	6	0	9	0	0	**15**
FEDERAL PUBLIC PROSECUTOR	2010	0	0	0	0	1	**1**
	2011	0	0	0	0	1	**1**
	2012	3	0	1	1	1	**6**
	2013	1	0	0	0	1	**2**
	2014	1	0	0	0	1	**2**
TOTAL	**2010**	**175**	**5**	**136**	**1**	**20**	**337**
	2011	**170**	**8**	**165**	**1**	**14**	**358**
	2012	**190**	**7**	**164**	**2**	**18**	**381**
	2013	**196**	**12**	**184**	**1**	**39**	**432**
	2014	**111**	**14**	**115**	**1**	**17**	**258**

Observations and trends

- 258 cases were processed: this figure is at its lowest since 2008 and shows a 40 % drop compared with 2013.
- 174 cases less, i.e. a 64 % drop, in the jurisdiction of Brussels. This spectacular drop is mainly due to the low number of cases of sexual exploitation (the last time it was as low as this was in 2008).
- the jurisdiction of Ghent recorded the highest number of cases of human trafficking for the purpose of sexual exploitation and cases of human trafficking for the purpose of forced labour.
- in the jurisdiction of Ghent, it was the arrondissement of Bruges that initiated the most human trafficking cases: 27, i.e., three more than in the arrondissement of Ghent itself (24).

Once again, data was provided concerning the progress of the human trafficking cases and those that were closed without further action. An initial overview can be established according to the situation on 10 January 2015.

Table 13. Number of classified cases closed on 10 January 2015 dating from 2014 *(Source: College of Public Prosecutors – statistical analysts)*

Purpose of exploitation	Opportunity	Technical	Others	Total
Human trafficking for the purpose of **sexual exploitation**	5	23	2	**30**
Human trafficking for the purpose of **exploitation of begging**	2	3	0	**5**
Human trafficking for the purpose of **labour exploitation**	5	13	0	**18**
Human trafficking for the purpose of **organ harvesting**	0	1	0	**1**
Human trafficking for the purpose of **coercion to commit a crime**	2	4	0	**6**

Technical reasons refer to “insufficient evidence”, “unidentified perpetrators” and “no punishable act”. Reasons concerning opportunity can be listed because there were other priorities, because an illegal situation was regularised in the meantime or because there was disproportion between the consequences of the criminal prosecution and social disruption.

3.3. Commentary

This shows that there have never been so few cases submitted to public prosecutor's offices as in 2014, even though the number of victims who accepted the status of victim rose during the same period. The reduction in the number of cases of human trafficking for the purpose of sexual exploitation submitted in Brussels deserves special attention.

3.4. Presentation of the data relating to human smuggling

Table 14. Cases submitted to the public prosecutor's office 2010, 2012 and 2014 for acts of human smuggling and other offences, per jurisdiction *(Source: College of Public Prosecutors – statistical analysts)*

HUMAN SMUGGLING		55G (art. 77bis, 77ter, 77quater and 77 quinquies of the Law on Foreigners)
ANTWERP	2010	21
	2012	36
	2014	18
BRUSSELS	2010	61
	2012	138
	2014	114
GHENT	2010	228
	2012	129
	2014	177
LIEGE	2010	13
	2012	13
	2014	5
MONS	2010	2
	2012	3
	2014	3
FEDERAL PROSECUTOR	2010	0
	2012	4
	2014	0
TOTAL	**2010**	**325**
	2012	**323**
	2014	**317**

Observations and trends

- The number of cases submitted concerning human smuggling has remained relatively stable. This is particularly the case in comparison with the data from 2010 and 2012. In 2011 (515) and 2008 (462), the number of cases was indeed much higher.
- Ghent is still the jurisdiction with the most cases of human smuggling. Ghent only had fewer cases of human smuggling than Brussels in 2011.
- To find out more about the context, please see point 1 on police data and the related commentary.

4. Data from the Immigration Office

4.1. Description of the data

The Immigration Office (IO) has reported fairly extensively on its minors/victims of human trafficking unit's (MINTEH) intervention in its previous activity reports. This reporting was considerably limited in 2015. The unit established specific reporting for Myria, with a view to establishing this section devoted to the figures of the annual report.

In this section devoted to data, we shall first examine the information relating to the victims of trafficking and smuggling of human beings who received a residence permit for the first time in 2014. We shall then focus on the total number of residence permits issued in 2014 to all victims during the procedure. When there are aggravating circumstances, victims of human smuggling may also receive a residence permit.

Finally, in a separate section, we shall take a brief look at the data relating to the residence of victims who adopted this status in 2008.

4.2. Presentation of data concerning victims of human trafficking

Table 15. Victims of human trafficking who received a residence permit for the first time in 2014 *(Source: Immigration Office, MINTEH Unit, Lionel Brackman)*

2009	107
2010	123
2011	129
2012	127
2013	116
2014	138

In 2014, we observed the highest number of victims of human trafficking in six years. In point 4.3, you will also find the data linked to victims of human smuggling who received a residence permit.

Table 16. Top 12 of the victims of human trafficking who were issued an initial residence permit in 2014, according to gender, age and type of exploitation *(Source: Immigration Office, MINTEH Unit, Lionel Brackman)*

Age	Sexual exploitation			Labour exploitation			Other forms of exploitation			Total		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
-18	9	4	1	2	0	1	0	0	3	11	4	3
18-25	31	15	19	9	19	18	1	0	1	41	34	37
26-30	6	8	12	11	13	26	2	0	0	19	21	38
30	6	10	11	43	47	41	2	0	5	51	57	52
Total	**52**	**37**	**43**	**65**	**79**	**86**	**5**	**0**	**9**	**122**	**116**	**138**
Men	***5***	***1***	***5***	***55***	***67***	***74***	***4***	***0***	***5***	***64***	***68***	***84***
Women	***47***	***36***	***38***	***10***	***12***	***12***	***1***	***0***	***4***	***58***	***48***	***54***

Observations and trends

- Since 2011 (15), the number of child victims of human trafficking has continued to fall.
- The number of men who obtained the status of victim has never been as high, both in absolute figures (84) and as a percentage (61 %).
- The high increase in the number of victims of human trafficking is practically entirely due to the increase in forced labour in the 26-30 age group.
- The relative proportion of new victims of sexual exploitation is on the rise again, after 2013, the year when the relative proportion of victims of forced labour was found to be higher than ever.

Table 17. Victims of human trafficking who were issued an initial residence permit in 2014, according to nationality and the type of exploitation *(Source: Immigration Office, MINTEH Unit, Lionel Brackman)*

Nationality	Sexual exploitation	Labour exploitation	Others	Total
Romania	9	22	8	**39**
Morocco	3	9	0	**12**
Bulgaria	4	5	0	**9**
Albania	6	0	0	**6**
Algeria	1	5	0	**6**
Benin	0	6	0	**6**
Nigeria	4	2	0	**6**
Brazil	2	3	0	**5**
Serbia	0	5	0	**5**
China	2	2	0	**4**
India	1	3	0	**4**
Ukraine	3	1	0	**4**

Observations and trends

- There were more than 50 victims from Morocco and Romania in 2014. In 2012 and 2013, these countries already featured among the main countries of origin, with more than 40 victims every time.
- There is an extremely high number of Romanian victims: the number of victims from the same country has never been as high as in the case of Romanians in 2014.
- The eight Romanians, who were victims of other forms of exploitation, were all victims of exploitation of begging.
- With 54 victims, EU citizens represent almost 40 % of new victims.
- Benin has appeared for the first time among the countries of origin, with more than five victims.

Table 18. Residence permits issued in 2011, 2012, 2013 and 2014 *(Source: IO)*

	2011		2012		2013		2014		Total			
	M	W	M	W	M	W	M	W	2011 M&W	2012 M&W	2013 M&W	2014 M&W
OLT 45 days (THB)	20	10	18	18	18	12	22	11	**30**	**36**	**30**	**33**
Certificate of inscription (CI)	73	47	70	73	69	48	86	53	**120**	**143**	**117**	**139**
CI extension	1	11	4	8	8	7	6	5	**12**	**12**	**15**	**11**
Temporary CIAR (THB)	45	27	61	45	62	38	57	28	**72**	**106**	**100**	**85**
Temporary extension CIAR (THB)	282	180	285	158	293	168	300	150	**462**	**441**	**461**	**450**
Indefinite CIAR(THB)	31	20	15	20	25	21	16	17	**51**	**35**	**46**	**33**
Temporary CIAR (humanitarian)	0	1	2	2	1	1	1	1	**1**	**4**	**2**	**2**
Extension CIAR (humanitarian)	14	33	17	34	10	21	14	17	**47**	**51**	**31**	**31**
Indefinite CIAR (humanitarian)	5	6	7	4	14	12	10	12	**11**	**11**	**26**	**22**
Annex 13 (OLT)	3	4	3	4	7	4	5	9	**7**	**7**	**11**	**14**
Extension Annex 13	0	1	0	0	0	0	0	0	**1**	**0**	**0**	**0**
Total	**474**	**340**	**482**	**366**	**507**	**332**	**517**	**303**	**814**	**848**	**839**	**820**

This table is temporarily the only overview offering an indication of the number of people who have acquired the status of victim of human trafficking. A certificate of inscription in the alien's register (CIAR), which can be temporary and/or extended, is always a CIAR for a period of six months. Normally, the victims receive two a year as long as they have this status. The 450 extensions of a CIAR (THB) therefore concern approximately 225 individual victims.

Observations and trends

- The 820 decisions to issue or extend a residence permit concern both new victims in 2014 and those prior to 2014, who were in the victim status process and were subject to one or more decisions.
- The number of men has never been so high, representing 63 % of residence decisions.
- The number of authorisations for indefinite residence for humanitarian reasons is significantly higher than in previous years.
- The number of "status initiation documents" (45-day order to leave the territory and certificate of inscription) is rising again, after a fall in 2013.

4.3. Presentation of the data concerning victims of human smuggling

The victims of human smuggling with aggravating circumstances can also request victim status. In the case of these victims, a residence permit will only be issued if, for instance, there is a question of violence or if the victims are minors.

Table 19. Victims of human smuggling with aggravating circumstances for whom a residence permit was issued for the first time in 2014 *(Source: MINTEH unit, Lionel Brackman)*

2009	17
2010	14
2011	20
2012	30
2013	13
2014	18

There were 18 victims in 2014 (nine of which were male and nine female). Five of them were minors: three boys and two girls.

These are the main nationalities:

- four were from Iran;
- three from Afghanistan;
- three from Pakistan;
- two from China and two whose nationality couldn't be determined;
- one from Congo (DRC), one from Ghana, one from the Ivory Coast and one from Somalia.

4.4. Victims from 2008

Myria asked the MINTEH Unit to check what had become of the 171 victims of human trafficking and smuggling, from an administrative point of view (residence permits), who had received an initial residence permit in 2008 from the IO.

Table 20. Characteristics on 31 December 2008 of the victims who were issued an initial permit in 2007 *(Source: IO, calculations Lionel Brackman, MINTEH Unit)*

Age	Sexual exploitation	Labour exploitation	Exploitation of begging	Others	Smuggling	TOTAL
< 18	3	2	0	0	1	**6**
18-25	17	20	1	3	9	**50**
26-30	13	27	0	5	5	**50**
> 30	5	52	0	2	6	**65**
Total	**38**	**101**	**1**	**10**	**21**	**171**
Women	***35***	***40***	***0***	***9***	***5***	***89***
Men	***3***	***61***	***1***	***1***	***16***	***82***

Table 21. Administrative situation on 30 April 2015 of the 171 victims who were issued an initial permit in 2008 *(Source: IO, calculations Lionel Brackman, MINTEH Unit[454])*

	M	W	Total
Certificate of inscription (family reunification)	0	1	**2**
Card A/temporary residence (human trafficking procedure)	2	5	**7**
Card A/temporary residence (regularisation procedure)	1	1	2
Card A/temporary residence (family reunification)	1	1	**2**
Card B/permanent residence (human trafficking procedure)	28	18	**46**
Card B/permanent residence (regularisation procedure)	7	9	**16**
Card B/permanent residence (asylum procedure)	1	0	**1**
Card E/establishment as an EU worker	2	3	**5**
Card F/conditional permanent residence family reunification	3	6	**9**
Belgian identity card	8	6	**14**
TOTAL ILLEGALLY STAYING PERSONS	**53**	**50**	**103**
No element found in the National Register			49
Return			17
Repatriation			1
Deceased			1
TOTAL PERSONS NO LONGER STAYING LEGALLY	**29**	**39**	**68**
TOTAL	**82**	**89**	**171**

[454] The cards in the left-hand column of the table are electronic identity cards from A to F included. On this subject, see: http://dofi.ibz.be/sites/dvzoe/Fr/pages/Cartes%C3%a9lectroniquespour%C3%a9tranger.asp

Observations and trends

- Three of the five human trafficking victims who obtained the status in 2008 are still residing legally in Belgium in 2015, the majority having obtained a permanent residence permit. If we look at the proportion of victims of human trafficking for the purpose of forced labour among the population in 2008 (101 victims, representing 59 % of victims), we can see that in 2015, they maintained their legal residency more often than other victims. Two of the three victims of human trafficking for the purpose of forced labour still have a legal residence permit seven years later.
- The victims of human trafficking for the purpose of sexual exploitation from 2008, obtained or kept the status of legal resident in fewer than half the cases seven years later. The IO is still uncertain about 49 people who no longer appear in the National Register.
- The most striking observation concerning the victims from 2008 emerges from the following table. In no less than 90 of the 171 cases, the procedure was terminated before a Belgian residence permit was issued.

Table 22. Reasons for stopping the human trafficking procedure for victims of 2008
(Source: IO, calculations Lionel Brackman, MINTEH Unit)

Purpose of exploitation	Public prosecutor's office	Centre	Return/ deceased/ etc.	Total
Sexual exploitation	14	8	6	**28**
Labour exploitation	19	7	17	**43**
Begging	0	0	1	**1**
Others	3	3	1	**7**
Human smuggling	8	1	2	**11**
Total	**44**	**19**	**27**	**90**

In the case of a decision rendered by the public prosecutor's office, the latter notifies the IO that it no longer considers the person as a victim of human trafficking. In the case of centres, it is one of the specialised centres that notifies the IO that support has ended, for instance, following a return, a failure to respect the conditions of the support, a disappearance, etc.

Not all the procedural decisions led to the departure of these people from our country, far from it. As illustrated in Table 21, a significant proportion benefited from a residence status for other reasons.

4.5. Additional information: examination of the figures concerning child victims of human trafficking

Table 23. Child victims of human trafficking and smuggling, according to age, the type of exploitation and whether or not they are accompanied *(Source: IO, calculations Lionel Brackman, MINTEH Unit)*

Sector/situation	<14 years	15 years	16 years	TOTAL
Labour exploitation				**1**
unaccompanied		1		
Begging				**2**
accompanied	1			
unaccompanied			1	
Prostitution				**1**
accompanied	1			
Others				**1**
unaccompanied			1	
Smuggling				**5**
accompanied	4			
unaccompanied			1	
Total	**6**	**1**	**3**	**10**

Table 24. Unaccompanied child victims of human trafficking and smuggling, according to the purpose of the exploitation, age and nationality *(Source: IO, calculations Lionel Brackman, MINTEH Unit)*

Nationality / purpose of exploitation	F		H	TOTAL
	15 years	16 years	16 years	
China				**1**
Smuggling			1	
Congo (DRC)				**1**
Forced labour	1			
Croatia				**1**
Various		1		
Romania				**1**
Begging		1		
Total	**1**	**2**	**1**	**4**

In the meantime, the young Romanian returned voluntarily, while the three other unaccompanied child victims still benefited from the status in May 2015.

5. Data from the specialised victim centres

5.1. Description of the data

In this section, we shall report on the number of victims for whom the specialised centres initiated support in the course of 2014. The figures relating to new support programmes correspond to the typology established in the circular of 26 September 2008[455]. Once the initial phase (period of reflection) has begun, meaning an order to leave the territory has been issued, support is then organised. The type of psychosocial and legal and administrative support can vary depending on the centre.

Only the integrated tables feature in this report, one for human trafficking and the other for human smuggling, which show age, gender, nationality and the purpose of the exploitation. Every specialised centre provided the necessary figures, which Myria then compiled into a single table.

It isn't possible to form a picture of all the support activities or the centres' reception capacity based on the tables hereafter. The duration of the support, which is a very important indicator, isn't shown here because it is preferable to deal with it within the framework of an analysis and description of the support process. The Immigration Office figures relating to the extension of documents, within the framework of the human trafficking procedure, do however offer a potential indicator of the evolution between 2011 and 2014, which is reflected in Table Table 28.

[455] On this subject, see: Circular of 26 September 2008 on the implementation of a multidisciplinary cooperation concerning victims of human trafficking and/or certain aggravated forms of human smuggling.

In addition, it isn't possible to report on and analyse reports of persons for whom no support was initiated, within the framework of this annual report, even if this would have been relevant to the policy and insight into the phenomenon of the trafficking and exploitation of human beings. Processing all the reports represents a huge workload and responsibility for the centres. For more information, please refer to the centres' annual reports.

The Belgian system is a closed one. The figures relating to support initiated by the specialised centres and the residence permits issued (IO) obviously reflect those of the IO, as illustrated in Table 16.

Table 25. New support programmes initiated by the specialised centres for victims of human trafficking and human smuggling, 2006-2014 *(Source: centre's annual reports on human trafficking and smuggling)*

2006	2007	2008	2009	2010	2011	2012	2013	2014
172	179	196	158	141	153	174	148	172

5.2. Presentation of the data relating to victims of human trafficking

Table 26. New support programmes initiated by the specialised centres, exclusively for the victims of human trafficking *(Source: centre's annual reports on human trafficking and smuggling)*

2010	2011	2012	2013	2014
130	133	143	133	156

Table 27. New support programmes initiated in 2014 for victims of human trafficking, according to the type of exploitation, gender and age range *(source: specialised centres, processed by the Centre)*

Nationality	Sexual exploitation				Begging				Labour exploitation				Crime				TOTAL
	Women		Men		Women		Men		Women		Men		Women		Men		
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
Romania	0	8	0	2	2	1	1	7	0	1	0	24	0	0	0	0	**46**
Morocco	0	1	0	0	0	0	0	0	0	1	0	15	0	0	0	0	**17**
Bulgaria	0	3	0	0	0	0	0	0	0	3	0	2	0	0	0	0	**8**
Albania	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**6**
Benin	0	0	0	0	0	0	0	0	0	0	0	6	0	0	0	0	**6**
Algeria	0	1	0	0	0	0	0	0	0	0	0	4	0	0	0	0	**5**
Belgium	0	4	0	0	0	0	0	0	0	0	0	1	0	0	0	0	**5**
Brazil	0	1	0	1	0	0	0	0	0	0	0	3	0	0	0	0	**5**
Pakistan	0	0	0	0	0	0	0	0	0	0	2	3	0	0	0	0	**5**
Serbia	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	**5**
China	0	2	0	0	0	0	0	0	0	1	0	1	0	0	0	0	**4**
Congo	0	0	0	0	0	0	0	0	1	2	0	1	0	0	0	0	**4**
Dominican Republic	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**4**
Nigeria	0	3	0	0	0	0	0	0	0	0	0	1	0	0	0	0	**4**
Hungary	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**3**
India	0	1	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**3**
Cameroon	0	2	0	0	0	0	0	0	0	0	0	1	0	0	0	0	**3**
Ukraine	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**3**
Burkina Faso	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Egypt	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Ghana	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Iran	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Ivory Coast	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Croatia	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	**2**
Poland	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Tunisia	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Philippines	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**1**
Russia	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	**1**
Slovakia	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**1**
Syria	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	**1**
SUB-TOTAL	**0**	**44**	**0**	**4**	**2**	**1**	**1**	**7**	**1**	**9**	**2**	**84**	**1**	**0**	**0**	**0**	**156**
TOTAL	**44**		**4**		**3**		**8**		**10**		**86**		**1**				

Table 28. Evolution of the nationalities of victims of human trafficking that have featured in the specialised centres' top 5 figures in the past four years *(Source: specialised centres, processed by the Centre)*

Nationality	2011	2012	2013	2014
Romania	22	24	24	46
Morocco	25	19	25	17
Bulgaria	11	10	3	8
Albania	3	5	4	6
Benin	0	0	0	6
India	10	3	2	3
Nigeria	8	17	7	4
Tunisia	3	6	6	2

Observations and trends

- Romanians constitute the largest group ever for which support has been initiated (46 people).
- With the number of Moroccans at 17, this is first time we have seen a drop, albeit minor, for this nationality.
- With six victims, this is the first time Benin has featured among the figures for victims.
- For the first time, there are five Belgians among the victims for whom the centres initiated support. They include four sexually-exploited adult women.

5.3. Presentation of the data relating to victims of human smuggling

Table 29. New support programmes initiated by the specialised centres, exclusively for victims of human smuggling *(Source: specialised centres, processed by the Centre)*

2010	2011	2012	2013	2014
11	20	31	15	16

6. Judicial data

6.1. Description of the data

At Myria's request, the Criminal Policy Department provided information relating to convictions for human trafficking and smuggling.

The statistics were compiled based on data from the central criminal records. The *res judicata* are recorded here; they are submitted to the criminal records by the court and tribunal clerks. The records are still compiled by hand (whereas the police and public prosecutor's offices use automated data processing). This explains why the figures must be continuously updated. In concrete terms, this means that what we are presenting here are updated figures for 2011, 2012 and 2013 and new figures for 2014.

The data provided contains the following information on the convictions: the aggravating circumstances determined for each conviction, the type and number of sentences pronounced for each conviction and the purpose of the exploitation for a number of the convictions in 2011.

6.2. Presentation of the data relating to convictions for human trafficking

The figures presented here reflect the number of final convictions, i.e. the convictions that couldn't be taken to the court of appeal. One conviction is associated with a person who was principally convicted for acts of human trafficking. The forms of exploitation haven't been sufficiently recorded to be used in the present annual report.

Table 30. Convictions for human trafficking *(Source: Criminal Policy Department, according to findings from June 2015)*

Year	Convictions
2011	81
2012	82
2013	90
2014	84

Table 31. Aggravating circumstances among the 84 convictions pronounced in 2014 for acts of human trafficking *(Source: Criminal Policy Department)*

Type of aggravating circumstances	Number
through the use of fraudulent tactics, violence, threats or some form of coercion	37
through the abuse of the particularly vulnerable situation of the victim	31
when the activity concerned is a habitual activity	30
when it involves participation in the main activity or accessory to an association, whether or not the guilty party is the director	16
the offence involves participation in the main activity or accessory to a criminal organisation	13
the victim is a minor	12
by a person who has authority over the victim, or by a person who has abused their authority or the facilities available to them through their position	5
Total	**144**

Table 32. Sentences pronounced among the 84 convictions pronounced in 2014 for acts of human trafficking *(Source: Criminal Policy Department)*

Decision	Number
Prison sentences	75
Suspended prison sentences	43
Fines	81
Suspended fines	29
Confiscations	52
Deprivation of rights	65
Professional ban	2
Community service	3
Declaration of guilt	1

Table 33. Main nationalities (A) and gender (B) of the 84 persons convicted for acts of human trafficking *(Source: Criminal Policy Department)*

A.

Nationality	Number
Belgium	22
Romania	12
Hungary	9
Bulgaria	5
Albania	4
Thailand	4
Afghanistan	2
Germany	2
France	2
Iraq	2
Others	20

B.

Gender	Number
W	15
M	64
Not mentioned	5
Total	**84**

6.3. Presentation of the convictions for human smuggling

The data presented here is much more limited than the data concerning human trafficking because when the information is recorded, errors still occur concerning the mentioning of the articles applicable to the Criminal Code.

There was a minimum of 45 final convictions for human smuggling in 2014.

6.4. Commentary

One of the main problems, on the one hand, is that the type of exploitation isn't recorded for human trafficking convictions and, on the other hand, the acts of human smuggling are recorded inaccurately.

Conclusion

Several sections reveal that this year, progress was made as regards the targeted and exhaustive nature of the data.

At the same time, the Interdepartmental Coordination Unit didn't take any initiative to coordinate the production of data or achieve greater harmonisation among the stakeholders, even in the reporting to the European institutions.

This is why Myria is encouraging the unit to promote coordination, the targeted nature of the data and an improvement to its production concerning the phenomenon of human trafficking and human smuggling, as well as the action of the public authorities and all the stakeholders concerned.