

## External contribution

# Explanation of the statistical data relating to the investigations into human trafficking conducted by the NSSO Inspectorate's ECOSOC teams in 2021

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## Introduction

This report concerns the NSSO inspection department (Thematic Directorate for Trafficking in Human Beings and ECOSOC teams).

Besides the purely statistical data, this contribution aims to provide qualitative information on the investigations conducted by the NSSO inspection department's ECOSOC teams in 2021.

The data included in this report stems from two sources :

1. The internal case management system, ARTEMIS317, from which the data relating to the cases closed in 2021 was extracted. In 2021, 267 'human trafficking' investigations were finalised with a total of 147 presumed victims.
2. The analysis of the checklists drawn up by the social inspectors in 2021 in accordance with Chapter VIII of the Joint Circular of the Minister of Justice, the Minister for Employment, the Minister for Security and the Interior, Secretary of State for the fight against social fraud and the College of Prosecutors General on the policy of investigation and prosecution regarding trafficking in human beings (COL 01/2015). NSSO inspectors draw up a checklist as soon as possible following observations and as long as there are sufficiently precise indications of a potential situation of human trafficking. In 2021, 86 checklists were drawn up, which means that 86 presumed victims were discovered. The reason for the difference between the 147 potential victims stemming from the ARTEMIS investigation management program is because the checklists are drawn up

as soon as there are sufficient indicators of labour exploitation, regardless of the investigation's state of progress (when the investigation started, during the investigation or when it closed), whereas the figures from our investigation management system concern investigations that were closed in 2021 but began in 2021 or before. Hence, the data relating to the checklists is the most representative of 2021. A specific analysis report based on these checklists is submitted annually by our Thematic Directorate to the Department of Criminal Policy, FPS Justice.

Another source of qualitative information is the information sharing relating to investigations into the trafficking of human beings set up with the ECOSOC team leaders.

## Statistics relating to the police reports and criminal reports<sup>318</sup>

Since March 2020, the NSSO inspection department's ECOSOC investigations have been processed in a new investigation management tool: ARTEMIS. Statistics relating to **investigations closed in 2021** therefore stem exclusively from this investigation management program.

<sup>317</sup> This tool was previously known as Inspection 2020 or I2020.

<sup>318</sup> These statistics are based on closed investigations.

The new management tool doesn't have the same functionalities as the old one and underwent several adaptations during 2021, so the raw figures had to be 'reworked' manually and it wasn't easy to extract the statistics in the same way as before:

In the course of 2021, the NSSO compiled 54 initial police reports (PR) and/or criminal reports (CR); 65 supplementary criminal reports and 39 information reports concerning labour exploitation (Art. 433quinquies of the Criminal Code). These reports concern 147 presumed victims. In addition, following investigations carried out with other inspection services or the police, the pro justitia (PJ) or criminal report on THB were sometimes compiled by another service (generally by the police); 14 reports or PR were written by other services within the framework of a collaboration with the NSSO.

It should be noted that in 2020, 'supplementary criminal reports' were included under the heading 'criminal report'. This is because ARTEMIS didn't allow for a distinction to be made between initial criminal reports and supplementary criminal reports.

A supplementary criminal report is drawn up when the magistrate requests additional actions for a situation of exploitation that has already been reported through a pro justitia or an initial criminal report, as long as it concerns the same victim or victims. This distinction between an initial criminal report and a supplementary criminal report prevents the same situation of exploitation or the same presumed victim from being counted several times in the results.

As for the 'information report' result, it is used to support the reports intended for the judicial authorities either to expose limited evidence of labour exploitation (e.g. without a presumed victim) or to convey the results of research, information gathering, and data analysis when an investigation into THB hasn't yet been initiated.

- 147 presumed victims of THB were referred to the judicial authorities by the NSSO inspection department through criminal reports or pro justitia.
- The prevalent nationalities were: Romania (42), Morocco (12), Portugal (10), Turkey (10), Guinea Bissau (8), Ukraine (8). Also note that among these 147 presumed victims, 66 concerned E.U. nationals, three of whom were Belgian. In terms of distribution according to gender, 24 presumed victims were women and 123 men.
- The most represented sectors of activity were construction, agriculture/horticulture, hospitality and garages.
- The two provincial departments with the most presumed victims according to the figure from investigations closed in 2021 are East Flanders and Namur-Luxembourg.
- In East Flanders, of the 54 victims listed in the table, 25 were employed by a Portuguese company, on several construction sites in Flanders (the investigation had been initiated in 2020, following the detection of an outbreak of Covid-19) and 14 of different nationalities were employed in the hospitality sector.
- For Namur-Luxembourg, of the 40 people identified, 37 Romanians were employed in orchards in the province of Namur. The investigation had begun in 2019.

Provincial departments	PR/CR compiled by NSSO	Supplementary criminal reports	Info reports	PR/CR compiled by another service <sup>319</sup>	Presumed victims
West Flanders	3	1	1	6	5
East Flanders	12	0	0	2	54
Antwerp	6	0	6	3	7
Limburg	2	0	0	0	10
Hainaut	1	2	2	1	1
Namur-Luxembourg	4	4	8	0	40
Liège	10	17	8	1	14
Flemish Brabant	7	0	2	0	7
Brussels	8	41	12	1	8
Walloon Brabant	1	0	0	0	1
<b>Total</b>	<b>54</b>	<b>65</b>	<b>39</b>	<b>14</b>	<b>147</b>

<sup>319</sup> Within the framework of an investigation conducted in collaboration with the NSSO.

## Analysis of the checklists

### Introduction

In accordance with the stipulations of COL 01/15, a checklist was completed in **2021** as soon as there were **sufficiently precise indications** of a potential situation of human trafficking, whether the investigation was in progress or at the time it was closed.

In total, **86 checklists** were drawn up (one checklist per presumed victim; therefore, several checklists may concern the same employer/exploiter); the breakdown is as follows:

Provincial departments	
West Flanders	17
East Flanders	24
Antwerp	6
Limburg	7
Hainaut	3
Namur-Luxembourg	2
Liège	12
Flemish Brabant	6
Brussels	8
Walloon Brabant	1
<b>Total</b>	<b>86</b>

### Geographic breakdown per sector of activity (2021)

	Namur-Luxembourg-	Brussels	Liège	Hainaut	Limburg	Walloon Brabant	Flemish Brabant	Antwerp	East Flanders	West Flanders	Total
Bakery								1			1
Car wash & lorry wash	1		1					1		5	8
Retail trade	1	4	3					1	1		10
Construction		1	1		7				11	2	22
Garage							2				2
Hotel & catering		2				1	2	3	11		19
Agriculture/horticulture				3					1	10	14
Riding school			1								1
Cleaning							1				1
Domestic work		1	6				1				8
<b>Total</b>	<b>2</b>	<b>8</b>	<b>12</b>	<b>3</b>	<b>7</b>	<b>1</b>	<b>6</b>	<b>6</b>	<b>24</b>	<b>17</b>	<b>86</b>

## Breakdown according to age, gender and nationality of the presumed victims 2021

Age	Men	Women
Minors (-18 years)	1	2
18 to 30 years	19	2
30 to 40 years	27	2
40 to 50 years	19	2
Over 50 years	10	2
<b>Total</b>	<b>76</b>	<b>10</b>

Nationality	Men	Women
Afghanistan	3	0
Albania	5	0
Algeria	1	0
Bangladesh	3	0
Belgium	4	2
Brazil	0	1
Bulgaria	17	4
Burkina Faso	2	0
Columbia	1	0
Egypt	2	0
Spain	1	0
India	4	0
Iraq	2	0
Iran	1	0
Italy	1	0
Morocco	6	2
Pakistan	1	0
Palestine	1	0
Philippines	1	0
Portugal	2	0
Romania	7	1
Tunisia	2	0
Turkey	6	0
Ukraine	3	0
<b>Total</b>	<b>76</b>	<b>10</b>

A quick analysis of the table above leads to the conclusion that 88% of presumed victims of labour exploitation (76/86). As regards age, 24% of presumed victims were between 18 and 30 years old, 34% were between 30 and 40 years old, and 24% were between 40 and 50 years old. Among the male presumed victims, the two oldest were 67 years old. The oldest female presumed victim was 74 years old at the time of the acts. It should be noted that the women were mainly active in the hospitality sector and domestic work. The three minors, two girls (Morocco and Romania) and a boy (Romania) were exploited in the service of private individuals.

As regards the nationality of the victims, 68 out of 86 were from non-EU countries. Among the 18 EU nationals, there were eight Romanians, **six Belgians**, two Portuguese, one Spaniard and one Italian.

## Identified indicators of human trafficking and aggravating circumstances

Annex 5 of COL 01/2015 includes several human trafficking indicators under the point 'Circumstances'. The analysis of the checklists received in 2021 led to the following findings:

### a. Identity documents

Half of the third country nationals in Belgium were staying illegally. Either they had no identity or travel documents or they had their national passport or a temporary residence permit for another EU country. Among the non-Belgian Europeans, only some of them had begun the procedure to stay in Belgium. The others were generally in possession of their national identity document.

Several presumed victims didn't have their own identity documents, and sometimes they had copies.

### b. Financial aspect - social security - social documents

**In terms of income:** in almost all the situations encountered, wages were low, very low, or even non-existent. Among the 86 presumed victims, 23 out of 86 hadn't been paid. Some of them stated that no agreement concerning pay had been made with their 'employer'

Others explained that they were promised wages but were only paid in part or not at all. Sometimes, the presumed victim had to hand over part of their wages for the accommodation provided by the employer.

Some explained that they had to pay their social security contributions or travel costs themselves.

One presumed victim said they had to pay EUR 5,000 back to their employer to cover 'debts'. Two other victims explained that they had to pay the employer before starting work, without knowing what this money was for (EUR 400 for one, EUR 700 for the other).

A couple of victims benefited from low rent (EUR 450 per month including costs) and had to work numerous hours to compensate for the low rent paid, without receiving any pay.

Some victims also had their low wages reduced (e.g. EUR 850/month for a few months and then EUR 450/month; EUR 6.80/hour and then EUR 5/hour).

Here are several concrete examples from 2021, in cases where victims were actually paid: EUR 5.85/hour; EUR 20 to EUR 40 per day; EUR 40 to EUR 50 per 11-hour night; EUR 150/week; EUR 210 per 72-hour week; EUR 250 per 45- to 60-hour week; EUR 400/month; EUR 600 to EUR 700/3 months; EUR 700 to EUR 900/month (70 hours/week); EUR 1,000/month (49 hours/week); EUR 100 paid for five months of work.

**In terms of social security and social documents:** very few workers were informed about Dimona (approximately 14%); seven presumed victims were working in Belgium in the context of proven or presumed bogus postings. The others were illegally employed without any steps being taken with regard to social security or social documents. For foreign workers directly employed by a Belgian employer, among the third country nationals, only a few were authorised to work in Belgium (work permit/single permit).

### c. Circumstances of the exploitation

The checklist includes the indicators listed below. Some are recurring, such as squalid housing conditions or excessive work hours. Details and examples are provided below for each one of these indicators.

- **The victim has no appropriate equipment/work clothes**
- **The victim works in dangerous/squalid conditions**  
Indicators relating to work protection (health and safety of workers: hygiene measures, clothes

and workplaces, etc.) concern approximately 35% of the presumed victims encountered. One victim was detected following a serious work accident. It should be noted that several presumed victims had no protective equipment against COVID-19.

- **The victim is allowed no contact with the outside world**

- **The victim's freedom of movement is restricted**

Approximately 20% of the presumed victims encountered had little or no contact with the outside world and their freedom of movement was restricted.

- **The victim lives in squalid conditions**

In many potential situations of human trafficking, the victims are housed in substandard or insanitary accommodation. This accommodation is often provided by the perpetrator/employer. This indicator was present for about 50 people, i.e. more than half of the presumed victims.

- **The victim is deprived of medical care**

Several presumed victims were deprived of medical care when they needed it.

- **The victim works for long periods**

Almost 75% of the presumed victims encountered were working for abnormally long periods. The duration of the work was excessive and easily exceeded the number of authorised weekly working hours in Belgium. There are many people who have to work six or seven days a week for nine to 14 hours a day.

### d. Aggravating circumstances

Annex 5 of COL 01/2015 includes several aggravating circumstances of human trafficking. Several were identified in the cases encountered in 2021:

- **Relating to the victim's situation**

Among the victims listed, three people were exploited while they were minors. There was a brother and sister of Romanian nationality who had to take part in the activities of their host family in conditions contrary to human dignity. The third presumed victim, who was a minor at the time of the acts, was Moroccan and had to do housework for private individuals.

- **Relating to the perpetrator**

In the majority of cases, the perpetrator abuses the victim's vulnerable situation, has authority over them or abuses their position.

None of the checklists mention a perpetrator being a police officer exercising their duties.

#### ■ Relating to the circumstances and consequences of trafficking

Among the 86 victims concerned by the checklists in 2021, 23 explained they had suffered threats, violence or coercion from the perpetrator.

The lives of several presumed victims were put at risk. One victim even suffered a gunshot wound and is permanently unable to work. Another victim suffered sexual violence.

In the vast majority of cases, the activity concerned is a habitual activity.

### Referral of victims to a specialised reception centre in 2021

Among the 86 checklists recorded, 42 concerned presumed victims who were taken care of by a specialised reception centre (Sūrya, Payoke or PaG-ASA).

Some of them were already there or had already had contact with these centres before the intervention of the NSSO's social inspectors. In such cases, the NSSO intervenes, in particular to hear the presumed victim and/or to conduct an investigation into labour exploitation in collaboration with the reception centre, the magistrate and, if necessary, the police or other services.

It should be noted that among these 42 presumed victims, one minor was accommodated by a centre for unaccompanied minors (UAM). The other two minors were detected when they were newly of age, the acts of exploitation having begun when they were minors.

It should also be noted that some of the presumed victims of THB didn't wish to contact a reception centre, which is often the case for workers employed in the context of a bogus posting.

The breakdown per provincial department is as follows:

Provincial departments	Number of presumed victims referred	Nationality & gender
Namur-Luxembourg	2	2 Tunisia (M)
Brussels	6	4 Morocco (3M & 1W) 1 Bangladesh (1M) 1 Algeria (M)
Liège	6	1 Morocco (M) 1 India (M) 2 Romania (1 M & 1W) 1 Ukraine (M) 1 Afghanistan (M)
Hainaut	3	3 Romania (M)
Walloon Brabant	1	1 Burkina-Faso (M)
Antwerp	3	1 Morocco (M) 1 India (M) 1 Iraq (M)
Flemish Brabant	3	1 Brazil (W) 1 Morocco (W) 1 Turkey (M)
East Flanders	3	1 Iran (M) 1 Bulgaria (M) 1 Egypt (M)
West Flanders	12	10 Bulgaria (M) 1 Spain (M) 1 Columbia (M)
Limburg	3	2 Bulgaria (M) 1 Italy (M)
<b>Total</b>	<b>42</b>	

## Impact Action Days

On several occasions in 2021, the NSSO inspection services participated for the sixth consecutive year in the **Impact Action Days**, a European initiative supported by Europol and previously called Joint Action Days (JAD). This EU initiative is part of the European Multidisciplinary Platform Against Criminal Threats (EMPACT) project, in which the fight against human trafficking is one of the priority criminal phenomena. The EMPACT project is part of the EU Action Plan against Trafficking in Human Beings.

Running from **31 May to 6 June 2021**, the Impact Action Days – **Labour Exploitation** were organised with the support of Europol. In several EU Member States, police and social inspectorates carried out checks to detect labour exploitation.

In Belgium, the NSSO's inspection services organised these actions in collaboration with the police, the Social Legislation Inspectorate and other inspection services. The focus was on detecting the labour exploitation of posted third-country nationals working in the construction sector. The aim of the actions was to check whether the rules on working conditions were being respected. Particular attention was paid to risky or dangerous work situations and possible offences relating to COVID-19 measures. Another important part of the investigations was to check whether Belgian or foreign labour and social security law was being applied.

Foreign workers were heard in their own language, in an in-depth manner, with the help of sworn interpreters.

There was also effective cooperation with the inspection services of the sending countries, especially Portugal. Europol played an important role as facilitator. It expanded its traditional scope by also giving social inspection services a role in coordinating actions to combat labour exploitation.

In total, 35 construction sites, 126 employers, 419 employees and 29 self-employed people were checked. Indicators of labour exploitation were found among five employers and 24 companies, and further investigations were initiated regarding a presumed bogus posting.

Of the workers checked, 18 were illegally employed and 12 couldn't be employed in Belgium. For 78 posted workers, the specific obligations for working in Belgium weren't respected by the foreign employer or the Belgian user.

In two places, construction sites were sealed and two vehicles were seized. In addition, during the checks, six false identity documents and one false driving licence were discovered.

It should be noted that the usual international collaboration in the field still wasn't possible due to the pandemic. Therefore, Europol provided the participating police and inspection services with a digital alternative for the exchange of relevant international data during the checks. On two action days, the police provided additional technological support by deploying a drone over the construction sites.

In July 2021, the Brussels ECOSOC team took part in the European action Empact Action Days - **Child trafficking** still under the aegis of Europol.

In collaboration with the Immigration Office, the Brussels FJP, the THB section of the Central Directorate for the Fight against Serious and Organized Crime (DJSOC) of the federal police and the local police, three companies were inspected. Eleven workers were checked within this context. Among them, five potential victims of human smuggling were detected and offences under the Criminal Code were found (five workers were employed illegally, without a Dimona declaration, five foreign workers were illegally staying and weren't authorised to work in Belgium, a part-time offence was also found for one worker). It should be noted that during this action targeting child labour, no minors were found.

Lastly, in November 2021, the East Flanders ECOSOC team participated in the European action Empact Action Days - Sexual exploitation. The East Flanders ECOSOC team accompanied various police and inspection services. A total of 30 companies, 45 employees and 33 self-employed people were checked. Various offences were found: nine workers weren't declared in Dimona, six foreign workers weren't authorised to work in Belgium, seven 'posted' workers didn't have their posting document or a LIMOSA declaration. Finally, eight potential victims of labour exploitation and/or sexual exploitation were detected.

## Highlights in 2021

First of all, it goes without saying that 2021 was still heavily impacted by the **COVID-19** pandemic that began in 2020.

Many sectors of activity were completely or partly closed for several months of the year. For example, the events sector was closed for 18 months, until 1 September 2021; the restaurant sector, which was subject to a mandatory closure as of 19 October 2020 (except for take-away food) and was only able to reopen as of 8 May outdoors only and 9 June indoors and outdoors, subject to compliance with certain measures (distance between tables, closing times, limitation of the number of people per table, etc.). Contact businesses were also heavily impacted; closed since 2 November 2020, hairdressers were only able to reopen on 13 February 2021, massage, beauty, manicure and pedicure salons, etc., only on 1 March and then closed again for a month, from 27 March to 25 April 2021. In addition, once reopened, these businesses had to deal with various rules concerning distancing, affluence, Covid Safe Ticket, etc., preventing them from 'running at full capacity'.

There is no doubt that the closure of many sectors of activity has had a direct impact on the detection of victims of labour exploitation. As this is a hidden phenomenon, the lockdown rules have contributed to making it even more invisible. In addition, the need for labour in sectors known to be at high risk for human trafficking has decreased or changed. These sectors include exotic restaurants, nail bars, shisha bars, massage parlours, and night shops, which has certainly contributed to the increased precariousness of workers in the shadows.

Finally, as many establishments were closed for long periods of time, the number of checks decreased, which reduced the potential for detection of presumed victims.

Within our inspection service, our new investigation management program in use since March 2020 underwent several adaptations in 2021. The specific instructions for the ECOSOC teams were completed, validated and issued at the end of May 2021. Their development took time and required various technical interventions.

In addition, this new investigation management tool, renamed ARTEMIS in 2022, has different functionalities from the old one, which is why improvements were necessary, in particular with regard to the results of investigations and certain information relating to victims encountered during checks, in particular to count minors and the care provided by specialised reception centres.

As several changes weren't made until 2021, 'manual' checks and counts were still required to produce the results for this contribution.

In 2021, ECOSOC teams closed 267 investigations listed as 'human trafficking'. However, some investigations didn't meet our definition of a THB investigation or were duplicates. Therefore, after verification, the thematic directorate retained the figure of 235 investigations (THB) closed in 2021.

An ECOSOC investigation is added to the 'THB' regulation as soon as serious indicators are identified in the investigation or as soon as an investigation relating to this issue is expressly requested by a third party (magistrate, plaintiff, etc.).

On 31 December 2021, 118 investigations were opened, i.e. in the course of being processed.

Approximately 25% of the investigations initiated by the specialised ECOSOC teams and closed in 2021, didn't lead to the conclusion that exploitation was taking place, in particular because the evidence in the investigation wasn't relevant or the evidence of labour exploitation was too weak, and was more akin to illegal labour than to labour exploitation.

It is also important to underline that several investigations are follow-up investigations to acts previously detected and reported to the judicial authorities.

Also, in terms of capacity, **our ECOSOC teams** have undergone a number of changes, with an overall drop in numbers of about 15% between the beginning and the end of 2021. Several inspectors were promoted and had to leave the thematic directorate to take up their new duties, while others decided to change thematic directorate or retire. New staff members were planned to replace some of the departures, however, taking into account the necessary training, they weren't operational before the second quarter of 2022.

As every year, the thematic directorate, assisted by the NSSO's data mining department and, if necessary, by other departments, chooses a **specific annual project (focus)**.

In 2021, the focus was on monitoring selected companies using a tool developed by the data mining department. This unit studied the data from the completed THB investigations to establish a model for identifying employers at risk of resorting to labour exploitation, based on some 50 parameters.

A total of 97 investigations were selected during the year by our inspectors from lists provided by the data mining unit and generated by the model developed. Every ECOSOC team, taking into account its capacity, its existing investigations and its knowledge of the field, selected investigations within the framework of this focus. By 31 December 2021, 45 of these investigations had been processed and closed. Of these, 23 resulted in the detection of offences under the remit of the NSSO (offences related to DIMONA for 13 workers, foreign labour for six foreign workers, part-time work for 27 workers, compliance with Covid measures for 16 workers, social security for 11 workers). Only one of these investigations led to the detection of a presumed victim of labour exploitation of Bangladeshi nationality.

It should be noted that the investigations opened in the context of this focus weren't automatically opened as THB investigations.

The label 'human trafficking' was only added if sufficient evidence of exploitation was detected during the investigation. Therefore, of the 45 investigations closed in the context of this focus, only one is included in the 235 THB investigations mentioned above.

Again in 2021 and as illustrated in the section on the Impact Action Days, the social inspectors of the ECOSOC teams used **specific investigation tools and techniques** such as:

- aerial reconnaissance;
- phone investigations;
- use of video surveillance images;
- use of mobile phones ;
- open-source intelligence searches (internet, social media, etc.).

These investigation techniques are carried out with the specialised services of the federal police, most often at the request of the labour prosecutor. Such techniques can lead to identifying and hearing presumed victims, identifying potential witnesses, corroborating victims' statements and also to ascertaining the employment of other workers/victims, identifying perpetrators and revealing links between persons or companies.

The use of social media and the internet is increasingly essential to conduct searches and thoroughly investigate human trafficking for labour exploitation. However, in order for our social inspectors to make optimal use of these sources, it is necessary to examine the technical and legal possibilities.

It should also be noted that in 2021, Belgium received a visit from **GRETA, the Group of Experts on Action against Trafficking in Human Beings**, which is responsible for monitoring the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. GRETA met with several services involved in the fight against human trafficking, including the NSSO's thematic directorate on human trafficking and several members of the provincial ECOSOC teams. This was the third evaluation round and the third visit of GRETA to Belgium with the theme 'access to justice and effective remedies for victims of trafficking'.

Finally, as regards **emerging or growing phenomena**, 2021 was quite similar to previous years with, however, a significant number of presumed victims detected in agriculture and more specifically in poultry farming. We also noted

another phenomenon which, at present, hasn't led to the conclusion of labour exploitation. This is the use of medical and/or paramedical personnel from third countries recruited in their country of origin by specialised recruitment agencies. This personnel undergoes training in Belgium, if necessary, at least to obtain an equivalency certificate. Some dubious practices have been uncovered, especially in relation to the training provided in Belgium or the 'fee' charged by these recruitment agencies to their clients (often hospitals or nursing homes). Nevertheless, no presumed victims were detected in this context in 2021.

Cases of identity theft by illegal workers wishing to work were again encountered in 2021. It seems that this practice is increasing and spreading to other sectors than the ones we know (logistics, distribution, etc.); in particular to certain courier services. The impostors, often in a precarious administrative and social situation, use identity documents of compatriots to find official employment. For courier services, they simply use the account of their compatriot. In return, the identity holder demands a percentage of the wages earned through their identity. Sometimes they use threats and intimidation to obtain payment. Of the cases encountered by our social inspectors, few resulted in a finding of labour exploitation.

The points of attention raised in previous years are still relevant: nail bars, domestic staff, construction, hospitality, etc. are all easily accessible sectors of activity in which it is easy to resort to under-qualified labour in a precarious situation and with little room for manoeuvre.

## Conclusion

Covid-19 was still prevalent in 2021. Several sectors again suffered lockdowns, restrictions and the vagaries of the pandemic with a considerable impact on our society, our economy and the labour markets.

In 2021, the social inspectors in our ECOSOC teams had to continue working with the health situation in mind. Many of them were contaminated, incapacitated or quarantined; they had to continue to work while ensuring their own safety; many establishments were closed down, which hampered checks or investigative actions. In addition, they had to pursue actions entrusted to them to ensure companies were adhering to the Covid-19 measures.

This report includes figures from two different channels:

- the file management program regarding the investigations closed in 2021 concerning 147 presumed victims;
- analysis of the checklists drawn up in 2021 as soon as the investigation in progress or closed showed sufficiently precise indications; this concerns 86 presumed victims. Subsequently, this data is the most representative of 2021.

If we compare the figures for 2021 with previous years, from the point of view of potential victims, we can see a significant decrease in the number of presumed victims identified on the basis of the checklists (86 in 2021 - 134 in 2020), which we consider to be the most relevant data, as explained above.

This decrease is on the one hand related to the pandemic that was still rife in 2021. As explained above, some establishments were closed, which reduced the number of checks aimed at detecting exploitative situations; additional tasks were entrusted to ECOSOC staff (verification of Covid measures). On the other hand, the capacity of the ECOSOC teams was reduced during 2021.

It should be noted that the number of THB investigations processed remained stable (236 in 2020 – 235 in 2021).

	2018	2019	2020	2021
No. of potential victims mentioned in the closed investigations	65	82	156	147
No. of potential victims according to the checklists	78	120	134	86
No. of victims for whom the reception centres intervened (based on checklist)	39	73	38	42

The analysis of the checklists shows that, as in other years, potential situations of labour exploitation occur in both urban and rural areas and mainly concern men.

In the vast majority of cases, one, two or even three people were involved. However, a number of investigations have detected several presumed victims exploited by the same person or network. This was especially the case for:

- 10 workers employed in agriculture by a Dutch company in West Flanders;
- 10 workers employed in the hospitality sector in East Flanders;
- 6 workers employed on construction sites in the province of Limbourg;
- 4 workers employed on a construction site in East Flanders within the framework of a proven or presumed bogus posting;
- 4 people employed to do domestic chores by private individuals in the province of Liège.

The sectors of activity most frequently encountered in the analysis of the 2021 checklists are construction, hospitality and agriculture.

The most common practices were: undeclared work (no DIMONA), irregular employment of illegally staying foreign workers and bogus posting (to a lesser extent).

Among human trafficking indicators, the most frequently encountered were:

- Little or no pay
- Abnormally long work hours
- Accommodation in squalid conditions
- Abuse of a vulnerable situation
- Use of threats/violence
- Restricted freedom of movement and contact with the outside world

It should be noted that some presumed victims found working in conditions contrary to human dignity didn't get in touch with a specialised reception centre, in particular because they refused any support. This is often the case for workers employed by foreign companies; when they are exploited, their priority is to be paid so that they can return to their country of origin.

It is also worth noting that in some cases, our service met with presumed victims after they had approached such a reception centre, either at the request of the centre itself or at the request of the labour prosecutor.

As mentioned above, the most revealing figures on labour exploitation are those relating to the checklists, since they are drawn up as soon as a presumed victim is encountered.

Other data such as pro justitia, criminal reports or the number of victims included in closed investigations referred to in this contribution may relate to investigations that started in previous years but were closed in 2021.

To conclude, as the stakeholders in the field continue to repeat, labour exploitation is a hidden phenomenon. It is difficult to identify and to estimate the extent of it. The proactive checks carried out, particularly in high-risk sectors, by social inspectors specialised in THB or who are aware of this issue, help bring to light situations of exploitation. The more human resources there are, the more the frontline inspection services are aware and trained, and the stronger and more effective the fight against this phenomenon will be.