

Introduction

For this report's focus, Myria has chosen to examine trafficking for the purpose of the sexual exploitation of people originating from Latin America. After outlining the reasons for this choice, the sources consulted and the terminology used, it paints a picture of the phenomenon by addressing the following points in turn: the profile of Latin American sex workers (hereafter: SW), including victims of trafficking (Chapter 1); the exploitation of Latin American victims in Belgium (Chapter 2); investigations, prosecutions and the protection of victims (Chapter 3). It ends by citing a number of good practices and drawing several conclusions.

This focus is accompanied by two external contributions. Firstly, field organisations working that support SWs give us an insight into their work, particularly with this target group. Secondly, the Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children explains the phenomenon in the Netherlands.

The theme of this focus was chosen following Myria's observation that, since 2016¹, there has been an increase in the **number of decisions** concerning human trafficking involving people originating from Latin America. These are decisions Myria has received as part of its case law monitoring work, both on the French-speaking and Dutch-speaking sides of the country. Although sex work by Latin Americans is not a new phenomenon in Belgium², their sexual exploitation under the prism of trafficking is a new trend observed in case law³.

Myria was also motivated to address this issue for a number of other reasons: the **large number of adverts published online** involving Latin American SWs in Belgium⁴, the **EMPACT Joint Action Days** held in various European Union Member States focusing on certain Latin American nationalities (Colombia, Bolivia and Brazil)⁵, and an analysis of the **figures** showing an increase in the intake of SWs by specialised reception centres for victims of human trafficking⁶.

As this is a **private and hidden** form of **prostitution**, there are few publications or information available on the subject to date. Moreover, this phenomenon was not given any particular attention by the last Special Parliamentary Commission on Human Trafficking and Smuggling⁷. This reinforces Myria's conviction that it should be the subject of its focus.

In order to get a clearer picture of this phenomenon, Myria spoke to various **players**, including several public prosecutors, federal and local police forces, centres specialised in the reception of victims of human trafficking, as well as several field organisations offering psychological, medical and social support for SWs⁸.

¹ The first decision Myria received concerning the trafficking of Latin American trans persons for the purpose of sexual exploitation was handed down on 21 December 2016 by Liège Criminal Court and concerned events dating back to 2014. See [Myria, Annual report 2019 – Trafficking and smuggling of human beings, Empowering victims](#), p. 120; Liège Crim. Court, Liège division, 21 December 2016 (unpublished); Liège, 17 May 2018, 18th ch. and [Myria's website \(case law\)](#).

² See J. Rausenberger: "¿Mi cuerpo? ¡Mi vida! Voicing Latin American transgenders in Antwerp's sex industry" in *Journal of Comparative Research in Anthropology and Sociology*, 2016, vol. n° 7, n° 2, pp. 125-142.

³ In terms of the sexual exploitation of Latin Americans, Myria received 16 decisions relating to 12 cases, both French-speaking and Dutch-speaking, for which judgments or rulings were handed down between 2016 and 2024.

⁴ This information emerged from the various interviews that Myria conducted as part of this focus.

⁵ Europol, *Human trafficking action week: 219 criminals arrested and 1,374 victims identified*, 24 June 2024, available at www.europol.europa.eu.

⁶ Figures for support provided by the reception centres are available in Myria's reports published on its website.

⁷ See [Report of the Special Commission responsible for evaluating legislation and policy on human trafficking and smuggling](#), 12 June 2023, *Parl. Doc.*, Chamber, DOC 55 2530/002. For an analysis of this commission's work, see Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, pp. 73-89.

⁸ There are four organisations, two of which specialise in supporting men and trans people in sex work, while the other two support all SWs. See their external contribution at the end of this focus.

The other sources for this report are: the case law Myria received over the past few years (which is the starting point of this analysis of the phenomenon); the analysis of cases in which Myria has brought a civil suit⁹, including a major case discussed later in this report¹⁰; Myria's previous annual reports; a review of the literature; articles in the Belgian and international press; various parliamentary documents¹¹; the decisions of the Netherlands Public Prosecution Service regarding Field Labs¹²; and reports and data from various Belgian, European and international bodies¹³.

To ensure that the diversity of identities within the gender spectrum is included, Myria uses the term '**trans people**', which is a "an umbrella term used to describe people whose gender identity and/or gender expression differs from the sex assigned to them at birth"¹⁴, in accordance with the terminology adopted by the Institute for the Equality of Women and Men (IGVM-IEFH).

As this focus concerns the sexual exploitation of Latin Americans, it is necessary to take a closer look at the reality of Latin American sex workers in general. However, Myria stresses the importance of making a clear distinction between independent sex work and situations of exploitation. **Hence, throughout this focus, Myria is careful to specify whether or not it is referring to a situation of exploitation involving human trafficking.** In particular, Myria has chosen to use the more neutral term '**sex work**' when referring to sexual services in the general sense, and to sometimes use the term 'prostitution' when referring to situations of exploitation.

⁹ See, in particular, a case concerning a trans defendant prosecuted for exploiting other Peruvian trans people. In a judgment of 4 October 2024, the French-speaking criminal court of Brussels acquitted the defendant: Brussels French-speaking Crim. Court, 4 October 2024, 47th ch. (final).

¹⁰ See Part 2, Chapter 2, point 1.

¹¹ Written question from Emmanuel Burton (MR) to the Minister of Justice, *Bulletin*, Chamber, S.O. 2020-2021, QRVA 55040, 25 February 2021; answers from the Minister of Justice to the questions of Ben Segers (Vooruit), Sophie Rohonyi (DéFI), Chamber Committee on Justice, *Full report*, Chamber, S.O. 2020-2021, CRIV 55-COM 463 of 5 May 2021; Parliament of the Brussels-Capital Region, United Assembly of the Common Community Commission, Report concerning prostitution in the Brussels-Capital Region, hearings, 19 May 2022; [Report of the Special Commission responsible for evaluating legislation and policy on human trafficking and smuggling](#), 12 June 2023, *Parl. Doc.*, Chamber, DOC 55 2530/002.

¹² See hereafter on this subject: Part 1, Chapter 2, point 5 and the definition in the external contribution of the Dutch National Rapporteur at the end of this focus.

¹³ Myria also used data from the specialised reception centres for victims of trafficking through the MyEldo electronic case management system. MyEldo is a shared database for recording the cases of victims, developed by Myria together with three specialised reception centres for victims of human trafficking. It has been operational since March 2023.

¹⁴ Institute for the equality of women and men, [Guide for transgender people at work](#), 2016, p. 26.