

## Chapter 2

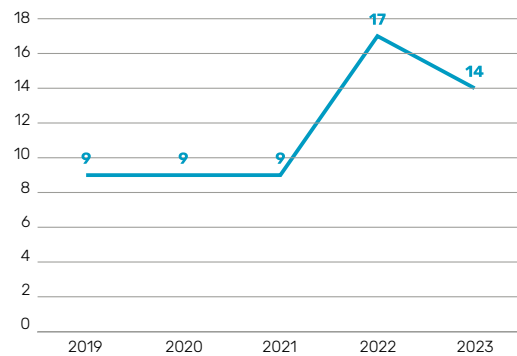
# Exploitation in Belgium

## 1. The phenomenon in figures

As mentioned above, the first judgment in a case of human trafficking for the purpose of sexual exploitation of Latin American victims of which Myria was aware only dates back to 2016, in a case where the events took place in 2014<sup>66</sup>. Since 2016, Myria has regularly received court rulings concerning the sexual exploitation of Latin American victims<sup>67</sup>. The information provided by the police shows that the existence of Latin American criminal gangs organising the exploitation of victims in Europe was reported for the first time at international level during the same period<sup>68</sup>.

**Figures from the specialised centres<sup>69</sup>** also show an increase in the number of victims of trafficking from Latin America who have received support. However, they suspect there is a dark figure and that the real figures are much higher. Latin American victims of sexual exploitation are generally not interested in the status of victim of human trafficking, for a number of reasons<sup>70</sup>. As a result, the number of victims who have acquired the status is probably not a true reflection of reality.

**Graph 1: Number of Latin American victims receiving support in 2019-2023 (source: specialised reception centres)**



Police forces believe that the phenomenon of trafficking involving victims from Latin America is on the increase, and expect it to continue to grow, both in Belgium and in other European countries. This is based in particular on the increase in the number of adverts for sexual services published online involving people from Latin America<sup>71</sup>.

From 2019 to the third quarter of 2023, the police recorded **125 confirmed sexual offences** involving suspects of Latin American nationality<sup>72</sup>. Most of these offences were committed in 2020 and 2021. Since then, numbers have started to fall again<sup>73</sup>.

<sup>66</sup> See Myria, *Annual report 2019 – Trafficking and smuggling of human beings. Empowering victims*, p. 120 (Liège Crim. Court, Liège division, 21 December 2016 (unpublished) and Liège, 17 May 2018, 18th ch.) and [Myria's website \(case law\)](#).

<sup>67</sup> Myria received 16 decisions in this regard in the context of 12 cases, Dutch-speaking and French-speaking, for which judgments or rulings were handed down between 2016 and 2024.

<sup>68</sup> As regards minors, see Europol, status report, *Criminal networks involved in the trafficking and exploitation of underage victims in the EU*, The Hague, October 2018. Europol, *Early Warning Notification on Cases of sexual exploitation involving suspects and potential victims from South America*, September 2020.

<sup>69</sup> See tables 1 and 3 above.

<sup>70</sup> See hereafter Part 1, Chapter 3, point 3 "Protection through victim status accepted by few".

<sup>71</sup> See table 2 above. This also emerges from the interviews with the police.

<sup>72</sup> In the figures, a distinction should be made between offences and investigations (cases). Offences are initial findings made by the police, who often cannot immediately determine whether human trafficking is involved. They consider that these sexual offences may be related to the phenomenon of human trafficking. As part of the investigation, it is up to the magistrates to decide whether or not to classify the acts as human trafficking.

<sup>73</sup> According to the police, this decrease may be due to a change in the database and the uncertainty surrounding the new legislation on sexual criminal law concerning the way in which checks in private places can be carried out, resulting in a decrease in the number of checks.

**Table 4: Confirmed sexual offences involving a suspect of Latin American nationality for the period 2019-2023 (3<sup>rd</sup> quarter) (source: DJSOC)**

Offences	2019	2020	2021	2022	2023	Total
Exploiting the debauchery of others	8	13	15	8	1	45
Sexual exploitation	4	8	10	9	7	38
Inciting debauchery	9	14	9	3	0	35
Abuse of prostitution - Adults (new SPC <sup>74</sup> )	0	1	0	2	4	7
<b>Total</b>	<b>21</b>	<b>36</b>	<b>34</b>	<b>22</b>	<b>12</b>	<b>125</b>

The nationality most frequently encountered among suspects is Brazilian, followed by Spanish and Colombian. The proportion of women (68%) is much higher in this category of offence.

**Table 5: Nationalities of suspects in confirmed sexual offences according to gender for the period 2019-2023 (3<sup>rd</sup> quarter) (source: DJSOC)**

Nationalities	Men	Unknown/Other <sup>75</sup>	Women <sup>3</sup>	Total
Brazil	11	3	7	51
Spain	14	0	29	43
Colombia	3	0	20	23
Venezuela	3	0	10	13
Portugal	8	0	1	9
Dominican Republic	2	0	6	8
Peru	4	1	2	7
Ecuador	0	0	1	1
<b>Total</b>	<b>45</b>	<b>4</b>	<b>106</b>	<b>155</b>

Looking at the sexual offences confirmed per judicial district, it is clear that the phenomenon is present almost everywhere in Belgium, both in cities and in smaller towns. The centre of gravity of the problem involving these nationalities is located mainly in West Flanders.

74 New Sexual Criminal Code.

75 This column includes, in particular, data from the Federal Police relating to suspects of foreign origin from countries where it is legally possible to indicate something other than 'man' or 'woman' on the identity card.

**Table 6: Geographical distribution of confirmed sexual offences involving suspects of Latin American nationality for the period 2019-2023 (3<sup>rd</sup> quarter) (source: DJSOC)**

Judicial district	2019	2020	2021	2022	2023	Total
Antwerp	2	1	2	6	4	15
Walloon Brabant	0	0	1	0	2	3
Brussels (Brussels-Capitale)	3	5	7	4	0	19
Brussels (Halle-Vilvoorde)	1	2	1	1	0	5
Hainaut (Charleroi)	3	2	0	0	0	5
Hainaut (Mons)	1	0	0	1	1	3
Leuven	0	2	0	1	0	3
Liège	0	8	1	0	1	10
Limburg	1	0	4	3	0	8
Luxembourg	1	1	0	2	0	4
Namur	0	0	2	0	1	3
East Flanders	1	2	3	3	3	12
West Flanders	8	13	13	1	0	35
<b>Total</b>	<b>21</b>	<b>36</b>	<b>34</b>	<b>22</b>	<b>12</b>	<b>125</b>

## 2. Organisation of the exploitation

In this section, Myria explores the structure of human trafficking organisations, their practices and their working methods. It mainly relied on information from court rulings and human trafficking cases, supplemented by the expertise of the police and the judiciary.

Many SWs from Latin America work **independently** in Europe and retain control over their work and their lives. They regularly use intermediaries, often compatriots, to familiarise themselves with the sex industry in Belgium or other European countries. This sometimes results in **win-win situations** for both parties, with the SW paying the intermediary for the service provided<sup>76</sup>.

Some practices – such as the role of phone operators (*telefonistas* in Spanish)<sup>77</sup>, sex work in private homes or

the high level of mobility – are generally phenomena particular to SWs from Latin America. Myria stresses the importance of distinguishing between situations of exploitation and the situation of independent SWs, and of not assuming from the outset that there is exploitation.

### Structure of the organisation

Thanks to the cases analysed and the information provided by the police, Myria has been able to identify a certain **structure in the organisation** of the exploitation. This generally involves **international networks with several facilitation units in Europe**.

**Facilitation organisations** organise and facilitate both travel and sex work. As explained above, they often act as **tour operators** offering travel packages at high prices<sup>78</sup>. They plan the journey to and within Europe, and facilitate sex work by advertising online and managing contact with clients. As they are often not familiar with the language and customs, victims rely on the network and pay a high price for these services.

<sup>76</sup> This is confirmed by both field organisations and the police.

<sup>77</sup> The term 'standardiste' (phone operator) is generally used by magistrates in French-language decisions.

<sup>78</sup> See in particular M. Mariën, "Twee Brazilianen in cel voor mensenhandel in de prostitutiesector: 'Werden onder druk gezet en bedreigd'", *Het Laatste Nieuws*, 7 June 2024, available at [www.hln.be](http://www.hln.be) and Belga, "Brazilianen blijven in de cel voor mensenhandel in de prostitutiesector", *Krant van West-Vlaanderen*, 11 June 2024, available at [www.kw.be](http://www.kw.be).

According to some experts, an imbalance in the balance of power has emerged in recent years. Criminal networks have probably seen this as an opportunity. The initial win-win situations have become '**so-called win-win situations**', with the profits being higher for the organisations than for the SWs. The exploitation is often very **subtle** and the coercive aspect is less present. However, the victims find themselves in situations where they are dependent on the organisations to earn money and sometimes find it difficult to escape. This form of pimping is much harder to detect, particularly because the victims are not always aware that they are being exploited<sup>79</sup>. In some cases, SWs take this situation for granted because they are still earning more than in their country of origin, and their families depend on them. Little by little, these situations can become exploitative<sup>80</sup>.

Information provided by the police reveals that instructions are often given by people higher up in the organisation. The **head of the organisation** is usually in the **country of origin** or in a neighbouring Latin American country.

In Europe, the organisations work with different cells for each **country or province**. They carry out the operational work: they organise accommodation and sex work and monitor the victims. They 'employ' several of them at the same time in different locations.

One case involved a woman with Belgian nationality, originally from the Dominican Republic, who had exploited no fewer than 36 victims – some of them from the Dominican Republic – over a period of four years<sup>81</sup>.

However, the organisation is not pyramid-shaped: several groups co-exist within the different nationalities and there is not necessarily a single connected system<sup>82</sup>. The cells are made up of people from Latin America who have already settled in Europe and retain links with their country of origin. They often come from the same country as the victim or from a neighbouring country. A common language and culture play a major role. This type of organisation is often, but not exclusively, found in Brazilian networks<sup>83</sup>.

The individual cells interact and often work together, sometimes mixing different nationalities. There is a sort of relay system between these different cells for sharing addresses and victims. This makes it possible to move around quickly, creating a kind of prostitution carousel<sup>84</sup>.

Some cases also involved Romanian or Nigerian SWs in the same buildings as the Latin American SWs.

In one case, exploiters were looking for women in Ukraine who wanted to work for them<sup>85</sup>.

In another case, Myria identified a cooperation between Brazilian and Colombian organisations. The same company rented premises for prostitution for two separate units, one facilitating the prostitution of Brazilian women and the other the prostitution of Colombian women<sup>86</sup>.

The exploiters are both men and women. It is not uncommon for them to be former SWs or victims who have reimbursed their debts and are now recruiting new victims themselves in their country of origin, creating their own cell<sup>87</sup>.

79 This has been confirmed by specialised reception centres for victims of trafficking. See Part 2, Chapter 2, point 1.3.2.

80 On the subject of win-win situations, see also in particular Myria, *Annual report 2009 – Trafficking and smuggling of human beings, In a haze of legality*, pp.17–18 and Myria, *Annual report 2013 – Trafficking and smuggling of human beings, Building bridges*, p. 24.

81 See Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 99 (Leuven Crim. Court, 6 December 2022, ch. C2) as well as *Myria's website (case law)*.

82 According to police sources, there is no 'Latin American mafia'.

83 According to some experts, Brazilian organisations are better organised than others. The longer-standing presence of these organisations in Belgium is partly to blame for this.

84 See Part 2, Chapter 2, point 1.1.1.

85 See Part 2, Chapter 2, point 1.3.1.; see also Part 2, Chapter 3, point 2.2.2.: Brussels Dutch-speaking, 29 March 2023, 13th ch.

86 Brussels French-speaking Crim. Court, 27 May 2022, 47th ch. (unpublished).

87 See Part 2, Chapter 2, point 1.1.1.

One case involved a woman from the Dominican Republic who acted as an intermediary between the Belgian exploiter and the young women, and had obtained the status of victim of human trafficking in the past<sup>88</sup>.

Facilitation organisations employ **henchmen** to get the operation up and running. They use **drivers, phone operators**, guards and photographers. It is not uncommon for ambitious henchmen to set up their own cell after a while and to start exploiting victims on their own account<sup>89</sup>.

**Drivers** are responsible for driving victims from the airport to their accommodation when they arrive in Europe. They take victims to their place of work or come to collect money. Sometimes they also bring work supplies, such as contraceptives or sex toys. In some cases, they supply drugs to clients and victims. Drivers sometimes work for several networks at the same time, recruiting and monitoring victims.

In one case, the driver recruited and hired victims at the request of his 'superiors'. After recruiting them, he had to supervise them and became their 'chaperone'<sup>90</sup>.

As for the use of **phone operators**, this is a general phenomenon specific to Latin American SWs. They play an important facilitating role. They are generally women, often (former) SWs, working to make ends meet.

Their job is to manage online adverts for sexual services. Their phone number is shown on the advert. They handle communications with the clients: they answer calls, arrange appointments, send the address to the SW, inform them of the arrival of a client, monitor the duration and terms and conditions of the services, and report to their superiors.

The clients never directly contact the SW, who must continuously inform the phone operators of the arrival, duration of the service and departure of the client. The phone operators keep scrupulous records of each SW. They are paid for their service, generally receiving a flat rate or a percentage per client. This varies from EUR 5 to EUR 15 per client. In one case, the victims even had to hand over 50% of their income when the client was brought to them by the phone operators<sup>91</sup>. These agents operate in Belgium or abroad, for example in Spain or the Netherlands, where they work with Belgian phone numbers. Sometimes there are even actual call centres with several operators. SWs depend on them to get work because of the language barrier<sup>92</sup>.

In some cases, they are also responsible for maintaining the buildings and providing work supplies.

In one case, the phone operator managed six phones at the same time, each with two SIM cards (one victim per SIM card). The adverts were published by the manager on the sex site. She worked from 10:00 to midnight on weekdays and until 02:00 or 03:00 at weekends. She was paid EUR 5 per client. She earned around EUR 700 a week<sup>93</sup>.

**Owners** also play an important role, as explained hereafter.

88 See Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 100 (Ghent Crim. Court, 10 June 2022, 10th ch.) as well as [Myria's website \(case law\)](#).

89 See in particular Part 2, Chapter 2, point 1.1.1. See Part 2, Chapter 2, point 1.1.1.

90 See Myria, *Annual report 2022 – Trafficking and smuggling of human beings, Bound by debt*, p. 69 (West Flanders Crim. Court, Bruges division, 5 November 2021, ch. B15).

92 See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Tongeren division, 4 January 2024, ch. 9K3R; see Part 2, Chapter 2, point 1.1.1.; See also Brussels French-speaking Crim. Court, 27 May 2022, 47th ch. (unpublished).

93 See Part 2, Chapter 2, point 1.2.1.

## 3. Exploitation practices and modus operandi of facilitation organisations

### 3.1. Sex work in private settings

The sex work undertaken by Latin Americans mainly takes place in the SW's private living space. They stay in one place for only a short time, sometimes just a few days or weeks, and then move to another place in Belgium or another country<sup>94</sup>. As a result, properties and their owners/managers also play a major role in the **carousel system**.

Initially, (cheap) **hotels**, apartment hotels, motels and cottages in holiday parks were used, before moving onto **private homes**. The properties are often rented through rental platforms such as **Airbnb** or **Booking.com**, as this allows a certain degree of anonymity to be maintained. They can be rented out for short periods, allowing the occupants to quickly move on<sup>95</sup>. Increasingly, properties on the **conventional property market** are also being used. In some cases, the exploiters of a cell are the actual **owners** of the property. In other cases, they rely on owners of properties on the regular market to rent them out for longer periods.

Private property is rented to SWs with or without the consent of the owners. Sometimes, several rentals are managed at the same time, and sometimes by Belgians, but there is generally a link with Latin America, for instance because they are married to someone from that region<sup>96</sup>.

According to information provided by the police, rented apartments and villas are often specially fitted out for sex work. Small spaces are created with gypsum boards or curtains, where SWs can receive customers. Several cisgender and trans SWs live and work there together. Living conditions are often appalling.

SWs rent these cramped rooms at a **high daily or weekly rate**, well above the market price. They pay between EUR 250 and 600 per week, and between EUR 30 and 150 per day<sup>97</sup>. Rooms are often offered for rent through adverts on Redlights, in closed WhatsApp groups or by word of mouth<sup>98</sup>.

According to police information, Latin American networks are also active in the property business. These are individuals who receive residence documents in Portugal or Spain and use them to come to Belgium to rent a property, which they then sublet to SWs through closed WhatsApp groups. They then return abroad and manage the rented property from there.

<sup>94</sup> Sex work in private places through online adverts is a general trend that has increased since the coronavirus pandemic. See in particular Parliament of the Brussels-Capital Region, United Assembly of the Common Community Commission, *Report on prostitution in the Region of Brussels-Capital*, hearings, 19 May 2022.

<sup>95</sup> 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, pp. 237-238.

<sup>96</sup> See in particular: Brussels French-speaking Crim. Court, 27 May 2022, 47th ch. (unpublished); see also the case law decisions in the following annual reports: Myria, *Annual report 2022 – Trafficking and smuggling of human beings, Bound by debt*, p. 69 (West Flanders Crim. Court, Bruges division, 5 November 2021, ch. B15); *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 101 (West Flanders Crim. Court, Bruges division, 8 February 2023, ch. B17) as well as *Myria's website (case law)*.

<sup>97</sup> See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Tongeren division, 4 January 2024, ch. 9K3R; see also the case law decisions in the following annual reports: Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 99 (Leuven Crim. Court, 6 December 2022, ch. C2) and p. 100 (West Flanders Crim. Court, Bruges division, 8 February 2023, ch. B17) as well as *Myria's website (case law)*.

<sup>98</sup> See in particular: Brussels French-speaking Crim. Court, 27 May 2022, 47th ch. (unpublished); see also the case law decisions in the following annual reports: Myria, *Annual report 2022 – Trafficking and smuggling of human beings, Bound by debt*, p. 69 (West Flanders Crim. Court, Bruges division, 5 November 2021, ch. B15) and Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 99 (Corr. Louvain, 6 December 2022, ch. C2) and p. 100 (West Flanders Crim. Court, Bruges division, 8 February 2023, ch. B17) as well as *Myria's website (case law)*.

This is illustrated by a number of cases resulting in convictions for human trafficking or smuggling:

In one case, the Belgian exploiter managed several villas in which he rented out some 35 rooms to various victims. Some properties were even rented through an estate agency, which was well aware that they were being used for prostitution<sup>99</sup>.

In another case, the owner was convicted of human trafficking for having knowingly rented out several properties to trans victims staying illegally and taking advantage of this vulnerable situation to demand a very high rent of EUR 3,000 a month<sup>100</sup>.

In a recent case, the Belgian owner of a champagne bar that also rented out rooms to women from Latin America was convicted of human trafficking<sup>101</sup>.

Some cases involved Latin American victims working in **champagne bars** and **massage parlours**<sup>102</sup>. In a few cases, however, the victims worked in windows, as street prostitutes or as escorts<sup>103</sup>.

According to experts, trans SWs from Latin America generally work in private settings and in street sex work. In cities, they offer their services in specific locations known for this type of activity. In Brussels, for instance, they work as street sex workers in specific neighbourhoods. In Antwerp, they are also sometimes involved in window sex work<sup>104</sup>.

## 3.2. Advertising and recruiting clients via websites advertising sex services and social media

Advertising and recruiting clients take place online via platforms that advertise sexual services<sup>105</sup>.

The facilitation organisations manage these adverts for the SWs<sup>106</sup>. The cases show that the victim in the photos and adverts is not always one whom the client meets. Sometimes, there are several women behind one advert. By managing the adverts, the exploiters control the women's sexual activities and can charge very high sums for these 'services'<sup>107</sup>. In practice, it is often the phone operators who take care of the adverts and who are in contact with the clients<sup>108</sup>.

Sometimes, a professional photographer is used to take sexy photos for the adverts. This also costs the SWs a lot of money. In one case, the photographer was prosecuted as a co-perpetrator<sup>109</sup>.

Often, social media and instant messaging apps are used to contact clients, such as **Instagram** and other channels, including closed groups on **WhatsApp**, **Telegram** or **Signal**. These channels are much less visible than online adverts, as clients have to be admitted to a closed group. This also makes SWs less visible to the authorities or field organisations.

99 See Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 100 (Ghent, 10 June 2022, 10th ch.) and [Myria's website \(case law\)](#).

100 See Myria, *Annual report 2022 – Trafficking and smuggling of human beings, Bound by debt*, p. 70 (West Flanders Crim. Court, Bruges division, 13 July 2021, ch. B17) as well as [Myria's website \(case law\)](#).

101 See Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 101 (West Flanders Crim. Court, Bruges division, 8 February 2023, ch. B17) as well as [Myria's website \(case law\)](#).

102 See Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 99 (Leuven Crim. Court, 6 December 2022, ch. C2) as well as [Myria's website \(case law\)](#); see also Part 2, Chapter 2, point 1.3.1.

103 See Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 101 (West Flanders Crim. Court, Bruges division, 8 February 2023, ch. B17) as well as [Myria's website \(case law\)](#).

104 For Brussels: see Parliament of the Brussels-Capital Region, United Assembly of the Common Community Commission, [Report on prostitution in the Brussels-Capital Region](#), hearings, 19 May 2022. For Antwerp: information was provided by field organisations.

105 Parliament of the Brussels-Capital Region, United Assembly of the Common Community Commission, [Report on prostitution in the Brussels-Capital Region](#), hearings, 19 May 2022, p. 38. The most used websites in Belgium are Redlights and Quartier-Rouge. From court decisions and information provided by the police, it appears that Vivastreet is also used (especially in French-speaking Belgium). Ohlala, Afspraakjes.be, Kinky.nl, Cyberotica, Badoo.com and Onlyfans are mainly used for the heterosexual sex market between women and men. Other platforms such as Hunqz and Boys4you are used for the homosexual sex market between men.

106 The exploiter registers and creates a profile. A profile allows several adverts to be created for different victims.

107 In reality, it is free to place adverts. To increase the visibility of the adverts, it is possible to pay a supplement. See, for instance, the general terms and conditions of use of the [Quartier-Rouge website](#).

108 See point 2 above.

109 See Part 2, Chapter 2, point 1.1.1.

### 3.3. Distribution of earnings and debt bondage

In some cases, it is a question of **debt bondage**. The victims have to reimburse their travel debt and the other allegedly incurred expenses<sup>110</sup>.

In one case, the victim had to pay off their debts by working as a cleaner and prostitute. Every evening, the money was collected by the exploiters and the victim was given food, as they had no money to buy it themselves. The victim kept nothing of the proceeds from their sexual activities<sup>111</sup>.

In another case, a young woman from the Dominican Republic had to reimburse up to EUR 8,500 for her journey and arranged sham marriage so that she could come to Belgium. When a regular client wanted to spend the weekend with the young woman, the exploiters refused unless the man agreed to pay a large part of her outstanding debt<sup>112</sup>.

The victims' situation varies greatly depending on the network, and even within a network, the conditions can sometimes be very different. The more the victims have agency, the more the payment system can be interesting<sup>113</sup>.

The victims pay for accommodation and so-called 'services'. In general, they have to hand over **50% of their earnings**, but this percentage can be higher<sup>114</sup>. Sometimes, the agreement states that they must hand over half their earnings but that they do not have to pay rent. In other cases, they have to pay a **high daily or weekly rent** of several hundred euros for the room, but they are allowed to keep their earnings.

Often, **additional services** are added to the rent, such as the online adverts for sexual services, a contribution for the phone operators, photos taken by a professional photographer, condoms, sex toys, sometimes the cost of food and board, etc<sup>115</sup>. In practice, many victims barely get to keep more than 20% of their earnings<sup>116</sup>. In some cases, the exploiters keep everything and the victims occasionally receive a small sum of money<sup>117</sup>.

In one case, the exploiter used different formulas for several girls in the same building, with some paying EUR 80 a day for a small room, and other a weekly rate of EUR 450. However, these girls were allowed to keep all their earnings. Other girls did not pay any rent, but had to hand over half their earnings every day. In return, the exploiter provided various services. For instance, he took care of the online adverts and contact with the clients, and provided free condoms<sup>118</sup>.

In another case, the girls could choose between two formulas: either the 50/50 formula, where they handed over half of their earnings, but did not have to pay any rent, any costs for advertising or for the phone operator; or the 40/60 formula, where they had to pay rent and additional advertising costs<sup>119</sup>.

In yet another case, a combination of different payment systems was used: either the 50/50 rule; or a weekly rate; or sometimes a combination of the two. In some cases, all the earnings were taken<sup>120</sup>.

<sup>110</sup> However, the amount of the debt bondage is often less than in other human trafficking and human smuggling networks, such as the Nigerian networks.

<sup>111</sup> See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Hasselt division, 1 December 2023, ch. 18A.

<sup>112</sup> See Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 99 (Leuven Crim. Court, 6 December 2022, ch. C2) as well as [Myria's website \(case law\)](#).

<sup>113</sup> See Part 2, Chapter 2, point 1.3.1.

<sup>114</sup> See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Tongeren division, 4 January 2024, ch. 9K3R.

<sup>115</sup> See in particular: Brussels French-speaking Crim. Court, 27 May 2022, 47th ch. (unpublished); see Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Hasselt division,

1 December 2023, ch. 18A; see also the case law decision in the following annual report: *Myria, Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 99 (Leuven Crim. Court, 6 December 2022, ch. C2) as well as [Myria's website \(case law\)](#).

<sup>116</sup> According to police information.

<sup>117</sup> In some cases, the exploiters keep all the income. See G. Dupont, "Prostitution – 'J'ai fui un réseau de prostitution brésilien à Namur'", 1 July 2024, *DH Les sports+*, available at <https://www.dhnet.be/>.

<sup>118</sup> See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Tongeren division, 4 January 2024, ch. 9K3R.

<sup>119</sup> Brussels French-speaking Crim. Court, 27 May 2022, 47th ch. (unpublished).

<sup>120</sup> See Part 2, Chapter 2, point 1.3.1.

However, **income** from sex work is high. The SWs earn several thousand euros a month. The rates vary between EUR 50 and 80 for half an hour and between EUR 100 and 160 for an hour. In a case concerning young Colombian women, the monthly income was between EUR 8,000 and 30,000, depending on the amount of work<sup>121</sup>.

The rates are generally higher for trans SWs than for cisgender SWs, since there are less of them<sup>122</sup>.

### 3.4. Monitoring of victims and work conditions

Often, Latin American SWs arrive, work in one building and leave for another location after a short period. They are relatively isolated and have no contact with field organisations or the police, which makes them particularly vulnerable. In addition, the language barrier makes them prone to abuse. This vulnerability is also heightened by their precarious administrative, social and financial situation<sup>123</sup>.

Victims are often **monitored** by their exploiters from a distance, **via social media or instant messaging apps**, most often WhatsApp. There is often virtually no physical contact between victims and exploiters, who see each other only when the money is being collected, if at all. In one case, Myria learned that the perpetrator had been able to log onto the victim's phone and monitor what they were doing and who they were in contact with<sup>124</sup>.

In some cases, the victims are **monitored by camera**. Sometimes, a camera is installed in the accommodation, sometimes even in the bedrooms<sup>125</sup>.

This means the victims' movements are monitored. For instance, the exploiter can check that the clients do not stay for too long and that the victims are 'honest' about their earnings<sup>126</sup>. According to information from the police, this camera surveillance often serves as protection against certain gangs of thieves who attack places of prostitution<sup>127</sup>.

In one case, a surveillance camera was placed in the victim's bedroom. This allowed the exploiters to monitor the victim, communicate with them and give them orders<sup>128</sup>.

There are often **guards** or 'bodyguards' who are in charge of security at the premises where the SWs work. Sometimes, they live the same place as the SWs, or sometimes, they can simply be called if there is a problem. In several cases, their job was to ensure that the victims did not leave the premises without their authorisation<sup>129</sup>. In some cases, the guards are **violent** towards the SWs. In a case analysed by Myria, the guard was aggressive and supplied the victims in the building with cocaine. They also brought over clients for the victims – for their own account and demanded a share of the income<sup>130</sup>.

Sometimes, the victims had to **hand over their passport**<sup>131</sup>.

The victims have **little or no choice in the selection of clients** and in the place of prostitution. Contact with the clients is done through the phone operators, so the victims have no idea who the clients are. In several cases, the victims **were not allowed to refuse clients**<sup>132</sup>. If they did, they were subjected to remarks and pressure. **They have no say in the rates either**, which are imposed on them by their superiors. The terms and conditions are non-negotiable and sometimes, they have to provide sexual services free of charge to their bosses or exploiters<sup>133</sup>.

121 According to information provided by a local police department.

122 In particular according to the information provided by field organisations. See also 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.

123 This is particularly apparent from information from specialised reception centres for victims of trafficking.

124 This is particularly apparent from information from specialised reception centres for victims of trafficking.

125 See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Hasselt division, 1 December 2023, ch. 18A; Limburg Crim. Court, Tongeren division, 4 January 2024, ch. 9K3R; see Part 2, Chapter 2, point 1.3.3.

126 See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Tongeren division, 4 January 2024, ch. 9K3R.

127 See also G.Dupont, "Prostitution – 'J'ai fui un réseau de prostitution brésilien à Namur'", 1 July 2024, *DH Les sports+*, available at <https://www.dhnet.be/>.

128 See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Hasselt division, 1 December 2023, ch. 18A.

129 See Part 2, Chapter 2, point 1.3.3.

130 See Part 2, Chapter 2, point 1.3.3.

131 See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Hasselt division, 1 December 2023, ch. 18A.

132 See also G.Dupont, "Prostitution – 'J'ai fui un réseau de prostitution brésilien à Namur'", 1 July 2024, *DH Les sports+*, available at <https://www.dhnet.be/>.

133 See also Part 2, Chapter 2, point 1.3.3.

Victims often have long working days: they have to be **available to receive clients** from morning to night<sup>134</sup>. They cannot set their own working hours. In one case, the victims had to pay a 'fine' to take a day off<sup>135</sup>. The victims' absence can never lead to a loss of income for the exploiter.

In the majority of cases, the victims are allowed to choose which **sexual acts** they perform but they are asked to show a degree of flexibility. They are also pressurised to engage in more explicit sexual acts. They are often expected to participate in group sex or other extreme sexual acts. In one case, clients could choose the 'slave' option, which allowed them to use violence for an extra EUR 300 an hour<sup>136</sup>. Sometimes, they are also obliged to have sex against their will, for example during menstruation or when they are ill. Sometimes exploiters even use very personal details, such as the victim's virginity or pregnancy, as a bonus to attract clients. If the clients complain, the victims are usually subjected to pressure or repercussions<sup>137</sup>.

Victims are often exposed to risks such as clients who are aggressive or under the influence of drugs or alcohol<sup>138</sup>.

The victims are punished if they do not cooperate, for instance, by being refused clients, thus depriving them of income<sup>139</sup>. However, physical violence is not that common. Sometimes, **victims and members of their family are threatened** if they say they want to stop sex work or if they do not work hard enough. Often, the exploiters have links with the region the victim is from and know their entourage, or they make sure they know them so that they can use this against the victim later.

Victims fear that their family is in danger in the country of origin. Exploiters also exert pressure by threatening to tell their families about the sex work<sup>140</sup>, as they do not always know about it<sup>141</sup>, or by threatening to report the victim to the police for staying illegally.

In some cases, the exploiters applied the **loverboy method**<sup>142</sup> to recruit, influence and control victims once they were in Belgium<sup>143</sup>.

### 3.5. Drug use

Drug use – as in society in general – is widespread in the sex industry. And this applies to both SWs and clients. Sometimes, SWs take drugs at the request of clients. Often, the drugs – mainly cannabis and cocaine – are available on the premises<sup>144</sup>.

In addition, 'chemsex', i.e. the use of drugs during sex, is on the rise. The risks for SWs are greater, especially for their health<sup>145</sup>.

According to interviews with some experts, SWs often use drugs to cope with their work. The interviews did not lead to the conclusion that SWs are forced to use drugs or are deliberately made to become addicted by their exploiters.

134 See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Tongeren division, 4 January 2024, ch. 9K3R.

135 See Part 2, Chapter 2, point 1.3.3.

136 See Part 2, Chapter 3, point 2.2.2.: Liège Crim. Court, 22 November 2023, 19th ch.

137 See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Hasselt division, 1 December 2023, ch. 18A; see also the case law decision in the following annual report: Myria, *Annual report 2023 – Trafficking and smuggling of human beings. A chain of responsibilities*, p. 99 (Leuven Crim. Court, 6 December 2022, ch. C2) as well as Myria's [website \(case law\)](#).

138 See also G. Dupont, "Prostitution – 'J'ai fui un réseau de prostitution brésilien à Namur'", 1 July 2024, *DH Les sports+*, available at <https://www.dhnet.be/>.

139 See Part 2, Chapter 2, point 1.3.4.

140 See also M. Mariën, "Twee Brazilianen in cel voor mensenhandel in de prostitutiesector: 'Werden onder druk gezet en bedreigd'", *Het Laatste Nieuws*, 7 June 2024, available at [www.hln.be](http://www.hln.be) and Belga, "Brazilianen blijven in de cel voor mensenhandel in de prostitutiesector", *Krant van West-Vlaanderen*, 11 June 2024, available at [www.kw.be](http://www.kw.be).

141 This is particularly apparent from information from specialised reception centres for victims of trafficking; see also Part 2, Chapter 2, point 1.3.4.

142 See also above.

143 See Part 2, Chapter 3, point 2.2.2.: Liège Crim. Court, 22 November 2023, 19th ch.

144 According to information provided by the local police department. See also G. Dupont, "Prostitution – 'J'ai fui un réseau de prostitution brésilien à Namur'", 1 July 2024, *DH Les sports+*, available at <https://www.dhnet.be/>.

145 See also Sensoa, [Chemsex in Vlaanderen en Brussel: feiten en cijfers](#) | Sensoa et Drugs – Chemsex – Exaequo

In one case, the victims were forced to have sex with the clients of the building's caretaker, who supplied them with drugs, and to use them in order to maximise his profits<sup>146</sup>.

According to some players<sup>147</sup>, drug addiction is very common among trans SWs. Drugs are also sometimes used as a means of payment for sex in the sex industry<sup>148</sup>.

There appear to be regular links between facilitation organisations and drug-related crime. In several cases, acts of human trafficking and sexual exploitation were uncovered as part of a drugs investigation<sup>149</sup>.

## 4. Money laundering and money transfers abroad

The money the exploiters obtain is often transferred abroad and rarely stays in Europe. The proceeds are mainly paid in **cash**. This complicates **financial investigations** and makes it difficult to identify **financial flows**.

The earnings are transferred to Latin America via **money transfer companies** such as Western Union, Moneytrans, Ria Money Transfer or online banks such as Wise. The exploiters often use the names of other people to do this, such as family members, so that they themselves do not appear in the picture.

In one case, the exploiter used the victims' accounts to transfer illegal income abroad. As she had too much cash, she could not transfer the funds in her own name<sup>150</sup>. New types of payment are also increasingly being used, such as Bitcoin ATMs<sup>151</sup>.

There is also mention of money couriers, i.e. people who transfer money to the country of origin for a small fee, or in exchange for a 'free service'<sup>152</sup>. The Latin American community uses an underground banking system. A trustworthy person in Europe acts as guarantor for a banker in the destination country, who then makes the payment.

Furthermore, a number of money laundering schemes have been uncovered in Belgium, including through the use of companies. Money from prostitution is laundered by organising other activities that generate particularly high costs and by means of false invoices<sup>153</sup>.

One case led to the discovery that funds of illegal origin were being laundered through a company operating in the construction and cleaning sectors<sup>154</sup>.

In another case, several companies were used to pay cash into a German bank account. Large sums of money were transferred to private individuals or company directors, especially in Luxembourg, who then transferred the money to the German or French bank account of the head of the organisation in Belgium. These money transfers were then justified by fictitious invoices or non-existent loans/debts. Company bank accounts were also used to pay rent to landlords for flats. This made it possible to conceal the identity of the tenant. The intermediaries were paid 3% to issue the fictitious invoices<sup>155</sup>.

146 See Part 2, Chapter 2, point 1.1.3.

147 According to information provided by the police and specialised reception centres for victims of trafficking.

148 According to information provided by grassroots organisations.

149 See Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Tongeren division, 4 January 2024, ch. 9K3R.

150 See Myria, *Annual report 2023 – Trafficking and smuggling of human beings, A chain of responsibilities*, p. 99 (Leuven Crim. Court, 6 December 2022, ch. C2) as well as [Myria's website \(case law\)](#).

151 A Bitcoin ATM is a mobile physical automatic machine that allows users to buy or sell Bitcoin tokens. See a case in which Myria filed a civil suit: Brussels French-speaking Crim. Court, 4 October 2024, 47th ch. (final).

152 According to information provided by the police.

153 See also CTIF-CFI, *Activity Report 2021*, p. 6.

154 See Part 2, Chapter 2, point 1.1.2.

155 Brussels French-speaking Crim. Court, 27 May 2022, 47th ch. (unpublished).

In some cases, there is also a link with **other criminal phenomena, such as drug-related crime**. In this case, prostitution is sometimes used as a means of laundering drug-related income. But according to some experts, this is certainly not a fixed pattern<sup>156</sup>.

## 5. Exploitation in other (EU) countries

Sexual exploitation of Latin American victims is also a growing phenomenon in other EU member states. Information provided by Europol and police forces shows a growing number of cases of human trafficking involving Latin American suspects and victims in Europe.

The **United Nations Office on Drugs and Crime (UNODC)** stresses that the majority of these victims are recruited through deception by international networks with links and offices in Colombia. **Europe and Mexico** are the main destinations<sup>157</sup>.

In **France**, it is mostly Brazilian networks that operate out of Spain.

Press reports<sup>158</sup> reveal that networks are also regularly dismantled in Spain and Portugal<sup>159</sup>. In Spain, the phenomenon mainly involves Colombian and Venezuelan victims and perpetrators<sup>160</sup>. In recent years, the number of Latin American victims in Spain has increased from 28.9% to 50.9%<sup>161</sup>.

Information provided by police forces shows that these countries adopt a different approach in the fight against these networks, which aims to dismantle a maximum number of cells in a network as quickly as possible. Belgium, on the other hand, prefers to carry out long-term investigations in order to move up the chain of networks.

In the **Netherlands** too, checks on prostitution have revealed an increase in the number of cisgender and trans SWs from Latin America in recent years<sup>162</sup>.

The Netherlands uses what it calls the **Mensenhandel Field Lab (MFL)**, a specific form of multidisciplinary cooperation. Depending on the topic, this research team may include representatives from the public prosecutor's office, the police, the *Koninklijke Marechaussee*, local authorities and support services. In 2021, one Field Lab investigated the prostitution of Latin American trans people, while another *Field Lab* investigated the situation of Latin American SWs in Amsterdam<sup>163</sup>.

Police information and cases reveal that there are very often international links<sup>164</sup>. Prostitution activities in Belgium often take place in border areas, for instance in Limburg on the border with the Netherlands<sup>165</sup> and in the province of Luxembourg on the border with Luxembourg<sup>166</sup>.

<sup>156</sup> According to information provided by magistrates and the police.

<sup>157</sup> See UNODC, *Trafficking in Persons to Europe for sexual exploitation*, 2007.

<sup>158</sup> See in particular: *Liberadas seis víctimas de explotación sexual en un club de Zamora cercano a la frontera con Portugal*, *Diario de Castillay León*, 8 April 2022.

<sup>159</sup> See also Europol, *Human trafficking gang exploiting South American victims busted in France and Spain*, 11 April 2022.

<sup>160</sup> See L. Ortiz, *Más de 20 colombianas eran retenidas como esclavas sexuales en España: una de ellas era discapacitada*, *Infobae*, 11 April 2024.

<sup>161</sup> See *Más del 50% de las víctimas de trata proceden de América Latina*, *Ethic*, 20 October 2022.

<sup>162</sup> See D. Schouten, *Toename van illegale transgender prostituees uit Latijns-Amerika, justitie vermoedt mensensmokkel en uitbuiting*, *AVRO TROS*, 20 September 2021.

<sup>163</sup> On this subject, see also the external contribution of the Dutch National Rapporteur at the end of this focus.

<sup>164</sup> See Part 2, Chapter 2, points 1.1.2. and 1.2.4.

<sup>165</sup> A few years ago, a large case came to light, with a significant number of victims and links to Belgium. This gave rise to a separate case in which the perpetrators were also convicted in Belgium: Part 2, Chapter 3, point 2.2.2.: Limburg Crim. Court, Hasselt division, 1 December 2023, ch. 18A; see also Public Prosecutor's Office, *Aanhoudingen vanwege netwerk illegale Latijns-Amerikaanse prostituees*.

<sup>166</sup> D. Zachary, "Un important trafic d'êtres humains entre la Colombie et la Belgique démantelé à Arlon", 11 September 2024, available at <https://www.dhnet.be/>.