

FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities
to human trafficking

EVALUATION REPORT FRANCE

GRETA
Group of Experts
on Action against
Trafficking in Human Beings



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Secretariat of the Council of Europe Convention
on Action against Trafficking in Human Beings
(GRETA and Committee of the Parties)
Council of Europe
F-67075 Strasbourg Cedex
France

trafficking@coe.int

www.coe.int/en/web/anti-human-trafficking

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Preamble

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings (“the Convention”), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and child trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on vulnerabilities to human trafficking and measures taken by State Parties to prevent them, detect and support vulnerable victims, and punish the offenders. An additional focus concerns the use of information and communication technology (ICT) to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of “vulnerability” appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, “by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim’s administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.”

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”. It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.¹ Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive country-specific follow-up questions related to recommendations not implemented or partially implemented after the third evaluation round.

GRETA recalls that it has adopted the use of three different verbs - “urge”, “consider”, and “invite” – which correspond to different levels of urgency for bringing the State Party’s legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb “urge” when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA “considers” that it is necessary to make further improvements to fully comply with an obligation of the Convention. By “inviting” a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

¹ [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

Executive summary

This report, covering the period from 2022 to March 2026, evaluates the measures taken by France to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims, and punish traffickers. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences but also to the use of technological innovations to prevent THB, protect victims and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

During the period covered by the report, the French authorities took a series of measures to enhance the legislative and institutional framework for action against trafficking. In December 2023, the government launched the third National Action Plan to combat exploitation of and trafficking in human beings (2024-2027), which included specific measures relating to children. In August 2023, action against human trafficking was included in the decree describing the functions of the Minister responsible for Gender Equality and Anti-Discrimination Measures. Lastly, in 2024, the Constitutional Council found the requirement for legal aid applicants to be residing legally in France to be unconstitutional, and the Court of Cassation alleviated the burden of proof required of victims of trafficking for them to be awarded compensation.

France remains primarily a country of destination for victims of THB but is also a country of origin and transit. The continued absence of a national mechanism for identifying victims of trafficking (NRM) or any means of cross-referencing data between institutions still make it difficult to gain an accurate picture of the situation. The number of victims of trafficking and other offences linked to one of the purposes of THB (pimping, exploitation of begging and forced labour) increased from 1 811 in 2021 to 2 127 in 2024. The number of victims of THB in the strict sense of the term was 331 in 2021, 362 in 2022, 404 in 2023 and 442 in 2024.

The third National Action Plan to combat exploitation of and trafficking in human beings identifies children, migrants, persons in socially vulnerable situations and persons with disabilities as the groups that are most prone to risks of exploitation.

In November 2021, the French Government launched the first national plan against prostitution of children. Young people involved in prostitution are highly psychologically and socially vulnerable, most often because they have dropped out of school, come from broken families or have histories of sexual violence or addiction. Recruitment often takes place at child welfare establishments through peers, social networks or the so-called “loverboy method”. Several projects have been run to improve action to prevent and combat the sexual exploitation of children, with the financial support of the authorities. However, despite these efforts, the vulnerability of children to trafficking persists because of the deep crisis that the child protection system is currently experiencing. GRETA urges the French authorities to step up their efforts to improve the prevention of trafficking in children and young adults, in particular by further enhancing the capacities, the resources and the training of child protection professionals and applying economic and social measures and programmes to assist children placed in the child protection system with their reintegration into society. The authorities must also ensure that unaccompanied children are given proper support, including accommodation in safe, child-friendly centres or foster families.

Migrant workers are particularly exposed to trafficking and exploitation, especially in agriculture, construction, cleaning, hotels and catering, and domestic work. French law provides for several mechanisms designed to prevent labour exploitation. However, some French law provisions tend, in practice, to make migrant workers' situation more vulnerable. Interregional foreign workforce platforms check that employers are acting lawfully and what pay and housing conditions they are offering. However, these checks are still largely declaratory and do not fully protect employees from exploitation. Information and awareness-raising systems have also been set up to help prevent trafficking of migrant workers. While welcoming these initiatives, GRETA urges the French authorities to revise the relevant legislation to reduce the dependence of migrant workers on their employers. The authorities should also step up oversight of

the working and housing conditions of foreign workers, particularly seasonal agricultural workers, and continue their efforts to raise companies' awareness of their responsibilities and their important role in preventing and eradicating trafficking.

Since 2021, France has seen a steady increase in the number of asylum seekers (153 715 in 2024). The French Office for Immigration and Integration (OFII) assesses the vulnerability of each asylum seeker. However, the system for the identification and supervision of vulnerable asylum seekers is inadequate, mainly because of the lack of human resources. Where asylum claims are submitted belatedly (as is frequently the case with trafficking victims), this often prompts the prefecture to apply the accelerated procedure and leads to the rejection of housing applications made through the national reception scheme (DNA). The number of places available under the DNA is still far short of what is needed, and facilities such as emergency accommodation centres for asylum seekers (HUDAs) are saturated. Without housing, asylum seekers find themselves in highly vulnerable situations. GRETA urges the French authorities to increase the number of places available under the DNA and ensure that a proper assessment of vulnerabilities is carried out on all asylum seekers to identify their individual vulnerabilities and needs.

The exact number of persons irregularly present in France is difficult to establish but estimates vary between 600 000 and 800 000. This group is made up of various types of people such as unsuccessful asylum seekers, people who have entered the country without a visa or who remain with a visa that has expired and migrant workers whose work or residence permits have not been renewed. Many of these people sleep on the street, in squats or in makeshift camps, which makes them vulnerable to trafficking. Under French law there are several routes to regularisation, but access to these is still restricted. GRETA considers that the French authorities should amend the legislation in force with a view to improving effective access to regularisation measures, harmonising the prefectures' regularisation practices and simplifying procedures.

It is estimated that about 40 000 people in France are engaged in prostitution. These people are particularly vulnerable to trafficking. Migrant women are particularly exposed, with some being forced to engage in prostitution to reimburse debts incurred for their journey to Europe or because of their irregular administrative status. French legislation stipulates that programmes to exit prostitution and integrate into society and professional life (PSPs) must be offered to all those concerned. In May 2024, France adopted its first strategy to combat prostitution and sexual exploitation. The report notes that despite a steady rise in the number of beneficiaries of PSPs, admissions are still low in the light of the number of people who may be eligible. Consequently, GRETA considers that the French authorities should take further steps to counteract the risks of trafficking for persons engaging in prostitution, in particular by guaranteeing proper access to PSPs across the country, including overseas départements and regions, to all persons who wish to cease engaging in this activity.

There are no official data on the number of formally identified trafficking victims who have disabilities. However, according to annual surveys of identified or presumed victims of trafficking assisted by NGOs, 5% of such victims had disabilities in 2023 and 9% in 2024. These persons find it difficult to question their working conditions, sometimes remaining isolated and dependent for years before being identified as victims. GRETA considers that the French authorities should step up their efforts to improve the protection of persons with disabilities from human trafficking, in particular by ensuring that individuals or organisations responsible for the guardianship of persons with disabilities and the centres accommodating them are regularly inspected and independently monitored to prevent any exploitation.

About 11 200 people, 3 900 of whom are children, currently live in about 240 informal settlements, located mainly around France's largest cities. Most are Roma originating from Bulgaria or Romania who started arriving in the 1990s. The vulnerability and invisibility linked with life in these informal settlements increase the risks of exploitation and trafficking. Children from Roma and other communities living in them are particularly exposed to exploitation of begging, domestic work and child or forced marriage. However, a lack of awareness raising among social workers and other public authorities operating in informal

settlements often prompts them to think that these situations stem from community-related problems rather than trafficking. GRETA considers that the French authorities should continue to step up prevention of trafficking through lasting social, economic, educational and other measures designed to enhance the autonomy of persons living in informal settlements, in particular through improved access to education and the labour market.

In France, formal identification of victims is the exclusive responsibility of the police and the gendarmerie. Therefore, although co-operation with the law enforcement agencies is not a legal requirement for a victim of trafficking to be identified, it is a prerequisite in practice. Furthermore, provisional residence permits may only be awarded if the victim lodges a complaint or testifies in criminal proceedings. This situation discourages many victims from coming forward for fear of reprisals or deportation. GRETA urges the French authorities to introduce without further delay a national identification and referral mechanism (NRM), defining the role to be played and the procedure to be followed by all stakeholders that may come into direct contact with victims of trafficking and taking account of the specific situation and needs of child victims. The authorities should also increase the capacities for detection of trafficking victims in overseas France and in Franco-British and Franco-Italian border areas.

GRETA welcomes the French authorities' efforts to improve assistance for trafficking victims, particularly the use of property confiscated in criminal proceedings as housing for victims. However, it is concerned about the inadequacy of public funds allocated to NGOs supporting victims and the lack of specialist accommodation places. This situation undermines victim support and increases risks of revictimisation. GRETA again urges the French authorities to ensure that all victims are provided with accommodation that is safe and suitable for their needs and to provide sufficient long-term funding to ensure that the services offered by NGOs are diverse and of high quality.

There has been progress on support for child victims of trafficking such as the opening, in May 2021, of the first ever secure, specialist centre for child victims and the establishment of the Satouk network, which arranges suitable accommodation for child and young adult victims. Despite this, as the number of places in specialist facilities is inadequate, child victims of trafficking are generally entrusted to reception centres run by the child welfare service (ASE), which are not suitable, as ASE staff are not trained or prepared to handle trafficking victims. Trafficking victims are often recruited directly within such facilities. GRETA urges the French authorities to develop programmes for the reintegration of child victims of trafficking and take measures to prevent children and young adults entrusted to ASE reception facilities from being recruited for purposes of exploitation through prostitution.

GRETA noted several improvements where it came to the criminal justice response to trafficking. Since 2021, staff numbers at the Central Office for the Suppression of Trafficking in Human Beings (OCRTEH) have almost doubled and there has been a significant increase in the number of courts which have appointed a prosecutor or judge to act as a focal point for THB cases. The number of investigations into human trafficking offences increased from 191 in 2021 to 304 in 2024. Cases are not disaggregated in the official statistics according to the type of exploitation. However, GRETA has noted an increase in convictions for trafficking for the purpose of labour exploitation, including cases involving companies which have exploited several dozens of workers. However, despite the progress made, trafficking offences are still prosecuted as related offences (such as pimping). GRETA considers that the French authorities should strengthen their efforts to ensure that the offence of trafficking is prosecuted whenever the circumstances of a case allow. GRETA also urges the French authorities to align the notion of abuse of vulnerability contained in Article 225-4-1 of the Criminal Code with that of the Convention, which covers all forms of vulnerability, whether physical, psychological, emotional, family-related, social or economic.

Faced with the growing use of internet by traffickers, the authorities and NGOs have stepped up their awareness-raising activities on the risks of ICTs, targeting children in particular. Several legislative reforms have been adopted to manage the use of platforms. In 2023, the OCRTEH set up a specialised cybercrime unit dealing with investigations into pimping and trafficking for the purpose of sexual exploitation. It has also established partnerships with several large tech firms. While welcoming these measures, GRETA

considers that the authorities should invest more in capacity building and digital tools for proactive investigations and strengthen co-operation with ICT companies and internet service providers.

With regard to the follow-up topics from the previous evaluation round, GRETA once again urges the French authorities to ensure that all presumed foreign trafficking victims, including EU/EEA nationals, are systematically informed of the possibility of a recovery and reflection period and are actually granted such a period.

Data from the Ministry of the Interior show that there has been a steady rise in the number of residence permits granted to victims of trafficking. GRETA welcomes this progress but notes that there is an enduring disparity between the number of foreign victims identified and the number of permits issued. GRETA once again urges the French authorities to take additional measures to ensure that victims of trafficking can fully benefit from the right to obtain a residence permit, including on grounds of their personal situation.

While welcoming the decision of the Constitutional Council of 28 May 2024 finding it unconstitutional for entitlement to legal aid to be dependent on lawful residence, GRETA considers that the French authorities should take further steps and, in particular, revise Law No. 91-647 so that access to free legal aid for trafficking victims is not subject to means testing or a habitual residence requirement.

The report notes that victims of human trafficking rarely obtain compensation from perpetrators and must often initiate long and complex civil proceedings to enforce criminal law decisions. While welcoming the judgment of 4 April 2024 of the Court of Cassation which alleviated the burden of proof required of victims of trafficking for them to be awarded compensation, GRETA considers that the French authorities should make further efforts to guarantee effective access for victims to compensation. In particular, they must ensure that the amounts granted in respect of recovery of unpaid salaries can be paid in advance by the State, which subsequently reclaims them from the offender.

Lastly, GRETA once again urges the French authorities to adopt a specific legal provision on the non-punishment of victims of trafficking for their involvement in unlawful activities when they were compelled to do so and/or to issue instructions to investigators and prosecutors specifying the scope of the non-punishment provision.

List of acronyms and abbreviations

Ac.Sé	Secure Reception (<i>Accueil Sécurisant</i>)
AFIS	Financial assistance for social and professional integration (<i>aide financière à l'insertion sociale et professionnelle</i>)
AGRASC	Agency for the Management and Collection of Seized and Confiscated Assets (<i>Agence de gestion et de recouvrement des avoirs saisis et confisqués</i>).
ALC	Association "Accompagnement, Lieu d'accueil, Carrefour éducatif et social"
ANEF	Digital Administration of Foreigners in France (<i>Administration numérique pour les étrangers en France</i>)
APS	Temporary residence permit (<i>autorisation provisoire de séjour</i>)
ASE	Child Welfare Service (<i>Aide Sociale à l'Enfance</i>)
CC	Criminal Code (<i>Code pénal</i>)
CCEM	Association "Comité contre l'esclavage moderne"
CCP	Code of Criminal Procedure (<i>Code de procédure pénale</i>)
CDLP	<i>Département</i> Commission to combat prostitution, pimping and trafficking for sexual exploitation (<i>Commission départementale de lutte contre la prostitution, le proxénétisme et la traite des êtres humains aux fins d'exploitation sexuelle</i>)
CESEDA	Code on the entry and residence of foreigners and the right of asylum (<i>Code de l'entrée et du séjour des étrangers et du droit d'asile</i>)
CHRS	Accommodation and social reintegration centre (<i>Centre d'hébergement et de réinsertion sociale</i>)
CHU	Emergency accommodation centre
CIVI	Commission for the compensation of victims of criminal offences (<i>Commission d'indemnisation des victimes d'infractions pénales</i>)
CMAs	Material reception conditions (<i>conditions matérielles d'accueil</i>)
CNCDH	National Consultative Committee on Human Rights (<i>Commission nationale consultative des droits de l'homme</i>)
CNDA	National Court of Asylum (<i>Cour nationale du droit d'asile</i>)
DINUM	Interministerial Directorate for Digital Affairs
DNA	National reception scheme (<i>dispositif national d'accueil</i>)
DPJJ	Judicial Youth Protection Service (<i>Direction de la protection judiciaire de la jeunesse</i>)
EEA	European Economic Area
EU	European Union
HUDA	Emergency accommodation centre for asylum seekers (<i>hébergement d'urgence pour demandeurs d'asile</i>)

ICTs	Information and Communication Technologies
JIRS	<i>Juridiction interrégionale spécialisée</i> (Specialised Interregional Office consisting of judges and prosecutors)
JUNALCO	<i>Juridiction nationale de lutte contre la criminalité organisée</i> (National Office for Organised Crime consisting of judges and prosecutors)
MIPROF	Interministerial taskforce on combating violence against women and human trafficking (<i>Mission interministérielle pour la protection des femmes contre les violences et la lutte contre la traite des êtres humains</i>)
MNIOP	National victim identification, referral and protection mechanism (<i>Mécanisme national d'identification précoce, d'orientation et de protection des victimes</i>)
NGO	Non-governmental organisation
OCLTI	Central Office for Combating Illegal Employment (<i>Office central de lutte contre le travail illégal</i>)
OCRTEH	Central Office for the Suppression of Trafficking in Human Beings (<i>Office central pour la répression de la traite des êtres humains</i>)
OFII	French Office for Immigration and Integration (<i>Office français de l'immigration et de l'intégration</i>)
OFMIN	Minors' Office (<i>Office des mineurs</i>)
OFPRA	French Office for the Protection of Refugees and Stateless Persons (<i>Office français pour la protection des réfugiés et apatrides</i>)
OQTF	Order to leave French territory (<i>obligation de quitter le territoire français</i>)
PSP	Programme to exit prostitution and integrate into society and professional life (<i>parcours de sortie de la prostitution et d'insertion sociale et professionnelle</i>)
SSMSI	Statistics Department of the Ministry of the Interior (<i>Service statistique ministériel de la sécurité intérieure</i>)
UAPED	Paediatric reception units for children at risk (<i>Unité d'accueil pédiatrique enfants en danger</i>)
UNHCR	United Nations High Commissioner for Refugees

General information on trafficking in human beings in France (covering the period from 2022 to June 2026)

Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings	1 May 2008
Previous evaluations by GRETA	• First evaluation report (published on 28 January 2013) • Second evaluation report (published on 6 July 2017) • Third evaluation report (published on 18 February 2022)
National anti-trafficking co-ordinator	Interministerial taskforce on combating violence against women and human trafficking (MIPROF), acting under the authority of the Minister for Gender Equality and Anti-Discrimination Measures.
Independent National Rapporteur	National Consultative Committee on Human Rights (CNCDH)
Specialised bodies and NGOs contracted to implement the THB Victim Support Programme	• Central Office for the Suppression of Trafficking in Human Beings (OCRTEH) • Central Office for Combating Illegal Employment (OCLTI) • Minors' Office (OFMIN) • Specialised Interregional Offices (JIRSS) • National Office for Organised Crime (JUNALCO) • NGOs in the anti-trafficking collective "Ensemble contre la traite des êtres humains"
National Strategy/Action Plan	• Second National Action Plan against THB (2019-2021) • Third National Plan to combat exploitation of and trafficking in human beings (2024-2027)
Relevant legislation	• Criminal Code (Articles 225-4-1 to 225-4-9 on trafficking in human beings) • Code of Criminal Procedure • Code on the entry and residence of foreigners and the right of asylum (CESEDA) • Welfare and Family Code
National Referral Mechanism (NRM)	There is no formal NRM at this stage.
Trafficking profile	France is primarily a country of destination for victims of trafficking in human beings (THB) but is also a country of origin and transit. During the period 2021-2023, over half of the victims identified were women and girls. About a quarter of the identified victims were children. The most common form of exploitation was sexual exploitation of women and girls, followed by labour exploitation of men and women and exploitation in criminal activities and in begging of children and young adults. The majority of the victims were French, then Moroccan, Romanian, Paraguayan, Brazilian, Algerian and Chinese.

I. Introduction

1. Since the Convention entered into force for France on 1 May 2008, the French authorities have taken a series of measures to enhance the legislative and institutional framework for action against human trafficking and to strengthen stakeholder co-ordination and international co-operation. This has included amendments to the criminalisation of THB, the establishment of the Interministerial taskforce on combating violence against women and human trafficking (MIPROF) and the MIPROF Steering Committee, whose role is to co-ordinate government action, and the designation of the National Consultative Committee on Human Rights (CNCDH) as independent national rapporteur on human trafficking. Three national action plans to combat human trafficking have been adopted over the years. The authorities have also increased the specialisation of prosecutors and judges through the creation of Specialised Interregional Offices (JIRSS) and the National Office for Organised Crime (JUNALCO) and drawn up guidelines on the investigation of human trafficking cases. However, after three evaluation rounds, GRETA concluded that there were still shortcomings in some areas: absence of a national identification and referral mechanism of victims of trafficking, shortage of accommodation geared to victims' needs, low number of recovery and reflection periods granted to victims and difficulties for victims in accessing residence permits.

2. On the basis of GRETA's third report, on 17 June 2022, the Committee of the Parties to the Convention adopted a recommendation to the French authorities, requesting them to inform the Committee of measures taken to comply with the recommendation within a two-year period. The report submitted by the French authorities was considered at the 34th meeting of the Committee of the Parties (21 June 2024) and was made public.

3. On 16 October 2024, GRETA launched the fourth round of evaluation of the Convention in respect of France by sending the questionnaire for this round to the French authorities. The deadline for submitting the reply to the questionnaire was 17 February 2025 and, with GRETA's agreement, the authorities' reply was received on 26 February 2025.

4. An evaluation visit to France took place from 16 to 25 June 2025 in order to hold meetings with relevant governmental and non-governmental representatives, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Ms Ulrike Haberl-Schwarz, member of GRETA;
- Mr Peter Van Hauwermeiren, member of GRETA;
- Mr Mesut Bedirhanoglu, Administrator in the Secretariat of the Convention;
- Ms Parvine Ghadami, Administrator in the Secretariat of the Convention.

5. During the visit, the GRETA delegation held meetings with Ms Aurore Bergé, Minister for gender equality and the fight against discrimination, Ms Roxana Maracineanu, Secretary General of the MIPROF, and representatives of the Ministry of the Interior, the Ministry of Justice, the Ministry of Labour, Health, Solidarity and Families, the Ministry for Europe and Foreign Affairs, the Ministry of the Overseas, the Ministry of National Education, Higher Education and Research, the French Office for Immigration and Integration (OFII), the French Office for the Protection of Refugees and Stateless Persons (OFPRA), the National Court of Asylum (CNDA) and the Interministerial Delegation for Accommodation and Access to Housing (DIHAL). The GRETA delegation also met representatives of the CNCDH, which serves as the independent national rapporteur on human trafficking, Ms Claire Hédon, Defender of Rights, representatives of the Inspector General of Prisons (CGLPL), and Mr Guillaume Gouffier-Valente, member of the National Assembly for the 4th district of the Val de Marne.

6. The delegation also visited the administrative divisions of Nord and Hautes-Pyrénées (*départements*), as well as Martinique and French Guiana (*collectivités territoriales*), where it met staff of the prefectures, the local and regional authorities, law enforcement agencies, the Labour Inspectorate, prosecutors and judges.

7. Separate meetings were held with representatives of non-governmental organisations (NGOs), lawyers and victims of human trafficking.

8. In mainland France, GRETA visited a specialised shelter for child victims of human trafficking run by an NGO in southern France and a day centre for migrants run by several NGOs working in the Nord *département*. In Martinique, it visited an emergency flat for women victims of sexual exploitation run by the NGO Mouvement du Nid and an emergency accommodation centre for asylum seekers run by the Red Cross. In French Guiana, it visited the immigration detention centre in Matoury and an informal settlement for migrants.

9. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 3 to this report. GRETA is grateful for the information provided by them.

10. GRETA would like to thank the French authorities for their co-operation, particularly the contact person appointed to liaise with GRETA, Ms Roxana Maracineanu, Secretary General of the MIPROF, and Ms Cécile Mantel, Deputy Secretary General of the MIPROF.

11. The draft version of the present report was approved by GRETA at its 55th meeting (17-21 November 2025) and was submitted to the French authorities for comments. The authorities' comments were received on 17 February 2026 and were taken into account by GRETA when it adopted the final report at its 56th meeting (2-6 March 2026). The report covers the situation up to 6 March 2026; subsequent developments are not covered by the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 2.

II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

12. France remains primarily a country of destination for victims of trafficking in human beings (THB) but is also a country of origin and transit. The continued absence of a national mechanism for identifying victims of human trafficking or any means of cross-referencing data between institutions continues to make it difficult to gain an accurate picture of the situation concerning the number of victims. According to data provided by the Ministry of the Interior's statistics department (SSMSI), which cover all victims registered by the police and the gendarmerie, the total number of victims of THB and other offences linked to one of the purposes of THB (related offences)² was 1 811 in 2021, 2 027 in 2022, 2 143 in 2023 and 2 127 in 2024. Among those victims, the number of victims of THB in the strict sense of the term³ was 331 in 2021, 362 in 2022, 404 in 2023 and 442 in 2024.⁴ The remaining victims were victims of pimping (around 51% of the cases),⁵ work and accommodation conditions contrary to human dignity,⁶ exploitation of begging⁷ and other forms of forced labour.⁸ These figures indicate a considerable increase compared to the preceding period,⁹ linked in particular to improved identification of victims of labour exploitation and a marked increase in the number of victims of THB in the strict sense of the term. By contrast, the proportion of victims of pimping decreased, falling from 58% over the period from 2016 to 2020 to 50% between 2021 and 2024. At the same time, the proportion of women and children among victims of human trafficking and related offences fell slightly between 2021 and 2024.¹⁰ As to nationality, over this period, most of the victims identified were French (912 in 2021, 866 in 2022, 927 in 2023 and 986 in 2024),¹¹ followed by nationals of Morocco, Romania, Paraguay, Brazil, Algeria and China.

13. As pointed out in GRETA's third report, the MIPROF, in partnership with the NGO collective "*Ensemble contre la traite des êtres humains*", has been conducting annual surveys since 2016, jointly managed by the SSMSI between 2021 and 2023,¹² on identified victims and presumed victims of human trafficking who have been assisted by NGOs. According to the data collected, 3 489 victims were detected by the 44 NGOs that replied to the survey in 2021,¹³ 4 868 by the 81 NGOs that replied in 2022,¹⁴ 6 022 by the 70 NGOs in 2023¹⁵ and 7 285 by the 44 NGOs in 2024 (see paragraph 198).¹⁶ Of these, 80% were

² The list of the offences linked to one of the purposes of THB includes pimping, sexual assault or abuse, enslavement, subjection to servitude, forced labour or services, work and accommodation conditions contrary to human dignity, exploitation of begging and the removal of organs.

³ These are victims of the offence of trafficking in human beings, as defined in Article 225-4-1 of the Criminal Code.

⁴ THB offences are not broken down according to the type of exploitation.

⁵ According to the SSMSI, the number of victims of pimping totalled 1 044 in 2021, 993 in 2022, 1 043 in 2023 and 1 002 in 2024 (compared to 922 in 2016, 841 in 2017, 905 in 2018, 797 in 2019 and 848 in 2020).

⁶ The number of victims of work and accommodation conditions contrary to human dignity totalled 471 in 2021, 772 in 2022, 737 in 2023 and 738 in 2024 (compared to 367 in 2016, 397 in 2017, 421 in 2018, 655 in 2019 and 340 in 2020).

⁷ The number of victims of forced begging was 31 in 2021, 45 in 2022, 26 in 2023 and 21 in 2024 (compared to 56 in 2016, 79 in 2017, 67 in 2018, 48 in 2019 and 23 in 2020).

⁸ Between 2021 and 2024, around 30 persons were victims of offences of enslavement (compared to 51 between 2016 and 2020), 122 of forced labour (compared to 49 between 2016 and 2020) and at least 37 of subjection to servitude (compared to around 10 between 2016 and 2020).

⁹ The number of victims of THB and other offences linked to one of the purposes of THB was 1 443 in 2016, 1 456 in 2017, 1 538 in 2018, 1 671 in 2019 and 1 373 in 2020. The number of victims of THB in the strict sense of the term was 219 in 2016, 204 in 2017, 191 in 2018, 244 in 2019 and 228 in 2020.

¹⁰ Women accounted for 73% of victims in 2021, 67% in 2022, 64% in 2023 and 63% in 2024 whereas they accounted for 71% on average between 2016 and 2020. The share of children rose from 17 to 27% between 2016 and 2020, then decreased to 24% in 2022 and 19% in 2023 before rising again to 23% in 2024.

¹¹ The number of French victims was 524 in 2016, 515 in 2017, 563 in 2018, 614 in 2019 and 696 in 2020.

¹² And by the National Observatory of Minor Offences and Criminal Responses (which was wound up in 2020) between 2016 and 2020.

¹³ [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2021](#) [Trafficking in Human Beings in France – the profile of victims assisted by associations in 2021]

¹⁴ [La traite des êtres humains en France: Le profil des victimes accompagnées par les associations en 2022](#)

¹⁵ [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2023](#)

¹⁶ [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2024](#)

victims of sexual exploitation,¹⁷ 14% of labour exploitation including in domestic settings, 5% of forced crime and 1% of forced begging. Only some of the victims identified were assisted by NGOs (2 872 in 2021, 2 994 in 2022, 4 160 in 2023 and 4 823 in 2024). Of these, a large majority (77% in 2021, 82% in 2022, 85% in 2023 and 89% in 2024) were women while 2 to 10% were transgender. Children amounted to between 11 and 16% of victims depending on the year. Victims came from over 75 countries spread over all the continents except Oceania. Almost three-quarters were from Africa, between 7 and 17% from Europe (mainly France), 8 to 15% from Latin America and the Caribbean and 3 to 12% from Asia. There has been a marked increase in the number of victims from Latin America and the Caribbean while that of victims from Asia has declined.

14. As to new trends in THB, the French authorities have noted the persistence of the phenomenon of “neighbourhood pimping”, in which young people, some of them children, turn to pimping, often to diversify their criminal activities, and set up “micro-networks” made up of young women or girls, sometimes from their surroundings, most often recruited online or from child welfare homes, to work as prostitutes. Practically all of the victims are French, half of them children, from diverse social backgrounds. In 2023, this phenomenon accounted for 56% of the investigations into sexual exploitation. The rest related to foreign victims exploited by well-structured transnational criminal networks. In recent years, Latin American and Caribbean networks have expanded, bringing in women from the Dominican Republic, Paraguay, Brazil and Colombia, generally transiting via Spain or Portugal. Indoor prostitution facilitated via ads posted on the web has continued to supplant street prostitution. Digitalisation of sexual exploitation is not confined to the recruitment and supervision of victims and putting them in contact with clients; it can now extend to the sexual act itself, as reflected in the growth of the practice of “caming”¹⁸ in France. The French authorities report that this practice may conceal other forms of sexual exploitation linked to THB.

15. Specialised NGOs also report the growing use of medicines or drugs by traffickers to establish and maintain control over their victims, particularly over children exploited through prostitution or criminal activities.¹⁹ One of the methods revealed by the so-called “Trocadéro” case, in which children were forced to commit criminal offences (see paragraph 164), was the use of chemical substances as a means of recruiting and controlling victims: traffickers established and sustained dependence among the victims, heightening their physical, mental and financial vulnerability before forcing them to commit thefts.²⁰ Some civil society organisations have also observed a change in the profile of victims of labour exploitation, which increasingly involves non-European nationals. Particular reference is made to national of Latin American, vulnerable young Tunisian men recruited in France or Tunisia to work on construction and public works sites and Moroccan seasonal workers recruited in Morocco through intermediaries or the interregional foreign workforce platforms run by the Ministry of the Interior (see paragraph 47). The latter arrive in France with large debts (up to €10 000) and are subsequently exploited in the agricultural or wine-growing sector.

16. With regard to legislative changes, Law No. 2024-536 of 13 June 2024, which came into force on 31 October 2024, amended Article 515-13 of the Civil Code to enable courts to issue immediate interim protection orders covering all adult persons threatened with forced marriage. Among other things, courts can now issue an order, at the request of the person under threat of forced marriage, for a temporary ban on leaving the country to prevent the marriage from taking place. In addition, the Law of 26 January

¹⁷ This overrepresentation of victims of sexual exploitation must be seen in the light of the fact that a large proportion of the NGOs replying to these surveys work with this target group (e.g. 42 of the 44 in 2021).

¹⁸ Caming: sexual acts carried out in front of a webcam and broadcast live.

¹⁹ For example, in 2024, one victim in five assisted by NGOs had an addiction (to alcohol, drugs and/or medicines), mainly in the context of sexual exploitation (83%) and, to a lesser extent, exploitation for the purposes of criminal activities or offences (15%). Almost all of the victims of exploitation for the purposes of criminal activities or offences (90%) had one or more addictions. [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2024](#), page 20.

²⁰ Several cases of persons being forced to commit offences were revealed and gave rise to criminal convictions during the evaluation period. For example, see [Bordeaux: Six personnes qui exploitaient des mineurs non accompagnés condamnés lors d'un procès emblématique, 20Minutes, 2021](#); [Vols avec violence, revente de cigarettes: le gang exploitait les jeunes délinquants du métro parisien](#), Le Parisien, 2022; [Affaire TROCADÉRO: Les 6 prévenus reconnus coupables de traite des êtres humains](#), Hors La Rue, January 2024.

2024 on asylum and immigration includes provision for a residence permit to be granted to all foreign nationals who have filed a complaint about accommodation conditions contrary to human dignity (an offence described in Article L.225-14 of the Criminal Code (CC)).

17. A bill to strengthen action against trafficking in human beings, drawn up with the assistance of the MIPROF, was tabled at the National Assembly on 13 May 2025.²¹ This text provides in particular for the addition of three aggravating circumstances to the offence of human trafficking. The first is direct incitement of a person to consume, transport, hold, supply or sell drugs or be a party to such acts. The second is the use of information and communication technologies (ICTs) to disseminate sexual images or videos of the victim as a means of control. The third relates to trafficking of children under the age of 15 and is intended to harmonise the penalties that apply to human trafficking with those provided for pimping children, in accordance with a recommendation by GRETA in its third evaluation report and with measure 33 of the third National Action Plan (see paragraph 21).²² Another article follows measure 49 of the third National Action Plan and would extend the scope of application of Article 2-22 of the Code of Criminal Procedure (CCP) to enable NGOs registered for more than five years whose purpose is to combat slavery and THB to join criminal proceedings as a civil party for four further offences, namely contemptuously subjecting a vulnerable or dependent person to unpaid or unremunerated work (Article 225-13 of the CC), subjecting a vulnerable or dependent person to working and housing conditions contrary to human dignity (Article 225-14 of the CC), facilitating unauthorised entry and residence where it has the effect of subjecting foreign nationals to living, transport, working or housing conditions contrary to human dignity (point 3° of Article L823-3 of the Code on the entry and residence of foreigners and the right of asylum, CESEDA) and drug trafficking (Article 222-34 of the CC). The latter proposal is partly a response to another recommendation made by GRETA in its third evaluation report.²³ The bill, which was signed by 53 members of parliament, is currently awaiting examination by the Law Commission of the National Assembly.

18. As to the institutional framework for action against human trafficking, the MIPROF, which has been placed with the Ministry for Gender Equality and Anti-Discrimination Measures, continues being in charge of the national co-ordination of anti-trafficking measures and instigating state action to combat violence against women. In August 2023, action against human trafficking was mentioned specifically in the decree describing the functions of the Minister for Equality.²⁴ When its new Secretary General, Roxana Maracineanu, was appointed in March 2023, the staff of the MIPROF doubled, increasing from five full-time staff (only one of whom worked solely on THB) to nine, including two working exclusively on THB and two others with a transversal role. GRETA welcomes this increase in staff. However, it notes that the MIPROF is still significantly short of financial resources. Its annual operating budget of €10 000 for all its activities is still very limited and does not enable it to carry out its functions properly. GRETA considers that the French authorities should increase the human resources and financial means allocated to the MIPROF to secure the efficient co-ordination and follow-up of public action against human trafficking.

²¹ assemblee-nationale.fr/dyn/opendata/PIONANR5L17B1387.html, bill registered with the Office of the Speaker of the National Assembly on 13 May 2025

²² See GRETA's third report on France, paragraph 127.

²³ See GRETA's third report on France, paragraph 127.

²⁴ [Decree No. 2025-89 of 31 January 2025 on the functions of the Minister Delegate to the Prime Minister responsible for gender equality and anti-discrimination measures - Légifrance](#)

19. As noted in the third evaluation report,²⁵ the MIPROF has a Steering Committee made up of representatives of State and local authorities and independent institutions, leading experts and 10 representatives of NGOs active in the areas of violence against women and human trafficking. The Committee, which is responsible for contributing to the definition of the Interministerial Mission's main strategic priorities, is required to meet twice a year. Its composition was updated by an order of 7 February 2024.²⁶

20. Since 2014, the function of independent national rapporteur on human trafficking has been fulfilled by the National Consultative Committee on Human Rights (CNCDH) in its capacity as an independent administrative authority. In January 2023, the CNCDH published an assessment of the second national action plan against THB (2019-2021).²⁷ According to this assessment, of the 45 measures planned, three had been fully implemented, 14 not at all and 28 only partly. The CNCDH has also adopted two opinions on human trafficking: one, in March 2024, on trafficking for the purposes of forcing persons to commit offences,²⁸ and the other, in June 2025, on the situation of unaccompanied children²⁹ (see paragraphs 35, 44, 138, 208 and 234). GRETA welcomes the continued and active commitment of the CNCDH, which provides independent assessments of the efficiency of public policies to combat human trafficking and makes recommendations to fill the gaps identified.

21. The third National Action Plan to combat the exploitation and trafficking of human beings for the period 2024-2027 was presented in December 2023, two years after the end of the preceding plan, which itself was adopted three years after the conclusion of the first. These gaps between action plans are seen by many members of civil society as evidence of the authorities' lack of commitment to combating human trafficking.³⁰ The third National Action Plan is divided into six areas of action: 1) raising public awareness and improving training for professionals about the features of THB; 2) strengthening protection and support for victims; 3) enhancing measures to combat sexual exploitation; 4) enhancing measures to combat trafficking for the purpose of labour exploitation; 5) enhancing measures to combat exploitation through coercion to commit offences and through forced begging; and 6) fulfilling France's international ambitions and undertakings. These areas of action are subdivided into 58 measures, which include establishing a national observatory to be run by the MIPROF, setting up a national mechanism for the identification, referral and protection of victims (the French acronym is MNIOP, corresponding to NRM in English), stepping up support for NGOs, expanding training for professionals and providing increased accommodation solutions for victims. While the implementation and follow-up of the measures in the plan is co-ordinated by the MIPROF, the operational implementation of measures relating specifically to children is the task of the Ministry for Children. GRETA welcomes the presence of specific measures for children and the attention paid to forms of human trafficking other than sexual exploitation. However, it finds it regrettable that there is no specific budget line for the implementation of the plan. It is stated in the plan that pilot ministries have been identified for each activity and have undertaken to ensure that they are properly implemented and afforded the necessary resources. However, these ministries are not listed in the plan. Nor has any implementation schedule been drawn up. In their comments on GRETA's draft report, the French authorities have stated nonetheless that the follow-up table for the 58 measures (an internal state document, kept up to date by the MIPROF) indicates, for each measure, the relevant pilot ministries and contributors, the launch and implementation schedule and the execution benchmarks, and that this table is updated bi-annually by each ministry. GRETA considers that the French authorities should ensure that national plans to combat THB are adopted in good time to make public policies to combat human trafficking continuous and consistent.

²⁵ GRETA's third report on France, paragraph 17.

²⁶ [Order of 7 February 2024 on appointments to the Steering Committee of the Interministerial taskforce on combating violence against women and human trafficking \(MIPROF\) - Légifrance](#)

²⁷ [Assessment of the 2nd national action plan against THB \(A - 2023 - 1\) | CNCDH](#)

²⁸ CNCDH opinion, [Avis sur la traite à des fins de contrainte à commettre tout crime ou délit du 28 mars 2024](#).

²⁹ CNCDH opinion, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#) [Opinion on unaccompanied minors – improving their protection and safeguarding their rights], 12 June 2025.

³⁰ See "[Le plaidoyer du Collectif Ensemble contre la traite des êtres humains de novembre 2022](#)", [Un plan d'action national pour la prévention et la lutte contre l'exploitation et la traite des êtres humains en construction repoussé depuis deux ans](#), September 2023.

22. In March 2024, a committee was set up to supervise the implementation of the National Anti-trafficking Action Plan called the “co-ordinating committee”. It is in charge of setting the benchmarks by which each activity in the plan will be assessed. It is made up of members of the MIPROF Steering Committee, including leading experts and representatives of NGOs. The supervisory committee is expected to gather every six months at a meeting chaired by the MIPROF Secretary General. So far four meetings have been held: the setting-up meeting on 21 March 2024 and three follow-up meetings on 12 December 2024, 27 June 2025 and 9 February 2026. The last meeting was attended by the Minister, Aurore Bergé.

23. Other national strategy frameworks contain measures designed to reduce vulnerabilities to exploitation and human trafficking. They include the first national plan for the suppression of trafficking in human beings for the purposes of sexual exploitation (2024-2026),³¹ which is run by the OCRTEH, the first strategy to combat prostitution and sexual exploitation,³² launched on 2 May 2024, the third plan to combat violence against children (2023-2027)³³ and the national plan to combat illegal labour (2023-2027).³⁴

III. Addressing vulnerabilities to trafficking in human beings

1. Prevention of trafficking in human beings

a. Introduction

24. Prevention is crucial in combating trafficking in human beings. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with trafficking in human beings, and must include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

25. In mainland France, the factors of vulnerability most frequently exploited by traffickers include poverty, homelessness, uncertain or unregulated migration status, mental health disorders and addictions (drugs, alcohol). Asylum seekers and migrants with poor command of French or limited knowledge of labour law, or whose family is still in their country of origin and economically dependent on them, are particularly exposed. The sectors most at risk for migrant workers are agriculture, construction, cleaning, the textile industry, hotels and catering and domestic work. Unaccompanied children, particularly foreign ones, and children in the care of the child welfare services (ASE) are also very vulnerable as their social isolation and fragility make them easy targets for traffickers.

³¹ [Premier plan de répression de la traite des êtres humains à des fins d'exploitation sexuelle \(2024-2026\) • Amicale du Nid](#)

³² <https://www.egalite-femmes-hommes.gouv.fr/sites/efh/files/2024-05/Strategie-de-lutte-systeme-prostitutionnel-et-exploitation-sexuelle-mai-2024.pdf>

³³ [Plan de lutte contre les violences faites aux enfants 2023-2027 | solidarites.gouv.fr | Ministère du Travail, de la Santé, des Solidarités et des Familles](#)

³⁴ https://travail-emploi.gouv.fr/sites/travail-emploi/files/files-spip/pdf/pnlti_23_27.pdf

26. During the visit to French Guiana and Martinique, GRETA saw that poverty, migrant smuggling and a lack of support facilities for vulnerable groups create a context that is particularly conducive to human trafficking. The worrying level of violence within families, which starts in childhood, makes girls and women particularly vulnerable, thus exposing them to exploitation by traffickers. Most human trafficking victims are from the Dominican Republic and Haiti. Women are mainly exploited through street prostitution whereas men are recruited for work in agriculture (particularly in sugar cane plantations) to reimburse debts connected with their migration. French Guiana's indigenous peoples, who are particularly affected by poverty, are often exploited on goldmining sites. There are also drug trafficking networks in these territories which connect with mainland France and some people in socially vulnerable situations are used as "mules" by criminal networks.³⁵

27. The third National Action Plan identifies children, migrants, persons in socially vulnerable situations and persons with disabilities as the groups which are most vulnerable to risks of exploitation. It outlines several preventive measures including the development of tools for multidisciplinary occupational health teams and awareness raising and training for school mediators and persons working with populations in informal settlements. The Plan also provides for migrant workers to be informed of the risks of exploitation and human trafficking when visas are issued, and for employees of diplomatic missions to receive such information when renewing their residence permits.

28. During the period covered by the report, several campaigns were run to raise public awareness about the risks of human trafficking. When France hosted the Olympic and Paralympic Games in 2024, a national campaign on the prohibition of the purchase of sexual services and on human trafficking was run throughout the country and in French consular offices abroad. This campaign was also relayed in the air transport sector (companies, airports), the tourist sector (hotels, taxis, short-term rentals) and in public spaces.³⁶ Activities were also carried out by the NGO collective "Ensemble contre la traite des êtres humains".³⁷ In 2024, Airbnb signed an agreement with the MIPROF³⁸ to strengthen the prevention and detection of situations of exploitation in the context of short-term rentals. The company undertook to raise traveller awareness through a guide to responsible travel, to inform hosts through webinars, to train support teams and to step up co-operation with the Central Office for the Suppression of Trafficking in Human Beings (OCRTEH) and the judicial authorities. Gîtes de France has signed a similar agreement with the MIPROF to alert its 42 000 property owners to the risk of human trafficking, particularly for purposes of sexual exploitation, by disseminating an advice notice prepared by the OCRTEH. The French hotel professions and industries association, UMIH, and the hotels' and caterers' group, GHR, representing respectively the entire sector and some 15 000 establishments, also communicated this notice to its members.³⁹ Similar partnerships have been set up or expanded with Uber, Booking.com, Accor Hotels and Louvre Hotels. GRETA welcomes the efforts made by the French authorities and their partners to raise awareness among the public and in the business sector about the risks of human trafficking and invites the French authorities to draw on the positive impact of the campaigns run when France hosted the Olympic and Paralympic Games and use this as a basis for future initiatives. Noting that most awareness-raising campaigns focus on sexual exploitation, GRETA invites the French authorities to extend their awareness-raising activities to cover all forms of THB.

³⁵ See [Trafic de drogue: les "mules", exploitées pour transporter de la cocaïne au risque de leur vie](#); [Laura Témin: l'avocate qui défend ceux et celles que l'on surnomme les "mules" - Actu-Juridique](#)

³⁶ [Campagne d'information sur la prostitution, l'exploitation et la traite des êtres humains dans le contexte des Jeux Olympiques et Paralympiques | Arrêtons les violences](#)

³⁷ [Agir contre l'exploitation en marge des grands événements sportifs | Contre la traite des êtres humains, E-learning "Agir contre l'exploitation en marge des grands événements sportifs" | Contre la traite des êtres humains,](#)

³⁸ [Airbnb coopère avec le gouvernement pour lutter contre la traite des êtres humains à l'aune de Paris 2024 et au-delà](#)

³⁹ See the MIPROF activity report 2023-2024: https://www.citoyens-justice.fr/k-stock/data/pdf/miprof_rapport_dactivite_2023-2024.pdf

29. Increasing numbers of specialised NGOs are incorporating persons with lived experience of human trafficking into their governing bodies or teams, involving them directly in the processes of identifying and assisting victims and communicating with the authorities. The authorities, particularly the MIPROF and the OCRTEH, also involve these persons in training for professionals. The anti-trafficking action plan also provides for the participation of willing victims in the creation of a website on THB, managed by the MIPROF, and in the work to devise a national victim identification and referral mechanism. However, according to some NGOs, public policies and administrative practices still fail to take sufficient account of victim feedback. Consultations by the authorities are often confined to gathering witness statements and do not result in any true involvement in decision-making processes or the assessment of public policies. GRETA would emphasise how important it is to take account of the experience and viewpoints of persons with lived experience of human trafficking including children in order to support the development and implementation of measures aimed at preventing trafficking and protecting victims. In this connection, GRETA invites the French authorities to set up an advisory council for persons with lived experience of human trafficking. It refers to the OSCE/ODIHR guidance on setting up and maintaining national advisory councils for survivors of human trafficking and the ICAT issue brief on ensuring ethical survivor inclusion.⁴⁰ In their comments on the draft GRETA report, the French authorities stated that the MIPROF has worked with NGOs and the CNCDH to set up a working group to prepare an ethical framework in which victims could be involved. The first meeting of this group was scheduled for the end of March 2026.

b. Measures to prevent the vulnerability of specific groups to trafficking in human beings

30. This section examines the preventive measures taken with regard to certain groups identified as being particularly vulnerable to human trafficking based on the information provided by the French authorities and by non-state entities. GRETA underlines that not every individual belonging to one of these groups is vulnerable to human trafficking *per se*, as there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

i. *Children and young adults*

31. The French authorities have expressed concerns about the increasing phenomenon of child prostitution in France. In November 2021, the French Government launched an interministerial plan with a budget of EUR 14 million, to strengthen efforts to combat this phenomenon, which, according to the plan, affects between 7,000 and 10,000 children, primarily girls aged 15 to 17, whose entry into prostitution is occurring at an increasingly younger age, often as early as 14.⁴¹ The plan is based on four pillars: awareness raising, enhancing detection, support for children and strengthening legal action against clients and pimps.

32. Young people in prostitution are characterised by high psychological and social vulnerability, most often because they have dropped out of school, come from broken families or have histories of sexual violence or addiction. Recruitment often takes place at child welfare establishments, run by the Child Welfare Service (*Aide Sociale à l'Enfance, ASE*), through peers, social networks or the so-called “lover-boy method”. The vulnerability of children and young people placed in child welfare establishments makes them ideal targets, and the fact that they repeatedly run away exposes them to human trafficking rings.

⁴⁰ OSCE/ODHIR, *Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils (NSTACs)*, 2024; ICAT, *Ensuring Ethical Survivor Inclusion*, Issue Brief, 2025.

⁴¹ See [Premier plan national contre la prostitution des mineurs | info.gouv.fr](https://www.gouv.fr/fr/premier-plan-national-contre-la-prostitution-des-mineurs) [First national plan against prostitution of minors]

The criminal networks which exploit them are often small in scale and locally based and can sometimes involve child perpetrators.⁴²

33. Child welfare establishments are public or civil society facilities accommodating children or young adults (aged 18 to 21) referred to the ASE by administrative or judicial decision. These facilities are often managed by NGOs. Their funding and supervision are the responsibility of the *départements'* child protection services. Several types of establishments exist, including children's shelters (providing emergency or temporary accommodation) and children's welfare homes (MECSs), which offer mid- to long-term accommodation. At the end of 2021, the ASE offered 79 900 places in 2 137 establishments (MECSs, homes, children's villages, etc.); 74 100 of these had been taken up, putting the occupation rate at about 93%.⁴³

34. Unaccompanied and separated children remain one of the main targets of human trafficking networks. A large proportion of child victims of human trafficking monitored by NGOs fall into this category: they accounted for 63% (131 victims) in 2021, 36% (148 victims) in 2022, 27% (129 victims) in 2023 and 21% (86 victims) in 2024.⁴⁴ In addition to sexual exploitation, these young people are recruited for drug trafficking (to serve as lookouts or couriers),⁴⁵ to commit other offences, often under the influence of drugs,⁴⁶ or for exploitation through begging.

35. Assistance for unaccompanied and separated children is a matter for France's *départements*, which are responsible for providing them with shelter, assessing whether they are minors and offering them support through the ASE. However, the CNCDH has recently highlighted some serious shortcomings in the assistance provided. The ASE's accommodation facilities suffer from limited resources and excessively low daily funding rates,⁴⁷ resulting in a deterioration in reception conditions. Although the Law of 7 February 2022 on child protection prohibited the placement of children in the care of the ASE in hotels from 2024 onwards, some *départements* still make use of this solution because their facilities are overcrowded,⁴⁸ exposing young residents to risks of exploitation.⁴⁹ Unaccompanied children also encounter major problems in obtaining a residence permit. Those who are taken into care before turning 16 are entitled to a full residence permit on reaching adulthood but for children who are admitted when they are older (i.e. the majority), permits are issued at the discretion of the prefect and subject, among other things, to attendance of at least six months' training leading to a qualification (Article L.435-3 of the CESEDA)⁵⁰. Unless they meet these criteria, many of these young people become irregularly present adults, making them more vulnerable and therefore at greater risk of human trafficking. GRETA was also alerted to a structural problem related to the national allocation system for persons recognised by the

⁴² [Affaire "Rouen Rtail": un réseau de proxénètes présumés devant le Tribunal Correctionnel de Rouen, Arrestation d'un réseau de proxénétisme grâce aux témoignages de deux adolescentes de Besançon](#)

⁴³ [Établissements de la protection de l'enfance: activité, profils des jeunes accueillis et du personnel y exerçant | French Government Department of Research, Studies, Assessment and Statistics](#)

⁴⁴ See [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2021](#) [Human trafficking in France – the profile of victims assisted by associations in 2021], page 6, [La traite des êtres humains en France: Le profil des victimes accompagnées par les associations en 2022](#), page 8, [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2023](#), page 12 and [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2024](#), page 12.

⁴⁵ [A Marseille, la vie "entre parenthèses" d'enfants du trafic de drogue, Trafic de drogue: cinq questions sur l'enquête pour "traite d'êtres humains" concernant les petites mains des réseaux](#)

⁴⁶ CNCDH opinion, [Avis sur la traite à des fins de contrainte à commettre tout crime ou délit du 28 mars 2024](#), page 13; [Lyon: Démantèlement d'un vaste trafic d'opiacés destinés aux mineurs isolés; Île-de-France: le gang de pickpockets bosniens écumait les transports depuis deux ans - Centre de ressources TEH; "Complément d'enquête". Marseille: encore mineurs, déjà tueurs; "Il n'y a plus de règles, chacun veut prendre sa place": à Marseille, des tueurs à gages de plus en plus jeunes.](#)

⁴⁷ Daily funding varies between EUR 40 and EUR 80 per day per unaccompanied child. See CNCDH opinion, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#), 12 June 2025, page 41.

⁴⁸ ["Ce sont les plus vulnérables des vulnérables": ces jeunes placés à l'hôtel dans le cadre de l'aide sociale à l'enfance](#), Le Monde, 3 April 2025, and ["Personne ne vient nous voir": la détresse des mineurs isolés logés illégalement dans un hôtel de l'Oise - Le Parisien](#).

⁴⁹ See CNCDH opinion, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#), 12 June 2025, page 5.

⁵⁰ See CNCDH opinion, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#), 12 June 2025, pages 58-60.

judicial authorities to be unaccompanied children. The system is run by the Ministry of Justice's Unaccompanied Minors Task Force (MMNA). Where children run away from the *département* to which they have been allocated because they have been threatened by the networks exploiting them, the ASE of the receiving *département* often refuses to take them in, considering that they are the responsibility of the *département* from which they have fled. As a result, the young people concerned often end up on the street, running the risk of being trafficked again.

36. The appointment of ad hoc administrators, who are an essential part of any administrative or judicial procedure involving an unaccompanied child (including the filing of asylum applications), is still an issue. Lack of training, poor pay and a shortage of administrators mean it can take some time before an administrator is appointed (sometimes several months), which in turn delays asylum requests and slows down the integration process.⁵¹

37. The fact that there is no presumption of minority in French law⁵² deprives many young people of protection while their age is being assessed. Appeals against decisions that they are not minors can last several months, during which these young people are in a legal vacuum, sometimes with the result that they are excluded from accommodation provision, either for children or for adults.⁵³ Some NGOs have set up specific arrangements to fill these gaps but these are still marginal and inadequately funded. These young people are often forced to live on the street meaning that they do not have the home address they need to give to be entitled to state medical assistance (AME). Those who are entitled face obstacles linked to language barriers, unfamiliarity with the health system and overcrowding of health facilities.⁵⁴

38. The situation of children and young people in French overseas territories, particularly French Guiana and Martinique, which were visited by GRETA, merits particular attention. Because of their proximity to Brazil and Suriname (see paragraph 79), these territories experience the phenomenon of young people being used as “mules” to carry drugs, mainly cocaine, to mainland France. Among the vulnerabilities exploited by criminal networks are economic insecurity, poor job prospects and the limited resources of the social services.⁵⁵ In French Guiana, the indigenous communities are particularly vulnerable because of social marginalisation, poverty and a high school dropout rate, which exposes children as young as 14 to recruitment in illegal goldmining and exploitation in small local shops. Many parents who live in remote areas send their children to foster families on the coast so that they can continue to attend school. If they are not properly supervised, these children are exposed to abuse and exploitation. In French Guiana, a significant number of children, often from Haiti, live with relatives to whom no parental authority has been delegated. They are not recognised as unaccompanied children but are often referred to as “poorly accompanied children”. There are also adolescents who are particularly exposed to human trafficking and exploitation because they are isolated and left to fend for themselves in squats. In both French Guiana⁵⁶ and Martinique,⁵⁷ professionals report that child prostitution is becoming commonplace (taking forms such as the “sugar daddies” phenomenon) and sometimes encouraged or tolerated by families. Local awareness-raising campaigns⁵⁸ have been conducted but their

⁵¹ See [Information Report No. 837 \(2022-2023\) on the application of child protection laws](#), submitted to the Senate on 5 July 2023, page 46, and CNCDH opinion, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#), 12 June 2025, pages 38 and 43.

⁵² Article L221-2-4 of the Welfare and Family Code (CASF) states that “Unless it is clear that a person is a minor”, the Chair of the *département* council must arrange for the person to be presented to state services so that they can pass on any information that can be used for their identification and entered into the minority assessment support (AEM) database.

⁵³ See CNCDH opinion, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#), 12 June 2025, page 41.

⁵⁴ See CNCDH opinion, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#), 12 June 2025, pages 7 and 48.

⁵⁵ See the UNICEF report, “[Grandir dans les Outre-mers : état des lieux des droits de l'enfant](#)”, November 2023.

⁵⁶ [Pagra: la prostitution des mineurs en Guyane](#)

⁵⁷ [Prostitution des mineurs: un phénomène inquiétant en augmentation en Martinique](#)

⁵⁸ [Le Cécécém lève le voile sur la prostitution des jeunes en Martinique, Si mwèn té sav, contre la prostitution des mineures en Martinique - Mouvement du Nid](#)

impact so far has been limited. There is also a shortage of specialised shelters able to take in children with addictions or disorders linked to violence or exploitation. During its visit to Cayenne, the GRETA delegation witnessed particularly alarming living conditions in an informal settlement inhabited mainly by Haitian asylum seekers and heard allegations of child sexual exploitation. In their comments on the draft GRETA report, the French authorities stated that a study was currently being conducted on child sexual exploitation in French overseas territories (Réunion, French Guiana, Mayotte, French West Indies). It was intended to take stock of the phenomenon in each of the territories concerned with a view to developing prevention and control measures adapted to local circumstances.

39. The French authorities acknowledge the scale of the challenges posed to child protection by human trafficking and have incorporated several measures into strategic documents in order to meet these challenges. The National Anti-trafficking Action Plan includes proposals for a study intended to quantify instances of human trafficking for the purposes of labour exploitation, forced crime and forced begging targeting child victims in overseas territories. It also provides for the appointment of THB contact persons in the national education system, the creation of specialised accommodations facilities for child victims and the establishment of mobile teams to assist street children. It also provides for the preparation of educational prevention tools for schools. In addition, the strategy to combat prostitution and sexual exploitation includes a specific section on combating child sexual exploitation. Its aim is to alert young people from secondary school level onwards to the risks of prostitution, to train frontline professionals, to improve care for child victims, particularly those who have run away from home, to enhance knowledge of this problem through studies, mapping and specialised research and to improve local co-ordination of steering activities.

40. Several projects have been carried out to improve action to prevent and combat the child sexual exploitation, with the financial support of the state authorities. Partnerships have been set up between the Judicial Youth Protection Services (DPJJ) and various NGOs (ACPE, ECPAT, InfoMIE, Ruelle, Hors la Rue, Koutcha, Mouvement du Nid) to improve means of identifying and providing support for children at risk and train child protection professionals about the issue of human trafficking and prostitution.⁵⁹ For example, several NGOs run awareness-raising campaigns for young people⁶⁰ on the risks of sexual exploitation, sometimes at ASE centres. Mobile teams made up of professionals from the ASE, the DPJJ and specialised prevention NGOs have been deployed in some large cities such as Lyon to go out and meet unaccompanied children and street children. These outreach activities include street patrols, the deployment of street psychologists and the opening of local daycare and emergency facilities near places frequented by young people.

41. In April 2023, the National Telephone Reception Service for Children in Danger (SNATED), which manages the 119 “Children in Danger” hotline, set up a specific mechanism to combat child prostitution, made up of three professional receptionists with specialised training in the counselling of child victims exposed to potential situations of prostitution or sexual exploitation. However, NGOs highlighted the limitations of this system, which fails to take sufficient account of human trafficking issues. The hotline is having problems recruiting people, and this is affecting the time it takes for callers to be referred by receptionists to specialised counsellors. Long delays in the processing by *départements* of reports of abuse are also a cause for concern.

⁵⁹ For example, in May 2024, the Directorate General of Social Cohesion (DGCS) launched two calls to NGOs and the local authorities for projects which would be granted a budget of 3 million euros per year over three years to combat child sexual exploitation. The Ministry of Education supports several NGOs doing prevention work which, among other things, has yielded educational tools on the risks of prostitution and sexual exploitation: a [guide on child prostitution](#) produced by the NGO Mouvement du Nid, a [guide entitled “Accompagner et protéger les mineures en situation prostitutionnelle ou en risque de l'être”](#) [Supporting and protecting minors involved in prostitution or at risk thereof] prepared by the Hubertine Auclert Centre for professionals in Île-de-France, a [pamphlet entitled # Info Jeunes Prostitution “Ouvrons le dialogue, protégeons les jeunes, comprendre - repérer – aider”](#) [Let's open up dialogue and protect young people through understanding, detection and assistance], published by the FNCIDFF. Lastly, in February 2022, the Ministry of Health and Solidarity launched an awareness-raising campaign on child prostitution entitled [Je gère \[I manage\]](#).

⁶⁰ For example, see [Prostitution des jeunes • Je n'suis pas à vendre, Y a quoi dans ma banane: mouvement du nid](#),

42. New lessons on emotions, relationships and sexuality added to the school curriculum at the beginning of the 2025-2026 school year⁶¹ include awareness raising about the risks of sexual exploitation from the third year of secondary school on (pupils aged 13 to 14) and about the use of social networks by prostitution rings.

43. Despite the efforts made in the area of awareness raising, the vulnerability of children to human trafficking persists because of the deep crisis that the child protection system is currently experiencing, including a shortage in qualified staff,⁶² overcrowded ASE establishments and frequent cases of children running away, exposing them to an increased risk of human trafficking.⁶³ GRETA was informed that in some cities such as Toulouse, the courts are now no longer recommending emergency placements in ASE establishments because they fail to meet basic reception and safety standards.

44. Although the Law of 7 February 2022 on child protection made it compulsory for young people without sufficient resources or family support to be taken care of by the ASE up to the age of 21, the reception periods are often too short (three to six months, renewable) and are subject to a vocational integration project, leaving many young people without support when they reach adulthood. In addition, the CNCDH notes that this law is still applied very unevenly across the country. According to the CNCDH, many *départements* fail to prepare unaccompanied children properly for the moment when they leave the child protection services.⁶⁴ Consequently, many young people leave the ASE without training or a housing solution and end up on the street, where they are particularly vulnerable to exploitation and in some cases, recruited directly by crime rings.⁶⁵

45. While welcoming the adoption of the Law of 7 February 2022 on child protection, GRETA urges the French authorities to step up their efforts to improve the prevention of trafficking in children and young adults, in particular by:

- further enhancing the capacities, resources and training of child protection professionals and staff of the Child Welfare Service's centres;
- taking measures to deal effectively with the problem of disappearance of children from the Child Welfare Service's centres, by providing them with secure accommodation, appropriate services and a sufficient number of appropriately trained supervisors, and by alerting them to the risks of abuse and exploitation;

⁶¹ https://www.education.gouv.fr/sites/default/files/un-programme-ambitieux-eduquer-a-la-vie-affective-et-relationnelle-et-a-la-sexualite_1.pdf

⁶² [La protection de l'enfance confrontée à une pénurie de professionnels](#)

⁶³ In October 2024, the Economic, Social and Environmental Council issued an [opinion](#), in which it highlighted "the systemic crisis of France's child protection services": "no statistics, no assessment, few reviews, inadequate resources and budgets, an alarming failure to execute judicial decisions, complex and unco-ordinated governance [and] serious problems with recruitment and the acknowledgment and optimisation of professional skills". The Council expressed concern about "the huge gap between the full and protective framework provided by the existing laws and their actual application on the ground". Some months later, in her [leading decision on child protection](#), issued on 28 January 2025, the Rights Defender sounded the alarm about the increasingly run-down state of child protection in France. She said she was "particularly concerned about the impact of human trafficking on children" and called on the relevant authorities to step up their activities to prevent and combat child prostitution and trafficking. In a [report](#), submitted to the National Assembly in April 2025, a Parliamentary Commission of Inquiry highlighted the shortcomings of child protection and made 92 recommendations, which it called on the government to act on quickly.

⁶⁴ CNCDH, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#), 12 June 2025, page 55.

⁶⁵ For example, GRETA was informed of the case of a young Algerian who was taken into the care of the ASE at the age of 17, then received an order to leave French territory (OQTF) at the age 18 years and two months, as a result of which the *département* terminated his young adult contract and evicted him from his accommodation. This young man, who was training to be a butcher, had to end his work placement because of a lack of support from the *département*. From one day to the next, he found himself with no home, no training, no job and no income. He was now on the street and was approached by a drug trafficking network, but he refused to work for them and was assaulted by them. See also CNCDH, [Avis sur les mineurs non accompagnés: mieux les protéger et garantir leurs droits](#), 12 June 2025, page 8.

- implementing economic and social measures and programmes to assist children placed in the child protection system with their reintegration into society, including after they have turned 18;
- ensuring that unaccompanied children are given proper support, including accommodation in safe, child-friendly centres or foster families and access to education, healthcare and legal assistance, so as to reduce the risk of exploitation by traffickers who target vulnerable children;
- improving the recruitment and training of ad hoc administrators, particularly on the issue of unaccompanied children, and appointing an ad hoc administrator for such children as soon as they are brought to the attention of the authorities are by incorporating a presumption of minority into the relevant legislation;
- stepping up efforts to prevent child trafficking not only for the purpose of sexual exploitation but also for other types of exploitation, such as forced labour, forced begging and forced criminality, in particular by raising awareness among stakeholders who may be in contact with children;
- setting up systems for prevention and protection specifically adapted to the conditions in each overseas *département* (administrative division) and region, particularly for French Guiana and Martinique.

ii. Migrant workers

46. As already stated in GRETA's previous reports,⁶⁶ in France, migrant workers are particularly exposed to human trafficking and exploitation, especially in agriculture (particularly grape picking), construction, cleaning, hotels and catering, and domestic work. In these areas, migrant workers' situation of dependency linked to residence permits and a lack of information about rights increase their vulnerability to abuse.

47. French law provides for several mechanisms designed to prevent labour exploitation. For example, Article R. 5221-20 of the Labour Code entitles the authorities, when examining work permit applications, to check that employers (or the person or entity which is the head contractor) comply with their social obligations and that they have not been convicted of any offences such as using illegal labour, inflicting personal injury (sexual assault, bullying, etc.) or breaking safety rules. For seasonal work, employers must provide evidence that workers have accommodation affording them decent living conditions. In April 2021, responsibility for examining applications for work permits was transferred from the Ministry of Labour to the Ministry of the Interior, which carries out this work via its interregional foreign workforce platforms. These platforms check that employers are acting lawfully (checking for instance that they do not have any criminal convictions or past administrative penalties) and what pay and housing conditions they are offering. However, these checks are still largely declaratory and do not fully protect employees from exploitation. There have recently been several cases of abuse among agricultural seasonal workers who obtained permits via these platforms, particularly in Gironde, Marne, Haute-Marne and Bouches-du-Rhône.

48. However, some French law provisions tend, in practice, to make migrant workers' situation more vulnerable. Under Article R. 5221-1 of the Labour Code, residence permits are issued to foreign nationals wishing to work in France only after they have obtained a work permit, which is requested by their employer. Since 2021,⁶⁷ work permits have been valid only for the duration of a specific contract. Therefore, foreign workers who lose their job may only take up another if a new permit is requested by

⁶⁶ See GRETA's second report on France, paragraphs 80 and 85, and its third report, paragraphs 189-193 and 197.

⁶⁷ Decree No. 2021-360 of 31 March 2021 on employment of foreign workers, French Official Journal (JORF) No. 0078 of 1 April 2021, Text No. 30.

their future employer, even if their residence permit is still valid. This situation makes employees directly dependent on the person or entity employing them and deters them from complaining about any abuses for fear of losing their work and residence permits.⁶⁸ The Law of 26 January 2024 on asylum and immigration has also introduced new language requirements for entitlement to long-term residence permits, placing the most vulnerable migrants at a disadvantage (particularly those who live far away from training centres or do not speak French). According to the CNCDH, the tightening up of migrant control policies and the increased power of prefectures in the assessment of immigration status exacerbate the legal insecurity and economic dependence of foreign workers, thus creating a favourable ground for human trafficking for the purposes of labour exploitation.⁶⁹

49. The National Anti-Trafficking Action Plan includes several measures intended to reduce the vulnerability of foreign workers. It provides for the signature of sectoral partnership agreements in risk areas such as agriculture and construction so as to raise awareness among employers and prevent unlawful practices connected with recruitment by intermediaries. The plan also includes information campaigns on rights and risks of exploitation addressing foreign workers. Lastly, it involves the staff of the labour inspectorate in the process of identifying and advising foreign victims in order to improve their detection and strengthen their protection.

50. Foreign seasonal workers are among the most vulnerable because they depend on their employers and on the type of visa they have and because their accommodation is often on the site of their workplace. They are recruited in their country of origin and rarely speak good French, which adds to their isolation. Several recent surveys, particularly in the wine-growing sector, have revealed abuses including excessive daily working hours, unjustified wage deductions and unfit housing conditions. Most of these violations related to Moroccan workers, some of whom pay over EUR 10 000 to intermediaries to come and work in France.⁷⁰ Cases of exploitation have also been discovered among Romanian seasonal workers.⁷¹

51. To prevent these abuses, information pages on seasonal workers' rights have been set up on the sites of the Ministry of Labour⁷² and regional authorities.⁷³ Before the summer of 2024, a pilot project was set up by the MIPROF, the Committee against Modern Slavery (CCEM), the French Office for Immigration and Integration (OFII) and the Tunisian authorities to inform persons with work visas about employment conditions in France and useful contacts if they are exploited. Awareness-raising tools, devised by the CCEM,⁷⁴ have been distributed in Arabic and in French. A similar initiative was launched in Morocco in co-operation with the Moroccan employment office, ANAPEC, to promote the recruitment of skilled workers and prevent the creation of trafficking networks. In the Bordeaux region, companies in the wine-growing sector were alerted to these issues by state services and the Bordeaux OFII and were invited to sign charters of commitment to decent hiring and housing conditions. This system makes checks easier as it means that non-signatories can be targeted.

52. However, civil society organisations have raised concerns about the lack of sustained public action to alert employers to the risks of, and sanctions for, illegal labour and human trafficking. GRETA was also informed that a conviction for trafficking for the purposes of labour exploitation may not be published on

⁶⁸ See CNCDH opinion, [Avis sur la loi du 26 janvier 2024 pour contrôler l'immigration, améliorer l'intégration](#) [Opinion on the Law of 26 January 2024 on controlling immigration and improving integration], 26 September 2024, page 10.

⁶⁹ See CNCDH opinion, [Avis sur la loi du 26 janvier 2024 pour contrôler l'immigration, améliorer l'intégration](#), 26 September 2024, and La Cimade, [Décryptage de la Loi du 26 janvier 2024](#), 2024.

⁷⁰ [Traite d'êtres humains dans les vignes: en Gironde, le tribunal relaxe l'ensemble des prévenus, Des travailleurs étrangers peinent dans les vergers du Sud: l'envers du "manger français", Trafic d'êtres humains entre Gironde et Lot-et-Garonne: deux hommes reconnus coupables, Entre Langon et le Maroc, deux frères géraient un trafic d'êtres humains](#).

⁷¹ [Procès pour traite d'êtres humains dans les vignes de Meursault: ils sont condamnés à huit mois de prison avec sursis](#)
⁷² [Lutte contre l'exploitation par le travail | Travail-emploi.gouv.fr | Ministère du Travail et des Solidarités; Le travail saisonnier | Travail-emploi.gouv.fr | Ministry of Labour, Health, Solidarity and Families](#)

⁷³ See the web pages of the Regional Directorates for the Economy, Employment, Labour and Solidarity (DREETS) for the regions of Nouvelle Aquitaine [here](#), Auvergne-Rhône-Alpes [here](#) and Grand Est [here](#).

⁷⁴ See the CCEM's prevention tools: <https://www.esclavagemoderne.org/outils-de-prevention/>

the Ministry of Labour's "blacklist" as this extra penalty is reserved for the offences of subcontracting, unlawful lending of labour, employment of foreign nationals without a work permit and undeclared employment.⁷⁵ Even where such offences are combined with THB, this sanction is rarely applied, thus making it less of a deterrent.

53. Domestic work (for private individuals, diplomats or as part of an "au pair" arrangement) is a closed environment which is particularly conducive to isolation and exploitation. No public initiative has yet made it possible to quantify the scope of domestic servitude in France, but several NGOs regularly report cases. For example, NGOs have reported situations of domestic servitude involving persons, mostly from the Philippines, who began work with a household in the Middle East and were brought to France when the family settled there or moved there temporarily.⁷⁶ Other cases have been identified in the Alps, particularly in Annecy and the area near the Swiss border, where the victims live in remote second homes. Article 43 of Law No. 2018-778 of 10 September 2018 requires everyone who receives an "au pair" visa to be issued with an information document on human trafficking including details of specialised support NGOs. However, this requirement is rarely met.⁷⁷

54. A protocol adopted in 2015 by the Ministry for Foreign Affairs lays down strict rules on the employment of domestic staff by diplomats (one or two maximum for a Head of Mission, one only for a Deputy-Head). It establishes a specific procedure for granting diplomatic visas and special residence permits, requiring a standard contract in compliance with French labour law and provision of health insurance and insisting that the employer and the employee must speak a language in common. A one-to-one interview is also required when the special residence permit is issued to ensure that there is no abuse. In practice, these rules are not applied very consistently.⁷⁸ Some diplomats circumvent the procedure by getting their staff into the country on tourist visas or issuing them with false diplomatic documents. According to the CCEM, most of the victims they have assisted in such cases had a tourist visa, meaning that they were not covered by the 2015 protocol.

55. GRETA was informed that there were French fishing boats operating in Irish territorial waters which employed migrant workers in poor conditions and were not subject to any form of inspection. In their comments on the draft report, the French authorities stated that while France did take some responsibility for oversight and monitoring, these boats never landed in France (going to port in Spain instead), which caused particular problems for labour inspectors as they only had national jurisdiction. They added that the Ministry of Labour was working with the French maritime authorities to enable a labour inspector to be placed on board a patrol boat with a view to carrying out inspections at sea.

⁷⁵ See [the Ministry of Labour's "blacklist"](#)

⁷⁶ In many such cases, the proceedings were discontinued. See, for example, [Esclavage moderne: le témoignage de Maria* - CCEM](#)

⁷⁷ ["Au Pair" Un statut ouvert aux dérives | Contre la traite des êtres humains, TÉMOIGNAGE. "Ça aurait dû faire tilt": la descente aux enfers d'une jeune au pair](#)

⁷⁸ In 2022, 5% of the 281 people assisted by the NGO CCEM said that they were exploited by diplomats. Of 18 recent cases of women domestic workers who became victims of trafficking for the purpose of labour exploitation and were assisted by the CCEM, seven entered France on a special visa as a private employee. Five were personally received at the French Consulate for an interview during which the issue of working conditions was sometimes raised. Their employers were also there with them, however.

56. The Law of 27 March 2017 on due diligence by parent companies and head contractors requires companies to draw up plans to prevent human rights breaches in supply chains.⁷⁹ However, a parliamentary report of 2022⁸⁰ highlights numerous shortcomings concerning this law: it is only partially applied, the authorities do not know how many companies are covered by it and, since the judgment of the Constitutional Council of 23 March 2017 ruling that some of the terms of the text are insufficiently precise,⁸¹ the fines it provides for are ineffective. There is no systematic monitoring of due diligence plans and in 2021, 17% of the companies concerned had failed to publish one. Furthermore, the criminal liability of companies is rarely incurred in cases of economic exploitation.⁸²

57. While welcoming the initiatives taken to prevent trafficking for the purpose of labour exploitation of migrant workers, GRETA urges the French authorities to revise the relevant legislation to reduce the dependence of migrant workers on their employers.

58. GRETA also considers that the French authorities should take further measures in this respect, taking account of Recommendation CM/Rec(2022)21 of the Committee of Ministers to member States on preventing and combating trafficking in human beings for the purpose of labour exploitation.⁸³ The authorities should in particular:

- step up oversight of the working and housing conditions of foreign workers who have obtained a work permit via interregional foreign workforce platforms, particularly seasonal agricultural workers, to prevent any risk of human trafficking;
- strengthen co-operation with the private sector and continue their efforts to raise companies' awareness of their responsibilities and their important role in preventing and eradicating human trafficking within their businesses and in their supply chains. In this context, the French authorities must ensure that the Law on due diligence by parent companies is fully implemented, in particular by supporting the preparation of due diligence plans and evaluating the effects of this law on the prevention of trafficking for the purpose of labour exploitation as well as its implementation;
- continue to inform the foreign workforce about the risks of human trafficking for the purpose of labour exploitation, the rights of victims, the support services available and the rights of workers;
- continue to set up co-operation with countries of origin of foreign workers and take measures to prevent their exploitation in France.

59. GRETA also invites the French authorities to ratify the ILO Domestic Workers Convention (No. 189), which includes measures to protect domestic workers from abuse.

⁷⁹ See paragraph 173 of GRETA's third report on France.

⁸⁰ [Information report submitted pursuant to Article 145-7, paragraph 1, of the regulation, by the Committee on Constitutional Law, Legislation and General Administration on the assessment of the Law of 27 March 2017 on the due diligence requirements of parent companies and head contractors \(Ms Coralie Dubost and Mr Dominique Potier\), No. 5124 – 15th legislature – National Assembly](#)

⁸¹ [Decision No. 2017-750 DC of 23 March 2017 | Constitutional Council](#)

⁸² For example, in 2022, the Qatar branch of Vinci Construction was investigated for subjection to servitude, forced labour and working and housing conditions at variance with human dignity on the work sites for the Football World Cup in Qatar following a complaint filed in 2015 by the association Sherpa and former migrant workers. In 2024, the Versailles Investigation Division confirmed the indictment and rejected the company's appeal. This case is a rare precedent in France of a multinational being prosecuted for offences of labour exploitation committed abroad: [Vinci mis en examen pour travail forcé - Novethic](#)

⁸³ [https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%220900001680a83df4%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22%22\]}](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%220900001680a83df4%22],%22sort%22:[%22CoEValidationDate%20Descending%22%22]}).

iii. Asylum seekers and refugees

60. Since 2021, France has seen a steady increase in the number of asylum seekers. According to data from the OFPRA, which examines asylum claims, the number rose from 103 164 in 2021 to 131 254 in 2022, then reached 142 649 in 2023 and 153 715 in 2024.⁸⁴ At the same time, successful claims for international protection (for refugee status or subsidiary protection) also rose. The rate of admission at first instance increased from 25.9% in 2021 to 38.8% in 2024. The main countries of origin of persons making initial asylum claims since 2018 have been Afghanistan, Guinea, Ivory Coast, the Democratic Republic of the Congo, Türkiye, Haiti and Ukraine. In 2024, asylum applications by Ukrainians and Haitians rose considerably whereas those from Afghans, Turks, Guineans and Ivorians declined.

61. Under Article L.5222-1 of the CESEDA, the OFII, which is the public body responsible for implementing immigration, reception and integration policy, assesses the vulnerability of each asylum seeker to determine their specific reception needs. Article L.5222-2 of the CESEDA identifies unaccompanied children, persons with disabilities, single parents with minor children and victims of human trafficking as being particularly vulnerable. The information gathered is forwarded, with the applicant's agreement, to the OFPRA, which can then deal with the cases concerned as a matter of priority (Article L.531-10 of the CESEDA) or grant itself more time for investigation, in particular to help establish the grounds for the need for protection. Vulnerable persons may also be identified by the OFPRA throughout the initial proceedings to examine the need for international protection, particularly at the one-to-one interview which all asylum seekers must attend with an OFPRA officer or the hearing before the CNDA. Information documents for vulnerable people are available on the OFPRA website.⁸⁵ Those who require support can be referred to specialist bodies on a list drawn up in 2017 and updated in 2025 to include overseas NGOs. The OFPRA and the MIPROF have recently finalised a set of information and advice documents on human trafficking to be disseminated on OFPRA premises and online. The CNDA has, for its part, set up a web page designed to provide vulnerable people with essential information, including passing on the various types of material devised by the MIPROF.⁸⁶ At the same time, training courses are proposed for staff of the OFII, the OFPRA and the CNDA and companies running asylum accommodation facilities to improve the detection of vulnerabilities. The OFII and the OFPRA have a network of "vulnerability" officers, which plays a key role in the reporting and care of so-called vulnerable target groups such as THB victims. Lastly, in 2024, a partnership charter was signed in Marseille between various institutional stakeholders (OFII, prefecture, municipality, MIPROF) and NGOs (Maison des Femmes, Forum Réfugiés, Amicale du Nid, Fondation Le Refuge). The purpose of the charter was to devise a joint strategy and initiate an exchange of information, facilitating the identification and assistance of women asylum seekers and refugees who have been victims of violence and/or THB. Two other such charters were signed in 2025, one in Bordeaux, on 29 January with the MIPROF, and the other in Strasbourg, on 1 December. Similarly, the authorities in Toulouse, Nantes, Grenoble, Montpellier and Lyon are finalising partnership projects with the stakeholders in their respective regions.

62. Despite these measures, the system for the identification and supervision of vulnerable asylum seekers is inadequate, mainly because of the lack of human resources. Where asylum claims are submitted belatedly (as is frequently the case with human trafficking victims), this often leads to the prefecture applying the accelerated procedure and the OFII refusing to grant reception conditions (CMAs), which includes accommodation through the national reception scheme (DNA, previously referred to as the "asylum seeker reception centres") and entitlement to asylum seeker's allowance (ADA). NGOs have noted that prefectures and the OFII frequently ignore their communications explaining why asylum claims were made belatedly even when they provide supporting documents. Some victims of THB do manage to get redirected into the standard asylum procedure as a result of the intervention of the OFPRA and their

⁸⁴ immigration.interieur.gouv.fr+4immigration.interieur.gouv.fr+4ofpra.gouv.fr+4

⁸⁵ On the OFPRA [website](#), which is in French and English, there is a [Guide to OFPRA procedures](#) (Chapter 6 of which contains information on [taking vulnerabilities into account](#), including THB), a [Guide to asylum for unaccompanied minors](#), a [focus document on how OFPRA addresses human trafficking](#), and information on [asylum in cases of female genital mutilation](#). Short [videos](#) on the various stages of asylum applications are also available on the site.

⁸⁶ [Que faire si je suis victime de traite des êtres humains ? - CNDA](#)

“vulnerability” officers, but such cases are still rare. Decisions placing applicants in the accelerated procedure may be challenged in an appeal before the CNDA. The seven-day time limit for lodging such an appeal makes it difficult to take effective action without immediate legal assistance. Although it is possible under the law (Article L.531-15 of the CESEDA) to be assisted by a lawyer at the OFPRA interview, this assistance is not covered by legal aid, meaning that it is exceptional for a lawyer to be present. Article L.531-15 also enables asylum seekers to be assisted during their OFPRA interview by the representative of an NGO certified by the OFPRA in the light of its social aims, which must include defending the rights of asylum seekers and of women and children.⁸⁷ NGOs may lodge an administrative appeal with OFII against a decision refusing material reception conditions (CMA), but response times are long and such appeals have limited practical effect. During this entire period, vulnerable asylum seekers (including THB victims) often find themselves without resources or accommodation and are exposed to risks of exploitation if they are not housed by NGOs. For example, during GRETA's visit, over half of the emergency accommodation places managed by the NGO CCEM were occupied by women asylum seekers in highly vulnerable situations despite the fact that the OFII has a specific provision reserving 300 places for vulnerable asylum seekers. These situations reflect a structural shortcoming in the detection and consideration of vulnerabilities, having the practical effect of transferring responsibility for such matters from the state to NGOs with limited resources. In their comments on the draft GRETA report, the French authorities stated that pursuant to the Ministry of the Interior's Vulnerabilities Plan,⁸⁸ the OFPRA may, with an asylum seeker's informed consent, report their situation to the OFII with a view to a reassessment of their reception conditions for the purposes of their transfer and safe accommodation in another part of France.

63. The number of places available under the national reception scheme (DNA) is still far short of what is needed, and facilities such as emergency accommodation centres for asylum seekers (HUDAs) are saturated. Many asylum seekers have to resort to makeshift accommodation or sleep on the street. There are major regional differences, and the situation is particularly critical in Île-de-France and in French Guiana. Without housing, asylum seekers, especially single women, find themselves in highly vulnerable situations, exposed to risks of violence and human trafficking.⁸⁹ The failings of the state have been highlighted by the courts, which have urged prefectures to find accommodation.⁹⁰ In addition, Article 66 of the Law of 26 January 2024 has now made it obligatory to withhold or withdraw CMAs in some cases where this was formerly only a possibility.⁹¹ There is a risk that this tightening up of the rules will make asylum seekers even more vulnerable.

64. In France, asylum seekers may not work immediately after they have filed their application. Six months after registration of their asylum claim with the OFPRA, they may request a work permit from the prefecture, which will be valid for the duration of their asylum request certificate provided that their application does not fall under the Dublin III Regulation.⁹² This permit is subject to presentation of proof of a job offer and the employer's desire to provide documents, making it difficult to obtain. In addition, language barriers and discrimination impede access to the labour market, forcing some asylum seekers into the informal economy and hence exposing them still more to exploitation and human trafficking.

⁸⁷ In December 2025, the list of certified NGOs included nearly 50 NGOs, some of which specialise in support for victims of trafficking for the purposes of sexual exploitation, such as the NGOs Foyer Jorbalan (AFJ), Amicale du Nid and Mouvement du Nid. Like lawyers, representatives of such NGOs have a set speaking time to make comments before the end of the interview.

⁸⁸ Ministry of the Interior, Directorate General for Foreign Nationals in France, [10 actions pour renforcer la prise en charge des vulnérabilités des demandeurs d'asile et des réfugiés](#) (May 2021).

⁸⁹ CNCDH, [Avis sur la loi du 26 janvier 2024 pour contrôler l'immigration, améliorer l'intégration](#), 26 September 2024, page 39.

⁹⁰ See, for example, the decision of 18 December 2023 of the Bordeaux Administrative Court, No. 2306884.

⁹¹ Under Article L551-15, “material reception conditions (CMAs) shall be [the previous version was worded “may be”] refused to applicants ... in the following circumstances: 1° They refuse the region to which they are referred ...; 2° They refuse the accommodation offered ...; 3° They submit a request for their asylum application to be re-examined; 4° They have failed, without good reason, to request asylum within the prescribed time limit ...”.

⁹² The Dublin III Regulation, which determines which state is responsible for examining asylum applications, has now been replaced by the EU Regulation on asylum and migration management deriving from the European Pact on Migration and Asylum.

65. Beneficiaries of international protection sign a contract for integration in the French Republic (CIR) which forms part of their personal integration process. In 2023, 127 000 CIRs were concluded, around a third by refugees. The process begins with civics and language training. The programme AGIR, which provides global and individual refugee support, was launched in 2022 and extended to cover the entire country in 2025; it provides two years of support intended to facilitate access to rights, housing and employment. Local schemes, often run by NGOs, complement the process through language classes, vocational training workshops and mentoring programmes. However, there are still many obstacles, including administrative delays, employment discrimination and inadequate recognition of professional qualifications, which severely limit the long-term integration of refugees.

66. Since 3 March 2022, France has applied the European rules for the temporary protection of Ukrainian refugees. This mechanism guarantees them immediate access to a residence permit, accommodation, healthcare and the labour market. A decree of April 2022 simplified hiring procedures by removing certain administrative formalities. A co-ordinating group on the risks of human trafficking for displaced Ukrainians, run jointly by the MIPROF and the UN Refugee Agency (UNHCR) produced prevention leaflets translated into Ukrainian, Russian and English, for dissemination by the OFII and online. A specific leaflet for displaced children was also prepared. These tools, which were revised in 2023 with the involvement of the UNHCR, now cover all refugees fleeing conflict or humanitarian crises and are available in eight languages (Albanian, English, Arabic, Bengali, Dari, Pashto, Romanian, Tamil).⁹³ Local authorities and NGOs made considerable efforts to welcome Ukrainian refugees, in particular through citizen accommodation schemes, which have enabled a rapid and caring reception. These joint efforts helped to prevent situations of human trafficking and exploitation among Ukrainian refugees. GRETA was been informed of any cases of human trafficking affecting them since the beginning of Russia's full-scale invasion in February 2022.

67. GRETA was informed of a number of awareness-raising measures designed to inform asylum seekers and refugees about their rights and the risks connected with human trafficking. The OFII disseminates multilingual brochures and visual materials in its reception facilities and the OFPRA publishes a number of information and awareness-raising documents on vulnerabilities including human trafficking on its website. The OFPRA issues documents to asylum seekers during interviews which explain that declaring that they have been trafficked does not affect their application for international protection. NGOs play a key role in this respect. France Terre d'Asile, Cimade, CCEM, ECPAT and the Secours Catholique regularly run information campaigns through outreach activities, workshops or publications. France Terre d'Asile's Europe-wide AMAL project (2023-2025) is aimed specifically at migrant women, proposing prevention, legal advice and social support activities.

68. During the visit to Calais, GRETA noted that the humanitarian situation there remained critical. The acute lack of accommodation for persons seeking asylum or in transit forces many of them, including unaccompanied children,⁹⁴ to live in makeshift camps, where they are subject to almost daily police evictions.⁹⁵ These conditions increase the vulnerability of the persons concerned. Family reunification of children with relatives in the United Kingdom is almost non-existent, whereas numerous cases of children disappearing are reported, to which there is no adequate response from the authorities. The authorities in Calais noted that some children are left behind because there is not enough money to get the whole family over to England. For want of sufficient public aid, NGOs which have not been mandated by the state cover migrants' essential needs (meals, water, first aid). NGOs such as ECPAT and France Terre d'Asile organise outreach activities to alert children to the risks of human trafficking and identify potential

⁹³ [Human trafficking prevention tools | Ministry of the Interior](#)

⁹⁴ See [Protéger les Mineurs Non Accompagnés en situation de rue | Contre la traite des êtres humains](#)

⁹⁵ In Calais and Dunkirk, the NGO *Human Rights Observers* logged 818 evictions from camps in 2024 targeting several tens of thousands of people (<https://humanrightsobservers.org/wp-content/uploads/2025/06/Rapport-Annuel-2024-FR.pdf>). In October 2021, Human Rights Watch published a [report](#) describing routine police violence and a systematic strategy of harassment against migrants in Calais, clearly designed to exhaust them and disperse them. See also https://humanrightsobservers.org/wp-content/uploads/2024/12/Rapport-Observatoire-des-expulsions_2024_version-web.pdf and [French cops unleash TEAR GAS on migrants trying to board small boats to Britain](#)

victims. Most of the unaccompanied children identified in Pas-de-Calais were found as a result of this work. Criminal networks exploit their vulnerability to force young people to take part in different types of smuggling (drugs, steering boats). Cases of sexual exploitation have also been reported by NGOs. The local authorities adopt an essentially punitive approach, with no proactive mechanisms for the detection and protection of vulnerable persons. The situation in Dunkirk is similar: the presence of people smugglers and violence in the camps (shoot-outs and intimidation)⁹⁶ maintain a climate of fear. In their comments on GRETA's draft report, the French authorities referred to Resolution CM/ResDH(2025)30 of 6 March 2025, in which the Committee of Ministers decided to close its examination of the case of *Khan v. France* in the light of changes in the relevant regulatory framework and the increased material, human and financial resources deployed by the state and the local authorities to shelter and protect unaccompanied children. GRETA notes, however, that this resolution relates to the particularly serious facts identified by the European Court of Human Rights in this case, namely the total lack of support provided for a 12-year-old unaccompanied child who remained unidentified in an informal camp in Calais for six months. The information gathered by GRETA during its visit to Calais shows that despite the efforts of the authorities and NGOs, unaccompanied children are still exposed to a high risk of human trafficking, abuse and ill-treatment, as also highlighted in a recent report by the UN Committee on the Rights of the Child.⁹⁷

69. In Calais GRETA visited a daycare centre set up by the Secours Catholique, where several other NGOs are active. The centre contains dedicated spaces for families and women, offering possibilities to rest, access to water, administrative assistance, laundry facilities and social activities. Médecins sans Frontières and France Terre d'Asile also provide specific support for unaccompanied children in Calais.

70. In French Guiana, asylum claims have increased significantly, rising from about 3 000 in 2023 to 20 000 in 2024. This upsurge is the result of a decision by the CNDA of 5 December 2023,⁹⁸ recognising the situation in Haiti as a domestic armed conflict warranting subsidiary protection. Most applicants are Haitians and have been irregularly present in French Guiana for many years. Since 2019, people from the Middle East, particularly Syrians, have been arriving via Brazil. Reception facilities are still highly inadequate: there are no more than 1 000 places for 20 000 applicants, meaning that many applicants live in vulnerable circumstances, particularly in the informal Verdure camp in Cayenne, which opened in October 2023.⁹⁹ Delays in registering applications can reach up to 18 months, denying applicants access to housing, health insurance and school. A "vulnerabilities" taskforce, set up in 2025 by the prefecture, deals with urgent situations but focuses almost exclusively on the inhabitants of the Verdure camp, overlooking most of the Haitians who do not live there. In March 2025, French Guiana adopted its first Regional Reception and Integration Plan (SRADA) to improve detection of and support for vulnerable people.¹⁰⁰

71. In Martinique, the number of asylum applications is lower than in French Guiana: there were about 400 in 2024, most of which were submitted by Haitians following the CNDA's decision of 5 December 2023. GRETA visited the emergency accommodation centre for asylum seekers (HUDA), which opened in July 2021, offering 30 places. During the visit, 26 people were residing there, mainly women, some of whom had been exploited through prostitution. About 60% were of Haitian origin, the others coming mainly from Saint Lucia.

⁹⁶ [Double fusillade meurtrière dans un campement de migrants à Loon-plage, près de Dunkerque - InfoMigrants](#)

⁹⁷ [Committee on the Rights of the Child, Report on the inquiry concerning France conducted under Article 13 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure](#), October 2025, paragraph 37.

⁹⁸ [Haïti: le pays connaît une situation de violence aveugle en raison du conflit armé interne qui s'y déroule. A Port-au Prince et dans les départements de l'Ouest et de l'Artibonite, cette violence est d'une intensité exceptionnelle. – National Court of Asylum](#)

⁹⁹ [En Guyane, un camp pour les demandeurs d'asile géré par l'État - La Cimade](#). A legal case brought by three NGOs for the residents of this camp to be rehoused was dismissed by a judgment upheld on 22 March 2022 by the Conseil d'Etat: [Decision No. 491843 - Conseil d'État](#). In June 2025, an appeal for projects was sent out for the management of the Verdure camp: <https://www.guyane.gouv.fr/Publications/Appels-a-Projets/2025/Gestion-du-site-de-La-Verdure>.

¹⁰⁰ [Publication du schéma régional d'accueil des demandeurs d'asile \(SRADAR\) - Cohésion sociale - Jeunesse, sports, cohésion sociale - Actions de l'État - Les services de l'État en French Guiana](#)

72. GRETA urges the French authorities to take additional measures to prevent asylum seekers from becoming victims of trafficking in human beings, in particular by:

- improving the social and economic integration of asylum seekers, focusing in particular on their access to the labour market, vocational training and health services;
- making more places available in the national reception scheme (DNA) so as to guarantee all asylum seekers access to decent housing;
- ensuring that a proper assessment of vulnerabilities is carried out on all asylum seekers to identify their individual vulnerabilities and needs.

73. GRETA also considers that the French authorities should continue to inform asylum seekers and refugees about their rights and the risks of THB (especially recruitment and abuse via the internet and social networks), focusing in particular on asylum seekers in overseas territories and unaccompanied children.

iv. Irregular migrants

74. The exact number of irregular migrants in France is difficult to establish but estimates vary between 600 000 and 800 000.¹⁰¹ This group is made up of various types of people such as unsuccessful asylum seekers, people who have entered the country without a visa or who remain with a visa that has expired, and migrant workers whose work and residence permits have not been renewed. According to a survey by the National Institute of Demographic Studies (INED), published in October 2023, 21% of immigrants living in France have been in an irregular situation at least once and over half of them for a period exceeding five years.¹⁰² In 2023, 47.7% of immigrants living in France were from Africa, primarily from North Africa (Algeria, Morocco, Tunisia), 32.3% from Europe, and the rest from Asia and America.¹⁰³

75. Irregular migrants do not have any specific right to housing and depend on the general system (accommodation and social reintegration centres and emergency accommodation centres), which is already inundated. In practice, many of these people sleep on the street, in squats or in makeshift camps. This lack of stable housing makes them more exposed to human trafficking, particularly in the form of domestic, economic and sexual exploitation. Their vulnerability often forces them to accept underpaid jobs and poor working conditions.¹⁰⁴ Fear of arrest or deportation deters them from reporting abuse, creating a climate of impunity. According to the Directorate General for Labour (DGT), a large majority of victims of labour exploitation identified are foreign nationals, often without a residence permit.¹⁰⁵ For example, in September 2022, a cleaning company operating in rented tourist accommodation was found guilty of exploiting 26 Ukrainian women as undocumented cleaners.¹⁰⁶ Other cases of exploitation of irregular migrants in agriculture,¹⁰⁷ catering¹⁰⁸ and forced criminal activities (including theft¹⁰⁹ and drug trafficking¹¹⁰) have been reported in the media.

¹⁰¹ [La France est-elle dépassée par des "flux d'immigration irrégulière"? - La Cimade](#)

¹⁰² [Selon une étude, 21% des immigrés résidant en France ont été sans papiers](#)

¹⁰³ [L'essentiel sur... les immigrés et les étrangers | Insee](#)

¹⁰⁴ For example, irregular migrants are exploited by online delivery platforms: [Livraison à domicile: les dessous d'un "trafic" lié à la main d'oeuvre sans-papiers](#), France Info, 2022; ["C'est 100 euros la semaine": enquête sur le business des comptes Uber East et Deliveroo sous-loués à des sans-papiers](#), Le Parisien, 2022.

¹⁰⁵ [Une société de nettoyage condamnée pour traite d'êtres humains aggravée](#), L'Humanité, 2022

¹⁰⁶ [Travail dissimulé. Une société de nettoyage reconnue coupable de traite d'êtres humains aggravée - L'Humanité](#)

¹⁰⁷ ["Ça dure depuis des années": une agricultrice condamnée à trois ans de prison et 50 000 euros d'amende pour traite d'êtres humains](#), Franceinfo, 2024; ["Traite d'êtres humains", "conditions de travail indignes", "rétribution inexistante": à Châlons-en-Champagne, un procès qui ébranle la filière viticole](#), Le Figaro, 19 June 2025.

¹⁰⁸ [Esclavage moderne: quatre personnes incarcérées pour traite d'êtres humains dans un buffet à volonté](#), Franceinfo, 2025

¹⁰⁹ [Île-de-France: six hommes suspectés d'exploiter des mineurs isolés de "la maison des petits" écroués - Le Parisien](#), Le Parisien, 2023.

¹¹⁰ [Nantes: prison ferme pour trois hommes qui exploitaient des sans-papiers pour vendre de la drogue](#), Le Figaro, 2023.

76. Under French law there are several routes to regularisation, including work, private and family life and recognition of trafficking victim status (see paragraphs 206 and 211), but access to these remains restricted. In 2024, 31 250 people were regularised (i.e. 10% fewer than in 2023) while 21 601 were deported (26.7% more than in 2023).¹¹¹ A large proportion of human trafficking victims assisted by NGOs were irregularly present (34% in 2021, 44% in 2022, 27% in 2023), making them prone to becoming victims again. NGOs highlight the complexity of regularisation procedures and the major disparities in the practices of different prefectures.¹¹² The Law of 26 January 2024 on asylum and immigration added to this administrative uncertainty, restricting the extension of temporary permits to three years (whereas previously it had been unlimited), increasing the language requirements for long-term permits, making it possible to reject claims in the event of unenforced orders to leave French territory (OQTFs) and extending the duration of the period for which persons issued with OQTFs may be deported from one to three years. These legislative changes keep many people in extended situations of irregularity,¹¹³ particularly those who are illiterate or excluded and hence most prone to human trafficking. The computerisation of procedures via the Digital Administration of Foreigners in France (ANEF) platform has also made administrative procedures to apply for a residence permit more complicated, as a result of technical failings, extended waiting times and a lack of assistance (see paragraph 209). 38% of complaints received by the Defender of Rights are from foreigners complaining about decisions by prefectures rendering them irregularly present.

77. In a more positive vein, the Law of 26 January 2024 introduced a new ground of regularisation through employment, making it possible for a temporary residence permit to be issued to persons able to prove that they have been present in France for three years or more and have had paid work for at least twelve months in total over the last 24 months in an occupation facing recruitment problems. The list of these occupations is determined by a joint decree of the Ministries of Interior and Labour and is reviewed every year. In the text it is stated that the intention is to enable persons to file their application independently, without having to rely on their employer. However, it can be difficult for those concerned to collect the necessary documents (payslips, contracts or certificates) as employers who have exploited them often refuse to provide them.¹¹⁴ The annual review of the list of occupations also introduces an uncertainty into the process which complicates long-term planning.¹¹⁵ It is also possible, under the Law of 26 January 2024, for a temporary residence permit to be granted to any foreign national who has lodged a complaint for unfit housing (Article L.452-11 of the CESEDA).

78. An interministerial circular of 5 February 2024, addressed to the prefectures and the prosecutors' offices, seeks to strengthen measures to combat networks that exploit irregular migrants.¹¹⁶ It is based on the Law of 26 January 2024, which increased the penalties imposed when victims are vulnerable persons, particularly foreign nationals without a permit, or employers have taken on workers without permits.

79. French Guiana is one of the main entry points to France. Because of a lack of controls on the borders and more flexible migration policies in neighbouring countries, migrants coming not just from Suriname, Brazil and Haiti, but also from Morocco, Syria and Afghanistan, transit through French Guiana before attempting to reach mainland France. These people are particularly exposed to exploitation in the sectors of goldmining, construction, fishing, catering, agriculture and domestic work. NGOs refer to an implicit tolerance of undeclared work, linked to the labour inspectorate's lack of resources. Regularisation through employment is a rarity. In Martinique, the immigrant population is smaller and mostly from the Caribbean and South America. GRETA was alerted to cases of irregularly present Haitians who were exploited in agriculture, particularly on sugarcane plantations, and accommodated in unfit housing.

¹¹¹ [Les chiffres de l'immigration en France en 2024: les expulsions d'étrangers en forte hausse, les régularisations en baisse](#)

¹¹² See La Cimade, [Décryptage de la Loi du 26 January 2024](#), 2024, page 8.

¹¹³ See La Cimade, [Décryptage de la Loi du 26 January 2024](#), 2024, pages 13-14, 31.

¹¹⁴ See La Cimade, [Décryptage de la Loi du 26 January 2024](#), 2024, page 9.

¹¹⁵ CNCDH, [Avis sur la traite à des fins de contrainte à commettre tout crime ou délit du 28 mars 2024](#), page 43.

¹¹⁶ https://www.gisti.org/IMG/pdf/circ_2024-02-05_lutte_contre_les_filieres_d_exploitation.pdf

Dominican women are another at-risk group: their asylum claims are practically always rejected as the Dominican Republic is regarded as a safe country, with the result that some of them resort to hazardous strategies such as arranged pregnancies with French citizens in the hope of obtaining a residence permit.

80. GRETA considers that the French authorities should:

- amend the legislation in force with a view to improving effective access to regularisation, harmonising the prefectures' regularisation practices and simplifying procedures;
- devise accessible, multilingual information campaigns on the ways of regularising the situation of irregular migrants and the mechanisms to protect victims of human trafficking and exploitation;
- set up specific arrangements in overseas territories to prevent and detect the exploitation of irregular migrants and ensure that they are protected.

v. Persons engaged in prostitution

81. Several territorial assessment relating to prostitution, pimping and THB for sexual exploitation have been carried out in places including Puy-de-Dôme (2021-2022), Lot-et-Garonne, Mayotte (2022-2023) and French Guiana (2024). Three recent assessment have focused specifically on children in Yvelines, Val-d'Oise and Haute-Garonne.¹¹⁷ It is estimated that about 40 000 people in France are in prostitution. Of these, 85% are women; 53% have French nationality and 60% of the latter are children.¹¹⁸ These people are particularly vulnerable to human trafficking. Several factors may account for this vulnerability, including histories of violence within the family, economic instability, poor school attendance and traumatic experiences during migration. Migrant women are particularly exposed and some are forced to engage in prostitution to reimburse debts incurred for their journey to Europe or because of their irregular immigration status. The progressive change from street prostitution to indoor prostitution,¹¹⁹ conducted in private spaces such as hotels or flats rented via online platforms, has been combined with increasing digitalisation of the process of making contact with clients. This change has increased the risks of human trafficking for several reasons. Firstly, it has become more difficult for NGOs and public services to identify and support victims. Secondly, it makes those involved more dependent on intermediaries, particularly if they lack computer skills or proficiency in French, in which case these intermediaries become responsible for publishing adverts and managing transport and bookings.

82. As indicated in previous reports by GRETA,¹²⁰ the Law of 13 April 2016 on strengthening action against prostitution and providing assistance to persons engaging in prostitution stipulates that programmes to exit prostitution and integrate into society and professional life (PSPs) must be offered to all those concerned. Persons who have started on a PSP are entitled to support by an approved association, to a temporary residence permit (APS) with a minimum duration of six months, renewable three times, together with a work permit and financial assistance for social and professional integration (AFIS), the amount of which was increased in December 2025 to bring it into line with that of income support (RSA).¹²¹ Since GRETA's last evaluation, the application of this law has been strengthened through the Interministerial Instruction of 13 April 2022 on opening rights in the context of PSP. This requires each *département* to appoint a commission to combat prostitution, pimping and trafficking for sexual exploitation (CDLP), and PSPs to be opened as soon as circumstances permit. The instruction also includes

¹¹⁷ These territorial diagnoses can be consulted here: [Diagnostics territoriaux de la prostitution • Amicale du Nid](https://www.guyane-promotion-sante.org/wp-content/uploads/2025/04/RAPPORT-prostitution-CIDFF-AGAV-1.pdf) and <https://www.guyane-promotion-sante.org/wp-content/uploads/2025/04/RAPPORT-prostitution-CIDFF-AGAV-1.pdf>

¹¹⁸ [MIPROF-Observatoire-national-des-violences-faites-aux-femmes-Lettre-prostitution-2024_2.pdf](#), page 9.

¹¹⁹ In 2021, eight victims in 10 in cases of pimping were engaged in so-called indoor prostitution. [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2021](#), page 7.

¹²⁰ See GRETA's second report on France, paragraph 117, and its third report on France, paragraph 200.

¹²¹ AFIS was increased to EUR 559 per month for a single person, plus a supplement of EUR 106 for each dependent child.

a reminder of the criteria for entitlement to a temporary residence permit and the need to issue this document promptly, as well as the work permit awarded on completion of the process. It also confirms that the fact that an order to leave the country (OQTF) has been issued is no ground for the rejection of a temporary permit application, except in cases of serious disruptions of the peace.

83. The PSP is regarded by specialised NGOs as an effective means of assisting people who wish to escape prostitution. The NGO Amicale du Nid, which assists about a third of beneficiaries of the PSP, stated that 89% of the persons they supported found work following the process.¹²² However, several NGOs with authorisation to run a PSP consider two years too short to guarantee long-term reintegration. Despite a steady rise in the number of beneficiaries,¹²³ admissions are still low in the light of the number of people who may be eligible: since 2017, 2 102 people have benefited from a PSP. On 31 December 2025, 921 people were taking part, 870 of whom were women. The scheme is still spread very unevenly across the country: five *départements* alone account for 40% of PSPs (Paris is in the lead with 154) whereas 29 currently have none and 19 have never had any.¹²⁴ In overseas territories, there are only very few PSPs (19 in Martinique, 12 in French Guiana, 5 in Mayotte, 4 in Réunion and none in Guadeloupe). The rate of rejection of requests for admission to PSP remains high (about 18% in 2024 and 11% in 2025). Some prefectures still apply restrictive or discriminatory criteria such as the number of children, marital status or country of origin. The FACT-S collective, which brings together five NGOs which assisted 68% of the beneficiaries in 2023, issued warnings in April 2025 about the recurrent shortfalls in the application of the Law of 2016 and the impact of stricter migration policies on access to the scheme for foreign nationals.¹²⁵ A public survey in April 2025¹²⁶ revealed that many NGOs give up on presenting certain cases, anticipating a systematic refusal. To avoid creating false hopes, they give precedence to applications from persons who are already in the process of finding a job or already have one. Certified NGOs also complain of a lack of financial resources, which undermines their ability to provide full support.

84. Since November 2024, all 101 French *départements* have set up commissions to combat prostitution, pimping and trafficking for sexual exploitation (CDLPs). However, according to NGOs, most commissions remain largely inactive and their members do not have enough training on human trafficking issues. On 31 December 2025, only 71 commissions actually had PSPs under way.¹²⁷ At a meeting in February 2023, an interministerial monitoring committee on the Law of 13 April 2016 noted that despite progress in other areas, the social component of the law was being implemented very unevenly across the country by the different *départements* and that practically no criminal proceedings were being brought against clients.

85. In May 2024, France adopted its first strategy to combat prostitution and sexual exploitation. This gives CDLPs the task of preparing long-term *département* strategies to combat prostitution on the basis of a framework document,¹²⁸ combined with a methodological guide for CDLP members to remind them about the procedures for the processing of PSP applications. The strategy also includes plans for the powers of CDLPs to be extended to co-ordinating activities to combat child sexual exploitation, for which

¹²² MIPROF, [27^{ème} lettre d'information de l'Observatoire national des violences faites aux femmes – Le système prostitutionnel](#), April 2026, pages 28 to 32.

¹²³ The number of PSPs in operation on 31 December of each year since 2017 has been as follows: 113 in 2017, 183 in 2018, 300 in 2019, 403 in 2020, 446 in 2021, 643 in 2022, 845 in 2023 and 903 in 2024. See *ibidem*, pages 28 to 32.

¹²⁴ *Ibidem*, pages 28 to 32.

¹²⁵ [Prostitution: 9 ans après la loi de 2016, les associations de terrain alertent toujours sur son manque d'application](#) See also FACT-S, [La situation de la prostitution en France: Analyse sur l'impact de la loi du 13 avril 2016](#), April 2025, pages 47-55.

¹²⁶ [Accès au parcours de sortie de prostitution \(PSP\): une enquête nationale au coeur des réalités de terrain](#), Fédération des Acteurs de la Solidarité (FAS), April 2025

¹²⁷ MIPROF, [27^{ème} lettre d'information de l'Observatoire national des violences faites aux femmes – Le système prostitutionnel](#), April 2026, pages 28 to 32.

¹²⁸ On 31 December 2024, 52% of NGOs with authorisation to run PSPs stated that the CDLP in their *département* had not set up a strategy to combat prostitution, pimping and THB. MIPROF, [24^{ème} lettre d'information de l'Observatoire national des violences faites aux femmes – Le système prostitutionnel](#), April 2025, page 39.

a decree¹²⁹ was published in January 2026. GRETA would like to be kept informed about the adoption of this decree. Lastly, the strategy makes provision for the measures for the implementation of the Law of 2016 to be geared to the new features of prostitution (prostitution online and in flats), for awareness-raising and research to be stepped up and for prevention efforts among children to continue. However, NGOs regret that the plan does not include quantified targets or clearly defined budgetary resources.

86. The Prostitution and THB Prevention Support Fund, financed by the proceeds of confiscations ordered by the courts in cases of human trafficking and pimping and managed by the Directorate General for Social Cohesion, provides annual funding for several dozens of regional projects run by NGOs.¹³⁰ These projects include support for persons on PSP programmes, person-to-person and digital outreach activities, training for professionals and prevention measures. The fund is supplied annually by the AGRASC.

87. NGOs such as Amicale du Nid and Mouvement du Nid organise outreach work to meet people engaged in prostitution, inform them of their rights and offer them social and psychological support. In 2023, these two NGOs carried out about 1 100 digital outreach activities, generating 12 000 contacts, 13% of which gave rise to a response.¹³¹ They also provide training for professionals¹³² and run awareness-raising campaigns for young people and parents on the risks of prostitution.¹³³

88. In contrast with the situation in mainland France, adult prostitution in Martinique and French Guiana mostly still takes place on the street, whereas children are exploited more discreetly, often in flats. Most prostitutes are foreign women, mainly from the Dominican Republic and Haiti and often irregularly present. These women are frequently forced into prostitution because they have no economic or social alternative. In Martinique, research carried out by the NGOs D'Antilles et d'Ailleurs and Mouvement du Nid have identified 450 women engaged in prostitution. In French Guiana, prostitution is also present on legal and illegal goldmining sites. Women are recruited on these sites as cooks but also engage in prostitution. Their geographic isolation, in remote tracts of forest that are difficult to access, makes them even more vulnerable. Despite funding from the Directorate General of Overseas France (DGOM), the French Development Agency (AFD) and the Agency for the Management and Collection of Seized and Confiscated Assets (AGRASC), measures to support these people and help them escape prostitution are still inadequate and unevenly spread.

89. In Martinique, the Red Cross manages PSPs and houses the beneficiaries in the asylum seeker emergency accommodation centre (HUDA), which was opened in 2021 and is made up of flats with a capacity of 30 places. GRETA visited this centre, which provides suitable facilities, but the accommodation capacity is very limited in view of the needs. GRETA was informed that the authorities and persons concerned are increasingly aware of the PSP system but NGOs lack the human and material resources to meet the demand. In French Guiana, the situation is even more critical: HUDAs and CHRs are saturated and as a result some people who have begun PSP procedures still live in makeshift camps because there are no other stable housing solutions.

¹²⁹ [Decree No. 2025-1444 of 30 December 2025](#) published in the Official Journal of 1 January 2026.

¹³⁰ The fund contained about 3.5 million euros in 2022, 3.8 million euros in 2023, 2 million euros in 2024 and 3.4 million euros in 2025. It was used to finance 24 regional projects in 2022, 39 in 2023, 33 in 2024 and 48 in 2025.

¹³¹ FACT-S, [La situation de la prostitution en France: Analyse sur l'impact de la loi du 13 avril 2016](#), April 2025, pages 69-70.

¹³² For example, in 2024, the NGO Amicale du Nid published a [guide](#) for professionals on prostitution and addiction, which contains an analysis of vulnerabilities in prostitution.

¹³³ For example, in 2024, in Ile-de-France, the Van Info Femmes project, managed by the Regional Federation of Women's and Families' Information Centres (FRCIDFFs) in partnership with Amicale du Nid and Mouvement du Nid, organised awareness-raising, information and prevention activities relating to the risks of prostitution in the Ile-de-France region. These 96 activities form part of a strategy of outreach and reorientation towards existing bodies and services. Through outreach operations it was possible to reach women in remote areas such as the countryside and urban policy priority neighbourhoods (QPVs). Mouvement du Nid has also set up an online prevention platform for young people entitled "[Ya quoi dans ma banane ?](#)", with interactive games, videos and tutorials. This site, which is also used by the Ministry of Education, was awarded an innovation prize by the magazine Challenges.

90. GRETA considers that the French authorities should take further steps to counteract the risks of human trafficking for persons engaging in prostitution, in particular by:

- stepping up information campaigns aimed at persons engaged in prostitution concerning the risks of human trafficking, existing support schemes and means of access to programmes to exit prostitution (PSP);
- strengthening awareness raising and training for members of Commissions to combat prostitution, pimping and trafficking for sexual exploitation (CDLPs) on the vulnerability of persons engaged in prostitution and the measures to be implemented to prevent their exploitation;
- guaranteeing proper access to programmes to exit prostitution (PSPs) across the country, including overseas *départements* and regions, to all persons who wish to cease engaging in this activity, particularly by increasing funding for certified NGOs.

vi. Persons with disabilities

91. Persons with disabilities¹³⁴ are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination, as well as lack of or limited access to the labour market and decent work.¹³⁵ Reference can also be made to General recommendation No. 38 (2020) of the Committee on the Elimination of Discrimination against Women (CEDAW), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support.¹³⁶

92. In France, persons with disabilities are cared for either in their homes, with or without human or technical aids, or in health and social care institutions (ESMSs) adapted to their needs. These facilities include assisted living centres for people with a degree of autonomy, medical care homes (FAMs) and specialised residential centres (MASSs) for those requiring major medical assistance and medico-educational institutes (IMEs) for children and adolescents with mental or cognitive disabilities. There are also accommodation centres which house adults engaging in work adapted to their disability.

93. ESMSs are supervised by different authorities: Regional Health Agencies (ARSSs) are responsible for health facilities (FAMs and MASSs), *Département* Directorates of Employment, Labour and Welfare Support (DDETSSs) for general accommodation facilities (CHRSs, etc.) or those reserved for asylum seekers (CADAs, etc.) and *département* councils for other establishments such as assisted living centres, accommodation centres, community-life assistance services (SAVSs) and medical and social services for adults with disabilities (SAMSAHs). The 2024-2027 Plan to combat ill-treatment of vulnerable persons¹³⁷ makes provision for increased supervision of residential establishments for persons with disabilities and for setting up alternative and improved communication procedures and tools for persons with disabilities residing in these establishments. A circular setting out inspection priorities and quantitative targets is currently being implemented. The authorities state that they are not aware of any cases of human trafficking involving persons with disabilities placed in such establishments.

¹³⁴ According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

¹³⁵ See OSCE, *Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings*, March 2022, p.16.

¹³⁶ CEDAW, [General recommendation No. 38 \(2020\) on trafficking in women and girls in the context of global migration](#), paras. 40 and 55.

¹³⁷ <https://solidarites.gouv.fr/sites/solidarite/files/2024-03/DP-strategie-nationale-de-lutte-contre-les-maltraitances.pdf>

94. Since December 2020, the role of independent national rapporteur on the effectiveness of the rights of persons with disabilities has been fulfilled by the CNCDH. Its report of 2023 on public disability policies highlights the lack of any genuine political support since 2005, particularly with regard to access to suitable housing, mainstream schooling, employment, justice and participation in the life of the community.¹³⁸ The report points out that unemployment among persons with disabilities is still significantly higher than the national average. Women are particularly affected as their level of inactivity is higher than that of men. Furthermore, nearly half of the women in work have only a part-time job. This situation adds to their vulnerability and their dependence on social assistance or third parties. Complex administrative formalities linked to the digitalisation of public services and disparities in the functioning of *département* centres for persons with disabilities (MDPH), often lead persons with disabilities not to take advantage of rights and services. In addition, the amount of the allowance for adults with disabilities (AAH) is still lower than the poverty threshold.¹³⁹

95. NGOs have pointed to the high dependence and isolation of vulnerable adults placed under guardianship, particularly when the guardian is a family member. Because of their disability and their family ties, these persons find it difficult to question their working conditions, sometimes remaining isolated and dependent for years before being identified as victims. Recently, in the *département* of Jura, the labour inspectorate discovered two persons with disabilities who had been victims of trafficking for labour exploitation for decades. An investigation is under way.

96. NGOs have also reported that guardians of persons with disabilities often lack information about the offence of human trafficking and the specific rights and measures provided for victims. In 2019, for example, the guardian of a man with disabilities contacted the CCEM after this man was forced to beg by a young homeless man he had put up. Despite the situation, the guardian rejected the CCEM's suggestion that he should report the matter to the police and merely requested temporary accommodation. The case was closed as soon as a housing solution was found. Another case related to siblings with disabilities who were exploited by their older sister for over 20 years. The guardianship service knew nothing about the offence of human trafficking and the potential remedies available (in particular the possibility of claiming unpaid wages) until a specialised NGO intervened having been alerted by the labour inspectorate. The lack of information limits the detection and the proper handling of such situations.

97. There are no official data on the number of formally identified victims of trafficking who have disabilities. However, according to surveys of yearly data published by NGOs, 5% of victims assisted by NGOs in 2023 and 9% in 2024 had disabilities. For nearly half of these, their disability already existed before they were exploited.¹⁴⁰

¹³⁸ CNCDH report on public disability policies, [Rapport Les politiques publiques du handicap](#), 2023.

¹³⁹ CNCDH, [Rapport Les politiques publiques du handicap](#), 2023, pages 95, 98 and 100.

¹⁴⁰ See [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2023](#), page 17; and [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2024](#), page 17.

98. GRETA considers that the French authorities should step up their efforts to improve the protection of persons with disabilities from human trafficking, in particular by:

- ensuring that individuals or organisations responsible for the guardianship of persons with disabilities and the centres accommodating them are regularly inspected and independently monitored to prevent any exploitation;
- ensuring that professionals assisting persons with disabilities, including individuals or organisations responsible for their guardianship, are given training on human trafficking which alerts them to human trafficking situations in all their forms, and the rights and the services to which victims have access;
- improving the programmes and policies devised for persons with disabilities to better integrate them into society and thus reduce their vulnerability to human trafficking.

vii. Persons living in informal settlements

99. About 11 200 people, 3 900 of whom are children, currently live in about 240 informal settlements ("*bidonvilles*"),¹⁴¹ located mainly around France's largest cities (Paris, Nantes, Marseille, Lille, Bordeaux, Toulouse). Most are Roma originating from Bulgaria and Romania who started arriving in the 1990s. These sites are characterised by a lack of basic services (water, sanitation, refuse removal), unhealthy and overcrowded living conditions and severe social exclusion characterised by low school attendance, no access to the labour market or healthcare and exposure to petty crime and to various forms of discrimination.¹⁴²

100. GRETA notes that the vulnerability and invisibility linked with life in informal settlements increase the risks of exploitation and human trafficking. Children from Roma and other communities living in informal settlements are particularly exposed to exploitation of begging, domestic work and child or forced marriage. Common-law marriages of girls of 13 or 14, often with dowries attached, place many young girls in situations of domestic servitude or exploitation in criminal activities or begging¹⁴³ (see paragraph 139). From surveys on data concerning victims assisted by NGOs in 2021 and 2022, it is clear that children from eastern Europe (particularly Romania and Bosnia and Herzegovina) form the majority of victims of exploitation of begging assisted by NGOs and a large share of those affected by exploitation of criminal activities (26% in 2021 and 15% in 2022). One of the characteristics of these children is their close ties with those who exploit them, who may be their parent, in-laws or spouse.¹⁴⁴ A lack of awareness raising among social workers and other public authorities operating in informal settlements often results in treating these situations as community-related problems rather than human trafficking.

101. Since 2018, the French government has implemented a policy of informal settlements clearance whose aim is to rehouse inhabitants and facilitate their access to healthcare, employment and school for their children. In 2025 a budget of 8.9 million euros was earmarked for these activities, which are supervised by the Interministerial Delegation for Accommodation and Access to Housing (DIHAL). Between 2019 and 2023, over 90 sites were cleared and 6 500 people rehoused.¹⁴⁵ In 2019, as part of the process of implementing this policy, the DIHAL launched its programme for the inclusive clearance of informal settlements through employment and housing (SIBEL),¹⁴⁶ which provides the persons concerned

¹⁴¹ [Slum clearance - home page](#)

¹⁴² See [Stratégie française 2020-2030 en réponse à la recommandation du Conseil de l'Union européenne du 12 mars 2021 pour "l'égalité, l'inclusion et la participation des Roms"](#), pages 8 and 9.

¹⁴³ For example, see [Paris Appeal Court - Pôle 2, ch. 5 - 2 May 2025 - TBH Resource Centre](#); see also CNCDH opinion, [Avis sur la traite à des fins de contrainte à commettre tout délit ou crime \(A-2024-2\)](#), page 11.

¹⁴⁴ [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2021](#) and [La traite des êtres humains en France: Le profil des victimes accompagnées par les associations en 2022](#).

¹⁴⁵ [Slum clearance - home page](#)

¹⁴⁶ [SIBEL: un programme d'insertion globale vers l'emploi et le logement](#)

with a means of access to training, employment and housing, backed up by individual support. Since 2022, the youth housing and employment support programme (ALEJ), which is run jointly with the Civic Service Agency, has offered young people living in informal settlements or squats customised schemes including language and citizenship courses, skills assessments and work placement periods. This programme, which was initially introduced as an experiment in two *départements*, is now being run in five *départements* and has resulted in 60% of participants finding training or employment and housing or accommodation. 120 young people have taken part thus far.

102. In January 2022, in the context of the EU's strategic plan for Roma for 2020-2030, France presented the European Commission with its national strategy¹⁴⁷ including various measures designed to accelerate the clearances of informal settlements. In several *départements*, these include support for families by mobile outreach teams including employees of the state and of *département* councils, and the promotion of school enrolment for children through the increased deployment of a school mediation programme involving 54 mediators tasked with socio-educational support in 17 *départements*. In 2024-2025, this resulted in 4 000 children being enrolled in school thanks to school mediation. One of the main activities that mediators are involved in is awareness raising about prevention of early marriage. The strategy recognises that petty crime or problems which may be linked to human trafficking (forced begging, prostitution, forced crime) and infringements of children's rights are widespread in some informal settlements. These matters are included in *département* roadmaps and related follow-up measures. The strategy also points out that social welfare practitioners still have very little knowledge about these situations so, to remedy this problem, a number of *départements* provide specific training for these people.

103. In its seventh report on France (June 2022), ECRI expressed concern about evictions of Roma people from illegal camps without rehousing solutions. It also highlighted the low enrolment of Roma children in school and recommended that the authorities develop new Roma integration programmes through training and employment combined with tools to measure their impact.¹⁴⁸

104. GRETA welcomes the measures taken by the French authorities to foster the integration of persons living in informal settlements through rehousing and access to employment, healthcare and education, thus helping to reduce risks of human trafficking. GRETA considers that the French authorities should continue reinforcing the prevention of human trafficking through lasting social, economic, educational and other measures designed to enhance the autonomy of persons living in informal settlements and squats, especially women, children and young people, in particular through improved access to education and the labour market, the aim being to address the underlying causes of human trafficking.

viii. LGBTI persons

105. GRETA emphasises that, in general, LGBTI people are at an increased risk of becoming victims of human trafficking, particularly because they are often marginalised in society and excluded from their families, making them ideal targets for traffickers looking for people with less protection. They also face difficulties in accessing the labour market, as employment opportunities are scarce for those who identify outside the traditional gender binary, leading them to work more in the informal economy (including prostitution) or even to accept abusive job offers. In addition, LGBTI people account for a large share of homeless people and can be victims of discrimination by the authorities and services, making them less likely to file a complaint or ask for help.¹⁴⁹

¹⁴⁷ See [Stratégie française 2020-2030 en réponse à la recommandation du Conseil de l'Union européenne du 12 mars 2021 pour "l'égalité, l'inclusion et la participation des Roms"](#).

¹⁴⁸ [ECRI report on France \(sixth monitoring cycle\)](#), adopted on 28 June 2022, paragraphs 100, 106 and 108.

¹⁴⁹ See: <https://lac.iom.int/en/blogs/lgbtqi-victims-human-trafficking> and <https://2017-2021.state.gov/wp-content/uploads/2019/02/272968.pdf>.

106. Every year in France, there is a significant proportion of transgender persons among the victims of trafficking assisted by NGOs: 114 victims (4%) in 2021, 59 (2%) in 2022, 416 (10%) in 2023 and 144 (3%) in 2024. They have been exclusively victims of sexual exploitation. In 2023, transgender women accounted for 13% of victims of sexual exploitation assisted by NGOs (3% in 2024), whereas transgender men constituted 2% of the victims of human trafficking given assistance that same year.¹⁵⁰

107. Belonging to the LGBTI community has played a direct or indirect role in the exploitation of some of the victims assisted by NGOs, for example by forcing them to leave their home country. Traffickers can also use sexual orientation or gender identity as means of blackmail or control. For instance, one NGO reported that some victims, fleeing a hostile climate for LGBTI people in their country of origin were exploited after seeking shelter with close friends or relatives in France. A woman from Ivory Coast for example had left her country after her husband had discovered her sexual orientation. She was taken in by a cousin in France, who exploited her through domestic servitude. The victim had not filed a complaint and was homeless, even though she was an asylum seeker.

108. The NGO Amicale du Nid assists foreign transgender people in an irregular migration situation who are exploited in the context of the phenomenon known as “sex tours”.¹⁵¹ Some have filed complaints, leading to the conviction of traffickers. However, NGOs reported that transgender persons sometimes find it complicated to file complaints because police officers make discriminatory or transphobic comments.

109. Some LGBTI victims assisted by NGOs are children. NGOs point out that many LGBTI adolescents and young adults are particularly exposed to exploitation because they are rejected by their families when they come out. Some who are forced to leave their home resort to prostitution as a means to survive and sometimes this takes place in a context of human trafficking.

110. The National Plan to promote equality and combat anti-LGBT+ hate and discrimination (2023-2026)¹⁵² includes several measures designed to prevent trafficking of LGBTI persons. Among these are 10 new centres for the reception and support of LGBTI persons, which are the first step towards setting up two such centres per region, and the incorporation of training on LGBT-phobia in police and gendarme training courses with a view to improving the reception and processing of complaints.

111. GRETA welcomes the adoption of the national plan to promote equality for and combat hatred and discrimination against LGBT+ persons and considers that the French authorities should take measures to reduce the vulnerability of LGBTI persons to THB, particularly through training and awareness raising for law enforcement agencies, working in close co-operation with civil society organisations.

¹⁵⁰ See [La traite des êtres humains et France: Le profil des victimes accompagnées par les associations en 2022](#), pages 7, 8 and 13; [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2023](#), page 10; and [La traite des êtres humains en France: le profil des victimes accompagnées par les associations en 2024](#), page 10.

¹⁵¹ A sex tour is a practice whereby persons engaged in prostitution move from town to town, staying for two weeks in each location. They find clients online and offer their services in hotels or other forms of short-term accommodation. According to a recent press article, this phenomenon is increasing in scale in France: [Explosion des "sex-tours" en France: quand des prostituées font la tournée des villes de province](#)

¹⁵² <https://www.egalite-femmes-hommes.gouv.fr/sites/efh/files/2023-12/Dossier-presse-Plan-national-pour-egalite-lutte-contre-haine-discriminations-anti-LGBT-2024-2026.pdf>

2. Measures to protect and promote the rights of victims of human trafficking

112. Chapter III of the Convention provides for a series of measures to protect and promote the rights of victims. In the first place, it is of paramount importance to identify victims of human trafficking correctly as identification enables them to benefit from the other measures and rights contained in the Convention. Pursuant to Article 10 of the Convention, States Parties shall ensure that the authorities competent to identify victims of trafficking have persons trained and qualified to perform the identification, and that these authorities collaborate with relevant support organisations in the identification process. Further, Article 12 of the Convention sets out the assistance measures which States Parties must provide to trafficking victims. Paragraph 7 of this article requires Parties to ensure that services are provided taking due account of the special needs of persons in a vulnerable position as well as the rights of children. Given the relevance of victim identification and assistance to the thematic focus of the fourth evaluation round of the Convention, this part of the report examines the application of these two provisions. Other provisions of Chapter III of the Convention, which have been examined in detail by GRETA during the previous evaluation rounds, are discussed in the chapter of the report entitled “Follow-up issues”.

a. Identification of victims of THB

113. In its third evaluation report, GRETA urged the French authorities to improve the identification of human trafficking victims, in particular by establishing a national referral mechanism, ensuring that, in practice, identification of victims is not dependent on their co-operation with the law enforcement agencies, clarifying the procedure for identifying victims of human trafficking who are French nationals and EU/EEA country nationals and setting up a telephone line specifically dedicated to human trafficking.

114. According to the Minister of the Interior's Instruction of 19 May 2015 on conditions for allowing foreign nationals who are victims of human trafficking or pimping to stay in the country, formal identification of potential victims is the exclusive responsibility of the police and the gendarmerie, provided that they believe that there are reasonable grounds to suspect that a foreigner is a victim of human trafficking. Therefore, as noted in GRETA's third report,¹⁵³ although co-operation with the law enforcement agencies is not a legal requirement for a victim of human trafficking to be identified, it is a prerequisite in practice. Furthermore, temporary residence permits may still only be granted if the victim lodges a complaint or testifies in criminal proceedings (see paragraph 206). This situation discourages many victims from coming forward, particularly those who are in an irregular situation, for fear of reprisals or deportation. In addition, as explained in GRETA's second report,¹⁵⁴ there is no formalised identification process for possible victims who are French nationals or nationals of an EU or EEA country (see paragraph 212), as the Instruction of 19 May 2015 relates exclusively to the requirements for foreign trafficking victims to be allowed to stay in France.

115. No telephone line specifically dedicated to human trafficking has yet been set up. In their comments on the draft report, the French authorities stated that France had opted not to set up a specific human trafficking helpline so as to avoid any confusion about the existing emergency lines. Rather than setting up a special line, the authorities decided to improve the information provided by existing hotlines (numbers 17, 3919, 119 and 114), in particular by training the professionals concerned in detecting signs of human trafficking and referring victims to specialised services and NGOs and by informing the state services in the regions of useful contacts in the protection chain for presumed human trafficking victims. As a result, a directory of local human trafficking contacts has been produced (as advocated by measure 24 of the national plan) and was to be made available in the first quarter of 2026.

¹⁵³ See GRETA's third report on France, paragraph 204.

¹⁵⁴ See GRETA's second report on France, paragraph 131.

116. Several measures have been taken to improve the detection of victims. In the run-up to the Olympic and Paralympic Games of 2024, the MIPROF and the Civil Aviation Department worked with air industry professionals to alert them to the reality of human trafficking and the relevant warning signs. An advice notice was also distributed among taxi drivers. In 2022, the MIPROF, working in partnership with public services and civil society, published a training guide on THB for professionals,¹⁵⁵ listing existing training tools and detection indicators and proposing a protocol for interviewing children. It also updated its training modules for law enforcement officers while the national legal service training college added a module on human trafficking to the initial training for legal cadets. Some *département* councils have organised local training courses for social workers, but these are irregular and unevenly spread. Several NGOs highlighted the lack of any approach based on trauma, although it is key to understanding the phenomenon of control and to identifying victims.

117. GRETA notes that a lack of systematic training and a shortage of professionals in direct contact with vulnerable groups such as social workers limits the proactive detection of victims. In their comments on the draft report, the French authorities stated that many interdisciplinary awareness-raising and training sessions were held regularly at local level (particularly by the local training centres of the PJJ, local and regional authorities and the women's rights offices of *départements*) in co-operation with specialised NGOs. The purpose of these activities is to train all the professionals concerned in means of detecting, protecting and supporting adult and child victims of all forms of human trafficking. In 2024 and 2025, over 7 000 professionals are reported to have been trained by the MIPROF and its partners in human trafficking issues. GRETA welcomes the efforts of the MIPROF and its partners in this respect. It notes, however, that many of the interlocutors met during the evaluation visit highlighted the need to enhance in-service training for all frontline actors likely to come into contact with victims of trafficking in order to improve their identification.

118. The National Action Plan to combat THB and exploitation for 2024-2027 provides for the establishment of a national mechanism on identification, referral and protection of victims (MNIOP), which was already mentioned in the 2019-2021 plan. The Interministerial Directorate for Digital Affairs (DINUM) earmarked EUR 20 000 for a fact-finding study, conducted in 2024 together with the MIPROF, to identify NGOs' needs and consider what technical means can be mustered to process private data in a manner that guarantees their protection and confidentiality. A working meeting held by the DINUM and the MIPROF with NGOs on 20 September 2024 focused on deciding what data on victims should be collected and what common indicators of THB should be included on the form for reporting presumed trafficking victims to the MIPROF. The NGOs expressed reservations, fearing that the project would be limited to simply registering victims and that the related protection would be conditional on a complaint being filed. They also raised concerns about the confidentiality of data and the risk that this database would be used to identify irregular migrants and issue them with orders to leave French territory (OQTFs). The MIPROF insisted that access to the data would be strictly limited and protected and that data would be used only to report presumed victims to the MIPROF in order for them to be granted the status of "victims registered with the MNIOP" and to enable the prefectures and other authorities concerned to subsequently organise access to a residence permit, healthcare and/or accommodation. In the meantime, the MIPROF has worked with specialised NGOs to set up an information reporting channel limited to victims who have filed complaints with the police or testified in criminal proceedings. MIPROF's intervention with the DGEF and prefectures has made it possible to grant initial or renewed residence permit to some 200 victims. NGOs continue to argue that recognition of victim status should not be subject to filing a complaint with the police, but this approach is not accepted by all the authorities concerned due to concerns about the risk of abuse.

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[Guide for professionals on training in the identification and protection of THB victims](#), September 2022.

119. GRETA notes with satisfaction the efforts that have been made to improve the detection of cases of trafficking for the purpose of labour exploitation, in particular through the work of the labour inspectorate¹⁵⁶ (which has a network of regional THB contact persons) and the Central Office for Combating Illegal Employment (OCLTI)¹⁵⁷. These efforts have led to a substantial increase in the number of victims identified, particularly men, and large-scale judicial proceedings, particularly in the wine-growing sectors in Champagne and the Bordeaux region. GRETA welcomes the close co-operation in the form of joint referral between the investigating and labour inspection services (Article 28 of the CCP), co-operation with specialised NGOs, especially the CCEM, and trade unions including the General Confederation of Labour (CGT), the separation of labour inspection functions from those related to the control of the residence status of foreign nationals and the development of joint training involving state institutions and NGOs.¹⁵⁸ A good practice that has also been developed by some inspectors who serve as THB contacts is to work directly with services in charge of allocating emergency accommodation to ensure that any victims identified are immediately given shelter rather than being referred back to NGOs, as is often still the case. However, NGOs have noted that many cases of severe labour exploitation are still categorised by investigating services and judicial authorities as simple breaches of labour law (e.g. undeclared employment, employment of foreign workers without permits), thus limiting the recognition of persons as victims of human trafficking. The labour inspectorate lacks the human and financial resources needed¹⁵⁹ to detect complex cases of exploitation and carry out regular inspections in high-risk sectors such as agriculture, construction, hotels and catering. A report published in 2024 by the state labour inspection services showed that 10% of French farms were inspected in 2023.¹⁶⁰ A further problem is that the labour inspectorate still does not have the power to enter private homes, which is a major obstacle to the identification of victims of domestic servitude.

120. There are no specific statistics on the number of victims of human trafficking identified as part of asylum procedures as the OFPRA and the CNDA do not produce data on the grounds given by asylum seekers and those on which decisions to award protection are ultimately based. However, according to the OFII, about 500 reports of suspected human trafficking were issued by its staff in 2024, which is double the number three years before that. One of the main reasons for this increase is the targeted training provided for the staff of reception platforms. The OFPRA has appointed human trafficking contact persons to all of its divisions and updated its guide on the evaluation of vulnerabilities in 2023. Through its trafficking contacts group, it has held numerous training sessions on THB for its own staff and that of various partners, including the interpreters working for the OFPRA. In September and October 2023, some 200 interpreters attended THB training arranged by the OFPRA. Newly recruited protection officers interviewing applicants for international protection follow training on vulnerabilities, which covers THB, as part of their initial training and their subsequent in-service training includes modules on THB. 121 OFPRA officers took part in in-service training on THB in 2022, 179 in 2023, 122 in 2024 and 359 in 2024. The OFPRA has also held meetings on THB with partner NGOs and institutions,¹⁶¹ which has helped staff enhance their expertise in this area. At the same time, the national border police directorate (DNPAF) produced three training modules on THB for its airport staff. Since 2024, border guards have had to

¹⁵⁶ In 2024, 65 labour inspectorate cases related to at least one offence connected with labour exploitation, which was nearly five times more than in 2023. They included THB offences, subjection of persons to working or housing conditions contrary to human dignity, non-existent or inadequate remuneration, forced labour and servitude. They concerned 459 victims in all, working in agriculture, construction and public works and the hotel and catering sector. See [La traite des êtres humains en France : le profil des victimes accompagnées par les associations en 2024](#), pages 28 and 29.

¹⁵⁷ For example, the OCLTI holds annual joint action days. Up to 2024 two inspection weeks had been organised, one of which had focused on THB. In 2024, 657 inspections were carried out, leading to the identification of 80 victims.

¹⁵⁸ For example, in-service training for labour inspectors includes at least two sessions on trafficking for labour exploitation held every year by the National Institute for Labour, Employment and Vocational Training (INTEFP) in co-operation with the OCLTI. A methodological trafficking checklist was also prepared and distributed to labour inspectors in October 2024.

¹⁵⁹ At the end of March 2021, France had 1 954 active inspectors on the ground, i.e. a ratio of one inspector to 10 000 employees (see GRETA's third report, paragraph 188). The number of staff fell steadily after this, reaching 1 696 in March 2023 then rising again to 1 824 in September 2024. See Directorate General of Labour, [L'inspection du travail en France en 2023](#) [Labour inspections in France in 2023], page 36.

¹⁶⁰ [Agriculture: environ 10% des exploitations contrôlées en 2023](#), *Vie publique, au cœur du débat public* [national public debate website], 2024

¹⁶¹ For example, see <https://www.ofpra.gouv.fr/l-ofpra/agenda/regards-croises-sur-la-traite-des-etres-humains-a-des-fins-dexploitation-sexuelle>

attend a three-hour training session on the detection of human trafficking, which forms part of their two-month initial training and is accessible online on the National Police platform. These efforts reflect a growing awareness, but many potential victims are still not identified because of a lack of training for professionals in contact with asylum seekers, particularly those working at one-stop asylum-seeker services (GUDAs) and reception centres (CADAs), victims' fears of reporting their situation, a shortage of specialist interpreters (particularly for some African and Asian languages) and the lack of a truly trauma-centred approach. In immigration detention centres (CRAs), identification is based almost exclusively on the work of NGOs, which often have insufficient training on human trafficking and inadequate resources. Moreover, the vote by the Senate in May 2025 transferring the task of providing legal advice to persons in immigration detention centres (CRAs), which was formerly assigned to NGOs, to OFII staff¹⁶² risks undermining the ability to detect victims at these facilities.

121. In its second evaluation report, GRETA noted serious shortcomings in the detection of human trafficking victims among migrants present in the border areas between France and the United Kingdom. During the further visit to the Nord *département*, GRETA witnessed that the situation remained extremely concerning. In Calais, several thousands of migrants live in precarious conditions and there is no mechanism for the identification and referral of human trafficking victims. The law enforcement agencies regularly evict people from camps and take them in for questioning, but these operations are not combined with any mechanisms for detection of presumed victims of trafficking or co-ordination with specialised bodies. The rare cases of human trafficking brought to the authorities' attention stem exclusively from NGOs.

122. The situation at the Franco-Italian border also remains concerning. According to the CNCDH, seven years after its last opinion concerning this border,¹⁶³ the detection of potential victims of trafficking has not improved. Many NGOs report instances of refoulement in which no assessment of the risks of human trafficking are made.¹⁶⁴ This is worrying because it denies people who may be victims of human trafficking effective access to the protection and assistance provided for by the Convention.

123. GRETA was informed that police and gendarme stations now more frequently agree to register complaints under the classification requested by victims and are being more co-operative in taking account of information passed on by NGOs such as detailed reports based on interviews with victims. GRETA welcomes this change, which reflects greater awareness and more training on the subject among law enforcement officers. Data gathered by NGOs also show a significant rise in the proportion of victims assisted by NGOs who file complaints: the figure was 69% in 2023, compared to 38% in 2021 and 39% in 2022. However, there are some persistent obstacles. Some victims continue facing major difficulties, such as the absence of interpreters, the reclassification of their complaints as less serious offences and reporting of persons in an irregular situation to prefectures, which sometimes leads to deportation procedures. Refusal to register complaints is an ongoing problem, particularly in border areas, where the authorities often argue that they do not have territorial jurisdiction for offences committed abroad. As noted in GRETA's third report,¹⁶⁵ this practice is a breach of Article 27, paragraph 2, of the Convention, which requires that if the relevant authority with which the complaint is lodged does not have jurisdiction in this respect, it must transmit the complaint immediately to the relevant authority of the Party in the territory in which the offence was committed.

¹⁶² [La Cimade, France Terre d'Asile... Le Sénat vote pour écarter les associations des centres de rétention administrative](#), BFMTV, 13 May 2025.

¹⁶³ CNCDH opinion, [Avis sur la situation des personnes migrantes à la frontière franco-italienne missions dans les Hautes-Alpes et les Alpes-Maritimes - mars-avril 2018](#), 19 June 2018.

¹⁶⁴ See, in particular, the comments by the NGO Anafé, on its website at <http://www.anafe.org/spip.php?mot31>; [Contrôles migratoires à la frontière franco-espagnole : entre violations des droits et luttes solidaires](#), Amnesty International, Anafé, La Cimade, Médecins du Monde, Médecins Sans Frontières, 2023; and [Frontière franco-espagnole : la France viole les droits des personnes exilées - Amnesty International France](#), Amnesty International, 2023. The Defender of Rights has also drawn attention to instances of illegal refoulement at the Franco-Italian border: [Respecter les droits des personnes migrantes à la frontière intérieure franco-italienne](#), framework decision No. 2024-061 of 23 April 2024.

¹⁶⁵ GRETA's third report on France, paragraph 206.

124. In French Guiana and Martinique, GRETA was informed of several cases of exploitation involving persons who were likely to have been victims of human trafficking but were not recognised as such. As a result, THB in French Guiana and Martinique is substantially under-detected. Only one case of human trafficking (relating to exploitation at a goldmining site in French Guiana) was brought before the Martinique JIRS between 2021 and 2025. French Guiana's Labour Inspectorate has only four inspectors covering a territory of 83 000 km², which considerably reduces the potential for proactive inspections, particularly in the substantial informal economy (see paragraph 79). Nor do inspectors have the necessary logistical means to access remote goldmining sites, which are often accessible only by helicopter. When the law enforcement agencies dismantle illegal mining sites, they systematically treat the workers as offenders and fail to consider that they be human trafficking victims. Investigating services face chronic staff shortages, which limit their ability to identify victims and carry out more in-depth investigations in cases where there may be signs of human trafficking, particularly in contexts of drug trafficking, sexual or domestic violence and illegal goldmining. Although this problem is acknowledged by the local authorities, the excessive workload of law enforcement agencies¹⁶⁶ creates a major obstacle. Special training in human trafficking is rare, contributing to the under-identification of victims.

125. Referring to the recommendations in its third report, GRETA once again urges the French authorities to improve the identification of victims of human trafficking and, in particular, to:

- introduce without a further delay a national identification and referral mechanism, defining the role to be played and the procedure to be followed by all stakeholders that may come into direct contact with victims of human trafficking, including specific procedures relating to children which take account of the specific situation and needs of child victims of human trafficking, and set up a procedure for identifying victims of human trafficking who are French nationals and EU/EEA country nationals;
- ensure that, in practice, the identification of victims of human trafficking is not subject to their co-operation with law enforcement agencies;
- increase the capacities for detection in overseas territories and along the border between France and the United Kingdom and between France and Italy by increasing police and gendarme staffing numbers, training professionals on specific local characteristics and supporting the work of NGOs.

126. GRETA also considers that the French authorities should:

- facilitate lodging of complaints by potential victims, including persons who became victims of human trafficking in other European countries;
- strengthen proactive control in sectors where there is a high risk of human trafficking, especially in agriculture, construction and catering, by strengthening the resources and training of the labour inspectorate;
- ensure that inspections can be carried out in private homes so as to prevent abuse of domestic employees and detect cases of human trafficking, through measures including awareness raising among labour inspectors about the role they can play in this respect (see also the recommendation in paragraph 59);

¹⁶⁶ In 2022, according to figures collected in the course of a survey on Insecurity and crime, French Guiana had the highest homicide rate in France, at 15.8 per 100 000 inhabitants. The national average was 1.4 per 100 000 inhabitants. The armed violence rate was 3.1 per 100 000 inhabitants, compared to 0.1 per 100 000 in mainland France. See [Analyse N°54 "Insécurité et délinquance en 2022: une première photographie"](#), January 2023.

- introduce a national plan for the compulsory in-service training of all stakeholders who may come into contact with victims, particularly for law enforcement agencies, prosecutors, labour inspectors, staff of the French Office for Immigration and Integration (OFII), airport staff, medical staff, education staff and child protection agencies, to improve identification of human trafficking victims;
- strengthen co-operation between NGOs and relevant public authorities, including at local level, for example by systematically adopting the good practice referred to in paragraph 123, namely consideration by the investigating services of information passed on to them by NGOs such as detailed reports based on interviews with victims;
- put an end to the practice of refoulement at borders, particularly the Franco-Italian border, and set up systematic procedures to identify victims of trafficking and refer them to specialised facilities, including facilities for unaccompanied children.

b. Assistance to victims

127. In its third report, GRETA urged the French authorities to ensure that all human trafficking victims are provided with suitable accommodation and to provide NGOs with sufficient funding.

128. Access to suitable accommodation is still a major challenge for human trafficking victims. Centres specifically dedicated to accommodating them are rare and have limited capacities. The NGOs which run them do not have enough public funding and have to raise private funding, which leaves them less time to provide comprehensive support for victims. In Paris, a shelter for women victims of trafficking for sexual exploitation is managed by the NGO Association Foyer Jorbalan (AFJ) and the CCEM has a flat which can house up to five women victims of labour exploitation. In 2024, the CCEM opened a second flat providing emergency accommodation for four men. Less than half of the funding for these two flats comes from public funds, meaning that the managers have to top up their budgets from private sources.

129. In French Guiana, no specialised accommodation exists for victims of human trafficking or exploitation. In Martinique, the NGO Mouvement du Nid runs two emergency flats, one of which can accommodate women and the other a woman with a child, funded by money from private donors.

130. As noted in GRETA's previous reports,¹⁶⁷ adult victims of human trafficking in dangerous situations can be cared for by means of the national Ac.Sé system, which enables them to be moved away from the place of their exploitation and receive specialised support from trained professionals. At the end of 2023, the network comprised 90 partners, most of which were accommodation and social reintegration centres (CHRSs). There were still not enough places available for victims of human trafficking (132 in 2024), mostly because public funding was limited to about 220 000 euros in 2023.¹⁶⁸ There continue to be long waiting times for admission, particularly for male victims. Furthermore, although lawful residence is not a formal prerequisite for access, several partner centres in the network require a residence permit, thus excluding victims who are in an irregular situation, particularly those who are not yet prepared to file a complaint. Lastly, the system is still very largely focused on women victims of sexual exploitation,¹⁶⁹ thus limiting its impact with regard to other forms of human trafficking. In January 2023, the OCRTEH signed a partnership agreement with the Ac.Sé. Its goal is to provide immediate shelter and appropriate support for victims identified at places of exploitation.

¹⁶⁷ See GRETA's third report on France, paragraphs 216 and 217.

¹⁶⁸ CNCDH assessment of the National Action Plan, [Évaluation du plan d'action national contre la traite des êtres humains \(2019-2021\)](#), 12 January 2023, page 35.

¹⁶⁹ The Ac.Sé notes in its 2022 annual report that 85% of persons given assistance were victims of trafficking for the purpose of sexual exploitation or pimping. [Rapport d'activité 2022](#), national Ac.Sé system, page 5.

131. Most victims of human trafficking are referred to CHRSh or emergency accommodation centres (CHUs). These facilities accommodate a mixed population of vulnerable persons including victims of intimate-partner violence, homeless people, former prisoners, persons dealing with addiction and persons escaping prostitution, and do not provide the reception conditions or the individual support required for human trafficking victims.¹⁷⁰ CHRSh are regularly full, including in overseas France, where some people are housed temporarily in unsuitable premises owing to a lack of space. In their comments on the draft report, the French authorities stated that about 11 500 accommodation places are reserved for women victims of violence, i.e. almost double the number in December 2019 (5 698 places). A large majority of these places are occupied by women victims of intimate partner violence, whereas only a small share are given over to women victims of trafficking for the purposes of sexual exploitation. Some places are sponsored by specialised NGOs, such as Amicale du Nid and are specifically reserved for women victims of prostitution or THB for sexual exploitation. GRETA was also informed that in November 2025, a circular¹⁷¹ was disseminated which sets out the arrangements for the referral and support of victims of trafficking for the purpose of sexual exploitation, focusing in particular on accommodation in facilities reserved exclusively for women victims of violence. The third National Anti-trafficking Action Plan also makes provision for specific procedures to be devised for referral to accommodation or housing for all victims, whether women or men.

132. The national reception scheme (DNA) accommodates human trafficking victims who have applied for asylum. Over four years, its capacity has increased only very little, rising from 107 000 places in June 2020 to 108 997 in June 2025. The DNA offers about 300 specialised places to women asylum seekers or refugees who have been victims of violence or human trafficking, spread across four regions (Auvergne–Rhône-Alpes, Île-de-France, Nouvelle-Aquitaine and Provence–Alpes–Côte d'Azur). This is still a highly insufficient number in view of the needs, bearing in mind that the OFII reported nearly 500 cases of suspected human trafficking in 2024. From 2022 on, the occupation rate of these places rose, increasing from 89.6% to 97% in June 2025, meaning that the system had reached full capacity. The state provides extra funding for these specialised accommodation places in order to ensure safer conditions and support from trained social workers. However, this funding is still not enough to provide support that is geared to the victims' complex needs. NGOs report that victims who make belated asylum claims are rarely referred to the DNA despite their repeated warnings concerning their vulnerability. For example, during GRETA's visit, four of the six emergency places managed by the CCEM were occupied by women asylum seekers who were human trafficking victims. In addition, victims who initially refused accommodation offered by the DNA because of the circumstances of their exploitation and the influence exerted by traffickers are often denied accommodation within the DNA even after they have been identified as victims of human trafficking. Nevertheless, the OFII indicated to GRETA of a recent decision not to deny victims' access to the DNA for this reason. In their comments on the draft report, the French authorities informed GRETA that in 2025, on the basis of studies highlighting an increased need for accommodation for victims of trafficking, particularly in the regions of Occitanie and Pay de la Loire, the DGEF authorised funding for the creation of 50 additional places for women victims of violence or human trafficking in the DNA. A call for expressions of interest was launched in these two regions in October 2025, making provisions for these 50 specialised places from 1 January 2026 on.

133. As mentioned in paragraph 86, every year the Prostitution and THB Prevention Fund finances several dozens of regional projects run by NGOs, mainly in the area of sexual exploitation. Although the Fund is financed using assets confiscated during proceedings relating to pimping and human trafficking for different forms of exploitation, its use is still restricted to projects linked to sexual exploitation and pimping. Furthermore, since April 2021, the Agency for the Management and Collection of Seized and Confiscated Assets (AGRASC) has been authorised to allocate real estate confiscated in the course of criminal proceedings to NGOs recognised as being of public utility. As a result, in March 2025, a flat

¹⁷⁰ See GRETA's third report on France, paragraphs 218 and 219.

¹⁷¹ The interministerial circular of 25 November 2025 on the local and regional organisation of accommodation and access to housing for women victims of violence: <https://www.legifrance.gouv.fr/circulaire/id/45635?origin=list>. See also the practical kit for the application of the ministerial circular of 25 November 2025: <https://www.info.gouv.fr/upload/media/mixed/0001/15/25bb318f9ef86de2dc1d6288d195c4b7bc8d1c82.pdf>

confiscated during a pimping case was assigned for three years renewable to the NGO Foyer Jorbalan to house victims of sexual exploitation and pimping. The National Anti-trafficking Action Plan makes provision to strengthen this measure by facilitating access to this fund for NGOs assisting victims of all forms of human trafficking and encouraging the AGRASC to ensure that confiscated real estate is assigned primarily to NGOs specialising in supporting victims of human trafficking.

134. Various forms of psychological support can be deployed to identify and support or advise human trafficking victims such as the “Mon soutien psy” scheme, mobile psychiatry teams for vulnerable persons (EMPPs), medico-psychological emergency units (CUMPs) and Women's Health Centres, which provide comprehensive, including medical and psychological, assistance for women victims of violence.¹⁷² Some measures have been taken to improve access to psychological assistance, such as increased funding for regional psychotrauma centres (CRPs) since 2022. However, there are still great disparities in what is on offer in different parts of France: in some *départements*, waiting times for psychiatric appointments can reach up to eight months. A report by the national audit office published in March 2023¹⁷³ points out that mental healthcare is unsuited to young people's needs and overwhelmed. Human trafficking victims are also affected by problems such as the shortage of interpreters. GRETA notes that with the rise in the use by traffickers of psychoactive substances (such as nitrous oxide) to keep control over victims (see paragraph 15), it is all the more crucial to provide specialised medico-psychological support, particularly in relation to child addictology, as the presence of addictions often complicates the task of providing medical and welfare support to victims.

135. GRETA welcomes the French authorities' efforts to improve assistance for human trafficking victims, particularly the use of property confiscated in criminal proceedings as housing for victims. However, it remains concerned by the inadequacy of public funding allocated to NGOs providing victim support and the lack of specialised accommodation for victims of THB, particularly in French Guiana and Martinique. This situation undermines victim support and increases risks of revictimisation. The shortage of accommodation is particularly concerning for victims of labour exploitation, who are often housed by the persons who exploit them.¹⁷⁴ GRETA was informed of cases in which victims had remained in exploitative situations because they had nowhere else to live. Although the Labour Code requires employers to rehouse victims of the ofworking or housing conditions contrary to human dignity, this obligation is rarely applied. Consequently, GRETA once again urges the French authorities to take additional steps to fulfil their obligations under Article 12 of the Convention, in particular by:

- ensuring that human trafficking victims are given appropriate support and assistance, in keeping with their individual needs and for as long as necessary, in order to facilitate their reintegration and recovery;
- ensuring that all victims of human trafficking, including men, irregular migrants and victims of trafficking for the purpose of labour exploitation, are provided with accommodation that is safe and suitable for their needs;
- providing sufficient long-term funding to ensure that the services offered by NGOs are diverse and of high quality, in particular NGOs which specialise in assisting victims of trafficking for labour exploitation, criminal exploitation and exploitation of begging.

¹⁷² Some of these are described in GRETA's third report, paragraphs 66 and 67.

¹⁷³ [La pédopsychiatrie | Cour des comptes](#)

¹⁷⁴ For example, in 2023, 86% of victims assisted by NGOs were housed by the persons exploiting them. As to victims of labour exploitation assisted by the CCEM in 2023, 93% of them were housed by the persons exploiting them during their exploitation. [La traite des êtres humains en France : le profil des victimes accompagnées par les associations en 2023](#), page 18.

136. GRETA also considers that the French authorities should step up their efforts to increase provision of psychological assistance that is accessible to all victims of human trafficking, irrespective of the form of exploitation. The assistance should help them overcome the trauma they have been through, achieve a lasting recovery and reintegrate into society. It should also include special support for victims with addictions, offering a comprehensive response to their medical, psychological and social needs.

c. Identification of, and assistance to, child and young adult victims of human trafficking

137. In its third evaluation report, GRETA urged the French authorities to step up their efforts to identify child victims of human trafficking and offer them appropriate assistance, in particular by incorporating specific procedures for children into the national identification and referral mechanism to be established and by providing in-service training and tools to stakeholders. It also urged the authorities to take measures to deal effectively with the problem of disappearance of child victims of human trafficking from the Child Protection Service's reception centres and to develop reintegration programmes for child victims of human trafficking.¹⁷⁵

138. The number of officially recognised victims of trafficking for the purpose of criminal exploitation is still very low.¹⁷⁶ According to data from 69 NGOs, 7% of the 2 675 victims they assisted in 2022 were exploited to commit crime or other offences, i.e. 195 victims, an increase of one percentage point compared to 2021.¹⁷⁷ Most of these victims were children, mainly unaccompanied boys from North Africa (in particular Morocco and Algeria) and eastern Europe (in particular Romania and Bosnia and Herzegovina). In its opinion of March 2024 on trafficking for the purpose of forced criminality in France, the CNCDH highlighted several structural shortcomings, namely the absence of a central office specifically dedicated to this form of human trafficking, the lack of clarity about the powers of investigating services dealing with this form of exploitation, the failure of certain judges and prosecutors to recognise the principle of non-punishment and the shortage of suitable accommodation.¹⁷⁸ For victims of criminal exploitation, reporting mechanisms outside a criminal law context are underdeveloped, and this curbs reporting because young people in this situation are more likely to be prosecuted than to be protected. At the same time, the limited number of mobile teams prevents sufficient action from being taken to help street children. Despite increased attention since the trial in the "Trocadéro" case,¹⁷⁹ and studies by the CNCDH¹⁸⁰ and the NGO Trajectoires,¹⁸¹ this form of human trafficking is still insufficiently acknowledged, and treated as a side issue in public policy making.

¹⁷⁵ GRETA's third report on France, paragraph 244.

¹⁷⁶ In official statistics, this form of exploitation comes under the heading "other forms of exploitation", of which there were 13 recorded victims over the period from 2021 to 2023.

¹⁷⁷ [La traite des êtres humains en France : le profil des victimes accompagnées par les associations en 2021](#)

¹⁷⁸ CNCDH opinion, [Avis sur la traite à des fins de contrainte à commettre tout crime ou délit du 28 mars 2024](#), pages 18, 26, 31 and 40.

¹⁷⁹ For example, the Aix en Provence Court of Appeal decide to give over its annual conference on justice for minors on 28 November 2025 entirely to the subject of trafficking through the exploitation of criminal activities, including drug-related offences. In 2025, three training courses were set up by the training units of the Interregional Directorates for Île-de-France and overseas France and the Grand-centre and Sud-est regions on improved means of assessing the situation of young people involved in drug trafficking. A plan to combat the imbedding of young people in drug trafficking is being drawn up by the Judicial Youth Protection Service (DPJJ).

¹⁸⁰ CNCDH, [Avis sur la traite à des fins de contrainte à commettre tout crime ou délit du 28 mars 2024](#).

¹⁸¹ The association Trajectoires has carried out studies on human trafficking focusing in particular on unaccompanied children in Fleury-Mérogis prison, young foreigners on the streets of Paris, Nantes, Lyon and Bordeaux, and families living in squats and slums in Grenoble and in Alpes-Maritimes. Its entire catalogue of publications is accessible here: [Publications | Trajectoires](#)

139. Furthermore, GRETA's attention was drawn to the situation of girls living in informal settlements who are exposed to forced marriage from the age of 13. Although such circumstances are easy to identify, it is rare for the child protection services to intervene in such cases, which are practically never classified as human trafficking. The same applies to girls and boys who are victims of domestic exploitation and begging,¹⁸² often regarded by professionals operating in the informal settlements (from the social services, law enforcement agencies, etc.), as cultural or ethnic phenomena rather than as human trafficking, despite the presence of clear signs to the contrary. NGOs consider that the absence of an investigating service specifically dedicated to criminal exploitation and exploitation of begging is a major barrier to detection (see paragraph 157). The problem is compounded by a lack of awareness raising among public authorities. To remedy it, the NGO Trajectoires prepared a practical guide for professionals,¹⁸³ published in 2024, whose aim is to help them better identify and support victims of human trafficking living in informal settlements or on the street. It is divided into five sections, namely coercion to commit offences, economic exploitation in informal settlements, sexual exploitation of Romanian and Bulgarian children, domestic servitude imposed by in-laws, and exploitation of begging.

140. Child victims of human trafficking are generally placed in reception centres run by the child welfare service (ASE) since there are no specialised facilities. As noted in GRETA's third report,¹⁸⁴ these centres are not adapted to their specific needs, as the staff are not trained or prepared to handle human trafficking victims. Nor are these centres secure enough, and there are reports of many children running away. Human trafficking victims are often recruited directly within such facilities. Because of a lack of training and integration efforts, when young people leave ASE facilities at the age of 18 or 21, they are often exposed to risks of being exploited again. In the "Trocadéro" case, GRETA was informed that two of the 18 young people recognised as victims of human trafficking were re-exploited and imprisoned for offences they committed subsequently, while the others had disappeared and were no longer in contact with the specialised NGO that was assisting them or their ad hoc administrator, remaining undoubtedly in a highly vulnerable situation. Only one had been issued with a residence permit while the others had not applied for one as they had lost contact with support organisations.

141. GRETA welcomes the opening, in May 2021, of a centre managed by the NGO Koutcha, with funding of one million euros per year from the DPJJ. This is the first ever secure, specialised centre for child victims of human trafficking. It offers six places for girls and boys between the ages of 13 and 21 in the care of the ASE or the DPJJ. The location of the centre is secret. GRETA visited it and found that it provides a welcoming setting and a high standard of multidisciplinary care provided by a team of 10 educators, two night supervisors, a psychologist, a nurse, a teacher and several experienced administrative staff (a house manager, a head of service, a director and an accountant). During the visit, the centre was accommodating a boy of 17 and four girls between 15 and 17, who had been victims of sexual exploitation.¹⁸⁵ Another girl of 13 had recently run away but was still in contact with the centre. One of the girls had been recruited in an ASE centre. Several were still under their traffickers' control when they were placed in the centre by a juvenile court. In the third National Action Plan to combat THB (2024-2027), provision is made to set up six additional places. GRETA commends the professionalism and commitment of the staff it met and invites the French authorities to make this pilot project, which has already been extended to May 2027, permanent.

¹⁸² There has been a decrease in the number of identified victims of exploitation of begging. There were 55 in 2016, 78 in 2017, 65 in 2018 and 49 in 2019, but then 21 in 2020, 25 in 2021, 40 in 2022 and 12 in 2023.

¹⁸³ Trajectoires, [Mieux repérer et accompagner les personnes victimes de traite des êtres humains : clés de compréhension à destination des professionnels de terrain](#), 2024.

¹⁸⁴ GRETA's third report on France, paragraph 234.

¹⁸⁵ The boy had also been a victim of forced crime.

142. Since 2016, a system to move child victims of human trafficking away from their exploiters, modelled on the Ac.Sé system, has been operating in Paris¹⁸⁶. It is based on a network of about 20 establishments (homes and foster families) enabling children to be removed from the influence of persons exploiting them. Based on the model, a pilot project was set up in Marseille through the signature of a protocol on 16 December 2021,¹⁸⁷ whose stated purpose was to enhance the protection of the children concerned.

143. The Satouk network¹⁸⁸ was set up in 2021 by the NGO Koutcha to arrange for accommodation for child and young adult victims of human trafficking. The network is currently made up of about 20 accommodation sites provided by four NGOs. In 2023, it received 150 requests for the placement of victims away from their exploiters from 39 *départements* (for 127 girls and 22 boys, aged 15 on average). Most of these requests concerned victims of sexual exploitation; it granted 21 of them. The number of requests has been increasing steadily (from 48 in 2021, to 85 in 2022 and 105 in 2023). A three-year agreement (for 2024-2026) was signed between the state and Koutcha for this scheme to be expanded to national level. The third National Action Plan to combat THB provides for increased state support for the organisation of this national secure accommodation network for child victims of different forms of human trafficking. In May 2024, the Ministry in charge of children's affairs granted EUR 300 000 per year over three years to the NGO Koutcha to assist in the deployment of the Satouk network.

144. In August 2024, under measure 22 of the National Strategy to combat prostitution and sexual exploitation, the Ministry for Children's Affairs selected 53 local or regional projects (36 proposed by NGOs and 17 by *département* councils), which were assigned a three-year budget by the Directorate General of Social Cohesion (DGCS) amounting to 6 million euros per year for prevention, detection and support activities for child victims of sexual exploitation. Two of the projects are aimed specifically at setting up accommodation facilities and one at organising a period of stay enabling the victims to break ties with human traffickers (*séjour de rupture*).

145. Reiterating the recommendations made in its third report, GRETA once again urges the French authorities to step up their efforts to identify child victims of human trafficking and provide them with appropriate assistance, in particular by:

- introducing specific procedures for children in the national identification and referral mechanism to be established (paragraph 125), taking into account the particular situation and needs of trafficked children, making the best interests of the child a primary consideration, involving child specialists, and defining the role to be played and the procedure to be followed by all authorities and professionals who may come into direct contact with child victims of human trafficking, including NGOs;
- providing in-service training and tools to stakeholders (law enforcement agencies, prosecutors' offices, asylum and migration authorities, airport staff, service providers, educational staff, child protection authorities, NGOs) in relation to the identification of child victims of human trafficking;
- taking measures to prevent children and young adults entrusted to the care of Child Welfare Service (ASE) centres from being recruited for purposes of exploitation through prostitution by providing them with secure accommodation and specialised services with a sufficient number of appropriately trained staff;
- developing reintegration programmes for child victims of human trafficking.

¹⁸⁶ See GRETA's third report on France, paragraphs 236 et 237.

¹⁸⁷ https://www.barreau-marseille.avocat.fr/upload/protocole-protection-des-mineurs-victimes-de-teh-tj-marseille_version-definitive-pour-signature.pdf

¹⁸⁸ [Le réseau satouk - Koutcha](#)

3. Substantive criminal law and procedural law

146. The Convention places on States Parties a series of obligations aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. As the implementation of these provisions of the Convention was examined in detail by GRETA during the preceding evaluation rounds, given the focus of the fourth round, particular attention is paid to the notion of “abuse of a position of vulnerability” and its application in case-law. Further, GRETA has decided to examine as part of the fourth evaluation round the application of Article 19 of the Convention on the criminalisation of the use of services of victims of human trafficking.

a. Notion of “abuse of a position of vulnerability” in the law and case-law

147. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.¹⁸⁹ It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when “an individual’s personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim’s situation.”¹⁹⁰

148. Under Article 225-4-1 of the French Criminal Code, one of the components of the offence of trafficking in human beings is the abuse of a position of vulnerability. Under this article, trafficking consists of “recruiting, transporting, transferring, harbouring or receiving a person for the purpose of exploitation [...] 3° through abuse of a position of vulnerability owing to age, illness, disability, physical or mental impairment or pregnancy that is either obvious or known to the perpetrator”. Therefore, French law requires evidence either that the victim is vulnerable and the perpetrator is aware of this, or that this vulnerability is so obvious that the perpetrator cannot be unaware of it.

149. As noted in GRETA’s second report,¹⁹¹ the definition of vulnerability given in Article 225-4-1 of the CC is narrow because it does not include certain types of vulnerability, particularly those linked to victims’ immigration status or social or economic situation. However, several recent judgments show that criminal courts sometimes take account of factors of vulnerability not expressly referred to in the law. For instance, in a decision of 12 February 2024 (not final), the Fontainebleau Criminal Court sentenced a couple to three years’ imprisonment for THB and ordered them to compensate the victim. The offences, which took place between 2003 and 2012, were committed against a woman who worked for them as a domestic worker and nanny. The court found that the victim was vulnerable because she was in an irregular situation in the country and did not have identity papers, a bank account, healthcare cover, income or a social network. It also took account of her geographical isolation and illiteracy and the fact that she had no driver’s licence and there was no public transport where she was living and working (a village with fewer than 1 000 inhabitants), concluding that she had no practical means of escaping her circumstances.¹⁹²

¹⁸⁹ See UNODC Issue Paper *Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons*, United Nations, April 2013, p. 3.

¹⁹⁰ UNODC [Guidance Note](#) on “abuse of a position of vulnerability” as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

¹⁹¹ GRETA’s second report on France, paragraph 227.

¹⁹² Le Parisien, [Seine-et-Marne : le couple qui a exploité une nounou béninoise pendant neuf ans condamné - Le Parisien](#), 12 February 2024

150. In a similar ruling, on 15 December 2022, the Brest Criminal Court found persons who had employed and exploited irregular workers guilty of THB. It took note of the victims' pre-existing vulnerability owing to their immigration status and established that the manipulation by the accused (promises of regularisation) and the housing of the victims in a remote area had increased their dependence and restricted their means of escaping or finding another job.

151. In a final judgment of 12 December 2022, the Nanterre Criminal Court found that a female domestic worker had been subject to human trafficking. The court pointed to the victim's total dependence on the persons employing her, her isolation and the fact that she had no external contacts, no knowledge of French and no income. It also noted that her passport had been confiscated and that her wages were not regularly paid, as a result of which she was placed in a prolonged state of vulnerability and duress.

152. The vulnerability of the victim is also a component of other CC offences intended to punish the forced or abusive exploitation of another person's labour, namely non-existent or inadequate remuneration of a vulnerable or dependent person (Article 225-13), subjection to servitude (Article 225-14-2) and subjection to working or housing conditions contrary to human dignity (Article 225-14). Unlike those concerning the offence of human trafficking, these provisions merely mention "a state of vulnerability or dependence that is obvious or known to the perpetrator" and do not give an exhaustive list of such states.

153. Vulnerability of the victim is also an aggravating circumstance for other offences such as subjection to slavery or exploitation of a person subjected to slavery (Article 224-1 C) and the purchase of sexual acts from an adult (Article 225-12-1). In the event of THB, however, vulnerability is an aggravating circumstance only if victims are children (Article 225-4-1 II) or if they have been exploited abroad or on arriving in France (Article 225-4-2, 2°).

154. The French authorities have stated that the notion of abuse of a position of vulnerability is addressed in training in THB, particularly in the National Academy for the Judiciary (ENM). It is also mentioned in the circulars of the Ministry of Justice such as that of 28 March 2023, on criminal law policy intended to combat violence against children, and the educational materials distributed to courts such as the information sheet on human trafficking prepared by the Directorate for Criminal Cases and Pardons (DACG).

155. While welcoming the judicial decisions mentioned in paragraphs 149 to 151, GRETA stresses that the narrow definition of vulnerability in Article 225-4-1 of the CC may result in an inconsistent application of the concept by the courts. To date, there has been no decision by the Court of Cassation in this respect enabling a standardised interpretation of the concept. In an opinion of 2024, the CNCDH recommended that the definition of abuse of vulnerability be broadened to include economic or social vulnerability.¹⁹³

156. GRETA once again urges the French authorities to align the notion of abuse of vulnerability contained in Article 225-4-1 of the Criminal Code with that of the Convention, which covers all forms of vulnerability, whether physical, psychological, emotional, family-related, social or economic.

¹⁹³ CNCDH opinion, [Avis sur la traite à des fins de contrainte à commettre tout crime ou délit du 28 mars 2024](#), page 33.

b. Investigation, prosecution and sanctions

157. As stated in GRETA's third evaluation report,¹⁹⁴ investigations into THB are carried out mainly by two specialised central offices for criminal investigation: the Central Office for the Suppression of Trafficking in Human Beings (OCRTEH), which covers trafficking for sexual exploitation, and the Central Office for Combating Illegal Labour (OCLTI), which is responsible for cases of trafficking for labour exploitation. When cases are referred to them by prosecutors or investigating judges, these central offices sometimes conduct investigations jointly with local police services and gendarmerie units under the direction of prosecutors and investigating judges. However, there is no central office which deals specifically with child trafficking, except for the cases of sexual exploitation handled by the OCRTEH. Under Decree No. 2023-829 of 29 August 2023, a Minors' Office (OFMIN) was set up within the national directorate of criminal investigation.¹⁹⁵ The representatives of the OFMIN met by GRETA stated that its powers in relation to human trafficking were limited to combating exploitation of children for the purpose of disseminating child sexual abuse material and live streaming.¹⁹⁶ The other forms of human trafficking involving children (particularly forced begging and criminal exploitation) remain the responsibility of local police and gendarme units such as the Child Protection Squad (BPM) in Paris for the police and Family Protection Centres (MPFs) for the gendarmerie. However, services specialising in human trafficking are still rare outside large cities, with the exception of the area directorates of criminal investigation (DZPJ's) and the units for combating illegal labour and fraud (CeLTIFs) run by the gendarmerie.¹⁹⁷ The absence of a central office tasked specifically with investigations into child trafficking is regarded by the CNCDH and NGOs as one of the main causes of the under-detection of trafficking for the purpose of exploitation of begging and criminal exploitation.

158. Since 2021, OCRTEH staff numbers have almost doubled, but are still not sufficient given the scale of sexual exploitation (see paragraphs 31 and 81). Of the 42 posts provided for, only 34 are currently occupied, including 25 investigators' posts. OCRTEH's strategy department, on the other hand, has been considerably reinforced, comprising a staff of eight, as opposed to three in 2021. This department's tasks include collecting and analysing data on trafficking for the purpose of sexual exploitation and drawing up assessments of the threat posed. In June 2024, the OCRTEH launched a national plan for the repression of trafficking for sexual exploitation including measures to combat exploitation of children for the purpose of prostitution. The plan is intended to enhance the knowledge and resources of police and gendarme services, promote partnerships between institutions and improve victim detection, care and support, while helping to curb the demand for paid sexual acts. As to partnerships, the gendarmerie has signed co-operation with agreements NGOs working on prostitution-related risks, such as Amicale du Nid and Mouvement du Nid, as well as with hotlines 116 000 Missing Children and 119 Children at Risk.

159. Prosecution of the most complex cases of human trafficking falls within the jurisdiction of the Paris Prosecutor's Office, acting as the National Office for Organised Crime (JUNALCO), and the eight Specialised Interregional Offices (JIRSs). These offices have prosecutors and investigating judges trained on human trafficking issues and appropriate resources, including a lighter caseload to enable them to deal with complex cases thoroughly. Other courts may transfer jurisdiction to a JIRS if a case is particularly complex. GRETA welcomes the significant increase in the number of courts which have appointed a prosecutor or judge as a focal point for human trafficking cases, which rose from about 40 in 2021 to 152 in 2024.

¹⁹⁴ See GRETA's third evaluation report on France, paragraph 148.

¹⁹⁵ [L'OFMIN, un office expert pour lutter contre les violences faites aux mineurs | police nationale](#)

¹⁹⁶ However, according to Decree No. 2023-829, the OFMIN has the power to conduct judicial investigations throughout France into sexual violence and other serious violence against children, exploitation of children in all its forms and bullying and cyberbullying of children.

¹⁹⁷ See GRETA's third evaluation report on France, paragraph 148.

160. According to statistics provided by the French authorities, 191 investigations for trafficking in human beings were registered in 2021, 185 in 2022, 255 in 2023 and 304 in 2024, representing a substantial increase compared to the previous period.¹⁹⁸ The number of people under investigation by the police or gendarmerie has remained relatively stable (336 in 2021, 250 in 2022, 242 in 2023 and 228 in 2024)¹⁹⁹ along with the number of convictions (92 people convicted in 2021, 62 in 2022 and 38 in 2023).²⁰⁰ However, despite some improvements, trafficking offences are often prosecuted as a related offence (such as pimping or working or housing conditions contrary to human dignity) It should also be noted that a significant number of legal entities were convicted of human trafficking, namely 25 in 2022, 19 in 2023 and 20 in 2024.²⁰¹

161. The number of investigations²⁰² and persons indicted²⁰³ for offences related to human trafficking²⁰⁴ has also increased, with the exception of exploitation of begging. At the same time, GRETA notes an increase in convictions for pimping (766 in 2021, 726 in 2022 and 782 in 2023).²⁰⁵ Over half of the persons convicted of human trafficking or related offences are French nationals (60% in 2022 and 67% in 2023), followed by nationals of other European countries (17% in 2022 and 12 % in 2023) and African nationals (11% in 2022 and 8% in 2023).

162. The official statistics do not break down the cases of THB into type of exploitation. Nevertheless, GRETA notes an increase in convictions for trafficking for the purpose of labour exploitation in recent years, including cases involving companies which have exploited several dozens of workers.²⁰⁶ These procedures often follow on from reports by the labour inspectorate or the gendarmerie. By contrast, cases involving individual victims, instigated by the victims' complaints, progress slowly, the preliminary investigations often last over five years,²⁰⁷ and many cases are dropped due to insufficient evidence or lack of proactive investigation. Follow-up by an NGO is often needed to prevent proceedings from being discontinued. A noteworthy example is provided by the judgment of 16 January 2023 by the Rouen Court of Appeal upholding the conviction of a restaurant owner for THB. In this case, the public prosecutor had decided not to classify the offence as human trafficking, bringing instead charges for undeclared work, unlawful residence and violence. The direct summons (*citation directe*) brought by the victims with the assistance of the CCEM resulted in a finding of human trafficking both in the first instance (at the Évreux Criminal Court on 13 July 2021) and on appeal. This was the first conviction for human trafficking to be achieved by means of a direct summons and the first case of this type in which there was an intervention by the Defender of Rights.²⁰⁸

¹⁹⁸ The equivalent figures were 133 in 2016, 156 in 2017, 151 in 2018, 195 in 2019 and 128 in 2020.

¹⁹⁹ The equivalent figures were 254 in 2016, 228 in 2017, 340 in 2018, 265 in 2019 and 321 in 2020.

²⁰⁰ The equivalent figures were 56 in 2016, 81 in 2017, 79 in 2018, 92 in 2019 and 70 in 2020.

²⁰¹ Between 2016 and 2018, no legal entity was convicted of human trafficking; nine legal entities were convicted of pimping and 11 of working and housing conditions contrary to human dignity.

²⁰² Registered investigations that included at least one of the offences related to human trafficking numbered 962 in 2021, 939 in 2022 and 1 020 in 2023 and 852 in 2024, rising from 707 in 2016, 738 in 2017, 812 in 2018, 819 in 2019 and 861 in 2020.

²⁰³ Persons indicted for at least one of the offences related to human trafficking numbered 1 998 in 2021, 1 857 in 2022, 1 782 in 2023 and 1 997 in 2024 compared to 1 340 in 2016, 1 463 in 2017, 1 712 in 2018, 1 582 in 2019 and 1 656 in 2020.

²⁰⁴ The related offences in question are pimping (Articles 225-5 to 225-12), exploitation of begging (Articles 225-12-5 to 225-12-7), and the following offences connected with labour exploitation: subjection to slavery (Articles 224-1 A to 224-1 C), subjection to forced labour or services (Article 225-14-1), subjection to servitude (Article 225-14-2), and working and housing conditions contrary to human dignity (Article 225-14).

²⁰⁵ There were 459 in 2016, 548 in 2017, 621 in 2018, 690 in 2019 and 602 in 2020.

²⁰⁶ See the CCEM press release on a judgment convicting the association Vies de Paris of human trafficking [CONDAMNATION POUR TRAITE DES ÊTRES HUMAINS AGGRAVÉE DANS LE BÉNÉVOLAT ASSOCIATIF À PARIS \(14/6/2022\)](#) - Comité contre l'esclavage moderne (in a case involving 51 victims) and the newspaper article: [Travail dissimulé. Une société de nettoyage reconnue coupable de traite d'êtres humains aggravée - L'Humanité](#) (on a case involving 26 victims).

²⁰⁷ For example, see the so-called Évreux case, described on page 18 of the [2021 CCEM activity report](#), the case of A described on page 20 of the [2022 CCEM activity report](#) and the case of B described on page 19 of the [2023 CCEM activity report](#).

²⁰⁸ Defender of Rights, <https://www.defenseurdesdroits.fr/traite-des-etres-humains-la-cour-dappel-de-rouen-confirme-la-decision-du-defenseur-des-droits-503>

163. According to NGOs, the lack of a proper investigation in cases of labour exploitation is a recurring problem, particularly in cases involving foreign domestic workers. Investigations were discontinued in 18% of cases filed by victims of exploitation in domestic work in 2021 and 21% in 2022. Of the remaining cases, only 11% in 2021 and 5% in 2022 gave rise to prosecutions on a charge of human trafficking.²⁰⁹ GRETA was presented with several decisions to dismiss complaints in cases relating to foreign domestic workers accompanying their employers on visits to France. Some of the prosecution office's decisions show that the seriousness of the offences was downplayed while others reflect a failure to take the victims' vulnerability into account.²¹⁰ In addition, as reported in the newspaper *Libération*,²¹¹ many complaints of human trafficking filed by diplomats' employees have been dismissed on the grounds of diplomatic immunity. Despite the considerable media coverage of these cases, the French authorities do not seem to have ever requested that diplomatic immunity be lifted. Although the Ministry of Foreign Affairs is informed every time a criminal investigation is opened against a foreign diplomat in France, NGOs report that no request for immunity to be lifted has ever been made by the French authorities and that this fosters a feeling of impunity, hampers victims' access to the courts and undermines efforts to prevent exploitation by diplomatic staff.

164. The so-called "Trocadéro" case is regarded as a significant step forward in the relevant case law as it represents a major milestone in the recognition of trafficking for the purpose of forced criminality. The investigation was opened on March 2022 following reports about unaccompanied children on the streets in the Trocadéro district of Paris, and was conducted by the prefecture's sub-directorate for measures to combat irregular immigration (SDLI). It uncovered a network exploiting children, mostly from Morocco, who were dependent on adult men of Algerian nationality. The latter brought about or sustained addiction to psychotropic substances among the child victims, then forced them to commit violent theft, particularly in tourist areas. In exchange, they provided them with drugs and accommodation. Eighteen children were identified as victims, and 12 of these made a civil claim. The youngest was seven years old when the offences were committed. On 24 January 2024, the Paris Criminal Court sentenced seven defendants to one to six years' imprisonment for trafficking in human beings against children, handling of stolen goods and infringements of the legislation on narcotics and psychotropic substances. Fines and orders to leave French territory were also issued. Each victim received EUR 20 000 in damages. The judgment became final on 18 November 2024 having been upheld by the Paris Court of Appeal.

²⁰⁹ See [La traite des êtres humains en France : le profil des victimes accompagnées par les associations en 2021](#) and [La traite des êtres humains en France : Le profil des victimes accompagnées par les associations en 2022](#).

²¹⁰ In a recent case in which a domestic worker spent four years in France, the victim complained that she had to work 15 hours a day without a rest, that her food was rationed, her trips out were monitored, she had no privacy in her workplace where she was also housed, her pay was derisory (400 to 500 euros per month), her passport was confiscated and she was subject to physical, verbal and psychological abuse. Despite all this, the prosecutor's office proposed a friendly settlement between the complainant and her employers. While the discretionary prosecution principle does allow for alternatives, criminal mediation should be deployed only in cases where minor offences are alleged. Any other decision reflects a lack of understanding of the influence exercised by traffickers on vulnerable victims. For instance, in a judgment of 14 November 2024 by the Toulouse Court of Appeal, it was stated as follows: "she maintained that she was prevented from returning to her country of origin although the investigation had shown that she had the keys to [X]'s flat".

²¹¹ [Les femmes esclaves des diplomates \(1/4\) : chez l'ex-ambassadeur adjoint du Qatar à Paris, l'enfer à huis clos des domestiques – Libération](#) (9 October 2024).

165. Despite progress with awareness raising, courts rarely classify offences as human trafficking. Cases involving French girls or young women moved around French territory for the purpose of prostitution are classified as pimping.²¹² Similarly, trafficking for the purpose of economic exploitation is often reclassified as a lesser offence such as subjection of a vulnerable person to unpaid work or undignified working conditions, undeclared work, or employment of undocumented foreign nationals.²¹³ GRETA has already highlighted in its previous reports the consequences of this trend, in particular the difficulties for victims to obtain residence permits or full compensation and the negative effects on international co-operation, the use of special investigation techniques and the deterrence of perpetrators.²¹⁴

166. GRETA refers to the *Estelle Dabiré and Nayo Sidonie Dala v. France* case,²¹⁵ which was recently communicated to the French government by the European Court of Human Rights. The applicants, who are two women from Burkina Faso, state that they were exploited by a supposedly Catholic congregation in hotels and restaurants in France, where they worked from 2000 to, respectively, 2014 and 2016, for derisory wages (15 to 20 euros per month), on the pretext that they were “missionary workers”. They consider themselves to have been victims of human trafficking, servitude or, at the very least, forced labour, in breach of Article 4 of the European Convention on Human Rights. Despite the presence of indicators of human trafficking such as the confiscation of passports, derisory pay and excessive working hours, the courts did not classify the offences as human trafficking. The congregation and its managers were prosecuted only for undeclared work and employment of foreign nationals without papers. Although the congregation was initially ordered to pay a fine of 200 000 euros, it was acquitted on appeal in March 2024. The applicants complained that they were not recognised as victims, that no investigation was carried out nor prosecution filed from the angle of human trafficking, and that they were not properly protected.

167. GRETA was also informed of the opening of a preliminary investigation into alleged offences of trafficking in human beings and sexual assault following a complaint filed in France against the deceased billionaire Mohammed Al-Fayed, the former owner of Harrods department store and the Ritz Hotel in Paris. The investigation, which was entrusted to the OCRTEH, is looking into both the accusations against Al-Fayed and possible aiding and abetting within his business empire.²¹⁶ An investigation is currently under way in the UK into the activities of five persons suspected of having aided and abetted Al-Fayed's alleged crimes (rape and sexual assault), which are reported to have lasted over 35 years, between 1977 and 2014.²¹⁷

168. Between 2021 and 2023, 70% of convictions for trafficking in human beings and related offences included a non-suspended or partly non-suspended prison sentence. Where the conviction related solely to human trafficking, this figure reached 90%. The average length of prison sentences was 25 months for all offences linked to human trafficking and 40.1 months for human trafficking alone. Over the same period, the average amount of non-suspended fines was EUR 30 167.

²¹² For example, see the following reports: [Val-d'Oise. Un homme de 23 ans condamné à 15 ans de prison dans une affaire de prostitution de mineures](#) (27 September 2025), [Lilou, 16 ans, disparue durant six jours à Metz : un homme mis en examen pour proxénétisme aggravé | TF1 INFO](#) (22 October 2024), [Ils sauvent une ado de 14 ans séquestrée et forcée à se prostituer dans un appartement en Charente](#) (7 June 2024), [Avril 2023 : une mineure de 14 ans violée, séquestrée et forcée à se prostituer dans les Yvelines](#) (21 April 2023), [Lettre 24 de l'Observatoire national des violences faites aux femmes](#) (the prostitution system), pages 27 and 28,

²¹³ For example, see [Traite des êtres humains : la Cour d'appel de Rouen confirme la décision du Défenseur des droits | Défenseur des Droits](#) (17 January 2023)

²¹⁴ See GRETA's third report on France, paragraphs 117 and 118.

²¹⁵ *Estelle Dabiré and Nayo Sidonie Dala v. France*, application no. [21445/24](#), communicated on 15 July 2025.

²¹⁶ [Scandale Al-Fayed : Révélation Sur des Abus Transnationaux](#)

²¹⁷ [Mohamed Al-Fayed: Une femme dépose plainte pour violences sexuelles en France - 20 minutes](#)

169. The reclassification of human trafficking offences as misdemeanours remains common. In such cases, aggravating circumstances such as the involvement of an organised group are overlooked so that they can be brought before a misdemeanours court. Although this practice makes it possible to reduce the length of proceedings, it limits the punishment that can be dealt out: the potential penalties are considerably lighter than those provided for in law for the criminal offence of human trafficking, and this undermines the deterrent effect of penalties and their proportionality.²¹⁸

170. The OCRTEH continues to work with the European platform against criminal threats, EMPACT, jointly managing its priority action on THB with the Netherlands. It ran two activities between 2022 and 2025, one intended to strengthen co-operation with short-term rental platforms (Airbnb, Booking.com), aimed at combating sexual exploitation in hotels and flats, and the other to prevent human trafficking connected with the war in Ukraine. Only the latter has been renewed for the 2026-2029 cycle. The OCRTEH is also the co-leader of co-operation activities with Latin America and China. After a break caused by the Covid pandemic, exchanges with China resumed in 2024. France also takes part in the European programme *EL PacCTO 2* and its LYNX network, which is designed to strengthen the criminal-law chain through the exchange of information and co-operation between European and Latin American countries and the creation of a network of THB correspondents.

171. As to operational co-operation, several of the OCRTEH's investigations are conducted in co-operation with other European countries, particularly Spain, and with victims' countries of origin, including Columbia, which now systematically opens parallel investigations mirroring those of the OCRTEH. Similar to the OCRTEH, the OLTIM frequently deploys parallel investigations, which make it possible to take action without having to wait for the simultaneous end of proceedings in partner countries, contrary to joint investigating teams (JITs), which require arrests to be co-ordinated.

172. In their replies to the Committee of the Parties' recommendation of June 2024²¹⁹ and GRETA's questionnaire, the French authorities described the training provided for judges, investigators, lawyers and other professionals dealing with human trafficking and the teaching materials available. For example, on 11 June 2024, the MIPROF and the National Academy for the Judiciary (ENM) held a multidisciplinary training course at the Paris Courts on the risks of human trafficking identified in the context of the 2024 Olympics and Paralympics. The participants numbered 240 and included judges, prosecutors, police officers, gendarmes, lawyers and other frontline professionals. Similar courses were held subsequently in Marseille (4 July 2024), Bordeaux (29 January 2025) and Strasbourg (19 June 2025). Further sessions are planned in Lyon (27 March 2026), then in Poitiers and in Rennes/Angers.

173. In French Guiana, no specific training on human trafficking has been given to the police or the gendarmerie. In Martinique, only gendarmes were invited to a short training course held by the OCLTI in June 2023 and since then most of the participants have left the territory as there is a very high turnover of staff in the Martinique gendarmerie. The Martinique police force is more stable, being made up mostly of locals. Few investigations have been opened specifically for human trafficking or related offences in either of the two territories: since 2020, there have been three for trafficking for labour exploitation and eight for pimping in Martinique. The law enforcement agencies suffer from staff shortages and an excessive workload of cases of serious violence, meaning that they have little time to identify human trafficking. As noted in paragraph 124, the shortage of staff in the police and gendarmerie investigating services restricts their ability to detect human trafficking cases proactively. As a result, only one case of human trafficking has been brought before the Martinique JIRS in the last four years: it related to exploitation on a goldmining site in French Guiana along with related offences of pimping and assisting with irregular entrance and residence. The investigation, which was opened in 2018, led to the conviction of seven individuals while three others were awaiting judgment at the time of GRETA's visit.

²¹⁸ For more details on the downgrading of offences in France in THB cases, see GRETA's third report on France, paragraph 119.

²¹⁹ See [France's reply to the Recommendation of the Committee of the Parties](#) (June 2024), pages 5, 9, 10, 13-16 and 26-29 and [Reply to GRETA's questionnaire](#) (February 2025), pages 9-11, 28, 31, 32 and 45.

174. NGOs have pointed to the need to improve training in identifying signs of human trafficking for all criminal justice professionals (law enforcement, judges, prosecutors and lawyers), beyond the specialised staff of the central offices or the courts that have appointed a prosecutor or judge to act as a focal point for human trafficking cases. They pointed out that some prosecutors and judges continue to think that there has to be a structured criminal network or an international dimension to an offence for it be categorised as human trafficking or that there has to be evidence of coercion in cases involving children, whereas none of these features are required by the Convention.

175. GRETA considers that the French authorities should take additional steps to ensure that cases of human trafficking are investigated proactively and prosecuted properly, leading to effective, proportionate and dissuasive sentences, in particular by:

- ensuring that there are enough specialised investigators with appropriate training and the necessary resources to deal with human trafficking cases throughout the country;
- encouraging investigators, prosecutors and judges to specialise in human trafficking, not just in the JIRSs but also in those jurisdictions that are most exposed to the phenomenon of human trafficking, including trafficking for the purposes of labour exploitation, forced crime, forced begging and forced marriage. Training of investigators, judges and prosecutors should include instruction on gathering statements from victims and the impact of psychological trauma;
- stepping up their efforts to ensure that human trafficking offences are classified as such every time the circumstances of a case so allow, including in cases of sexual exploitation of children (whether French or foreign nationals);
- ensuring that a request is made for diplomatic immunity to be lifted in all cases where there are signs of domestic exploitation.

c. Criminalisation of the use of a victim's services

176. French law does not establish a specific offence of knowingly using the services of a human trafficking victim, as provided for in Article 19 of the Convention. However, the CC does punish the use of the services of a person subject to slavery (Article 224-1 B) where the perpetrator is aware of the victim's state and subjects them to sexual assault, illegal confinement or forced labour or services. It is also a criminal offence under French law to purchase sexual acts (Article 611-1 of the CC).²²⁰

177. Between 2022 and 2024, eight court proceedings were initiated for the use of the services of a person subject to slavery but there were no convictions between 2022 and 2023. For the use of a prostitute, 568 persons were prosecuted in 2022 and 510 in 2023; 50 and 101 respectively were prosecuted for aggravated forms of the offence, in particular forms involving children. The law enforcement agencies booked 1 146 clients in 2024, 1 160 in 2023 and 1 155 in 2022.²²¹ Lastly, 72 orders to attend awareness-raising courses were issued in 2022 and 74 in 2023.

178. GRETA considers that the French authorities should adopt a legal provision criminalising the use of all services which are the object of exploitation as referred to in Article 4 of the Convention, with the knowledge that the person concerned is a victim of trafficking in human beings.

²²⁰ See GRETA's third report on France, paragraph 199

²²¹ See MIPROF newsletter, [24^{ème} lettre d'information de l'Observatoire national des violences faites aux femmes](#), April 2025 – The prostitution system

IV. Addressing human trafficking facilitated by information and communication technology (ICT)

179. Countries monitored by GRETA have reported an increase in the use of information and communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.²²² As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted a number of challenges to the identification, investigation and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

180. The French authorities have noted that traffickers use applications, social networks and specialist sites to recruit victims. These platforms also serve as means of advertising prostitution, establishing contact between clients and victims, hiring premises for exploitation, organising transport and managing finances and financial transactions. Investigators have also highlighted the growing use of video games to approach potential victims and the use of artificial intelligence to produce fake pornographic images. This phenomenon, called Deepfake, increases the possibility of pressuring and threatening young women and grew by 330% between 2019 and 2023.²²³

181. NGOs report a growth in the recruitment of victims of trafficking for labour exploitation through social networks and online platforms, especially Facebook, Instagram and advertising sites. Contacts often begin with an apparent relationship of trust before leading to situations of exploitation, particularly in the domestic work and personal assistance sphere. Many sites propose arrangements in which accommodation is exchanged for services, escaping any legal recruitment framework and promoting domestic servitude. Technologies also increase the control exercised over victims, through methods such as connected cameras, spy software or surveillance applications on phones provided by exploiters, as is frequently reported by NGOs.

182. Faced with the growing use of internet by traffickers,²²⁴ the authorities and NGOs have stepped up their awareness-raising activities on the risks of ICTs, targeting children in particular. Article L. 312-9 of the Education Code provides for training on responsible use of digital tools, to which an awareness-raising campaign on online sexist and sexual violence was added in May 2024. In this context, a national programme has been adopted, entitled “The Children’s Internet Licence”, targeting primary school pupils between the ages of 9 and 11 and their parents; in 2024 this resulted in 14 754 awareness-raising activities reaching about 300 000 pupils. The Digital Proximity Division of the Ministry of the Interior’s National Cyber Unit also does work in upper secondary schools to alert pupils to the risks of the internet. In December 2023, the DPJJ distributed a poster and organised awareness-raising sessions to remind the public of the relevant hotlines, namely 119 for children in danger and 3018 for cyberbullying and digital violence. In 2024, the DPJJ and the NGO e-Enfance, which have been partners since 2021, renewed their three-year agreement. E-Enfance manages the 3018 helpline and organises activities to raise awareness

²²² Paolo Campana, Online and technology-facilitated trafficking in human beings, Council of Europe: <https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49>, published in April 2022.

²²³ See FACT-S, [La situation de la prostitution en France : Analyse sur l'impact de la loi du 13 avril 2016](#), April 2025, page 68.

²²⁴ For example, 26 % of victims assisted by NGOs in 2024 had been exploited in part via digital means (social networks, dating platforms, mobile applications, etc.). See [La traite des êtres humains en France : le profil des victimes accompagnées par les associations en 2024](#), page 11.

among parents and professionals about the risks of digital tools, including those related to prostitution and cyberviolence. Other NGOs, such as the ACPE, organise similar training courses in schools and shelters. However, they point out to the lack of human and financial resources provided to meet all the demands of schools. In a recent opinion, the CNCDH pointed out that NGOs are weakened by the need to respond regularly to appeals for projects to maintain their activities and recommended that long-term funding should be provided for the operations of NGOs certified by the Ministry of Education rather than project-by-project funding so that uniform awareness raising could be dispensed in all schools.²²⁵

183. Several legislative reforms have been adopted to manage the use of platforms. The Law of 24 January 2023 created the offence of unlawful administration of an online platform.²²⁶ The reform of 7 July 2023 set the age of digital majority at 15, thus prohibiting the registration of children under the age of 15 on a site without parental authorisation. The Law of 21 May 2024 on safety in the digital space requires sites which disseminate pornographic content to set up user age checks - a requirement which was extended by an order of 26 February 2025 to certain service providers based in other EU member states.

184. Legal proceedings have also been initiated against sites advertising prostitution. France's most popular site of this sort, *sexemodel.com*, is currently being investigated by the Paris courts. In January 2022, parents of adolescents and the NGO ACPE ("Act against Child Prostitution"), filed complaints of complicity in human trafficking and aggravated pimping against a small ads site, which published announcements with no age or identity checks on its "brief encounters" page. According to the plaintiffs, the site managers must have known that they were favouring child prostitution and acting as intermediaries between victims and their clients. Their complaint was based on some 10 convictions for pimping between 2018 and 2021 which had already involved this site.²²⁷

185. The OCRTEH has implemented several measures to strengthen its action against the digitalisation of pimping and sexual exploitation. In 2023, it set up a specialised cybercrime unit dedicated to investigations into pimping and trafficking for the purpose of sexual exploitation. This team, which is made up of seven investigators and a data science expert, conducts investigations by means of cyber patrolling, data analysis and the use of pseudonyms, which often involve victims who are children or young adults given that these are the prime users of social networks and internet sites. The OCRTEH has open-source intelligence licences and has set up its own online prostitution mapping mechanism based on data from ads on specialised sites. Over half of its investigators (13) are trained in investigations using pseudonyms, but few local officers have such training yet.²²⁸ The OCRTEH plan includes provision to improve these skills at local level. At the same time, the Minors' Office (OFMIN) has produced a practical guide for investigators on how to deal with cases of live streaming (live or delayed on-demand broadcasts of child sex abuse).

186. Since its establishment in August 2023, the OFMIN has been particularly active in combating child sexual exploitation networks. In summer 2024, several child sex offenders using the Telegram messaging system to disseminate films of sexual assault they had shot themselves were questioned by OFMIN then charged with child rape and trafficking in human beings. Following 10 months of undercover investigation and digital surveillance, a large-scale OFMIN operation led, in May 2025, to the arrest of 55 men in 42 *départements*. These individuals are suspected of taking part in groups active on the encrypted Telegram

²²⁵ CNCDH opinion on protecting young people's privacy online, [Avis sur la protection de l'intimité des jeunes en ligne](#), 23 January 2025, page 13.

²²⁶ This is described in Article 323-3-2 of the Criminal Code, under which a person may be convicted for providing an online platform service where it knowingly enables the supply of products, content or services whose transfer, supply, acquisition or possession are clearly unlawful. This is one of the offences with which it was possible to charge the founder of the controversial dating site *Coco.fr*. This dating platform, which was shut down in June 2024, was prosecuted for involvement in several cases of homophobic assault and entrapment. [Agressions sexuelles, quet-apens homophobes : le fondateur du site de rencontres Coco placé en garde à vue - ici](#)

²²⁷ [Des parents portent plainte contre le site Wannonce pour proxénétisme aggravé - Le Parisien](#)

²²⁸ For example, the police in the *département* of Hautes-Pyrénées does not have a cyberpatrol officer and the gendarmerie has only four investigators who perform many other tasks in addition to cyberpatrols.

messaging site, on which photos and videos were exchanged showing the abuse and rape of children under the age of 10. According to the OFMIN, each of the suspects were in contact with at least one of the individuals arrested in summer 2024, who supplied them with images of rapes and sometimes encouraged them to commit abuses themselves. In August 2024, the founder of Telegram, Pavel Durov, was apprehended pursuant to a search warrant issued at the request of OFMIN investigators. He was indicted at the end of August 2024 for about a dozen offences, including “refusal to accede to the competent authorities’ request to communicate the information ... needed to carry out ... interceptions authorised by the law” and “complicity in dissemination by an organised group of images of child sex abuse”. He is currently under judicial supervision and may not leave French territory without the prior authorisation of the authorities.²²⁹

187. GRETA was also informed about a judgment by the Paris Assize Court in October 2024, in which a man was found guilty of complicity in child rape and sexual assault and aggravated human trafficking and sentenced to 25 years’ imprisonment having paid women in the Philippines to rape children between the ages of 2 and 10 in front of a webcam between 2012 and 2021.²³⁰ No victim was identified and the Philippine authorities have taken no action in response to the French request for mutual judicial assistance. The French authorities have stated that no similar cases relating to adult victims have been reported.

188. In another context, two court cases, which came to light at the end of 2020, highlighted the criminal side of France’s pornography industry.²³¹ The cases involved two online pornography platforms which are very well known in France (“Jacquie et Michel” and “French Bukkake”): around 20 men (website owners, actors, directors, recruiters) were charged with rape, pimping and trafficking in human beings and 87 women complained of violence during filming. The judicial proceedings in these cases are ongoing.

189. The OCRTEH has established partnerships with several digital companies (Meta, Booking.com, Western Union, Airbnb) to prevent the use of their services by traffickers and see that they exchange more information with the law enforcement agencies. This co-operation has led to a significant increase in reporting to the OCRTEH.²³² In their comments on GRETA’s draft report, the French authorities stated that as a result of these partnerships, the OCRTEH now receives reports from hosts (Booking.com, Airbnb) or directly from the companies concerned. These regular direct contacts are said to enable earlier detection of risk situations and the rapid transmission of relevant information to the relevant services. Step 8 of OCRTEH’s action plan calls for the establishment of partnerships with private-sector bodies.

190. In addition to the links that the OCRTEH may establish, exchanges between investigating services and digital firms pass through the telephone and internet desks (GUTI) managed by the national cyber unit of the gendarmerie’s national investigating office (UNPJ) and the Anti-Cybercrime Office (OFAC) of the national criminal investigation directorate. These contact points pool all complaints made to online service providers including foreign ones and facilitate co-operation. Co-operation protocols have been set up with X, Meta, Snapchat, Airbnb, Google and TikTok, which have agreed to provide certain technical data (such as IP addresses) at the request of a court. All requests relating to content, however, require

²²⁹ [Pédocriminalité sur Telegram : après dix mois d’une enquête de grande ampleur, l’Office mineurs interpelle 55 hommes](#); [Pédocriminalité via la messagerie Telegram: 55 hommes interpellés - L’Orient-Le Jour](#); [Le PDG de Telegram, Pavel Durov, mis en examen et remis en liberté sous contrôle judiciaire avec interdiction de quitter le territoire français](#)

²³⁰ [Pédocriminalité: au procès de Bolhem Bouchiba, ex-graphiste "sadique" de Disney et Pixar](#), 30 October 2024, [Qualification de traite dans une affaire d’exploitation sexuelle en LiveStreaming | Contre la traite des êtres humains](#)

²³¹ On the criminal dimension of the pornography industry, see a [report](#) published by the French Senate’s Delegation for Women’s Rights in 2022 and a [report](#) published by the National Council for Gender Equality (HCE) in 2023. Following publication of the HCE’s report, the Minister for Gender Equality announced the appointment of an interministerial working group tasked with proposing measures to combat violence in the pornography industry. See [Pornographie et violences: création d’un groupe de travail interministériel](#)

²³² For example, the OCRTEH received 111 reports of hosts faced with prostitution taking place in their rented accommodation in the first six months of 2025 whereas it had received only 96 in 2024, 15 in 2023 and 5 in 2022.

an international mutual assistance procedure such as a European Investigation Order or a request for international assistance in criminal matters.

191. Co-operation with platforms is also essential for the OFMIN, since 90% of reports stem from voluntary detection by digital operators. The OFMIN works with the American non-profit corporation NCMEC (National Centre for Missing and Exploited Children), which centralises reports of online child pornography. In 2023, the OFMIN received 318 000 reports of such content in France, i.e. an average of 871 per day. It also has a tool for the real-time detection of exchanges of child pornography on peer-to-peer networks.

192. The authorities point out, however, that co-operation by platforms is still uneven and often depends on their own willingness. Companies which are not subject to French law or located outside the EU such as Telegram and Signal rarely co-operate with investigating services. Even within the EU, some companies use the EU General Data Protection Regulation to justify their lack of response: Airbnb, for example, despite the co-operation mentioned in paragraph 190, refuses requests which it considers to be too far-reaching and sometimes closes the accounts concerned, thus undermining investigations. Booking.com, which is based in the Netherlands, systematically requires a European Investigation Order or an international request for judicial assistance to proceed, but these procedures are considered too slow in the light of the speed of the response of criminal networks. The authorities consider that the entry into force of the EU legislative package on electronic evidence²³³ will considerably ease cross-border access to digital data, including for service providers based outside the EU.

193. Removal of clearly unlawful online content may be requested via the PHAROS platform (for the harmonisation, cross-checking and referral of reports), which is tasked with processing reports made by the public on the internet. However, victims cannot take their cases directly to this platform; instead, they must go through a public prosecutor, who may refuse their request with no possible appeal. In practice, reports filed with PHAROS rarely result in actual removal, as noted by the National Council for Gender Equality.²³⁴ Victims may apply to presidents of courts for a video to be removed but must bring separate proceedings for each site, making any such action costly and ineffective.

194. France has been a party to the Council of Europe Convention on Cybercrime since May 2006. It regularly uses it as an investigation tool, taking particular advantage of its 24/7 network, which enables the emergency transmission of requests for data conservation, including in human trafficking cases requiring electronic evidence. France has signed the Second Additional Protocol to the Convention on enhanced co-operation and disclosure of electronic evidence but has not yet ratified it.

195. While welcoming the measures taken by the French authorities to strengthen their ability to detect and investigate cybercrime, and to promote online child safety, GRETA considers that the authorities should develop new measures to prevent all forms of trafficking in human beings facilitated by ICTs, particularly trafficking for labour exploitation. The authorities should, in particular:

- invest more in strengthening the capacities and the online tools needed for proactive investigation and step up co-operation with tech companies and internet service providers;
- extend the powers and financial resources of PHAROS to enable it to play an active role in removing and blocking access to unlawful content;

²³³ [Electronic evidence in criminal proceedings – production and preservation orders | EUR-Lex](#)

²³⁴ For example, not a single request for removal or blockage was ordered by PHAROS in 2021 concerning pornography platforms posting child pornography. Of the 35 videos reported by the National Council for Gender Equality between 2 and 7 June, none of the clearly illegal content was removed. See https://haut-conseil-egalite.gouv.fr/IMG/pdf/hce-vio-rapport_pornocriminalite-v11-bdef.pdf, pages 113-121.

- establish a proper procedure for persons who have been filmed or photographed who so wish to request the removal of content of a sexual nature, set up a system for the detection and automatic removal of all videos and images, including copies distributed after their removal has been ordered, and extend liability to anyone who refuses to take down such content, complete with heavy financial penalties.

196. GRETA also invites the French authorities to ratify the second additional protocol to the Cybercrime Convention on enhanced co-operation and disclosure of electronic evidence.

V. Follow-up topics specific to France

1. Data collection

197. In previous reports, GRETA urged the French authorities to continue their efforts to develop a comprehensive system for the collection and analysis of data on measures to protect and promote the rights of human trafficking victims, which should ensure that all stakeholders who may supply data are involved, including NGOs, labour inspectorates and prosecution services, as well as other partners involved in identifying and recording human trafficking victims and in investigations and prosecutions concerning human trafficking.

198. As noted in paragraph 13, since 2016, the MIPROF has conducted an annual survey, in partnership with NGOs and, jointly managed with the SSMSI between 2021 and 2023,²³⁵ to collect data on victims identified and supported by NGOs. Information is gathered by means of a questionnaire, which is sent out to about one hundred NGOs. NGOs replying numbered 44 in 2021, 81 in 2022, 70 in 2023 and 44 in 2024. GRETA welcomes the fact that this work has continued but notes that the results are still somewhat piecemeal: not all NGOs reply, and most are active in the area of sexual exploitation, meaning that there are few data on other forms of human trafficking. A shortage of human and financial resources, both for public institutions (SSMSI, MIPROF) and for NGOs, may undermine the long-term prospects of this activity.

199. At the same time, administrative data on trafficking and exploitation of human beings from the Ministries of the Interior and of Justice have been published since 2021 by the SSMSI, which is attached to the Ministry of the Interior, and since 2022, by the Ministry of Justice statistics service (SSER). These studies include statistics on victims and defendants recorded by the police and the gendarmerie and on persons questioned, prosecuted or convicted. Data from the Ministry of the Interior's Statistics, Research and Documentation Department (DSED) on residence permits issued to victims were incorporated from 2021 onwards and those of the Directorate General for Labour on offences identified by the labour inspectorate from 2022 onwards. The latter were disaggregated according to type of offence, follow-up action and sector of activity. While welcoming this progress, GRETA notes that data on the offence of human trafficking are not broken down according to the forms of exploitation and that the classification of offences (NATINF) used by law enforcement agencies and the courts does not cover certain forms of exploitation such as forced criminality.

200. The National action plan to combat exploitation and trafficking in human beings for 2024-2027 provides for the establishment, under MIPROF auspices, of a National Observatory on Exploitation and Trafficking of Human Beings. In this connection, the plan includes provision for the appointment of an interministerial working group tasked with drawing up the Observatory's legal and operational framework and drawing on public statistics to enrich the administrative data to be published yearly. It is also intended

²³⁵ Also jointly run by the ONDRP from 2016 until its abolition in 2020. It was not possible to prepare the 2024 report under the conditions described in the SSMSI-MIPROF joint management agreement, and this affected the SSMSI's participation in the survey, which has been run exclusively by the MIPROF since 2024.

to improve the annual survey of NGOs by including qualitative and interpretative assessments, a specific survey conducted among victims and preparation of an annual disruption strategy geared to changing threats and based on judicial, administrative, preventive and awareness-raising activities.

201. The working group on the creation of the Observatory has been appointed but its activities are restricted by the fact that the MIPROF does not employ a statistician certified to handle secret statistics, which is the only job profile authorised to access public data on individuals. While the MIPROF does take part in the meetings of the interministerial group tasked with discussing the scope of offences, statistical matters and projects to publish administrative data, it is not involved in the analysis of administrative data on human trafficking prior to their publication, whereas this is one of the keys to setting up the Observatory.

202. GRETA considers that the French authorities should set up a comprehensive system for the collection and analysis of data on measures to protect and promote the rights of human trafficking victims, which should ensure that all stakeholders who may supply data are involved, including NGOs and other service providers, law enforcement, immigration services, labour inspectorates, health-care providers and prosecution services, as well as other partners involved in identifying and recording human trafficking victims and in investigations and prosecutions concerning human trafficking or related offences.

2. Recovery and reflection period

203. In its third evaluation report,²³⁶ GRETA urged the French authorities to ensure that, in practice, presumed and formally identified victims of THB are granted a recovery and reflection period, in particular those who are in an irregular situation.

204. There has been no change to the legal framework for granting reflection periods, as described in GRETA's second report.²³⁷ According to data provided by the authorities, 10 victims were granted a reflection period in 2021, 12 in 2022, 3 in 2023 and 5 in 2024; these figures are far lower than the total number of foreign victims identified.

205. Referring to the recommendations made in previous reports, GRETA once again urges the French authorities to:

- ensure that presumed foreign trafficking victims, including EU/EEA nationals (see paragraph 114), are systematically informed of the possibility of obtaining a recovery and reflection period and that they are granted such a period in practice;
- ensure that the relevant authorities are informed of the State's positive obligation to grant a recovery and reflection period, regardless of whether the victim has made such a request. Reference is made to GRETA's Guidance Note on the recovery and reflection period.²³⁸

²³⁶ GRETA's third report on France, paragraph 213.

²³⁷ GRETA's second report on France, paragraphs 179-181.

²³⁸ GRETA, [Guidance Note on the recovery and reflection period](#), THB-GRETA(2024)14, September 2024.

3. Residence permits

206. As GRETA noted in its third evaluation report,²³⁹ a foreign national who has made a complaint or testified against a person accused of human trafficking or pimping may, provided that he or she has severed all ties with the presumed perpetrators, be granted a temporary, one-year temporary permit, renewable for the duration of the criminal proceedings (Article L.425-1 of the CESEDA). Article L.425-3 of the CESEDA provides that if the perpetrator is ultimately convicted, any victim who has co-operated with the authorities will automatically be issued with a ten-year residence permit.

207. Data from the Ministry of the Interior show that there has been a steady rise in the number of residence permits granted to victims of human trafficking and pimping. The figures for permits issued are as follows: in 2021, 432 temporary permits (220 for the first time) and 41 residence permits (five for the first time); in 2022, 452 temporary permits (145 for the first time) and 46 residence permits (seven for the first time); in 2023, 534 temporary permits (219 for the first time) and 81 residence permits (seven for the first time); and in 2024, 776 temporary permits (304 for the first time) and 48 residence permits (seven for the first time).²⁴⁰ Between 2022 and 2024, recipients came mostly from Morocco (487), Nigeria (474), Ivory Coast (85), Brazil (82) and Cameroon (62). The significant increase in the number of Moroccans (from 73 in 2022 to 266 in 2024) is the result of improved identification of victims of trafficking for labour exploitation.

208. GRETA welcomes all this progress but notes that there is an enduring disparity between the number of foreign victims identified and the number of permits issued. Of victims assisted by NGOs, 40% had a residence permit in 2021 and 2022 and 63% in 2023, but a large proportion were still in an irregular situation (34% in 2021, 44% in 2022 and 27% in 2023).²⁴¹ The CNCDH and several NGOs have noted that practices vary greatly between prefectures and there is a persistent reluctance to issue permits on the basis of human trafficking, which stems among other things from a general feeling of suspicion vis-à-vis migrants, resulting in action to combat illegal immigration taking precedence over protecting victims. Some prefectures do not accept a mere complaint receipt as sufficient grounds for issuing a residence permit but request the full complaint, even though the proceedings are under way and the content of the complaint is covered by the confidentiality of investigations, or question the investigating services on the substance of the case. As a result, victims' applications for residence permits are sometimes rejected on the ground that their complaint of human trafficking is manifestly unfounded.²⁴² Other prefectures refuse to issue permits if the complaint does not specifically mention the offence of human trafficking. Lastly, the requirement that the victim must have severed all ties with those exploiting them is interpreted differently by different prefectures, with the result that the rules are applied unevenly across the country.

209. Since the adoption of an order of 28 September 2023, victims of human trafficking have had to submit their applications for residence permits via a digital platform for foreigners in France called the ANEF, which is now used to issue over 80% of permits. Numerous technical failings with this site have complicated procedures. In March 2025, ten NGOs filed a complaint with the Conseil d'Etat for "culpable failure",²⁴³ describing repeated computer breakdowns resulting in job losses, interruptions in social

²³⁹ GRETA's third report on France, paragraph 246.

²⁴⁰ By comparison, the figures for 2016 to 2020 were as follows: 226 temporary permits (72 for the first time) and 40 residence permits (five for the first time) in 2016; 241 temporary permits (111 for the first time) and 44 residence permits (three for the first time) in 2017; 221 temporary permits (82 for the first time) and 54 residence permits (six for the first time) in 2018; 313 temporary permits (174 for the first time) and 41 residence permits (five for the first time) in 2019; and 191 temporary permits (131 for the first time) and 29 residence permits (four for the first time) in 2020.

²⁴¹ Applications for permits were being processed for 23% of victims in 2021, 11 % in 2022 and 10 % in 2023.

²⁴² See CNCDH opinion, [Avis sur la traite à des fins de contrainte à commettre tout crime ou délit du 28 mars 2024](#), page 42.

²⁴³ [Dématérialisation des titres de séjour – Recours devant le Conseil d'État L'État empêche les personnes étrangères de travailler et de s'insérer - La Cimade](#). In December 2024, the Defender of Rights published a [report](#) condemning the dematerialisation at the root of "widescale infringements of users' rights": 28% of complaints received by the Defender of Rights

benefits and increased vulnerability.²⁴⁴ GRETA has received reports of several examples of this type of problem: some victims, despite submitting a complaint, have had to wait for over a year for a response²⁴⁵ or have seen their request dropped because of technical problems with the ANEF or because they have not provided a complete record of their complaint. These delays deprive victims of asylum seekers' allowance, which is also available for victims of human trafficking who have a residence permit issued on the basis of human trafficking. Furthermore, payment of this allowance is not retroactive.

210. These difficulties prompt NGOs to ask the MIPROF to mediate with prefectures or the Directorate General for Foreign Nationals in France (DGEF). Although such interventions practically always help to resolve stalemates, NGOs complain of excessive centralisation, which restricts their direct contacts with prefectures. This situation has also put an end to the efforts to appoint THB contact persons in prefectures²⁴⁶ – a measure which was supposed to be deployed throughout the country by 2021.²⁴⁷

211. Victims of human trafficking who cannot co-operate with the authorities for fear of reprisals may request asylum or regularise their residence through other procedures such as programmes to exit prostitution (PSP) (Article L.425-4 of the CESEDA). In 2023, of victims assisted by NGOs holding a residence permit, 29% obtained it under Article L.425-1, 39% through PSP (L.425-4), 19% through international protection and 13% by other means.²⁴⁸ GRETA notes however that it is still very rare for human trafficking victims to be granted refugee status. Under the case law of the CNDA and the Conseil d'Etat, only Nigerian women from Edo or Delta State who have actually escaped a network of forced prostitution, may be granted refugee status.²⁴⁹ Applications from victims granted asylum in another European country such as Italy or Greece are rejected in France on grounds of inadmissibility even if they are fleeing human trafficking networks. The requests of asylum seekers who have been granted international protection in another EU member state may be considered admissible, meaning that they will then have protection, if they can demonstrate a lack of effective protection by the Member State that granted them protection. There is a presumption that the protection granted by EU member states will be effective, which derives from the capacity of the country affording protection to protect the applicant from fears of persecution or the risk of a serious infringement. Victims may also apply for a residence permit on humanitarian grounds (Article L.435-1 of the CESEDA), but they are rarely successful. Prefectures often require evidence (of prolonged presence, professional activity or integration) which is difficult for people who have been subject to exploitation to provide, even where they have been identified as victims of human trafficking by an NGO or the labour inspectorate. As noted in GRETA's third report,²⁵⁰ since 2016, labour inspectors have been empowered to record offences relating to human trafficking, forced labour and servitude (Article L8112-2 of the Labour Code). However, their findings and reports to this effect do not give victims access to residence permits. GRETA would like to underline the importance for prefectures to take the labour inspectorate's findings into account when making decisions on whether to grant residence permits, particularly on humanitarian grounds. This is especially true for human trafficking victims who cannot or do not wish to co-operate in criminal proceedings (for example because they fear reprisals against themselves or their families) and who cannot therefore claim the permit provided for by Article L.425-1 of the CESEDA.

in 2023 related to infringements of the rights of foreign nationals, and 75% were linked to problems encountered when applying for a residence permit.

²⁴⁴ A 2024 [survey](#) by the federation of social support NGOs, FAS, on its member NGOs and partners, provided substantial documentation for these findings: most NGOs reported that persons receiving assistance had lost their entitlement to use the employment office (France Travail) and 40% had lost their labour rights (through termination of contracts, work bans, etc).

²⁴⁵ The average waiting time to be granted a residence permit for victims assisted by NGOs varies greatly from one prefecture to another. For example, in 2023, 55% of residence permits were issued within six months of the application, 10% between six and 12 months and 35% after 12 months or more. See [La traite des êtres humains en France : le profil des victimes accompagnées par les associations en 2023](#), page 19.

²⁴⁶ GRETA met representatives of prefectures in Martinique, French Guiana and the *départements* of the Nord and the Hautes-Pyrénées and none had a THB contact person.

²⁴⁷ See GRETA's third report on France, paragraph 251.

²⁴⁸ [La traite des êtres humains en France : le profil des victimes accompagnées par les associations en 2023](#), page 19.

²⁴⁹ See CNDA, 24 February 2020, Ms O., No. 19017840, and Conseil d'Etat, 16 October 2019, Ms A., No. 418328.

²⁵⁰ See GRETA's third report on France, paragraph 186.

212. Under Article L.233-1 of the CESEDA, victims from the EU, the EEA or Switzerland who wish to remain in France for more than three months must be in work or have sufficient resources and health insurance. Failing this, they are considered to be in an irregular situation even if they have filed a complaint.²⁵¹ GRETA was informed of the case of a young Romanian who was recognised as a victim of trafficking for the purpose of forced criminality by the Paris Criminal Court in 2024 but whose application for a residence permit was rejected because, as a European national, he did not need one. Without the right to stay, he did not have access to any other entitlements (medical cover, access to training or work) and found himself without any resources. He was issued with an order to leave French territory having been convicted of shoplifting and was placed in an immigration detention centre before being released following an intervention by the MIPROF so that he could testify in another case of exploitation in which he had been a victim.

213. The situation of Algerian victims is particularly problematic. They are subject to the Franco-Algerian agreement of 27 December 1968,²⁵² meaning that they are not covered by the provisions of the CESEDA concerning residence permits. This agreement does not include any residence rights for victims of violence or human trafficking, even for children. Under the agreement, residence permits are conditional on engaging in work or having adequate means of subsistence. Prefectures may grant such applicants a residence permit in the form of exceptional admission for residence, but this is left to their discretion and may therefore result in major disparities in treatment. Since the full roll-out of the ANEF platform, such victims may no longer make appointments at prefectures as potential human trafficking victims because they are not covered by the CESEDA.

214. GRETA once again urges the French authorities to take additional measures to ensure that victims of human trafficking can fully benefit from the right to obtain a residence permit, including on grounds of their personal situation, and in particular by:

- providing information and training on human trafficking to relevant staff of the prefectures;
- increasing the human resources deployed for the management of the ANEF platform so as to remedy its technical failings and ensuring that applications are dealt with promptly and reliably or to arranging alternative means for victims of human trafficking to submit their case;
- ensuring that residence permits are issued to victims within a reasonable time;
- guaranteeing that Algerian nationals who are victims of human trafficking can obtain a renewable residence permit, in accordance with Articles 3 (non-discrimination) and 14 of the Convention.

215. GRETA also considers that the French authorities should:

- extend the scope of Article L425-1 to offences associated with human trafficking in relation to labour exploitation, including enslavement, subjection to servitude and forced labour;

²⁵¹ See GRETA's third report on France, paragraph 254.

²⁵² [L'accord franco-algérien / Les accords bilatéraux en matière de circulation, de séjour et d'emploi / Les accords bilatéraux / Immigration - Direction générale des étrangers en France - Ministère de l'Intérieur](#)

- ensure that nationals of an EU/EEA country who are victims of human trafficking but who do not fulfil the requirements to have their stay legalised, enjoy the right to obtain a renewable residence permit, in line with domestic law and in compliance with Article 14 of the Convention;
- facilitate access to a residence permit for persons identified as human trafficking victims by a labour inspector, including cases where the requirements to obtain a permit set out in Article L.425-1 of the CESEDA are not met.

4. Legal assistance and free legal aid

216. In its third report on France,²⁵³ GRETA urged the French authorities to step up their efforts to facilitate and guarantee access to justice for victims of human trafficking, ensuring in particular that they are afforded free legal assistance at an early stage, regardless of whether their stay is regular or not.

217. The legislation on legal aid described in GRETA's third report remains largely unchanged.²⁵⁴ Granting of such aid is subject to the general conditions that apply to all victims of crime, namely that the action must not be manifestly inadmissible (this applies only to civil proceedings), that the costs must not be covered by an insurance policy and that the applicant must be a French or EU national or reside habitually and legally in France and have insufficient financial means.

218. In a decision of 28 May 2024, the Constitutional Council found the requirement for applicants to be residing legally in France to be unconstitutional, holding it to be incompatible with the principle of equality before the law.²⁵⁵ GRETA welcomes this positive development, which removes a major obstacle to legal aid, while noting that the remaining habitual residence requirement is still problematic for some victims, particularly those who have returned to their country of origin or been deported. The latter can only be granted legal aid in practice if a lawyer agrees to represent them for free or an NGO covers their costs.

219. Moreover, the legal aid application procedure remains complicated and unsuited to vulnerable persons. However, in addition to bodies specialising in human trafficking, the national France Victimes network, which is a grouping of 130 NGOs granted official recognition by the Ministry of Justice, provides general support for victims of crime.²⁵⁶ Furthermore, a network of welfare practitioners (the ISCG), made up of social workers, special needs educators and advisors in social and family economics, providing local care and advice for victims, has been deployed since the 1990s at police stations and since the 2000s in gendarme companies or units. In 2025, the ISCG comprised 480 serving professionals.²⁵⁷ In 2023, a stakeholder consultation was launched to set up a one-stop shop intended to centralise information, advice and support for victims of crime. Following this national consultation, a report comprising 52 recommendations was presented to the Minister of Justice in February 2024.

220. To date there have been no specific training modules on trafficking in human beings in lawyers' initial training courses although there are various in-service training sessions on the subject for practising lawyers.

²⁵³ GRETA's third report on France, paragraph 63.

²⁵⁴ GRETA's third report on France, paragraphs 54-61.

²⁵⁵ [Decision No. 2024-1091/1092/1093 QPC of 28 May 2024 | Constitutional Council](#)

²⁵⁶ For example, see [France Victimes et son réseau d'associations d'aide aux victimes - Vous avez été victime de terrorisme \(FR - en - es\) | info.gouv.fr](#)

²⁵⁷ A detailed map of the network with direct contact details is available on <https://www.aniscg.org/fr/pages/observatoire-lieux-dimplantations-et-contacts-des-iscg-11.html>

221. While welcoming the decision of the Constitutional Council of 28 May 2024, GRETA considers that the French authorities should take further steps to facilitate and guarantee access to justice for all THB victims and, in particular to:

- ensuring that legal assistance is provided systematically as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, and before they have to decide whether or not they want to co-operate with the authorities and/or make an official statement;
- raising awareness among Bar Associations of the need to encourage the training and specialisation of lawyers in providing legal aid to human trafficking victims, and ensuring that human trafficking victims are systematically assigned a specialised lawyer;
- revising Law No. 91-647 so that access to legal aid for human trafficking victims is not subject to means testing or a habitual residence requirement.

5. Compensation

222. There has been no change in the legislation on compensation described in GRETA's third report.²⁵⁸ The representatives of NGOs and lawyers met during its evaluation visit stated that in practice, perpetrators rarely pay the compensation ordered against them, and as a result, victims are often forced to initiate long and complex civil proceedings to enforce criminal law decisions. Lawyers also report difficulties for victims of labour exploitation attempting to recover unpaid wages because the short status of limitation provided for in labour law (one year to dispute a dismissal and three to request payment of unpaid wages) continue to run during criminal proceedings. As a result, it can happen that the time limit to appeal to a labour court expires before the criminal court makes its decision – and the latter does not trigger a new time limit. As to state compensation, as noted in GRETA's second report,²⁵⁹ victims may request full compensation for damage before one of the commissions for the compensation of victims of criminal offences (CIVIs) which operate in France's regions and *départements*, even if the perpetrator is insolvent.

223. The French authorities have not provided any figures on compensation by perpetrators or CIVIs, referring instead to a judgment of 4 April 2024 by the Court of Cassation alleviating the burden of proof for THB victims.²⁶⁰ In this case, a female Nigerian trafficking victim had been awarded compensation by the United Kingdom. She claimed that these events had taken place immediately after similar events on French territory. However, the French appeal court found her compensation claim inadmissible because she had not filed a complaint and so it had been impossible to carry out an investigation to confirm her allegations. Nor, in the court's opinion, had she demonstrated that she was a human trafficking victim. The Court of Cassation set this decision aside, considering that “for France to meet its procedural obligations, neither the CIVI nor the appeal court may impose upon the victim alone the burden of proving the material facts of THB offences of which she plausibly claims to have been a victim; instead, if there is insufficient evidence, they must either request further information from the representative of the prosecutor's office, which is a party to the proceedings being conducted before them, or implement the civil investigating powers which they possess under Article 706-6 of the Code of Criminal Procedure”. This decision, which refers to the case law of the European Court of Human Rights and the conclusions of GRETA's third report on France, strengthens the procedural protection of human trafficking victims.

²⁵⁸ GRETA's third report on France, paragraphs 78-94.

²⁵⁹ GRETA's second report on France, paragraph 211.

²⁶⁰ [4 April 2024 – Court of Cassation, Second Civil Division - 22-15.457 | Dalloz](#)

224. GRETA also refers to the so-called “Trocadéro” case,²⁶¹ concerning Moroccan children forced by Algerian adults to commit crimes. The criminal court found these children to be victims of human trafficking, emphasising that they had been drugged as an incitement to steal, and awarded each of them EUR 20 000 damages. The CIVI agreed to compensate some of them but, for at least one of them, the prosecuting authorities appealed against the CIVI’s decision on the ground that the appellant were not able to provide proof of his identity and that he had taken part in “offences whose existence and scope cannot be erased by his age and his concurrent status as a victim, namely unlawful entry into French territory, drug use and aggravated theft”. The prosecution’s objection raises concerns with regard both to the victims’ right to compensation and the principle of non-punishment. In their comments on GRETA’s draft report, the French authorities informed GRETA that in June 2025 the MIPROF had written to the Paris State Prosecutor to express its surprise at the prosecution’s position, which was at odds with its approach during the criminal proceedings.

225. The data provided show an increase in the value of assets seized in cases of human trafficking and related offences: 33.3 million euros in 2022, 18.3 million euros in 2023, 24.2 million euros in 2024 and 11.8 million euros by 31 May 2025.²⁶² In 2023, 627 first instance court decisions resulted in the confiscation of assets in cases of THB and related offences. GRETA was also informed by the CCEM about three final convictions for trafficking for the purpose of labour exploitation handed down in 2022 which were combined with confiscations totalling about EUR 555 000.

226. Since 2019, civil parties have been entitled to apply directly to the Agency for the Management and Collection of Seized and Confiscated Assets (AGRASC) for compensation using confiscated assets (Article 706-164 of the Code of Criminal Procedure). Compensation paid by AGRASC to human trafficking victims amounted to EUR 225 000 in 2021, EUR 60 504 in 2022, EUR 73 651 in 2023, EUR 154 556 in 2024 and EUR 161 903 in 2025 (up to 31 May).

227. The in-service training catalogue of the National Academy for the Judiciary (ENM) includes a three-day session on seizure and confiscation, to which a module on human trafficking was added in 2025.

228. While welcoming the judgment of 4 April 2024 of the Court of Cassation and progress made in the seizure of criminal assets, GRETA considers that the French authorities should make further efforts to guarantee effective access to compensation for human trafficking victims, and in particular by:

- introducing a procedure whereby victims can request that a decision on the recovery of unpaid salaries is taken within the framework of criminal proceedings;
- ensuring that the amounts of compensation granted in respect of recovery of unpaid salaries can be paid in advance by the State, which subsequently reclaims them from the offender;
- continuing to develop specific modules on the compensation of human trafficking victims to be included in the initial and in-service training of lawyers, law enforcement officers, prosecutors and judges, which should cover compensation for victims of labour exploitation;
- setting up a mechanism to record compensation claimed and obtained by human trafficking victims through criminal and labour court proceedings.

²⁶¹ [Affaire TROCADÉRO : Les 6 prévenus reconnus coupables de traite des êtres humains - Hors la Rue](#)

²⁶² The value of assets seized in cases of human trafficking and pimping was €6 million in 2017, €10 million in 2018 and €10 million in 2019.

6. Non-punishment provision

229. Under French law, there is still no specific provision enshrining the principle that victims of trafficking should not be punished for their involvement in unlawful activities to the extent that they have been compelled to do so, as provided for in Article 26 of the Convention. The authorities refer to Article 122-2 of the Criminal Code, which exempts persons who have acted “under the influence of acts of force or coercion which they could not withstand” from responsibility and the principle of discretionary prosecution, which gives the prosecuting authorities the choice as to whether to prosecute or not. Yet, in its third evaluation report,²⁶³ GRETA urged the French authorities to adopt a specific legal provision on the non-punishment of victims of THB for their involvement in unlawful activities when they were compelled to do so and/or to issue instructions to investigation services and prosecutor's offices specifying the scope of the non-punishment provision.

230. Two recent circulars have partly addressed this issue. That of 28 March 2023, on criminal policy to combat violence against children, invites prosecutors to show vigilance when child victims are prosecuted for facts committed in the context of a human trafficking network, specifying that “where the legal requirements set in Article 122-2 of the Criminal Code are fully met (but not when children participate actively and voluntarily in a network), children cannot be held criminally responsible and prosecutions should be dropped”.²⁶⁴ However, this suggests that some minors may have consented to their exploitation, which is contrary to Article 4 of the Convention, according to which the consent of a victim is irrelevant where there has been abuse of vulnerability. The circular of 27 January 2025 on action against criminal organisations and drug trafficking²⁶⁵ recommends for its part that cases in which children are exploited by drug traffickers should be regarded as human trafficking.

231. The French authorities state that the principle of non-punishment is addressed during training for judges, prosecutors and law enforcement officers. However, it was clear from the interviews GRETA conducted on site that there is an uneven application and persistent lack of knowledge of the principle, particularly in *départements* where there are few cases of human trafficking.

232. GRETA took note of two judicial decisions applying the principle of non-punishment to human trafficking victims. In a judgment of 26 January 2024,²⁶⁶ the Paris Criminal Court acquitted the accused on the ground that “while there was substantive evidence (*actus reus*) of the offence, the criminal intent (*mens rea*) was not established” as the accused was a victim of an international human trafficking network. The court did stipulate however that now that the accused was an adult and in the care of state services, he could no longer rely on the coercion of the network as a defence. In another case, on 23 May 2023²⁶⁷, the Paris Juvenile Court acquitted a young person charged with collective theft, finding that the absence of criminal intent (*mens rea*) was linked to the coercion to which the defendant was subject in the context of his exploitation.

233. While welcoming these positive examples, GRETA notes that a large number of children who are forced to commit offences (drug trafficking, theft, etc.) are still sentenced to prison for offences committed in the context of their exploitation (see paragraph 138). For instance, 94% of victims of exploitation for the purpose of forced criminality assisted by NGOs in 2024 were indicted for offences committed in the context of their exploitation and 76% of these were convicted at least once.²⁶⁸ GRETA was also informed

²⁶³ See GRETA's third report on France, paragraph 135.

²⁶⁴ Ministry of Justice circular, [Circulaire relative à la politique pénale en matière de lutte contre les violences faites aux mineurs](#), 28 March 2023.

²⁶⁵ Ministry of Justice circular on general criminal policy, [Circulaire de politique pénale générale | Ministère de la justice](#)

²⁶⁶ [28th Criminal Division, Tribunal de Paris, 26/01/2024 – THB Resource Centre](#)

²⁶⁷ [Juvenile Court Judgment – 23/ 05/2023 – RELAXE AU MOTIF DE LA CONTRAINTE À LA COMMISSION DE DÉLITS - THB Resource Centre](#)

²⁶⁸ See [La traite des êtres humains en France : le profil des victimes accompagnées par les associations en 2024](#), page 28.

of the case of a young girl who was recognised as a victim of trafficking for the purpose of sexual exploitation in one proceeding while being prosecuted in another proceeding for pimping.²⁶⁹

234. According to NGOs, some prosecutors or judges regard imprisonment of children in a place of detention as a form of protection. As a result, it can happen that a young person placed in such an establishment is also a civil party in a human trafficking case. Investigators and NGOs report that it is still difficult to persuade courts to regard situations in which children are involved in drug trafficking as THB if there is no evidence of coercion and that a fear of reoffending deters them from applying the principle of non-punishment. GRETA emphasises that the prevention of recidivism among minors requires, above all, enhanced protection and appropriate support for minors. Structures such as those run by Koutcha (see paragraph 141), which make it possible for victims to be moved away and given special support, are good practices but are still considerably underdeveloped in France. GRETA also points out that punitive approaches undermine the acknowledgment of victim status and discourage young people from asserting their own identities and denouncing their exploiters.

235. GRETA notes that no legislative changes have been made with regard to the presence on victims' criminal record of convictions for offences committed under duress. Even where persons are recognised as THB victims and their exploiters are convicted, these records remain, jeopardising their reintegration into society.²⁷⁰ The mechanisms for review and rehabilitation provided for in ordinary law are still unsuited to such cases and particularly difficult to implement for victims.

236. GRETA once again urges the French authorities to adopt a specific legal provision on the non-punishment of victims of THB for their involvement in unlawful activities to the extent that they were compelled to do so and/or to issue instructions to investigators and prosecutors specifying the scope of the non-punishment provision, which applies not only to children but also to adults coerced into unlawful activities.

237. GRETA also considers that the French authorities should:

- continue to take measures to ensure implementation, in practice, of the non-punishment provision, in particular by providing training for law enforcement officers, prosecutors and judges and improving information exchange between judicial authorities in different *départements*;
- adopt legislative measures making it possible to remove convictions from human trafficking victims' criminal records once it has been established that victims have been compelled by traffickers to commit the offences concerned.

²⁶⁹ See [Affaire "Rouen Rtail": un réseau de proxénètes présumés devant le Tribunal Correctionnel de Rouen](#)

²⁷⁰ See GRETA's third report on France, paragraph 134.

VI. Conclusions

238. Since the publication of GRETA's third report on France on 18 February 2022, progress has been made in a number of the areas covered by that report.

239. In December 2023, the government launched the third National Action Plan to combat exploitation of and trafficking in human beings (2024-2027), which included specific measures relating to children. In August 2023, action against human trafficking was included in the decree describing the functions of the Minister responsible for Gender Equality and Anti-Discrimination Measures, to whom the MIPROF is answerable. Since 2023, the staff of the MIPROF has doubled. The OCRTEH has set up a special cybercrime unit to investigate trafficking for the purpose of sexual exploitation and launched a national plan for the suppression of this form of human trafficking. Lastly, in 2024, the Constitutional Council found the requirement for legal aid applicants to be residing legally in France to be unconstitutional, and the Court of Cassation alleviated the burden of proof required of THB victims for them to be awarded compensation.

240. GRETA welcomes these positive developments in France. However, despite the progress achieved, several issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the the French authorities to take action in the following areas:

- Identification of victims (Article 10 of the Convention). The French authorities should introduce a national identification and referral mechanism defining the role to be played and the procedure to be followed by all stakeholders that may come into direct contact with victims of human trafficking, and set up a procedure for identifying victims of human trafficking who are French nationals and EU/EEA country nationals. They should also ensure that, in practice, the identification of human trafficking victims is not conditional on their co-operation with the law enforcement agencies.
- Assistance to victims (Article 12 of the Convention). The French authorities should ensure that human trafficking victims are provided with safe accommodation adapted to their needs and provide sufficient funding to ensure the range and quality of the services offered by NGOs.
- Identification of, and assistance to, child victims of human trafficking (Articles 10 and 12 of the Convention). The French authorities should incorporate specific procedures for children into the national identification and referral mechanism to be established, taking account of the particular situation and needs of child victims of human trafficking, and provide in-service training and tools to stakeholders for the identification of such victims.
- Non-punishment of victims of human trafficking (Article 26 of the Convention). The French authorities should adopt a specific legal provision on the non-punishment of victims of human trafficking and/or issue instructions to investigation services and prosecutor's offices specifying the scope of the non-punishment provision.

241. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.

242. As regards the thematic focus of the fourth evaluation round, which is on vulnerabilities to trafficking in human beings, the third National Anti-trafficking Action Plan identifies children, migrants and persons in socially vulnerable situations as the groups that are most vulnerable to risks of exploitation. Measures have been incorporated into this plan to reduce and prevent these vulnerabilities, and strategic documents and programmes have been devised to facilitate access for vulnerable persons to education, employment and welfare services.

243. While welcoming the measures taken by the French authorities to prevent human trafficking through measures designed to help vulnerable groups, GRETA has identified a number of areas of concern which require further action. The following issues should be addressed as a matter of priority:

- improving the prevention of trafficking in children and young adults, in particular by increasing the resources of the child protection services, ensuring that children and young adults entrusted to the care of the Child Welfare Service (ASE) are provided with safe accommodation so that they are not recruited for purposes of exploitation through prostitution, applying economic and social measures and programmes intended to help them to reintegrate into society and raising awareness among professionals who may be in contact with children;
- revising legislation to reduce the dependence of migrant workers on their employers;
- taking additional measures to ensure that asylum seekers do not become victims of THB, in particular by ensuring that an appropriate assessment of their vulnerabilities is made, improving their social and economic integration and increasing the capacities of the national reception scheme so as to guarantee access to decent housing;
- strengthening the capacities for detection of victims of human trafficking in overseas France and along the border between France and the United Kingdom and between France and Italy by increasing police and gendarme staffing numbers, training professionals in specific local characteristics and supporting the work of NGOs;
- ensuring that all presumed foreign trafficking victims are systematically informed of the possibility of obtaining a recovery and reflection period and that they are granted such a period in practice, and ensuring that the relevant authorities are informed of the State's positive obligation to grant recovery and reflection periods, regardless of whether the victim has made such a request;
- taking additional measures to ensure that victims of human trafficking can fully benefit from the right to obtain a residence permit, including on grounds of their personal situation.

244. GRETA welcomes the steps taken by the French authorities to promote online safety and enhance their capacity to detect and investigate ICT-facilitated human trafficking. To counter the routine use of ICT to recruit and exploit victims of human trafficking, the authorities should promote further capacity building and digital tools to conduct proactive investigations. They should also strengthen co-operation with ICT companies and Internet service providers. Lastly, they should extend the powers and financial resources of the PHAROS platform (for the harmonisation, cross-checking and referral of reports) to enable it to play an active role in removing and blocking access to unlawful content and establish a proper procedure for the persons concerned to request the removal of content of a sexual nature.

245. GRETA invites the French authorities to keep it regularly informed of developments as regards the implementation of the Convention. It trusts that there will continue to be a political commitment in France to sustaining the efforts to combat all forms of human trafficking by following the human-rights based approach of the Convention and looks forward to continuing the dialogue with the French authorities and civil society.

Appendix 1

Statistics on THB victims and THB cases in France between 2021 and 2024

The data given in this table are not directly comparable from one State Party to another because data collection methods differ.

Indicator		Years			
		2021	2022	2023	2024
Number of identified victims of THB and related offences		1 811	2 027	2 143	2 127
Broken down by:					
Gender and age group	Women	927	985	1 014	937
	Men	394	550	730	702
	Girls	391	374	359	409
	Boys	99	118	40	79
Form of exploitation	Sexual	1 044 (690 women, 46 men, 300 girls and 8 boys)	993 (667 women, 26 men, 293 girls and 7 boys)	1 043 (713 women, 30 men, 290 girls and 10 boys)	1 002 (618 women, 29 men, 348 girls and 7 boys)
	Labour (including domestic servitude)	514 (169 women, 288 men, 24 girls and 33 boys)	798 (238 women, 436 men, 38 girls and 86 boys)	764 (215 women, 510 men, 24 girls, 15 boys)	756 (230 women, 460 men, 29 girls and 37 boys)
	Forced begging	31 (c. ²⁷¹)	45 (c.)	26 (c.)	21 (c.)
	Other forms	8 (c.)	5 (c.)	12 (c.)	c.
	Not recorded	222 (65 women, 57 men, 53 girls and 47 boys)	192 (75 women, 84 men, 25 girls and 8 boys)	319 (n.a.)	348 (87 women, 213 men, 20 girls and 28 boys)
Number of investigations recorded containing a human trafficking offence or related offences and number of victims involved	THB	191 (331 victims)	185 (362 victims)	255 (404 victims)	351 (442 victims)
	Pimping	668 (1 044 victims)	596 (993 victims)	647 (1 043 victims)	661 (1 002 victims)
	Labour exploitation ²⁷²	306 (514 victims)	337 (798 victims)	384 (764 victims)	408 (756 victims)
	Exploitation of begging	29 (31 victims)	38 (45 victims)	29 (26 victims)	26 (21 victims)
Number of persons indicted for human trafficking or related offences	THB	336	250	242	228
	Pimping	1 694	1 448	1 402	1 565
	Labour exploitation	283	377	353	415
	Exploitation of begging	23	34	31	27

²⁷¹ C.: confidential. The gender and age group of the victims cannot be disclosed due to statistical confidentiality.

²⁷² This includes the following offences: subjection to slavery or servitude, forced labour and working or housing conditions contrary to human dignity.

Number of individuals convicted of human trafficking or related offences	THB	92	62	38	Not available.
	Pimping	766	726	782	Not available.
	Labour exploitation	144	146	151	Not available
	Exploitation of begging	26	10	5	Not available

Appendix 2

List of GRETA's conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

Topics related to the fourth evaluation round of the Convention

Prevention of trafficking in human beings

- Noting moreover that most awareness-raising campaigns focus on sexual exploitation, GRETA invites the French authorities to extend their awareness-raising activities to cover all forms of THB (paragraph 28);
- GRETA invites the French authorities to set up an advisory council for persons with lived experience of human trafficking (paragraph 29).

Measures to prevent the vulnerability of specific groups to trafficking in human beings

Children and young adults

- While welcoming the adoption of the Law of 7 February 2022 on child protection, GRETA urges the French authorities to step up their efforts to improve the prevention of trafficking in children and young adults, in particular by:
 - further enhancing the capacities, resources and training of child protection professionals and staff of the Child Welfare Service's centres;
 - taking measures to deal effectively with the problem of disappearance of children from the Child Welfare Service's centres, by providing them with secure accommodation, appropriate services and a sufficient number of appropriately trained supervisors, and by alerting them to the risks of abuse and exploitation;
 - implementing economic and social measures and programmes to assist children placed in the child protection system with their reintegration into society, including after they have turned 18;
 - ensuring that unaccompanied children are given proper support, including accommodation in safe, child-friendly centres or foster families and access to education, healthcare and legal assistance, so as to reduce the risk of exploitation by traffickers who target vulnerable children;
 - improving the recruitment and training of ad hoc administrators, particularly on the issue of unaccompanied children, and appointing an ad hoc administrator for such children as soon as they are brought to the attention of the authorities are by incorporating a presumption of minority into the relevant legislation;
 - stepping up efforts to prevent child trafficking not only for the purpose of sexual exploitation but also for other types of exploitation, such as forced labour, forced begging and forced criminality, in particular by raising awareness among stakeholders who may be in contact with children;

- setting up systems for prevention and protection specifically adapted to the conditions in each overseas département (administrative division) and region, particularly for French Guiana and Martinique (paragraph 45).

Migrant workers

- While welcoming the initiatives taken to prevent trafficking for the purpose of labour exploitation of migrant workers, GRETA urges the French authorities to revise the relevant legislation to reduce the dependence of migrant workers on their employers (paragraph 57);
- GRETA also considers that the French authorities should take further measures in this respect, taking account of Recommendation CM/Rec(2022)21 of the Committee of Ministers to member States on preventing and combating trafficking in human beings for the purpose of labour exploitation. The authorities should in particular:
 - step up oversight of the working and housing conditions of foreign workers who have obtained a work permit via interregional foreign workforce platforms, particularly seasonal agricultural workers, to prevent any risk of human trafficking;
 - strengthen co-operation with the private sector and continue their efforts to raise companies' awareness of their responsibilities and their important role in preventing and eradicating human trafficking within their businesses and in their supply chains. In this context, the French authorities must ensure that the Law on due diligence by parent companies is fully implemented, in particular by supporting the preparation of due diligence plans and evaluating the effects of this law on the prevention of trafficking for the purpose of labour exploitation as well as its implementation;
 - continue to inform the foreign workforce about the risks of human trafficking for the purpose of labour exploitation, the rights of victims, the support services available and the rights of workers;
 - continue to set up co-operation with countries of origin of foreign workers and take measures to prevent their exploitation in France (paragraph 58);
- GRETA also invites the French authorities to ratify the ILO Domestic Workers Convention (No. 189), which includes measures to protect domestic workers from abuse (paragraph 59).

Asylum seekers and refugees

- GRETA urges the French authorities to take additional measures to prevent asylum seekers from becoming victims of trafficking in human beings, in particular by:
 - improving the social and economic integration of asylum seekers, focusing in particular on their access to the labour market, vocational training and health services;
 - making more places available in the national reception scheme (DNA) so as to guarantee all asylum seekers access to decent housing;
 - ensuring that a proper assessment of vulnerabilities is carried out on all asylum seekers to identify their individual vulnerabilities and needs (paragraph 72);
- GRETA also considers that the French authorities should continue to inform asylum seekers and refugees about their rights and the risks of THB (especially recruitment and abuse via the internet and social networks), focusing in particular on asylum seekers in overseas territories and unaccompanied children (paragraph 73).

Irregular migrants

- GRETA considers that the French authorities should:
 - amend the legislation in force with a view to improving effective access to regularisation, harmonising the prefectures' regularisation practices and simplifying procedures;
 - devise accessible, multilingual information campaigns on the ways of regularising the situation of irregular migrants and the mechanisms to protect victims of human trafficking and exploitation;
 - set up specific arrangements in overseas territories to prevent and detect the exploitation of irregular migrants and ensure that they are protected (paragraph 80).

Persons engaged in prostitution

- GRETA considers that the French authorities should take further steps to counteract the risks of human trafficking for persons engaging in prostitution, in particular by:
 - stepping up information campaigns aimed at persons engaged in prostitution concerning the risks of human trafficking, existing support schemes and means of access to programmes to exit prostitution (PSP);
 - strengthening awareness raising and training for members of Commissions to combat prostitution, pimping and trafficking for sexual exploitation (CDLPs) on the vulnerability of persons engaged in prostitution and the measures to be implemented to prevent their exploitation;
 - guaranteeing proper access to programmes to exit prostitution (PSPs) across the country, including overseas *départements* and regions, to all persons who wish to cease engaging in this activity, particularly by increasing funding for certified NGOs (paragraph 90).

Persons with disabilities

- GRETA considers that the French authorities should step up their efforts to improve the protection of persons with disabilities from human trafficking, in particular by:
 - ensuring that individuals or organisations responsible for the guardianship of persons with disabilities and the centres accommodating them are regularly inspected and independently monitored to prevent any exploitation;
 - ensuring that professionals assisting persons with disabilities, including individuals or organisations responsible for their guardianship, are given training on human trafficking which alerts them to human trafficking situations in all their forms, and the rights and the services to which victims have access;
 - improving the programmes and policies devised for persons with disabilities to better integrate them into society and thus reduce their vulnerability to human trafficking (paragraph 98).

Persons living in informal settlements

- GRETA considers that the French authorities should continue reinforcing the prevention of human trafficking through lasting social, economic, educational and other measures designed to enhance the autonomy of persons living in informal settlements and squats, especially women, children and young people, in particular through improved access to education and the labour market, the aim being to address the underlying causes of human trafficking (paragraph 104).

LGBTI persons

- GRETA welcomes the adoption of the national plan to promote equality for and combat hatred and discrimination against LGBT+ persons and considers that the French authorities should take measures to reduce the vulnerability of LGBTI persons to THB, particularly through training and awareness raising for law enforcement agencies, working in close co-operation with civil society organisations (paragraph 111).

Identification of victims of THB

- Referring to the recommendations in its third report, GRETA once again urges the French authorities to improve the identification of victims of human trafficking and, in particular, to:
 - introduce without a further delay a national identification and referral mechanism, defining the role to be played and the procedure to be followed by all stakeholders that may come into direct contact with victims of human trafficking, including specific procedures relating to children which take account of the specific situation and needs of child victims of human trafficking, and set up a procedure for identifying victims of human trafficking who are French nationals and EU/EEA country nationals;
 - ensure that, in practice, the identification of victims of human trafficking is not subject to their co-operation with law enforcement agencies;
 - increase the capacities for detection in overseas territories and along the border between France and the United Kingdom and between France and Italy by increasing police and gendarme staffing numbers, training professionals on specific local characteristics and supporting the work of NGOs (paragraph 125);
- GRETA also considers that the French authorities should:
 - facilitate lodging of complaints by potential victims, including persons who became victims of human trafficking in other European countries;
 - strengthen proactive control in sectors where there is a high risk of human trafficking, especially in agriculture, construction and catering, by strengthening the resources and training of the labour inspectorate;
 - ensure that inspections can be carried out in private homes so as to prevent abuse of domestic employees and detect cases of human trafficking, through measures including awareness raising among labour inspectors about the role they can play in this respect (see also the recommendation in paragraph 59);
 - introduce a national plan for the compulsory in-service training of all stakeholders who may come into contact with victims, particularly for law enforcement agencies, prosecutors, labour inspectors, staff of the French Office for Immigration and Integration (OFII), airport staff, medical staff, education staff and child protection agencies, to improve identification of human trafficking victims;
 - strengthen co-operation between NGOs and relevant public authorities, including at local level, for example by systematically adopting the good practice referred to in paragraph 123, namely consideration by the investigating services of information passed on to them by NGOs such as detailed reports based on interviews with victims;
 - put an end to the practice of refoulement at borders, particularly the Franco-Italian border, and set up systematic procedures to identify victims of trafficking and refer them to specialised facilities, including facilities for unaccompanied children (paragraph 126).

Assistance to victims

- GRETA once again urges the French authorities to take additional steps to fulfil their obligations under Article 12 of the Convention, in particular by:
 - ensuring that human trafficking victims are given appropriate support and assistance, in keeping with their individual needs and for as long as necessary, in order to facilitate their reintegration and recovery;
 - ensuring that all victims of human trafficking, including men, irregular migrants and victims of trafficking for the purpose of labour exploitation, are provided with accommodation that is safe and suitable for their needs;
 - providing sufficient long-term funding to ensure that the services offered by NGOs are diverse and of high quality, in particular NGOs which specialise in assisting victims of trafficking for labour exploitation, criminal exploitation and exploitation of begging
 - (paragraph 135);
- GRETA also considers that the French authorities should step up their efforts to increase provision of psychological assistance that is accessible to all victims of human trafficking, irrespective of the form of exploitation. The assistance should help them overcome the trauma they have been through, achieve a lasting recovery and reintegrate into society. It should also include special support for victims with addictions, offering a comprehensive response to their medical, psychological and social needs (paragraph 136).

Identification of, and assistance to, child and young adult victims of human trafficking

- GRETA commends the professionalism and commitment of the staff it met and invites the French authorities to make this pilot project, which has already been extended to May 2027, permanent (paragraph 141);
- Reiterating the recommendations made in its third report, GRETA once again urges the French authorities to step up their efforts to identify child victims of human trafficking and provide them with appropriate assistance, in particular by:
 - introducing specific procedures for children in the national identification and referral mechanism to be established (paragraph 125), taking into account the particular situation and needs of trafficked children, making the best interests of the child a primary consideration, involving child specialists, and defining the role to be played and the procedure to be followed by all authorities and professionals who may come into direct contact with child victims of human trafficking, including NGOs;
 - providing in-service training and tools to stakeholders (law enforcement agencies, prosecutors' offices, asylum and migration authorities, airport staff, service providers, educational staff, child protection authorities, NGOs) in relation to the identification of child victims of human trafficking;
 - taking measures to prevent children and young adults entrusted to the care of Child Welfare Service (ASE) centres from being recruited for purposes of exploitation through prostitution by providing them with secure accommodation and specialised services with a sufficient number of appropriately trained staff;
 - developing reintegration programmes for child victims of human trafficking (paragraph 145).

Notion of “abuse of a position of vulnerability” in the law and case-law

- GRETA again urges the French authorities to align the notion of abuse of vulnerability contained in Article 225-4-1 of the Criminal Code with that of the Convention, which covers all forms of vulnerability, whether physical, psychological, emotional, family-related, social or economic (paragraph 156).

Investigation, prosecution and sanctions

- GRETA considers that the French authorities should take additional steps to ensure that cases of human trafficking are investigated proactively and prosecuted properly, leading to effective, proportionate and dissuasive sentences, in particular by:
 - ensuring that there are enough specialised investigators with appropriate training and the necessary resources to deal with human trafficking cases throughout the country;
 - encouraging investigators, prosecutors and judges to specialise in human trafficking, not just in the JIRSs but also in those jurisdictions that are most exposed to the phenomenon of human trafficking, including trafficking for the purposes of labour exploitation, forced crime, forced begging and forced marriage. Training of investigators, judges and prosecutors should include instruction on gathering statements from victims and the impact of psychological trauma;
 - stepping up their efforts to ensure that human trafficking offences are classified as such every time the circumstances of a case so allow, including in cases of sexual exploitation of children (whether French or foreign nationals);
 - ensuring that a request is made for diplomatic immunity to be lifted in all cases where there are signs of domestic exploitation (paragraph 175).

Criminalisation of the use of a victim’s services

- GRETA considers that the French authorities should adopt a legal provision criminalising the use of all services which are the object of exploitation as referred to in Article 4 of the Convention, with the knowledge that the person concerned is a victim of trafficking in human beings (paragraph 178).

Addressing human trafficking facilitated by information and communication technology (ICT)

- While welcoming the measures taken by the French authorities to strengthen their ability to detect and investigate cybercrime, and to promote online child safety, GRETA considers that the authorities should develop new measures to prevent all forms of trafficking in human beings facilitated by ICTs, particularly trafficking for labour exploitation. The authorities should, in particular:
 - invest more in strengthening the capacities and the online tools needed for proactive investigation and step up co-operation with tech companies and internet service providers;
 - extend the powers and financial resources of PHAROS to enable it to play an active role in removing and blocking access to unlawful content;
 - establish a proper procedure for persons who have been filmed or photographed who so wish to request the removal of content of a sexual nature, set up a system for the detection and automatic removal of all videos and images, including copies distributed after their removal has been ordered, and extend liability to anyone who refuses to take down such content, complete with heavy financial penalties (paragraph 195);

- GRETA also invites the French authorities to ratify the second additional protocol to the Cybercrime Convention on enhanced co-operation and disclosure of electronic evidence (paragraph 196).

Follow-up topics specific to France

Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

- GRETA considers that the French authorities should increase the human resources and financial means allocated to the MIPROF to secure the efficient co-ordination and follow-up of public action against human trafficking (paragraph 18);
- GRETA considers that the French authorities should ensure that national plans to combat THB are adopted in good time to make public policies to combat human trafficking continuous and consistent (paragraph 21).

Data collection

- GRETA considers that the French authorities should set up a comprehensive system for the collection and analysis of data on measures to protect and promote the rights of human trafficking victims, which should ensure that all stakeholders who may supply data are involved, including NGOs and other service providers, law enforcement, immigration services, labour inspectorates, health-care providers and prosecution services, as well as other partners involved in identifying and recording human trafficking victims and in investigations and prosecutions concerning human trafficking or related offences (paragraph 202).

Recovery and reflection period

- Referring to the recommendations made in previous reports, GRETA once again urges the French authorities to:
 - ensure that presumed foreign trafficking victims, including EU/EEA nationals (see paragraph 114), are systematically informed of the possibility of obtaining a recovery and reflection period and that they are granted such a period in practice;
 - ensure that the relevant authorities are informed of the State's positive obligation to grant a recovery and reflection period, regardless of whether the victim has made such a request. Reference is made to GRETA's Guidance Note on the recovery and reflection period (paragraph 205).

Residence permits

- GRETA once again urges the French authorities to take additional measures to ensure that victims of human trafficking can fully benefit from the right to obtain a residence permit, including on grounds of their personal situation, and in particular by:
 - providing information and training on human trafficking to relevant staff of the prefectures;
 - increasing the human resources deployed for the management of the ANEF platform so as to remedy its technical failings and ensuring that applications are dealt with promptly and reliably or to arranging alternative means for victims of human trafficking to submit their case;
 - ensuring that residence permits are issued to victims within a reasonable time;

- guaranteeing that Algerian nationals who are victims of human trafficking can obtain a renewable residence permit, in accordance with Articles 3 (non-discrimination) and 14 of the Convention (paragraph 214);
- GRETA also considers that the French authorities should:
 - extend the scope of Article L425-1 to offences associated with human trafficking in relation to labour exploitation, including enslavement, subjection to servitude and forced labour;
 - ensure that nationals of an EU/EEA country who are victims of human trafficking but who do not fulfil the requirements to have their stay legalised, enjoy the right to obtain a renewable residence permit, in line with domestic law and in compliance with Article 14 of the Convention;
 - facilitate access to a residence permit for persons identified as human trafficking victims by a labour inspector, including cases where the requirements to obtain a permit set out in Article L.425-1 of the CESEDA are not met (paragraph 215).

Legal assistance and free legal aid

- While welcoming the decision of the Constitutional Council of 28 May 2024, GRETA considers that the French authorities should take further steps to facilitate and guarantee access to justice for all THB victims and, in particular to:
 - ensuring that legal assistance is provided systematically as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, and before they have to decide whether or not they want to co-operate with the authorities and/or make an official statement;
 - raising awareness among Bar Associations of the need to encourage the training and specialisation of lawyers in providing legal aid to human trafficking victims, and ensuring that human trafficking victims are systematically assigned a specialised lawyer;
 - revising Law No. 91-647 so that access to legal aid for human trafficking victims is not subject to means testing or a habitual residence requirement (paragraph 221).

Compensation

- While welcoming the judgment of 4 April 2024 of the Court of Cassation and progress made in the seizure of criminal assets, GRETA considers that the French authorities should make further efforts to guarantee effective access to compensation for human trafficking victims, and in particular by:
 - introducing a procedure whereby victims can request that a decision on the recovery of unpaid salaries is taken within the framework of criminal proceedings;
 - ensuring that the amounts of compensation granted in respect of recovery of unpaid salaries can be paid in advance by the State, which subsequently reclaims them from the offender;
 - continuing to develop specific modules on the compensation of human trafficking victims to be included in the initial and in-service training of lawyers, law enforcement officers, prosecutors and judges, which should cover compensation for victims of labour exploitation;
 - setting up a mechanism to record compensation claimed and obtained by human trafficking victims through criminal and labour court proceedings (paragraph 228).

Non-punishment provision

- GRETA once again urges the French authorities to adopt a specific legal provision on the non-punishment of victims of THB for their involvement in unlawful activities to the extent that they were compelled to do so and/or to issue instructions to investigators and prosecutors specifying the scope of the non-punishment provision, which applies not only to children but also to adults coerced into unlawful activities (paragraph 236).
- GRETA also considers that the French authorities should:
 - continue to take measures to ensure implementation, in practice, of the non-punishment provision, in particular by providing training for law enforcement officers, prosecutors and judges and improving information exchange between judicial authorities in different *départements*;
 - adopt legislative measures making it possible to remove convictions from human trafficking victims' criminal records once it has been established that victims have been compelled by traffickers to commit the offences concerned (paragraph 237).

Appendix 3

List of public bodies, intergovernmental organisations and civil society organisations with which GRETA held consultations

Public bodies

- Ms Aurore Bergé, Minister-Delegate to the Prime Minister with responsibility for gender equality and anti-discrimination measures
- Ministry of the Interior
- Ministry of Justice
- Ministry of Labour, Health, Solidarity and Families
- Ministère for Europe and Foreign Affairs
- Ministry of Overseas France
- Ministry of National Education, Higher Education and Research
- Interministerial taskforce on combating violence against women and human trafficking (MIPROF)
- French Office for Immigration and Integration (OFII)
- French Office for the Protection of Refugees and Stateless Persons (OFPRA)
- Interministerial Committee for the Prevention of Crime and Radicalisation (SG-CIPDR)
- Inspector General of Prisons (CGLPL)
- National Court of Asylum (CNDA)
- Interministerial Delegation for Accommodation and Access to Housing (DIHAL)
- National Consultative Committee on Human Rights (CNCDH)
- Ms Claire Hédon, Defender of Rights
- Mr Guillaume Gouffier-Valente, Member of the National Assembly

Tarbes, Calais, Fort-de-France (Martinique) and Cayenne (Guyane)

- Prefecture
- Local authorities
- Police and gendarmerie investigating services
- Judges and prosecutors
- Labour inspectors

Civil society organisations

- Amicale du Nid
- Association Accompagnement Lieux d'Accueil Carrefour éducatif et social (ALC)
- Association Foyer Jorbalan (AFJ)
- Association Grisélidis
- Association guyanaise d'aide aux victimes (AGAV)
- Association Project Play
- Association RUELLE (urban taskforce to discuss and combat exploitation)
- Association MIST (anti-THB action and awareness-raising taskforce)
- Association SALAM
- Association STRASS (sex workers' union)
- "Ensemble contre la traite des êtres humains" collective
- Comité contre l'esclavage moderne (CCEM)
- Comité Protestant évangélique pour la Dignité Humaine (CPDH)
- D'Antilles et D'Ailleurs
- ECPAT France
- Fédération des acteurs de la solidarité (FS)
- France Terre d'Asile
- Hors-la-Rue
- Koutcha
- La Cimade
- Human Rights League (LDH)
- Médecins du Monde
- Mouvement du Nid
- Plateforme des soutiens aux migrants (PSM) (migrant support platform)
- Red Cross
- Refugee Women's Centre
- Ruelle
- Salvation Army
- Secours catholique – Caritas
- SOS Esclaves
- Trajectoire
- UNICEF France

Government's comments

The following comments do not form part of GRETA's analysis concerning the situation in France

GRETA engaged in a dialogue with the French authorities on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version.

The Convention requires that "the report and conclusions of GRETA shall be made public as from their adoption, together with eventual comments by the Party concerned." GRETA transmitted its final report to the French authorities on 16 March 2026 and invited them to submit any final comments. The comments of the authorities, submitted on 22 May 2026 (in French only), are reproduced hereafter.



GOUVERNEMENT

*Liberté
Égalité
Fraternité*

**Mission interministérielle
pour la protection des femmes contre les violences
et la lutte contre la traite des êtres humains**

COMMENTAIRES FINAUX DE LA FRANCE SUR LE RAPPORT DU GRETA CONCERNANT LA MISE EN OEUVRE DE LA CONVENTION DU CONSEIL DE L'EUROPE SUR LA LUTTE CONTRE LA TRAITE DES ÊTRES HUMAINS PAR LA FRANCE

Quatrième cycle d'évaluation - 2024

La France tient à remercier la délégation du Groupe d'experts du Conseil de l'Europe sur la lutte contre la traite des êtres humains (GRETA) composée Mme Ulrike Haberl-Schwarz et M. Peter Van Hauwermeiren, membres du GRETA, et de Mme Parvine Ghadami et M. Mesut Bedirhanoglu, respectivement administratrice et administrateur au secrétariat de la Convention, qui ont effectué la visite d'évaluation en France du 16 au 25 juin 2025, dans un esprit particulièrement constructif.

La France tient également à remercier les experts pour la qualité du rapport élaboré dans le cadre du 4ème cycle d'évaluation de la mise en œuvre par la France de la Convention du Conseil de l'Europe sur la lutte contre la traite des êtres humains, qui témoigne de l'ensemble des actions mises en place par les autorités françaises pour lutter contre cette forme de criminalité et qui tient compte aussi de la transparence que la France a souhaité afficher dans le cadre de cet exercice d'évaluation.

Comme lors des cycles précédents, la France souligne l'intérêt central des évaluations, par des organismes internationaux, des politiques publiques nationales et confirme inscrire ses actions en totale adéquation avec les recommandations formulées par les instances internationales, et principalement le GRETA.

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Conformément à la procédure du GRETA et à l'article 38, paragraphe 6, de la Convention, la France souhaite émettre les commentaires finaux relatifs au rapport adopté par le GRETA lors de sa 56ème réunion en mars 2026.

Certaines précisions sont portées directement dans les alinéas extraits du rapport du GRETA et appuyés par les explications afférentes.

*

Paragraphe 2 : « Comme indiqué dans le troisième rapport du GRETA, la Miprof, en partenariat avec les associations du Collectif « Ensemble contre la traite des êtres humains » et en co-pilotage avec le SSMSI

entre 2021 et 2023, conduisent depuis 2016 une enquête annuelle sur les victimes identifiées ou présumées de la traite repérées et accompagnées suivies par les associations en France. »

L'enquête annuelle conduite par la Miprof documente les victimes que les associations interrogées repèrent et accompagnent, après une première analyse des éléments de leur récit susceptibles de caractériser une situation de traite ou d'exploitation.

*

Paragraphe 19 : la Miprof souligne que son comité de coordination, composée des membres du comité d'orientation intervenant en matière de lutte contre la traite des êtres humains, est directement investi du suivi de la mise en œuvre du plan national 2024-2027 de lutte contre l'exploitation et la traite des êtres humains, et à ce titre se réunit tous les semestres.

*

Paragraphe 28 : « (...) Le GRETA salue les efforts des autorités françaises et de leurs partenaires pour sensibiliser le public et le secteur économique aux risques de traite et invite les autorités françaises à tirer parti de l'impact positif des campagnes menées à l'occasion de l'accueil en France des Jeux olympiques et paralympiques afin d'en inspirer les initiatives futures. En outre, notant que la majorité des actions de sensibilisation demeure centrée sur l'exploitation sexuelle, le GRETA invite les autorités françaises à étendre leurs actions de sensibilisation à toutes les formes de traite des êtres humains. »

La Miprof conteste l'affirmation selon laquelle les actions de sensibilisation seraient centrées majoritairement sur l'exploitation sexuelle :

D'une part, la campagne de communication déployée auprès du grand public aux été 2024 puis 2025 pour sensibiliser à la réalité de la traite comprend des affiches et une vidéo d'une minute qui présente successivement les 4 finalités principales de la traite : exploitation sexuelle, exploitation par le travail, exploitation d'activités délictueuses, mendicité forcée,

D'autre part, lors de toutes les journées de formation organisées au niveau national ou en territoire, toutes les formes de traite sont systématiquement développées, à travers la présentation des données, des états de la menace, du cadre juridique et de politique pénale, puis avec des tables-rondes variées.

*

Paragraphe 32 : « Les jeunes en situation de prostitution présentent une forte vulnérabilité psychologique et sociale, marquée le plus souvent par la déscolarisation, les ruptures familiales, les antécédents de violences sexuelles ou les addictions. Le recrutement s'effectue fréquemment au sein même des foyers de l'Aide sociale à l'enfance (ASE), par des pair·es, via les réseaux sociaux ou selon la méthode dite du « lover boy ». La fragilité des enfants et jeunes placé·es dans les foyers de l'ASE en fait des cibles privilégiées, tandis que leurs fugues récurrentes favorisent leur captation par des réseaux d'exploitation. Les réseaux criminels qui les exploitent sont souvent de petite taille et ancrés localement et peuvent parfois impliquer des auteurs mineur·es. »

Les autorités françaises soutiennent que les recrutements sont d'abord facilités par les nouvelles technologies et l'exploitation de vulnérabilités, quels que soient les lieux d'hébergement des jeunes victimes.

*

Paragraphe 35 : « (...) Les enfants mineur·es non accompagn·es rencontrent également d'importantes difficultés d'accès au séjour. (...) »

Une circulaire du ministère de l'Intérieur du 21 septembre 2020 relative à l'examen anticipé de la demande de titre de séjour pour les MNA confiés à l'ASE a été diffusée afin de prendre en compte ces difficultés.

*

Paragraphe 37 : « (...) Ces jeunes, souvent contraint·es de vivre à la rue, ne peuvent justifier d'une domiciliation, condition nécessaire pour bénéficier de l'aide médicale d'État (AME). »

La France précise que les mineurs peuvent bénéficier de l'Aide médicale de l'Etat dès leur arrivée sur le territoire, sans condition de durée de résidence.

Le guide de bonnes pratiques portant sur la première évaluation des besoins de santé des personnes se présentant comme mineurs non accompagnés lors de la phase d'accueil provisoire d'urgence précise ainsi que les personnes se déclarant MNA et dont la minorité et l'isolement familial sont en cours d'évaluation et qui n'ont pas fait l'objet d'une ordonnance de placement provisoire, peuvent bénéficier sans délai de l'aide médicale d'Etat (AME), si elles nécessitent des soins.

Elles n'ont pas à remplir la condition de séjour ininterrompu et irrégulier de 3 mois, à la différence des étrangers majeurs en situation irrégulière²⁷³. Si la minorité n'a pas été établie et que la personne nécessite encore des soins, il n'y aura pas de démarches supplémentaires à effectuer auprès de la caisse d'assurance maladie car le droit à l'AME reste ouvert durant une période d'un an à compter de la date de dépôt de la demande.

*

Paragraphe 40 : « (...) Ces actions d'« aller-vers » comprennent des maraudes, le déploiement des psychologues de rue et l'ouverture d'accueils de jour ou d'urgence à proximité des lieux fréquentés par les jeunes. »

De plus, un réseau national de lieux d'accueil et de prise en charge des mineurs en situation d'exploitation a été mis en place grâce à un financement de l'Etat, et est porté par l'association Koutcha. Ce réseau, dénommé Satouk, regroupe des structures d'accueil de la protection de l'enfance et de la protection judiciaire de la jeunesse, sélectionnées sur la base d'un cahier des charges et formées à l'accueil spécifique de ce type de public. Il vise à assurer la protection des mineurs victimes de traite, qu'ils soient suivis par la justice sur le volet civil (assistance éducative) ou pénal (délinquance des mineurs) tout en les éloignant de leur lieu d'exploitation.

*

Paragraphe 41 : « (...) La ligne 119 fait face à des difficultés de recrutement, ce qui impacte les délais d'orientation par le premier accueil vers les écoutantes spécialisées. »

Le 119, et en particulier le dispositif de lutte contre l'exploitation sexuelle des mineurs, fonctionne selon un système de rappels. Les situations de mineurs victimes de prostitution nécessitent un accompagnement à plus long terme (en moyenne 6 appels par situation). En revanche, toutes les situations sont prises en compte.

En outre, le 119 a décidé de changer de modalités pour les réponses opérées par ses écoutants, pour ne plus spécialiser certains d'entre eux : l'ensemble des écoutants sont désormais formés sur cette problématique afin de garantir une qualité d'écoute et d'orientation sur tous les appels.

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²⁷³ Circulaire DSS/2A/2011/351 du 8 septembre 2011 et Conseil d'Etat, 1^{ère} et 6^{ème} sous-sections réunies, décision du 7 juin 2006, 285576

Paragraphe 45 : « Tout en saluant l'adoption de la loi du 7 février 2022 relative à la protection des enfants, le GRETA exhorte les autorités françaises à intensifier leurs efforts pour améliorer la prévention de la traite des enfants et des jeunes majeur-es. Elles devraient en particulier :

« renforcer davantage les capacités, les ressources et la formation des professionnel·les de la protection de l'enfance et personnels des foyers de l'Aide Sociale à l'Enfance ; »

La Mission mineurs non accompagnés (ci-après, « MMNA ») de la direction de la protection judiciaire de la jeunesse (ci-après, « DPJJ) du ministère de la Justice a conçu en 2025 un guide de prise en charge des mineurs non accompagnés qui s'adresse prioritairement à tous les professionnels de la protection judiciaire de la jeunesse (ci-après, « PJJ ») qui prennent en charge des MNA et, plus largement, à l'ensemble des professionnels intervenant auprès de ce public particulièrement vulnérable. Il propose, un état des lieux des droits des MNA en rassemblant, sous forme de fiches pratiques, les informations essentielles requises pour la prise en charge de ces mineurs. Accessible en ligne, le Guide MNA a été présenté notamment à l'occasion d'un webinaire le 10 février 2026 et il est largement diffusé lors de formations et auprès des partenaires de la MMNA. Son actualisation est en cours.

Par ailleurs, depuis 2022, l'Ecole nationale de protection judiciaire de la jeunesse (ci-après, « ENPJJ ») offre chaque année plusieurs formations continues sur le thème des MNA. Ces formations visent à approfondir la connaissance des caractéristiques sociologiques de ce public, à identifier le cadre légal et institutionnel régissant leur prise en charge, ainsi qu'à définir les spécificités permettant d'évaluer les difficultés inhérentes à leur accompagnement. Notamment, en 2023 et 2025, plusieurs formations relatives à la traite des êtres humains ont été proposées dans les pôles territoriaux de formation (ci-après, « PTF »).

Au-delà des formations dispensées, l'ENPJJ contribue à améliorer les connaissances sur les spécificités des mineurs non accompagnés par la réalisation d'événements ou la diffusion de recherches, depuis de nombreuses années.

Le 6 février 2025, la MMNA a organisé la première édition des « Rencontres annuelles mineurs non accompagnés », réunissant une pluralité d'acteurs œuvrant pour la protection des MNA (magistrats, conseils départementaux, associations, organisations non gouvernementales, organisations internationales, fédérations, services centraux de l'Etat, PJJ, avocats ou encore chercheurs) afin d'échanger autour des enjeux rencontrés dans l'accompagnement des MNA, partager les bonnes pratiques et réfléchir aux réponses adaptées aux besoins de ce public.

« veiller à ce que les enfants non accompagné-es bénéficient d'une prise en charge effective, incluant un hébergement dans des centres sûrs et adaptés aux enfants ou dans des familles d'accueil, un accès à l'éducation et à la santé ainsi qu'une assistance juridique afin de réduire le risque d'exploitation par des trafiquant-es qui ciblent les enfants vulnérables ; »

Le principe de non-discrimination garantit un traitement équitable de tous les mineurs en France à chaque étape de leur prise en charge au sein de l'aide sociale à l'enfance. De ce fait, les MNA bénéficient, à l'instar des autres mineurs pris en charge à l'ASE, d'une prise en charge globale en termes d'hébergement, d'accompagnement aux soins, d'accompagnement de la scolarité et de l'insertion professionnelle. Ils bénéficient également d'un accompagnement administratif et juridique spécifique.

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Paragraphe 57 : « Tout en saluant les initiatives prises pour prévenir la traite aux fins d'exploitation par le travail des travailleuses et travailleurs migrants, le GRETA exhorte les autorités françaises à réviser la législation afin de réduire la dépendance des travailleuses et travailleurs migrants vis-à-vis de l'employeur ou l'employeuse. »

La loi du 26 janvier 2024 pour contrôler l'immigration, améliorer l'intégration (CIAI) est venue compléter le dispositif de l'admission exceptionnelle au séjour au motif de l'insertion professionnelle, en créant une nouvelle voie d'accès sur une articulation renforcée entre les besoins en main d'œuvre identifiés dans certains métiers et la régularisation par le travail. En effet, la loi CIAI a ouvert une voie d'accès à la seule initiative des ressortissants étrangers présents irrégulièrement sur le territoire national qui justifient d'une présence d'au moins 3 ans en France, de leur intégration à la société française, d'une expérience professionnelle de douze mois sur les 24 derniers mois dans un secteur en tension et d'un emploi dans un métier également identifié comme tel (article L.435-4 du CESEDA). Ce dispositif applicable jusqu'en décembre 2026 donne lieu à la délivrance d'un titre de séjour « travailleur temporaire » ou « salarié » et d'une autorisation de travail permettant l'exercice de tout métier.

Pour les ressortissants étrangers en situation régulière, l'exercice d'une activité salariée fait l'objet d'une réglementation fournie, axée autour de l'autorisation de travail. L'article L.5221-5 du code du travail dispose ainsi qu'« un étranger autorisé à séjourner en France ne peut exercer une activité professionnelle salariée en France sans avoir obtenu au préalable une autorisation de travail ». En conséquence, l'article R.5221-1 du code du travail établit le principe que tout contrat de travail concernant un étranger fait l'objet d'une demande d'autorisation de travail. L'activité principale des plateformes de main d'œuvre étrangère (PFMOE) vise à prévenir toute atteinte, par les employeurs, à l'ordre public en général et à l'ordre public social en particulier. Parmi les critères d'examen d'une demande d'autorisation de travail, la PFMOE doit vérifier que l'employeur n'est pas connu pour des faits de fraudes sociales ou pour la commission de certaines infractions pénales liées au droit du travail.

Enfin, au titre des infractions liées au droit du travail, la loi CIAI a instauré une amende administrative visant à sanctionner les employeurs ou les donneurs d'ordre ayant recours au travail d'étrangers non autorisés à travailler en France. Cette amende, prononcée par le ministre de l'Intérieur et en lien avec d'autres mesures de police administrative, permet de lutter activement contre la constitution de filières d'emploi d'étrangers non autorisés à travailler et préserver l'exploitation par le travail des ressortissants étrangers.

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Paragraphe 58 : « En outre, le GRETA considère que les autorités françaises devraient prendre des mesures supplémentaires pour prévenir la traite aux fins d'exploitation par le travail, en tenant compte de la Recommandation CM/Rec(2022)21 du Comité des Ministres aux États membres sur la prévention et la lutte contre la traite des êtres humains à des fins d'exploitation par le travail. Les autorités devraient en particulier :

« renforcer le contrôle des conditions de travail et d'hébergement des travailleuses et travailleurs étrangers, en particulier des saisonniers agricoles, ayant obtenu une autorisation de travail via les plateformes interrégionales de main-d'œuvre étrangère, afin de prévenir tout risque de traite ; »

La directive 2014/36/UE établissant les conditions d'entrée et de séjour des ressortissants de pays tiers aux fins d'emploi en tant que travailleur saisonnier prévoit expressément les critères d'instruction du titre de séjour saisonnier, les points de vigilance dans le cadre de la lutte contre la traite d'êtres humains de ces travailleurs, et les modalités de délivrance de l'autorisation de travail. L'arrêté du 3 janvier 2025, modifiant l'arrêté du 1er avril 2021 fixant la liste des pièces à fournir à l'appui d'une demande d'autorisation de travail, est venu renforcer les moyens de contrôle des plateformes de main d'œuvre étrangère (PFMOE) dans le cadre de la délivrance de l'autorisation de travail. Cet arrêté exige notamment la présentation d'un engagement écrit de l'employeur, précisant que son salarié disposera d'un logement décent conformément aux dispositions applicable à sa typologie et comportant l'adresse précise dudit logement, ainsi qu'une copie de la pièce d'identité de l'employeur. De même, l'employeur est tenu de produire une attestation de

versement des cotisations et contributions sociales de l'employeur à l'organisme chargé de leur recouvrement, datant de moins de six mois.

Les demandes d'autorisation de travail au bénéfice des travailleurs saisonniers sont centralisées au sein d'une même PFMOE, dédiée à l'instruction de ces demandes. Les relations régulières entre la PFMOE et les corps de contrôle en cas de fraude ou de traite d'êtres humains permettent une réaction rapide sur les soupçons d'exploitation et l'identification de filières.

Enfin, comme pour toute délivrance de travail, la PFMOE vérifie que l'employeur n'est pas connu pour des faits de fraudes sociales ou pour la commission de certaines infractions pénales liées au droit du travail, qu'il ne fait pas l'objet de sanctions administratives et que les conditions de rémunération déclarées par l'employeur sont conformes à la réglementation en vigueur.

« continuer à informer la main-d'œuvre étrangère sur les risques de traite aux fins d'exploitation par le travail, sur les droits des victimes de la traite et sur les services de soutien, ainsi que sur les droits des travailleurs et travailleuses ; »

Les PFMOE sont pleinement intégrées dans le plan national de lutte contre le travail illégal (2023-2027), notamment pour participer à l'identification des formes graves d'exploitation par le travail et pour les faire cesser. Les PFMOE ont pour mission de détecter et de signaler ces fraudes aux services de contrôle permettant de constater des situations de travail illégal, de traite des êtres humains ou de fraude sociale. Des échanges d'information avec les corps de contrôle ou les services de lutte contre la fraude sont régulièrement organisés, à la fois au niveau national et au niveau local.

« continuer à établir une coopération avec les pays d'origine des travailleuses et travailleurs étrangers et prendre des mesures pour prévenir leur exploitation en France. »

La structuration de voies de migration légales constitue pour les autorités françaises un levier déterminant en matière de lutte contre la traite d'êtres humains.

Dans le cadre des « Partenariats de Talents », initiatives de la Commission européenne visant à soutenir la création de schémas de mobilité professionnelle sécurisés, la France est engagée dans les projets THAMM-OFII avec la Tunisie et THAMM+ avec le Maroc. Intervenant dans le domaine de la mobilité des saisonniers marocains et tunisiens, ils permettent d'identifier des tiers de confiance pour assurer un accompagnement et une information de qualité, ainsi que de développer des outils d'informations à destination des employeurs et des saisonniers afin de prévenir les situations d'exploitation. A titre d'exemple, le projet THAMM-OFII en Tunisie a permis de perfectionner un schéma de mobilité sécurisé des saisonniers tunisiens dans l'agriculture grâce à un partenariat entre l'Agence Nationale pour l'Emploi et le Travail Tunisienne (ANETI), l'Agence de Vulgarisation et de la Formation Agricoles Tunisiennes (AVFA), et la Fédération Nationale des Syndicats Exploitants Agricoles (FNSEA) du côté français. Les saisonniers sont, ainsi, accompagnés tout au long du processus de recrutement assurant la dignité de leurs conditions de travail et de logement. Cette initiative a été indiquée en point 51 du rapport.

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Paragraphe 62 : « Malgré ces dispositifs, le système d'identification et de suivi des demandeurs et demandeuses d'asile vulnérables reste fragile, principalement en raison d'un manque de moyens humains. Le dépôt tardif d'une demande d'asile (fréquent chez les victimes de traite) entraîne souvent un placement automatique en procédure accélérée par la préfecture et le refus des conditions matérielles d'accueil (CMA) par l'OFII, notamment l'hébergement dans le dispositif national d'accueil (DNA) (précédemment appelé « centres d'accueil de demandeurs d'asile ») et l'allocation pour personnes en demande d'asile (ADA). Les

associations ont noté que les préfectures et l'OFII ignorent fréquemment leurs signalements expliquant les raisons d'un dépôt tardif, même lorsqu'ils sont appuyés par des justificatifs. »

Les autorités françaises contestent cette affirmation : si les préfectures enregistrent en procédure accélérée les demandes d'asile présentées tardivement, néanmoins l'OFII analyse invariablement chaque rapport social présenté par une association spécialisée sur la situation d'une victime de traite des êtres humains (indépendamment de l'existence ou non d'une plainte) et procède systématiquement au rétablissement des droits avec les CMA, et ce qui permet donc le versement de l'ADA et l'accès au DNA.

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Paragraphe 68 : « (...) Dans leurs commentaires sur le projet de rapport du GRETA, les autorités françaises ont fait référence à la résolution CM/ResDH(2025)30, adoptée le 6 mars 2025, par laquelle le Comité des Ministres du Conseil de l'Europe a décidé de clore l'examen de l'affaire Khan c. France, au regard de l'évolution du cadre réglementaire ainsi que de l'augmentation des moyens matériels, humains et financiers déployés par l'État et les collectivités territoriales pour mettre à l'abri et protéger les mineur·es non accompagné·es. Le GRETA observe toutefois que la résolution précitée porte sur les faits particulièrement graves constatés par la Cour européenne des droits de l'Homme dans cette affaire, à savoir l'absence totale de prise en charge d'un mineur non accompagné, âgé de 12 ans, resté non identifié dans un bidonville de Calais pendant six mois. Les observations recueillies par le GRETA lors de sa visite à Calais montrent que, malgré les efforts déployés par les autorités et les acteurs associatifs, les mineur·es non accompagné·es demeurent exposés à un risque élevé de traite, d'abus et de maltraitance, comme l'a également souligné un récent rapport du Comité des droits de l'enfant des Nations Unies. »

Les faits ayant donné lieu à condamnation de la France ont amené les autorités françaises (Etat et départements) à consolider leur dispositif de repérage et de prise en charge des mineurs non accompagnés sur les zones dites de transit. Ces orientations et leur mise en œuvre concrètes ont conduit à clore le suivi des recommandations formulées par la CEDH dans l'affaire Khan c. France. Les autorités françaises restent bien entendu mobilisées dans la mise en œuvre de ces dispositifs pour assurer un repérage et une prise en charge des mineurs en danger de qualité.

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Paragraphe 75 : « Les personnes en situation irrégulière ne disposent d'aucun droit spécifique à l'hébergement et dépendent du dispositif général (les centres d'hébergement et de réinsertion sociale ou les centres d'hébergement d'urgence), déjà saturé. »

L'accès au parc d'hébergement généraliste (CHRS, CHU), financé par le ministère du Logement, n'est pas conditionné à la régularité du séjour sur le territoire, ni à la coopération de la victime sur le plan pénal. Si le parc est soumis à une forte pression, les situations des victimes de traite sont priorisées par les SIAO. Par ailleurs, si le dépôt de plainte n'a pas été effectué en amont, il sera recherché avec la victime lors de la prise en charge, afin de mettre en place des mesures de protection adaptées, sécurisant tant la victime que les équipes professionnelles de la structure.»

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Paragraphe 76 : il y a une confusion : les titres temporaires ne peuvent pas être renouvelés plus de 3 fois pour le même motif, mais rien n'interdit de solliciter un quatrième titre sur un autre fondement.

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Paragraphe 80 : « Le GRETA considère que les autorités françaises devraient:

« modifier la législation en vigueur en vue de renforcer l'accès effectif aux dispositifs de régularisation, harmoniser les pratiques préfectorales en matière de régularisation et simplifier les procédures ; »

Il est rappelé qu'en France, l'initiative de modifier la loi en vigueur appartient au Premier ministre (projets de loi) ainsi qu'aux députés et aux sénateurs (propositions de loi). La procédure législative suit un parcours qui se décline en trois phases :

le dépôt du texte ;

son examen par le Parlement ;

sa promulgation par le Président de la République (après une éventuelle saisine du Conseil Constitutionnel pour examen de la conformité du texte à la Constitution).

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Paragraphe 93 : « Le contrôle des ESMS relève de plusieurs autorités : les Agences régionales de santé (ARS) pour les structures relevant du champ sanitaire (foyers d'accueil médicalisés et maisons d'accueil spécialisées), les Directions départementales de l'emploi, du travail et des solidarités (DDETS) pour les structures d'hébergement du parc généraliste (CHRS, etc.) ou du parc dédié aux demandeurs d'asile (CADA, etc.), et les conseils départementaux pour les autres établissements, notamment les foyers de vie, foyers d'hébergement, services d'accompagnement à la vie sociale (SAVS) et services d'accompagnement médico-social pour adultes handicapés (SAMSAH). Le Plan de lutte contre la maltraitance des personnes vulnérables 2024-2027 prévoit de renforcer les contrôles des établissements accueillant des personnes handicapées et de mettre en place des démarches et des outils de communication alternative et améliorée pour les personnes handicapées résidant dans ces établissements. Une circulaire précisant les orientations de contrôle et des objectifs quantitatifs est en cours de mise en œuvre. Les autorités publiques indiquent ne pas avoir connaissance de cas de traite impliquant des personnes handicapées placées dans ces établissements. »

La Direction générale de la cohésion sociale rappelle que le contrôle des ESMS relève de plusieurs autorités compétentes, selon la nature des structures et leur régime d'autorisation :

Les ARS interviennent principalement pour les établissements relevant d'un financement sanitaire ou médico-social, tels que les foyers d'accueil médicalisés (FAM) et les maisons d'accueil spécialisées (MAS),

Les conseils départementaux sont également compétents pour un grand nombre d'ESMS, notamment les foyers de vie, les foyers d'hébergement, ainsi que les services d'accompagnement à la vie sociale (SAVS) et les services d'accompagnement médico-social pour adultes handicapés (SAMSAH)

Dans plusieurs cas, le contrôle s'exerce de manière conjointe entre l'ARS et le conseil départemental.

Par ailleurs, les directions départementales de l'emploi, du travail et des solidarités (DDETS) sont chargées du contrôle des structures d'hébergement relevant du champ de l'insertion sociale ou de l'asile (telles que les CHRS ou les CADA), sans relever spécifiquement du secteur du handicap.

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Paragraphe 94 : les autorités françaises souhaitent que la dernière phrase soit complétée de la précision suivante « même si une part significative de ses bénéficiaires dispose de ressources complémentaires – notamment activité professionnelle, aides sociales ou prestations compensatoires – qui peuvent les situer au-dessus de ce seuil ou atténuer leur niveau de précarité. »

En effet, il est important de prendre en compte que :

les bénéficiaires de l'AAH qui travaillent (21%), en milieu ordinaire ou en milieu protégé, peuvent cumuler partiellement AAH et revenus professionnels ;

les bénéficiaires de l'AAH en couple (25%) perçoivent l'AAH sans considération des ressources de leur conjoint.e, depuis la déconjugalisation de l'allocation en octobre 2023 ;

l'AAH n'est pas prise en compte comme une ressource pour le calcul de l'aide au logement ;

les bénéficiaires de l'AAH-1, c'est-à-dire ayant un taux d'incapacité de 80% et plus (47% du total des bénéficiaires), percevant l'AAH à taux plein ou une AAH en complément d'une retraite, d'une pension d'invalidité ou d'une rente accident du travail, qui vivent dans un logement indépendant avec une aide au logement, et qui ne perçoivent pas de revenu d'activité professionnelle, peuvent bénéficier de la majoration pour la vie autonome (MVA) d'un montant mensuel forfaitaire de 104,77€.

Enfin toutes les personnes en situation de handicap ayant des limitations fonctionnelles ont droit à une prestation de compensation du handicap (PCH) qui couvre les dépenses d'aides humaines et techniques, d'adaptation du logement et autres frais induits par les limitations résultant de leur situation de handicap

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Paragraphe 111 : « Le GRETA salut l'adoption du plan national pour l'égalité, contre la haine et les discriminations anti LGBT+ et considère que les autorités françaises devraient prendre des mesures pour réduire la vulnérabilité des personnes LGBTI à la traite des êtres humains, notamment par le biais de la formation et de la sensibilisation des forces de l'ordre, en étroite coopération avec les organisations de la société civile.

Le Commandement des écoles de la gendarmerie nationale précise que les formations suivantes sont mises en place pour les agents de l'Office central de lutte contre les crimes contre l'humanité et les crimes de haine (OCLCH) :

les enquêteurs sensibilisés aux premiers enjeux du traitement judiciaire des crimes et délits de haine, afin de prendre correctement en charge les victimes de ces crimes ou délits de haine en recherchant le mobile discriminatoire et en visant la qualification juridique la plus appropriée en lien avec les parquets,

les formateurs relais lutte contre les crimes de haine sont des militaires formés, en complément des missions déjà réalisées en tant qu'enquêteur sensibilisé, afin de conduire les formations décentralisées. Ils appuient plus spécifiquement les unités de terrain dans la conduite des auditions (victimes-auteurs) et dans la qualification des faits. Par ailleurs, ils sont en mesure de représenter la gendarmerie ou d'appuyer son représentant au sein du comité départemental opérationnel de lutte contre le racisme, l'antisémitisme et la haine anti-LGBT.

Les instructeurs lutte contre les crimes de haine sont des militaires de la division de lutte contre les crimes de haine de l'OCLCH du fait de leur expérience et de par leur participation aux actions de formation.

S'agissant spécifiquement des formations à la lutte contre les discriminations, les écoles de Gendarmerie nationale déploient :

en formation initiale : un module de prévention sur la lutte contre les discriminations et des partenariats avec associations spécialisées (notamment SOS homophobie) visant notamment l'organisation de conférences communes,

sur la plateforme de formation en ligne : un guide relatif aux crimes et délits haineux avec fiches dédiées aux discriminations (LGBTphobie).

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Paragraphe 126 : « En outre, le GRETA considère que les autorités françaises devraient :

« renforcer le contrôle proactif dans des secteurs présentant un risque élevé de traite, notamment l'agriculture, le bâtiment, et la restauration, en renforçant les moyens et la formation de l'inspection du travail ; »

La Direction générale du travail précise qu'en matière de contrôle, le plan national d'action de l'inspection du travail adopté pour la période 2026-2029 rappelle que la protection des travailleurs vulnérables est une priorité nationale.

Il est ainsi attendu du système de l'inspection du travail de rechercher en priorité les situations les plus graves d'exploitations par le travail et d'atteinte à la dignité des travailleurs. A ce titre, des actions ciblées sont menées localement (comme le plan de contrôle « vendanges » réalisé annuellement en Champagne) ou nationalement (par la participation active des services aux « European action days » sous l'impulsion de la plateforme européenne EMPACT regroupant Europol et l'AET).

S'agissant spécifiquement de la formation et de l'appui apporté aux inspecteurs du travail, le ministère du travail a mis en place plusieurs mesures pour accompagner les agents. La formation initiale des agents comporte désormais un module d'une journée consacré à l'exploitation par le travail et à la lutte contre la traite des êtres humains. En matière de formation continue, une formation dédiée à la lutte contre l'exploitation du travail dans le secteur agricole a été mise en place depuis 2025 et une nouvelle formation portant sur toutes les formes d'exploitation devrait être développée en 2026 et 2027.

Dans le cadre des formations proposées en interministériel, les agents de l'inspection peuvent déjà bénéficier d'une formation relative à la traite.

Les agents de contrôle peuvent enfin s'appuyer sur un ensemble d'outils méthodologiques développés spécifiquement (fiche d'appui, guide relatif aux échanges avec les victimes) ainsi qu'un réseau régional de référents « traite » animé par une référente nationale.

Il est par ailleurs observé une augmentation du nombre de contrôles ayant pour suite le constat d'infractions liées à l'exploitation par le travail. Si de 2016 à 2022, l'inspection du travail a initié entre 10 et 20 procédures relatives à des faits d'exploitation par le travail chaque année, ce chiffre a été en nette augmentation entre 2023 et 2025, période du plan national d'action précédent.

Ainsi, en 2024, 65 dossiers ont été traités par les services de l'inspection du travail concernant 459 victimes. Le nombre de dossier est équivalent pour 2025 (69 dossiers concernant 339 victimes).

Enfin, si à partir de 2017, les effectifs des agents de contrôle de l'inspection du travail ont été impactés par la réduction des effectifs de la fonction publique, l'administration du travail a réalisé des actions fortes depuis 2021 pour renverser cette tendance, avec une politique active de recrutement : 200 postes ouverts par an au concours sur trois années consécutives (concours 2022, 2023, 2024).

Par ailleurs, entre 2021 et 2025, 188 inspecteurs ont été recrutés par la voie du détachement. A l'été 2026, le total sera de 719 recrutements réalisés depuis 2021 par cette voie.

A fin 2026, le nombre d'agents de contrôle de l'inspection du travail en section devrait continuer d'augmenter. Ces efforts se poursuivent avec les concours 2025 (50 postes) et 2026 (60 postes), complétés par une campagne de recrutement par la voie du détachement de 14 postes en 2026 pour compenser les départs et promotions.

Ces actions ont permis de retrouver en septembre 2025 un effectif d'agents de contrôle (1933) équivalent à celui de 2017 (1950), avec 90,5% de sections pourvues (soit le même niveau qu'en 2018).

Ces efforts s'accompagnent en outre d'actions de communication à destination des candidats potentiels au concours pour leur présenter le métier et les modalités du concours et de la formation, (webinaire /

événements de présentation du métier...) mais aussi une diversification du recrutement par l'ouverture de la voie du détachement et une revalorisation du corps de l'inspection du travail.

« veiller à ce que des inspections puissent être effectuées dans les domiciles privés afin de prévenir les abus envers les employés de maison et de détecter les cas de traite, y compris en sensibilisant les inspecteurs du travail au rôle qu'ils peuvent jouer à cet égard (voir aussi la recommandation au paragraphe 59) ; »

Suivant l'article L 8113-1 du code du travail, les agents de contrôle de l'inspection peuvent pénétrer dans des locaux habités lorsque des travaux sont exécutés, après avoir reçu l'autorisation des personnes qui les occupent. L'action des OPJ reste prioritaire lorsqu'il s'agit de servitude domestique dans la mesure où ses situations peuvent être liées à d'autres atteintes graves au droit de la personne (acte de violence, torture, agression sexuelle,...) qui ne sont pas du champ de compétence des agents de l'inspection du travail.

En outre, les agents de contrôle de l'inspection peuvent intervenir lors d'actions coordonnées avec des OPJ, dans le cadre juridique de la co-saisine, lorsqu'un sujet d'exploitation par le travail ou autre infraction relevant de leur compétence est suspectée.

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Paragraphe 131 : « Les victimes de la traite sont principalement orientées vers les CHRS ou les centres d'hébergement d'urgence (CHU). Ces structures accueillent un public vulnérable mixte (victimes de violences conjugales, personnes sans abri, personnes anciennement détenues, personnes confrontées à des addictions, personnes sortant de la prostitution, etc.) et ne disposent pas des conditions d'accueil ni de proposent systématiquement un accompagnement social effectué par des travailleurs sociaux, sans être toutefois spécialisé sur l'accompagnement individualisé requis pour les victimes de traite. Les CHRS sont par ailleurs régulièrement saturés, y compris dans les outre-mer, où certaines personnes sont hébergées temporairement dans des espaces inadaptés faute de places. Dans leurs commentaires au projet de rapport, les autorités françaises ont précisé qu'environ 11 500 places d'hébergement sont réservées aux femmes victimes de violences, soit un nombre presque doublé depuis décembre 2019 (5 698 places). La grande majorité de ces places sont occupées par des femmes victimes de violences conjugales, tandis qu'une petite partie bénéficie à des femmes victimes de la traite à des fins d'exploitation sexuelle. Quelques-unes de ces places sont portées par des associations spécialisées, telles que l'Amicale du Nid, et sont spécifiquement destinées aux femmes victimes de prostitution ou TEH à des fins d'exploitation sexuelle. Le GRETA a également été informé de la diffusion en novembre 2025 d'une circulaire, qui précise les modalités d'orientation et de prise en charge des victimes de traite à des fins d'exploitation sexuelle, notamment leur accueil dans les structures dédiées aux femmes victimes de violences. Elle prévoit que ces victimes aient accès au parc spécialisé pour les femmes victimes de violences dans les mêmes conditions que les victimes de violences intrafamiliales ou conjugales. Le troisième plan national de lutte contre la traite prévoit également de définir des modalités spécifiques d'orientation vers un hébergement ou un logement pour toutes les victimes, femmes et hommes confondus. »

La Délégation interministérielle à l'hébergement et à l'accès au logement (Dihal) pilote la spécialisation du parc d'hébergement d'urgence dédiée aux personnes vulnérables et veille à la sécurisation d'un volume de places réservées en augmentation constante depuis 2017. Ces places sont spécifiquement encadrées par des travailleurs sociaux formés à la prise en charge des vulnérabilités.

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Paragraphe 135 : « Le GRETA salue les efforts déployés par les autorités françaises pour améliorer l'assistance aux victimes de la traite, en particulier l'initiative consistant à utiliser des biens immobiliers confisqués dans le cadre de procédures pénales pour l'hébergement des victimes de traite. Toutefois, il demeure préoccupé par l'insuffisance des ressources publiques allouées aux associations accompagnant les victimes (...) »

Sur le Programme budgétaire de l'Etat relatif à l'égalité Femmes-Hommes, 4 associations nationales accompagnant des victimes de traite²⁷⁴ bénéficient de subventions de l'Etat via une convention pluriannuelle d'objectifs tandis que les autres associations sont subventionnées via des crédits déconcentrés, pour un montant global en 2025 de 3,8 millions d'euros.

En outre, le fonds pour la prévention du proxénétisme et de la traite à des fins d'exploitation sexuelle, créé en 2016, est abondé par les recettes provenant de la confiscation des biens et produits issus de ces infractions. Le montant 2026 issu des recettes 2025 s'élève à 4 millions d'euros et bénéficie à 5 projets d'associations nationales²⁷⁵ ainsi qu'à 53 projets d'associations en territoires (toutes les régions ont au moins un projet retenu, y compris pour les Outre-mer).

« Le GRETA exhorte une nouvelle fois les autorités françaises à prendre des dispositions supplémentaires pour remplir leurs obligations au titre de l'article 12 de la Convention, notamment à :

« veiller à ce que les victimes de la traite bénéficient d'un soutien et d'une assistance adéquats, en fonction de leurs besoins individuels, aussi longtemps que nécessaire, en vue de faciliter leur réintégration et leur rétablissement ; »

Le service de l'accès au droit et à la justice et de l'aide aux victimes (ci-après, « SADJAV ») du ministère de la Justice est chargé de piloter la politique publique de l'aide aux victimes d'infractions pénales, qui a pour objectif d'améliorer la prise en charge pluridisciplinaire des personnes s'estimant victimes d'infractions tout au long de leur parcours judiciaire jusqu'à leur indemnisation et de leur offrir, le plus rapidement possible après la commission de l'infraction, un accompagnement juridique, psychologique et social gratuit et confidentiel et de faciliter leurs démarches d'indemnisation.

La mise en œuvre de cette politique publique repose essentiellement sur un réseau d'associations locales, qui bénéficient de deux types d'agréments ministériels (général ou spécifique aux victimes de violences sexuelles ou sexistes) et sont subventionnées par les cours d'appel. Les associations reçoivent les victimes, évaluent leurs besoins, les accompagnent sur le plan psychologique et juridique et les aident dans leurs démarches. Les associations bénéficiant de l'agrément de compétence générale tiennent des permanences dans les bureaux d'aide aux victimes (BAV) implantés dans les tribunaux judiciaires, ainsi que dans leurs propres locaux, des commissariats, des gendarmeries, des hôpitaux ou encore des point-justice.

Les associations d'aide aux victimes agréées peuvent être mandatées par le procureur de la République (article 41 du code de procédure pénale) pour accompagner la victime dans une procédure pénale. Elles peuvent également se voir confier une évaluation approfondie des besoins de la victime (EVVI) afin d'éclairer l'autorité judiciaire sur la situation de la victime et adapter son accompagnement. Les associations d'aide aux victimes ont vocation à offrir une prise charge pluridisciplinaire (accompagnement juridique, psychologique et social) gratuite et confidentielle aux personnes s'estimant victimes d'infractions, le plus rapidement possible après la commission de l'infraction, et tout au long de leur parcours judiciaire jusqu'à leur indemnisation.

²⁷⁴ L'Amicale du Nid, le Mouvement du Nid, ALC et le CCEM

²⁷⁵ Amicale du Nid, Mouvement du Nid, ALC, Osez le féminisme ! et Cap international

En 2024, l'ensemble des associations locales ont accompagné près de 409 413 victimes d'infractions pénales (+2,6 % par rapport à 2023).

« fournir un financement suffisant et pérenne pour assurer la diversité et la qualité des services offerts par les associations, notamment celles spécialisées dans l'accompagnement des victimes de traite à des fins d'exploitation par le travail, d'exploitation criminelle ou délictuelle et d'exploitation de la mendicité. »

Le montant total du budget de l'aide aux victimes a augmenté de 16,7% et était de 54 327 039 € en 2025.

Le financement des associations généralistes

Les victimes de TEH, comme toute victime d'infractions pénales, ont droit à un accompagnement offert par une association d'aide aux victimes, consistant en une prise en charge globale, pluridisciplinaire (juridique, psychologique et sociale), personnalisée et gratuite, sans interférer dans la procédure judiciaire. Toutes les victimes, quels que soient leur statut, leur nationalité ou leur situation sociale, et quelle que soit l'infraction, ont le droit d'être aidées par une association d'aide aux victimes agréée (article 10-2 du code de procédure pénale).

Le service de l'accès au droit et à la justice et de l'aide aux victimes s'attache à ce que la prise en charge soit possible sur l'ensemble du territoire, outre-mer compris. Ce sont ainsi près de 200 associations locales qui sont subventionnées par le programme 101 au titre de l'aide aux victimes.

Au total, ce sont près de 40 millions qui ont été dépensés en 2025 au seul bénéfice des associations d'aide aux victimes.

Le financement des associations spécialisées TEH

Au-delà de ces associations généralistes, des associations davantage spécialisées dans la lutte contre la traite des êtres humains (exploitation sexuelle ou par le travail) sont soutenues par le ministère de la Justice au titre de l'aide aux victimes, au niveau local et au niveau national. Ces associations travaillent à l'identification et au signalement des victimes de traite pour leur permettre d'accéder à leurs droits et de les exercer concrètement, en leur fournissant l'accompagnement global, psychologique, juridique et social, qui fait la spécificité de l'aide aux victimes.

Au niveau local, une petite dizaine d'associations sont ainsi subventionnées par les cours d'appel (plusieurs Amicales du Nid, mais aussi des associations luttant contre d'autres formes d'exploitation comme Hors la rue à Paris et Ruelle à Bordeaux).

Au niveau national, le SADJAV contribue au financement de l'association ALC, dans le cadre du dispositif Ac.sé (accueil sécurisé), visant à mettre à l'abri par l'éloignement géographique des personnes victimes de traite. Plus substantiellement, il soutient le Comité contre l'esclavage moderne (CCEM) par le biais d'une convention pluriannuelle d'objectifs.

Les subventions spécifiquement fléchées sur cette thématique ont augmenté de 5% en 2025. Au total, les associations spécialisées ont bénéficié de subventions à hauteur de plus de 292 000€ en 2025.

Par ailleurs, des appels à projets sont organisés et diffusés annuellement afin de favoriser la diversification et le développement des acteurs intervenant dans ce champ.

Enfin, le SADJAV invite les chefs de cours à signer des conventions pluriannuelles d'objectifs avec les associations d'aide aux victimes qu'ils subventionnent sur leur ressort.

Paragraphe 145 : « En reprenant les recommandations de son troisième rapport, le GRETA exhorte à nouveau les autorités françaises à intensifier leurs efforts visant à identifier les enfants victimes de la traite et à leur fournir une assistance adéquate, et en particulier à :

« dispenser une formation continue et fournir des outils aux parties prenantes (force de l'ordre, parquet, autorités responsables de l'asile et des migrations, personnels des aéroports, prestataires de services, personnels éducatifs, autorités de protection de l'enfance, ONG, etc.) en ce qui concerne l'identification des enfants victimes de la traite ; »

L'Ecole nationale de la magistrature œuvre déjà en ce sens avec des formations au niveau national et en région permettant de garantir une formation continue dans ce domaine aux acteurs de terrain.

Par ailleurs, depuis 2022, l'ENPJJ et ses PTF organisent chaque année des sessions de formation spécifiques à la TEH dans 3 pôles territoriaux, outre les formations relatives à la prévention et la lutte contre la prostitution des mineur.es (dispensées dans 4 PTF chaque année).

Depuis 2025, l'ENPJJ propose également des formations ayant pour thème « L'accompagnement éducatif à l'épreuve de l'implication des jeunes dans les réseaux de trafic de stupéfiants ». Cette formation, d'abord dispensée dans 3 PTF, a été étendue à toute la France en ce compris l'Outre-mer en 2026. La question de l'implication de ces mineurs dans le trafic est principalement abordée par le prisme de l'emprise dont ils font l'objet, amenant une lecture par la TEH.

Ces formations sont largement ouvertes aux professionnels de la PJJ mais aussi aux travailleurs sociaux du service associatif habilité et aux magistrats.

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Paragraphe 156 : « Le GRETA exhorte de nouveau les autorités françaises à aligner la notion d'abus de vulnérabilité prévue à l'article 225-4-1 du Code pénal sur celle de la Convention qui couvre toute sorte de vulnérabilité, qu'elle soit physique, psychique, affective, familiale, sociale ou économique. »

La situation de vulnérabilité apparente ou connue, telle que définie à l'article 225-4-1 du code pénal, mentionne les critères de l'âge, de la maladie, de l'infirmité, de la déficience physique ou psychique et de l'état de grossesse, apparents ou connus de l'auteur des faits.

Il importe de rappeler que la notion de vulnérabilité est, en vertu du principe constitutionnel de légalité des délits et des peines, définie de manière précise par le code pénal français.

La loi n°92-684 du 22 juillet 1992, portant réforme des dispositions du code pénal relatives à la répression des crimes et délits contre les personnes, en a énuméré limitativement les causes : l'âge, la maladie, l'infirmité, la déficience physique ou psychique ou encore l'état de grossesse.

L'article 223-15-2 du code pénal, créé par la loi n° 2001-504 du 12 juin 2001 tendant à renforcer la prévention et la répression des mouvements sectaires portant atteinte aux droits de l'Homme et aux libertés fondamentales, est par la suite venu définir l'abus de faiblesse de la manière suivante : « Est puni de trois ans d'emprisonnement et de 375000 euros d'amende l'abus frauduleux de l'état d'ignorance ou de la situation de faiblesse soit d'un mineur, soit d'une personne dont la particulière vulnérabilité, due à son âge, à une maladie, à une infirmité, à une déficience physique ou psychique ou à un état de grossesse, est apparente ou connue de son auteur, soit d'une personne en état de sujétion psychologique ou physique résultant de l'exercice de pressions graves ou réitérées ou de techniques propres à altérer son jugement, pour conduire ce mineur ou cette personne à un acte ou à une abstention qui lui sont gravement préjudiciables ».

Ainsi, la définition des situations de vulnérabilité par l'article 225-4-1 du code pénal, s'inscrit dans le cadre de l'économie générale du code pénal français actuel.

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Paragraphe 157 : « (...) Les représentants de l'OFMIN rencontrés par le GRETA ont précisé que ses compétences en matière de traite se limitent à la lutte contre l'exploitation des mineur·es à des fins de diffusion de matériel d'abus sexuel sur mineur et de live-streaming »

En effet, la traite des êtres humains liée à des infractions d'exploitations prostitutionnelles de mineurs demeure de la compétence de l'Office central pour la répression de la traite des êtres humains (OCRTEH).

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Paragraphe 170 : l'OFMIN précise qu'il est particulièrement investi au sein de la plateforme EMPACT en dirigeant la priorité « Exploitation sexuelle des mineurs en ligne » pour le cycle 2026-2029. Cette priorité contient 18 actions opérationnelles à visées stratégiques, opérationnelles, de prévention, de formation et de coopération. L'Office dirige personnellement deux actions opérationnelles, et participe à l'ensemble de 18 actions, dont l'une concerne « l'identification des vendeurs, acheteurs et victimes d'abus sexuel d'enfants en ligne à distance » communément appelé Livestreaming.

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Paragraphe 175 : « Le GRETA considère que les autorités françaises devraient prendre des mesures supplémentaires pour que les cas de traite fassent l'objet d'enquêtes proactives et de poursuites efficaces aboutissant à des sanctions effectives, proportionnées et dissuasives. »

Le ministère de la Justice souhaite rappeler les informations complémentaires suivantes, précédemment transmises au GRETA :

La diffusion efficace de la politique pénale

Depuis la circulaire du 22 janvier 2015, l'arsenal de politique pénale de la direction des affaires criminelles et des grâces (ci-après, « DACG ») du ministère de la Justice en matière de lutte contre la traite s'est enrichi de plusieurs outils :

la circulaire du 18 avril 2016 présentant les dispositions de droit pénal et de procédure pénale de la loi du 13 avril 2016 visant à renforcer la lutte contre le système prostitutionnel et à accompagner les personnes prostituées ;

la dépêche du 8 février 2021, signée conjointement par la DACG et la DPJJ, qui invite à la mise en place d'une prise en charge spécifique des mineurs victimes de traite et d'exploitation ;

la circulaire du 28 mars 2023 relative à la politique pénale en matière de lutte contre les violences faites aux mineurs, qui comporte de nombreuses préconisations relatives à la lutte contre la TEH au préjudice des mineurs.

En 2025, par le biais du rapport annuel du ministère public, la DACG a sollicité des parquets et parquets généraux une synthèse des actions menées en matière de traite des êtres humains, des difficultés rencontrées selon toutes les formes d'exploitation considérées, afin d'adapter le cas échéant sa politique pénale et de renforcer les outils à disposition des juridictions.

La France poursuit ainsi ses efforts dans la diffusion d'une politique pénale claire, unifiée et efficace en matière de lutte contre la traite des êtres humains.

La spécialisation des acteurs

Le ministère de la Justice a organisé le séminaire des magistrats référents pour la lutte contre la traite des êtres humains (magistrats du parquet désigné dans chaque juridiction), le 15 octobre 2025.

Destiné à permettre à ces professionnels de disposer d'un état de la menace actualisé, de déployer les stratégies d'enquête et de poursuites pertinentes et d'appréhender les enjeux de la prise en charge des victimes, il a fait intervenir des magistrats en fonction sur un panel de ressorts variés (cours d'appel de Paris, Marseille et Metz), des services d'enquêtes spécialisés, des partenaires indispensables de l'autorité judiciaire (PJJ, Miprof) et également un sociologue et acteur du secteur associatif spécialisé sur la TEH. Les travaux de ce séminaire se sont concentrés sur l'exploitation sexuelle et l'exploitation d'activités criminelles ou délictuelles. Une centaine de magistrats, représentant la quasi-intégralité des juridictions françaises, ont suivi ces échanges en visioconférence.

Dans la continuité de ce séminaire, le ministère de la Justice a enrichi la documentation mise à disposition des professionnels sur l'Intranet du ministère élaborée notamment par ses partenaires (guide de l'enquêteur et notes relatives à l'état de la menace élaborés par l'Office central de lutte contre la traite des êtres humains, documentation relative aux droits des victimes élaborée par la Miprof notamment).

La dépêche conjointe DACG/DPJJ du 8 février 2021 rappelle que le succès de la prise en charge des mineurs victimes de traite nécessite que tous les professionnels ayant vocation à intervenir en la matière soient spécifiquement formés, et souligne qu'il est opportun de désigner dans chaque juridiction, Unité éducative auprès du tribunal ou Permanence éducative auprès du tribunal, des personnes référentes ayant acquis une expertise particulière en matière de traite et une connaissance avérée du dispositif de prise en charge des mineurs.

Enfin, une circulaire de la DACG du 18 juillet 2016 prévoit la désignation d'un référent en matière de droit pénal du travail au sein de chaque parquet. Ce dernier a vocation à traiter prioritairement les procédures en matière de droit pénal du travail et à être le point d'entrée de l'inspection du travail sur le ressort. A ce titre, il développe une politique partenariale et de spécialisation sur les sujets, dont celui de la traite aux fins d'exploitation par le travail.

Un séminaire des référents en matière de droit pénal du travail a d'ailleurs été organisé le 13 juin 2025, avec une séquence portant sur l'appréhension de la traite des êtres humains par le travail, au cours de laquelle les praticiens intervenants (une magistrate d'un parquet, un représentant de la direction générale du travail et le chef de l'Office central de lutte contre le travail illégal) ont rappelé l'importance d'exclure toute prise de sanction à l'égard des victimes de TEH par le travail (sanctions pénales comme administratives) et l'outil précieux que constitue la qualification pénale de TEH, précisément en faveur de la protection des droits des victimes.

La coopération des acteurs

La DACG et la direction générale du travail ont établi une instruction conjointe le 23 juin 2020 visant à encourager la co-saisine entre les fonctionnaires de police ou militaires de la gendarmerie et les agents de l'inspection du travail afin qu'ils allient leurs compétences et concourent à la réalisation d'une même enquête, tout particulièrement s'agissant des enquêtes en matière de traite des êtres humains, nécessairement complexes et présentant bien souvent une sensibilité particulière.

« Elles devraient en particulier : [...]

intensifier leurs efforts pour que l'infraction de traite soit retenue chaque fois que les circonstances d'une affaire le permettent, notamment des affaires concernant l'exploitation sexuelle des enfants (françaises ou étrangères) ; »

Comme indiqué, les magistrats ne privilégient pas des infractions « connexes » par rapport à la TEH (la notion de connexité faisant par ailleurs l'objet d'une définition précise à l'article 203 du code de procédure pénale), mais des qualifications considérées comme correspondant, dans le détail, plus spécifiquement aux faits examinés.

Il est néanmoins régulièrement rappelé aux magistrats du parquet que ces qualifications spéciales sont cumulables avec celle de TEH (dans le cadre des formations, des outils pédagogiques à leur disposition et des instructions de politique pénale), lesquels sont invités à retenir cette dernière lorsque les faits permettent de la caractériser.

« veiller à ce qu'une demande de levée d'immunité diplomatique soit formulée dans toute affaire où des indices sérieux d'exploitation domestique sont identifiés ; »

Il convient de rappeler que la Convention de Vienne sur les relations diplomatiques (ci-après, « CVRD ») du 18 avril 1961 a une visée très large puisqu'elle accorde l'immunité diplomatique aux diplomates et à leur entourage tant dans les actes en lien avec la mission diplomatique que dans les actes privés (excepté si l'intéressé a la nationalité de l'Etat accréditaire), ce qui comprend possiblement les actes d'exploitation domestique.

La CVRD prévoit néanmoins plusieurs possibilités pour rendre inapplicable l'immunité diplomatique. D'une part, l'Etat accréditant – et non l'agent lui-même – peut renoncer expressément à ladite immunité sur demande de l'Etat accréditaire ou d'office. D'autre part, l'Etat accréditaire peut, à tout moment et de manière discrétionnaire, informer l'Etat accréditant que tout personnel diplomatique de la mission est persona non grata : il appartiendra alors à l'Etat accréditant de rappeler ce personnel (dans ce cas, il pourra le juger pour les éventuels infractions commises) ou de mettre fin à sa mission. Dans cette seconde hypothèse, le personnel perdra alors le bénéfice de son immunité. En cas d'inaction de l'Etat accréditant, l'Etat accréditaire pourra, conformément au deuxième paragraphe de l'article 9, refuser de reconnaître à la personne en cause la qualité de membre de la mission et pourra alors considérer que cette dernière ne bénéficie plus de l'immunité diplomatique.

En toute hypothèse, lorsque les fonctions d'une personne bénéficiant d'une immunité prennent fin, la convention prévoit que l'immunité cesse au moment où la personne quitte le territoire accréditant ou à l'expiration d'un délai raisonnable accordé pour quitter le territoire et qu'elle continue à couvrir les actes accomplis dans l'exercice de ses fonctions (la doctrine indiquant alors que l'immunité diplomatique personnelle dont jouissait l'agent devient une immunité fonctionnelle, limitée aux seuls actes accomplis dans le cadre de la mission diplomatique).

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Paragraphe 178 : « Le GRETA considère que les autorités françaises devraient adopter une disposition légale érigeant en infraction l'utilisation de tout service faisant l'objet d'une exploitation, au sens de l'article 4 de la Convention, avec la connaissance que la personne concernée est une victime de la traite des êtres humains. »

Le code pénal ne prévoit pas, actuellement, d'infraction générale réprimant l'utilisation des services d'une victime de traite des êtres humains au sens de l'article 18 bis de la directive européenne 2011/36 modifiée par la directive 2024/1712.

Toutefois, indépendamment de la forme d'exploitation considérée, l'infraction de recel prévue par l'article 321-1 du code pénal permet de réprimer le fait, en connaissance de cause, de bénéficier, par tout moyen, du produit d'un crime ou d'un délit.

Par ailleurs, certaines infractions spécifiques permettent d'incriminer le comportement du bénéficiaire de l'exploitation sans qu'il ne soit nécessaire d'établir que le bénéficiaire ait connaissance que la personne fournissant le service soit victime de traite des êtres humains.

En matière de traite aux fins d'exploitation sexuelle

En l'état actuel, le droit français prévoit déjà la répression de l'utilisation de services sexuels fournis par une victime de traite des êtres humains, sans toutefois exiger que l'utilisateur ait connaissance du fait que la personne fournissant cette prestation est victime de traite.

La loi du 13 avril 2016 visant à renforcer la lutte contre le système prostitutionnel et à accompagner les personnes prostituées reconnaît l'existence d'un continuum entre l'achat d'actes sexuels, le proxénétisme et la traite des êtres humains à des fins d'exploitation sexuelle. En conséquence, elle crée une nouvelle infraction d'achat d'acte sexuel, destinée à responsabiliser les clients prostitueurs et à limiter le recours à ces pratiques.

Prévue à [l'article 611-1 du code pénal](#), cette infraction consiste en une contravention de la cinquième classe. Toutefois, lorsqu'elle est commise en état de récidive légale, elle devient un délit puni de 3750 euros d'amende ([art. 225-12-1 al. 1 CP](#)). Ces peines sont portées à :

5 ans d'emprisonnement et 75 000 euros d'amende lorsqu'il est recouru à la prostitution d'une personne mineure ou vulnérable en raison d'une maladie, d'une infirmité, d'un handicap ou d'un état de grossesse ([art. 225-12-1 al. 2 CP](#)) ;

7 ans d'emprisonnement et 100 000 euros d'amende lorsque l'infraction est commise de façon habituelle ou à l'égard de plusieurs personnes ; lorsque la personne a été mise en contact avec l'auteur des faits grâce à l'utilisation, pour la diffusion de messages à destination d'un public non déterminé, d'un réseau de communication ; lorsque les faits sont commis par une personne qui abuse de l'autorité que lui confèrent ses fonctions ; lorsque l'auteur des faits a délibérément ou par imprudence mis la vie de la personne en danger ou a commis contre elle des violences ([art. 225-12-2 CP](#)) ;

10 ans d'emprisonnement et 150 000 euros d'amende lorsqu'il est recouru à la prostitution d'un mineur de 15 ans ([art. 225-12-2 CP](#)), étant précisé que dans ce cas le client pourrait être poursuivi pour l'infraction criminelle de viol au titre de l'article 222-23-1 alinéa 2 du code pénal.

Par ailleurs, pour tenir compte de l'essor de la dématérialisation du phénomène prostitutionnel, la loi du 21 avril 2021 visant à protéger les mineurs des crimes et des délits sexuels et de l'inceste a créé une incrimination spéciale pour réprimer le fait par un majeur de solliciter, auprès d'un mineur, la diffusion ou la transmission d'images, vidéos ou représentations à caractère pornographique dudit mineur.

Ce délit, prévu à [l'article 227-23-1 du code pénal](#), est puni de 7 ans d'emprisonnement et de 100 000 euros d'amende. Ces peines sont portées à :

10 ans d'emprisonnement et 150 000 euros d'amende lorsque les faits ont été commis à l'encontre d'un mineur de quinze ans

10 ans d'emprisonnement et 1 million euros d'amende lorsque les faits ont été commis en bande organisée.

En matière d'exploitation sexuelle, l'infraction d'achat d'acte sexuel permet donc d'ores et déjà de sanctionner la personne qui a recours aux services d'une personne victime de traite, sans toutefois exiger que l'utilisateur ait connaissance du fait que la personne fournissant cette prestation est victime de traite. Si une nouvelle infraction était créée pour se conformer à la directive, elle se surajouterait au dispositif existant et n'aurait pas vocation à le remplacer, au regard du seuil probatoire plus élevé qui serait alors requis pour démontrer la connaissance de l'exploitation de la victime par un réseau. Les quantités de peines prévus pour cette nouvelle infraction devraient en revanche être plus élevées, au regard de la caractérisation de cet élément intentionnel. Les travaux menés par le ministère de la Justice et ses partenaires interministériels (Miprof, ministère de l'Intérieur notamment) dans le cadre de la transposition de la directive de 2024 doivent cependant permettre d'identifier si un nouveau texte est nécessaire ou si un tel comportement ne peut pas d'ores et déjà être appréhendé par le biais d'autres mécanismes (par exemple via le recours à la qualification de recel : en droit français, le recel est défini par [l'article 321-1 du code pénal](#) comme le fait de dissimuler, de détenir ou de transmettre une chose, ou de faire office

d'intermédiaire afin de la transmettre, en sachant que cette chose provient d'un crime ou d'un délit ; constitue également un recel le fait, en connaissance de cause, de bénéficier, par tout moyen, du produit d'un crime ou d'un délit).

En matière de traite aux fins d'exploitation par le travail

Le code pénal ([article 224-1 A](#)) réprime la réduction en esclavage d'une peine de 20 ans de réclusion criminelle. Cette infraction est définie comme le fait d'exercer à l'encontre d'une personne les attributs du droit de propriété.

Le code pénal ([article 224-1 B](#)) réprime également l'exploitation d'une personne réduite en esclavage dès lors que l'auteur commet une agression sexuelle, séquestre ou soumet la victime à du travail ou du service forcé. La réduction en esclavage doit être apparente ou connue de l'auteur pour que l'infraction soit caractérisée. Cette infraction est également punie d'une peine de 20 ans de réclusion criminelle.

La peine prévue pour les infractions précitées est portée à 30 ans de réclusion criminelle si la victime est mineure, vulnérable, commis par un ascendant légitime/naturel/adoptif, par une personne luttant contre l'esclavage ou participant au maintien de l'ordre public ou lorsque les faits sont précédés ou accompagnés de tortures ou d'actes de barbarie.

Par ailleurs, l'article [L. 8221-1 du code du travail](#) prohibe le travail totalement ou partiellement dissimulé, défini et exercé dans les conditions prévues aux articles L. 8221-3 et L. 8221-5 du même code, la publicité en faveur de celui-ci, mais aussi le fait de recourir sciemment, directement ou par personne interposée, aux services de celui qui exerce un travail dissimulé.

Le travail dissimulé est puni de peines s'échelonnant de trois à dix ans d'emprisonnement, s'il est commis en bande organisée.

Cette infraction permet d'ores et déjà de couvrir largement les situations dans lesquelles une personne aurait sciemment recours aux services fournis par une victime de traite des êtres humains visant l'exploitation par le travail.

En matière de trafic d'organes

Le code pénal réprime le fait d'obtenir d'une personne l'un de ses organes contre un paiement, quelle qu'en soit la forme ([art.511-2 du code pénal](#)), sans exiger que l'auteur d'infraction ait connaissance du fait que la victime soit ou non victime de traite.

Le fait d'obtenir d'une personne l'un de ses organes contre un paiement, quelle qu'en soit la forme, est puni de sept ans d'emprisonnement et de 100 000 euros d'amende.

En matière de gestation pour autrui et d'adoptions illégale

Le code pénal sanctionne d'une peine de six mois d'emprisonnement et de 7 500 euros d'amende le fait de provoquer à l'abandon d'un enfant né ou à naître ou de s'entremettre entre une personne désireuse d'adopter un enfant et un parent désireux d'abandonner son enfant né ou à naître ([art.227-12 du code pénal](#)).

Le fait, dans un but lucratif, de s'entremettre entre une personne désireuse d'adopter un enfant et un parent désireux d'abandonner son enfant né ou à naître est puni d'un an d'emprisonnement et de 15 000 euros d'amende. De la même manière le fait de s'entremettre entre une personne ou un couple désireux d'accueillir un enfant et une femme acceptant de porter en elle cet enfant en vue de le leur remettre est puni des mêmes peines.

La substitution volontaire, la simulation ou dissimulation ayant entraîné une atteinte à l'état civil d'un enfant est punie de trois ans d'emprisonnement et de 45 000 euros d'amende.

Ces dispositions permettent donc de sanctionner d'une part les parents d'intention dès lors qu'ils ont participé au fait de provoquer à l'abandon d'un enfant né ou à naître et d'autre part l'intermédiaire éventuel entre les parents biologiques et les parents d'intention.

En matière de délinquance forcée des mineurs

L'article 227-21 du code pénal réprime le fait de provoquer directement un mineur à commettre un crime ou un délit est puni de cinq ans d'emprisonnement et de 150 000 euros d'amende.

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Paragraphe 185 : « (...) Parallèlement, l'OFMIN a élaboré un guide pratique pour aider les enquêteurs à traiter les affaires de live-streaming (diffusion d'abus sexuels d'enfants en ligne sur commande, en direct ou en différé). »

L'OFMIN élabore des guides pratiques, des doctrines et fiches-réflexes à destination des forces de sécurité intérieure (policiers et gendarmes) et notamment a publié un guide pratique relatif aux enquêtes de livestreaming. L'Office assure également des actions de sensibilisations aux phénomènes pédocriminels auprès des enquêteurs, et des partenaires institutionnels (justice, éducation nationale, personnel médical...) comme associatifs.

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Paragraphe 195 : « Tout en saluant les mesures prises par les autorités françaises pour renforcer leur capacité à détecter la cybercriminalité et à enquêter sur ce phénomène, ainsi que pour promouvoir la sécurité des enfants en ligne, le GRETA considère que les autorités devraient élaborer de nouvelles mesures pour prévenir toutes les formes de traite des êtres humains facilitée par les TIC, notamment la traite à des fins d'exploitation par le travail. Les autorités devraient notamment : [...]

« mettre en place une procédure appropriée permettant aux personnes qui ont été filmées ou photographiées et qui le souhaitent de demander le retrait de contenus à caractère sexuel, prévoir un système de veille et de retrait automatique de toutes les vidéos et images, y compris des copies diffusées après qu'une décision de retrait a été prise, et engager la responsabilité de ceux refusant le retrait, assortie de lourdes sanctions financières. »

La législation française a récemment renforcé les mécanismes permettant d'obtenir le retrait de contenus illicites en ligne, dont les images et vidéos diffusés en ligne sans le consentement de la personne concernée de violences sexuelles.

À ce titre, l'[article 6-3 de la loi du 21 juin 2004 pour la confiance dans l'économie numérique](#), dite loi LCEN, tel que modifié par la [loi du 21 mai 2024 visant à sécuriser et à réguler l'espace numérique](#), dite « loi SREN », a renforcé les modalités d'intervention de l'autorité judiciaire sur les contenus illicites en ligne, à travers une procédure accélérée au fond diligentée par le président du tribunal judiciaire. Ce mécanisme lui permet de prescrire à toute personne susceptible d'y contribuer toutes les mesures propres à prévenir un dommage ou à faire cesser un dommage occasionné par le contenu d'un service de communication au public en ligne, notamment à travers une injonction adressée à la plateforme aux fins de procéder au retrait d'un contenu dommageable.

Plus largement, la lutte contre la présence et la diffusion en ligne de tels contenus a été renforcée par le [règlement européen sur les services numériques \("Digital Services Act"- DSA\)](#) du 19 octobre 2022, et dont les dispositions sont pleinement applicables depuis le 17 février 2024. La loi SREN adapte en outre les dispositions législatives françaises pour que le DSA puissent pleinement s'appliquer en France.

Conformément à [l'article 16 de ce règlement](#), les fournisseurs de services d'hébergement en ligne proposant des services dans l'Union européenne, y compris les plateformes en ligne, doivent permettre aux internautes de signaler facilement des contenus illicites, afin d'améliorer l'efficacité des signalements et de réduire les délais de retrait. Ces notifications de signalement doivent comporter un niveau de détail précisé dans cet article, et le fournisseur de services d'hébergement doit traiter ces notifications et prendre sa décision en temps opportun, de manière diligente, non arbitraire et objective.

Le règlement DSA a notamment instauré le statut de « signaleur de confiance », contribuant ainsi à accélérer le traitement des signalements. La loi SREN prévoit que les associations, entités ou organisations reconnues pour leur expertise et leurs compétences dans la lutte contre la diffusion de contenus illicites peuvent postuler à ce statut auprès de l'Autorité de régulation de la communication audiovisuelle et numérique (ARCOM) qui constitue le coordinateur des services numériques pour la France. Au 30 mars 2026, 8 signaleurs de confiance ont été désignés par l'ARCOM, dont l'association « Point de contact » spécialisée dans la lutte contre les cyberviolences et la protection des victimes dans l'espace numérique, notamment les victimes de violences sexuelles, et l'association e-Enfance/3018, spécialisée dans la protection de l'enfance contre le harcèlement et les violences numériques.

Au regard du [paragraphe 1.b\) de l'article 6](#) du règlement DSA, le fournisseur de services en ligne hébergeant le contenu illicite doit le retirer ou le rendre inaccessible dès qu'il en prend connaissance ou conscience. Au titre de la [loi SREN](#), l'ARCOM dispose de l'ensemble des attributions lui permettant de superviser le respect, par les opérateurs établis en France, des obligations qui découlent du règlement DSA. L'ARCOM peut ainsi mettre en demeure des éditeurs de services de communication au public en ligne et des fournisseurs de services d'hébergement, afin d'obtenir le retrait ou la cessation de la diffusion de contenus illicites ([article 11 de la loi LCEN](#), modifié par la loi SREN). La personne destinataire de la mise en demeure dispose d'un délai de soixante-douze heures pour présenter ses observations.

À l'expiration de ce délai, si les contenus n'ont pas été retirés ou si leur diffusion n'a pas cessé, l'ARCOM peut notifier la liste des adresses électroniques des personnes ayant fait l'objet d'une mise en demeure aux fournisseurs de services d'accès à Internet ou aux fournisseurs de systèmes de résolution de noms de domaine afin qu'ils empêchent l'accès à ces adresses, dans un délai qu'elle a fixé.

L'autorité peut agir soit d'office, soit sur saisine du ministère public ou de toute personne physique ou morale.

En cas de méconnaissance de l'obligation de retirer ou de faire cesser la diffusion de ces contenus, l'ARCOM peut également infliger une sanction pécuniaire dont le montant est fixé en fonction de la gravité du manquement, et ne pouvant excéder 4 % du chiffre d'affaires mondial hors taxes réalisé au cours du dernier exercice clos calculé sur une période de douze mois ou, en l'absence de chiffre d'affaires, 250 000 euros. Ce maximum est porté à 6 % du chiffre d'affaires mondial hors taxes en cas de réitération du manquement dans un délai de cinq ans à compter de la date à laquelle la première décision de sanction est devenue définitive ou, en l'absence de chiffre d'affaires, à 500 000 euros.

En complément, le [paragraphe IV de l'article 6 de la loi LCEN](#), modifié par la loi SREN dispose que les personnes dont l'activité consiste à fournir des services d'hébergement informent promptement les autorités compétentes de toutes les activités illicites mentionnées au premier alinéa de cet article (incluant l'enregistrement et la diffusion d'images de violence prévus au [deuxième alinéa de l'article 222-33-3 du code pénal](#) et l'enregistrement et la diffusion de l'image d'un mineur présentant un caractère pornographique prévus [à l'article 227-3 du code pénal](#)) qui leur sont signalées et qu'exercent les destinataires de leurs services. Tout manquement à cette obligation d'information est puni d'un an d'emprisonnement et de 250 000 euros d'amende.

Il doit également être rappelé que la plateforme PHAROS du ministère de l'intérieur, rattachée à l'Office anti-cybercriminalité (OFAC) de la Police nationale, permet également aux victimes et aux internautes de signaler tout contenu préjudiciable afin d'en obtenir le retrait. Après analyse du contenu signalé, les policiers et gendarmes affectés à PHAROS solliciteront son retrait auprès de l'hébergeur. Le signalement d'un contenu illicite auprès de PHAROS peut également conduire à l'ouverture d'une enquête en France sous l'autorité du procureur de la République.

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Paragraphe 208 : « (...) La CNCDH et plusieurs associations soulignent des pratiques très hétérogènes selon les préfetures et une réticence persistante à délivrer des titres fondés sur la traite, qui s'expliquerait, entre autres, par un climat de suspicion généralisé à l'encontre des personnes migrantes qui conduit à placer la lutte contre l'immigration illégale devant la protection des victimes. (...) »

La Direction générale des étrangers en France souligne qu'il arrive également que certaines victimes présumées rencontrent des difficultés à s'inscrire dans les dispositions légales et réglementaires en vigueur.

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Paragraphe 210 : « Ces difficultés encouragent les associations à solliciter la Miprof pour intervenir auprès des préfetures ou de la Direction générale des étrangers en France (DGEF). Si ces interventions permettent quasi systématiquement de débloquent des situations, les associations déplorent une centralisation excessive limitant leurs échanges directs avec les préfetures. Cette situation a également mis un terme aux efforts engagés pour désigner des référents TEH dans les préfetures, mesure initialement prévue pour être généralisée en 2021. »

La France souligne que la centralisation au niveau Miprof et DGEF organisée pour traiter les difficultés rencontrées sur certains dossiers individuels est un atout majeur pour fluidifier la délivrance de certains titres de séjour et la résolution de difficultés informatiques. Cette centralisation n'empêche en aucun cas les contacts directs et privilégiés des associations avec les bureaux séjour / citoyenneté des préfetures. En outre, l'administration centrale du ministère de l'Intérieur accompagne au quotidien les préfetures, notamment par le déploiement de communications dédiées au réseau territorial en la matière.

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Paragraphe 214 : « Le GRETA exhorte à nouveau les autorités françaises à prendre des mesures supplémentaires pour que les victimes de traite puissent bénéficier pleinement du droit d'obtenir un titre de séjour, y compris en raison de leur situation personnelle. Elles devraient en particulier :

« fournir des instructions et formations à la traite aux personnels préfectoraux concernés ; »

Dans le cadre de sa mission d'animation du réseau des préfetures, la direction générale des étrangers en France (DGEF) du ministère français de l'intérieur organise régulièrement des webinaires et des formations dont celle relative à la délivrance de titres de séjour pour motifs humanitaires, notamment aux ressortissants étrangers victimes de la traite des êtres humains ou du proxénétisme ou engagés dans un parcours de sortie de la prostitution.

Ces sessions de formations sont à destination des agents de préfecture en charge de l'instruction des dossiers du droit au séjour, des cadres qui participent aux réunions des commissions départementales de lutte contre la prostitution, le proxénétisme et la traite des êtres humains.

L'action du ministère de l'intérieur en matière de formation s'inscrit tant dans l'objectif d'une application harmonisée de la réglementation que dans celui d'une modernisation de l'organisation et des méthodes de travail en matière d'instruction des demandes de titres de séjour.

« renforcer les moyens humains consacrés à la gestion de la plateforme ANEF afin d'en réduire les dysfonctionnements et d'assurer un traitement rapide et fiable des demandes, ou prévoir des voies alternatives permettant aux victimes de traite de déposer leur dossier ; »

Depuis octobre 2023, les demandes de titres de séjour en faveur des ressortissants étrangers victimes de la traite des êtres humains font l'objet d'un dépôt dématérialisé sur le site de l'« Administration Numérique des Etrangers en France ». La modernisation des procédures de dépôt des demandes de titres de séjour permet de faciliter le parcours administratif du demandeur, permet de limiter le nombre de passage en préfecture et de traiter plus rapidement les demandes.

Le recours au téléservice ANEF revêt un caractère obligatoire pour le dépôt des demandes de titres de séjour dématérialisées sous réserve de la mise en œuvre, d'une part, de modalités d'accueil et d'accompagnement pour les usagers éloignés du numérique et, d'autre part, d'une « solution de substitution » pour ceux qui demeurent dans l'impossibilité de déposer leur demande pour des raisons tenant à la conception ou au fonctionnement du téléservice, soit un accueil physique permettant le dépôt du dossier.

Le 1er août 2023, un arrêté ministériel permettant la mise en œuvre de ce dispositif alternatif a été publié et une instruction relative à l'accompagnement des usagers de l'ANEF séjour a été diffusée à l'ensemble des préfets le 4 août 2023.

« veiller à ce que des titres de séjour sont délivrés à des victimes dans un délai raisonnable ; »

Le contexte de progression continue en dix ans (2015 à 2025) du nombre de titres et documents provisoires de séjour en circulation (2,8 millions au 31 décembre 2015 pour 4,5 millions au 31 décembre 2025 soit +57%), alors que sur cette même période (2015-2025), les effectifs des services « séjour » ont progressé plus lentement (+35%), a induit une dégradation des délais de délivrance de titres.

La dématérialisation des procédures de dépôt de demandes de titres de séjour permet néanmoins de désengorger les préfectures et de recentrer les équipes en charge de l'instruction des demandes de titres de séjour sur l'amélioration du service rendu à l'utilisateur.

La réduction des délais de traitement des demandes de titres de séjour est un objectif identifié par l'administration centrale du ministère de l'intérieur.

C'est la raison pour laquelle le ministre de l'Intérieur a lancé, par circulaire en date du 7 avril 2026, un plan de lutte contre les ruptures de droit. Ce plan s'accompagne d'un « guide séjour » actualisé et de l'allocation de 500 équivalents temps plein sur l'ensemble du territoire national

« garantir que les ressortissants algériens victimes de traite puissent obtenir un titre de séjour renouvelable, conformément aux articles 3 (non-discrimination) et 14 de la Convention. »

Les stipulations de l'accord franco-algérien du 27 décembre 1968 régissent de manière complète les conditions dans lesquelles les ressortissants algériens peuvent séjourner en France et les règles concernant la nature des titres de séjour qui peuvent être délivrés. Un ressortissant algérien ne peut invoquer les dispositions de l'article L.425-1 du code de l'entrée et du séjour des étrangers et du droit d'asile (CESEDA).

Toutefois, il appartient au préfet, dans l'exercice de son pouvoir général d'appréciation, compte-tenu de l'ensemble des éléments de la situation personnelle de l'utilisateur et des éléments produits à l'appui de sa demande, d'envisager l'opportunité d'une mesure de régularisation pour les victimes de traite.

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Paragraphe 215 : « En outre, le GRETA considère que les autorités françaises devraient :

« étendre le champ d'application de l'article L425-1 aux infractions connexes de la traite relatives à l'exploitation par le travail, notamment réduction en esclavage, réduction en servitude et travail forcé ; »

L'article L.425-1 du code de l'entrée et du séjour des étrangers et du droit d'asile (CESEDA) en vigueur renvoie aux infractions pénales de traite des êtres humains (articles 225-4-1 à 225-4-6 du code pénal) et de proxénétisme (225-5 à 225-10 du même code). Les premières recouvrent toutes les finalités d'exploitation parmi lesquelles l'exploitation sexuelle, le travail forcé, le proxénétisme, la réduction en esclavage, la réduction en servitude, l'exploitation de conditions de travail ou d'hébergement indignes et de la contrainte à commettre des délits.

Dès lors que le demandeur qui se dit victime de la traite des êtres humains présente un récépissé de dépôt de plainte dont l'objet se rapporte à des faits de traite des êtres humains, et sous réserve que le demandeur remplisse les conditions de délivrance du titre, le titre pourra lui être délivré.

« s'assurer que les ressortissants d'un pays de l'UE/EEE qui sont victimes de la traite mais qui ne remplissent plus les conditions de régularité de séjour bénéficient du droit d'obtenir un permis de séjour renouvelable en accord avec le droit interne et conformément à l'article 14 de la Convention ; »

Les citoyens de l'Union européenne ne sont pas tenus de détenir un titre de séjour à l'exception des membres de leur famille, ressortissants de pays tiers. Dès lors, les ressortissants d'un pays de l'UE victime de la traite ne sont pas soumis à l'obligation de solliciter un titre de séjour et de remplir les conditions de régularité du séjour. S'ils souhaitent solliciter un titre, leur droit au séjour est régi intégralement par le droit de l'UE qui prévoient des conditions de séjour étendues au bénéfice des étudiants, des non-actifs, et des travailleurs. S'agissant des non-actifs, une des principales conditions vérifiées lors de la délivrance du titre est de ne pas représenter une « charge pour le système d'assistance sociale ».

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Paragraphe 221 : « Tout en saluant la décision du Conseil constitutionnel du 28 mai 2024, le GRETA considère que les autorités françaises devraient prendre des mesures supplémentaires pour faciliter et garantir l'accès à la justice des toutes les victimes de la traite. Elles devraient en particulier : [...]

réviser la loi n° 91-647 pour faire en sorte que l'accès à l'aide juridictionnelle pour les victimes de traite ne soit pas soumis aux conditions de ressources ou de résidence habituelle. »

L'article 9-2 de la loi n°91-647 du 10 juillet 1991 prévoit la possibilité d'étudier l'éligibilité des victimes d'infractions pénales les plus graves sans examen des conditions de ressources. Toutefois, les conditions de nationalité et de résidence habituelle restent inchangées.

En revanche, l'article 6 de la loi de 1991 prévoit la possibilité d'attribuer l'aide juridictionnelle, à titre exceptionnel, aux personnes ne remplissant pas les conditions de ressources lorsque « leur situation apparaît particulièrement digne d'intérêt au regard de l'objet du litige ou des charges prévisibles du procès ». Ce mécanisme d'exception permet de prendre en compte la situation concrète des demandeurs au regard de leur vulnérabilité socio-économique.

En outre, l'article 3 de la loi de 1991, qui fixe le caractère habituel de résidence pour l'étranger souhaitant bénéficier de l'aide juridictionnelle, prévoit également la possibilité d'écarter exceptionnellement ce critère au bénéfice d'une situation particulièrement digne d'intérêt.

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Paragraphe 228 : « Tout en saluant l'arrêt du 4 avril 2024 de la Cour de cassation et les progrès réalisés dans la saisie des avoirs criminels, le GRETA considère que les autorités françaises devraient faire des efforts supplémentaires pour garantir aux victimes de la traite un accès effectif à l'indemnisation, et en particulier :

« introduire une procédure conférant aux victimes le droit de demander qu'une décision sur le recouvrement des salaires impayés par l'auteur de l'infraction soit prise dans le cadre de la procédure pénale ; »

Partant du constat que les procédures civiles sont longues et complexes à engager par les victimes de la traite, le GRETA suggère que ces dernières puissent obtenir, dans le cadre de la procédure pénale, la condamnation de l'employeur aux salaires impayés. Toutefois, cette recommandation paraît se heurter à la compétence matérielle exclusive du conseil de prud'hommes (ci-après, « CPH »).

A titre liminaire, sur la décision « de recouvrement », aucune décision judiciaire particulière « de recouvrement » de la créance n'est nécessaire dès lors que la personne dispose d'un titre exécutoire (notamment une décision du juge judiciaire condamnant son employeur au paiement de salaire et ayant force exécutoire) pour en poursuivre l'exécution forcée et obtenir le recouvrement de sa créance (articles [L. 111-2](#) et [L. 111-3 1°](#) du code des procédures civiles d'exécution).

Le GRETA suggère alors en réalité de permettre au justiciable de solliciter, devant le juge pénal, la condamnation de l'employeur aux salaires impayés. Or, la délivrance d'une décision judiciaire condamnant l'employeur au paiement des salaires relève en principe du CPH.

En effet, toute personne, quelle que soit sa situation au regard du droit de séjour, peut saisir le conseil de prud'hommes pour demander le versement de ses salaires impayés et d'autres indemnités : en application de [l'article L. 8252-2 du code du travail](#), l'étranger employé irrégulièrement peut prétendre au paiement du salaire et des accessoires dû au titre de la période d'emploi illicite et, en cas de rupture de la relation de travail, à une indemnité forfaitaire égale à trois mois de salaire.

Aussi, la proposition du GRETA semble poser difficulté au regard de la nature des sommes allouées au titre des salaires impayés. En effet, n'ayant pas pour finalité la réparation d'un préjudice, elles conservent leur nature juridique de salaire et n'ont donc pas une nature indemnitaire.

Permettre à une juridiction pénale de condamner l'employeur au paiement de rappels de salaires s'oppose dès lors à la compétence matérielle exclusive et d'ordre public du CPH en la matière (en vertu de l'article [L. 1411-1](#) du code du travail ; [Cass. soc., 29 mai 2024, n° 22-20.359](#) : la demande du salarié portant sur un rappel de salaire en raison du manquement de l'employeur à son obligation de payer l'intégralité du salaire dû relève de la compétence du conseil de prud'hommes).

L'action en paiement ou en répétition du salaire se prescrit par trois ans à compter du jour où celui qui l'exerce a connu ou aurait dû connaître les faits lui permettant de l'exercer. La demande peut porter sur les sommes dues au titre des trois dernières années à compter de ce jour ou, lorsque le contrat de travail est rompu, sur les sommes dues au titre des trois années précédant la rupture du contrat ([article L. 3245-1 du code du travail](#)). La prescription court à compter de la date d'exigibilité de chacune des créances salariales revendiquées ([Soc. 24 avr. 2013, no 12-10.196](#)).

Il doit toutefois être précisé que la demande en justice interrompt la prescription, même portée devant un juge incompetent ([article 2241 alinéa 2 du code civil](#)). La jurisprudence a même pu considérer que la plainte avec constitution de partie civile pouvait dans certaines conditions interrompre la prescription en dépit de l'incompétence des juges répressifs (ex : [Civ 2ème 12 décembre 2002 n°01-02.853](#) ; [Civ. 2ème 16 janvier 2020 n°18-24.594, PB](#)).

En outre, la victime demanderesse peut toujours engager une action devant le CPH pendant le cours de la procédure pénale et solliciter de ce dernier un sursis à statuer dans l'attente de l'issue du jugement pénal. Ce sursis n'est toutefois pas obligatoire puisque l'action devant le CPH ne vise pas à la réparation du dommage causé par l'infraction dont le juge pénal est saisi mais à l'obtention de rappels de salaire ([article 4 alinéa 3 du code de procédure pénale](#)).

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Paragraphe 236 : « Le GRETA exhorte de nouveau les autorités françaises à adopter une disposition juridique spécifique sur la non-sanction des victimes de la traite qui ont pris part à des activités illicites lorsqu'elles y ont été contraintes, et/ou adresser des instructions aux services enquêteurs et aux parquets qui préciseraient la portée de la disposition de non-sanction, qui ne s'applique pas seulement aux mineurs mais aussi aux adultes ayant pris part à des activités illicites sous contrainte. »

L'article 26 de la Convention dispose : « Chaque Partie prévoit, conformément aux principes fondamentaux de son système juridique, la possibilité de ne pas imposer de sanctions aux victimes pour avoir pris part à des activités illicites lorsqu'elles y ont été contraintes. ».

Cet article 26 n'impose ainsi pas la création d'une clause d'irresponsabilité pénale spécifique au bénéfice des seules victimes de TEH contraintes à commettre des délits mais exige en revanche que le droit interne autorise la possibilité de ne pas imposer de sanctions à la victime de TEH par ailleurs responsable d'un délit commis dans le cadre de la TEH. La législation française est donc conforme au texte.

Au plan interne, le principe constitutionnel d'égalité devant la loi implique que toute personne puisse voir sa responsabilité pénale engagée pour des faits incriminés (Préambule de la Constitution du 4 octobre 1958 et Art 1er, 5 et 8 de la Déclaration des droits de l'Homme et du Citoyen du 26 août 1789).

En conséquence, le législateur français n'a, pour l'instant, pas souhaité inscrire de principe général d'irresponsabilité pénale au bénéfice des victimes de traite des êtres humains, compte-tenu de la diversité des situations rencontrées.

En effet, l'opportunité des poursuites laissée au procureur de la République permet à ce magistrat d'apprécier chaque infraction au cas par cas et de déterminer s'il est opportun d'engager des poursuites et le cas échéant de déterminer la nature des poursuites à engager, selon la gravité des faits et le contexte dans lequel ils ont été commis, la personnalité de l'auteur ou encore le préjudice causé à la victime.

Dans ce cadre, des instructions de politique pénale ont été diffusées afin d'inviter les procureurs à tenir compte du contexte d'exploitation dans lequel certaines victimes de traite sont contraintes à commettre des infractions afin d'écarter les poursuites à leur encontre.

De manière générale, le ministère de la Justice insiste sur la priorité qui doit être donnée à la poursuite des chefs de réseaux et aux membres ayant joué un rôle clé dans l'organisation des faits de traite tandis que les victimes doivent être principalement prises en charge sous l'angle de la protection de leurs droits et de leur sécurité.

Plus spécifiquement, la circulaire du 28 mars 2023 relative à la politique pénale en matière de lutte contre les violences faites aux mineurs contient d'importants développements sur la politique pénale à mettre en œuvre afin de lutter contre les phénomènes d'exploitation commis au préjudice de mineurs. Elle indique que dans le cas de la contrainte à commettre des délits, les mineurs ne doivent pas être poursuivis si les

conditions réunies par [l'article 122-2 du code pénal](#) sur la contrainte sont réunies, et souligne que l'enquête doit se concentrer sur l'identification des organisateurs du réseau qui les exploite.

Les circulaires de politique pénale générale du 27 janvier 2025 et du 16 octobre 2025 invitent les magistrats à envisager le traitement des mineurs exploités par trafiquants de stupéfiants sous l'angle de la répression de la TEH par la contrainte à commettre des crimes et délits, conduisant à les considérer comme des victimes de traite et non pas comme des auteurs d'infractions.

L'absence d'instruction spécifique concernant les majeurs, considérés par nature comme moins vulnérables que les mineurs, n'est pas de nature à exclure systématiquement l'application de cette disposition aux personnes majeures, puisque le principe d'opportunité des poursuites permet au procureur de la République d'apprécier chaque situation individuellement.

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Paragraphe 237 : « Par ailleurs, le GRETA considère que les autorités françaises devraient :

« continuer à prendre des mesures pour garantir la mise en œuvre, dans la pratique, du principe de non-sanction, notamment en dispensant des formations aux agents des forces de l'ordre, aux procureurs et aux juges, et en renforçant l'échange d'information entre les autorités judiciaires des départements ; »

Ces éléments sont rappelés aux magistrats et plus largement aux professionnels concernés dans le cadre de formations organisées notamment par l'Ecole nationale de la magistrature et dans le cadre desquels le ministère de la Justice présente le cadre juridique applicable à la TEH ainsi que la politique pénale applicable.

Par ailleurs, comme indiqué précédemment, le ministère de la Justice a organisé le 15 octobre 2025 le séminaire des magistrats référents en matière de traite des êtres humains avec des séquences consacrées notamment aux stratégies de poursuite et à la prise en charge des victimes, lors desquelles la mise en œuvre effective de ce principe a été abordée, et sa mise en œuvre en pratique expliquée très concrètement par une magistrate de la section des mineurs du parquet de Paris.

De même, dans le cadre du séminaire des référents en matière de droit pénal du travail, organisé le 13 juin 2025, une séquence portait sur l'appréhension de la traite des êtres humains par le travail, au cours de laquelle les praticiens intervenant (une magistrate d'un parquet, un représentant de la direction générale du travail et le chef de l'Office central de lutte contre le travail illégal) ont rappelé l'importance d'exclure toute prise de sanction à l'égard des victimes de TEH par le travail (sanctions pénales comme administratives) et l'outil précieux que constitue la qualification pénale de TEH, précisément en faveur de la protection des droits des victimes.

Les modalités d'application du principe de non-sanction sont donc régulièrement expliquées et rappelés aux professionnels impliqués dans la lutte contre la traite des êtres humains par le ministère de la Justice.

Il est enfin utile de souligner que le ministère de la Justice enrichit sa connaissance du phénomène de délinquance forcée par ses échanges avec les juridictions, mais aussi avec ses partenaires interministériels et internationaux, afin d'adapter le cas échéant sa politique pénale et de renforcer les outils à disposition des juridictions.

Ainsi, les juridictions ont été spécifiquement interrogées par le ministère de la Justice en 2025 par le biais du rapport annuel du ministère public, afin de fournir une synthèse des actions menées en matière de traite des êtres humains, et notamment en matière de délinquance forcée.

Enfin, le ministère de la Justice a participé les 20 et 21 avril 2026 à Vienne (Autriche) à la 26ème conférence annuelle de l'OSCE qui portait spécifiquement sur ce phénomène, afin de renforcer sa connaissance de l'état de la menace et d'identifier les bonnes pratiques au niveau international.

« adopter des mesures législatives permettant la suppression sur le casier judiciaire des victimes de la traite des condamnations dès lors qu'il a été établi que les victimes avaient été contraintes par les trafiquant·es à commettre les infractions concernées. »

Le ministère de la justice partage le constat du GRETA selon lequel les condamnations portées sur le casier judiciaire peuvent porter préjudice à l'insertion professionnelle des condamnés dans la société.

Afin de permettre à une victime de faits de traite des êtres humains, reconnue coupable d'infractions commises sous la contrainte, de faciliter son insertion socio-professionnelle, des mécanismes existent déjà lui permettant de bénéficier d'un effacement des condamnations prononcées à son encontre, sans qu'il soit nécessaire de légiférer.

A titre liminaire, il convient de souligner que le bulletin n°1 (ci-après B1) du casier judiciaire n'est délivré qu'aux autorités judiciaires (article 774 alinéa 2 du CPP). Ainsi, la mention d'une condamnation sur le B1 n'est pas de nature à entraver l'insertion socio-professionnelle des condamnés dans la mesure où il ne peut être délivré à des tiers (à l'exception du directeur pénitentiaire et/ou du directeur d'insertion et de probation s'ils en font la demande).

Par ailleurs, la condamnation d'une victime pour des faits qui auraient été commis sous la contrainte suppose que le tribunal ait écarté, ou qu'il n'ait pas été débattu lors de l'audience, de la cause d'irresponsabilité pénale figurant à l'article 122-2 du code pénal.

Outre l'exercice des voies de recours classiques :

La réhabilitation

En dehors des cas de réhabilitation de plein droit prévus aux articles 133-12 à 133-17 du code pénal, toute personne condamnée par un tribunal français à une peine criminelle, correctionnelle ou contraventionnelle, peut être réhabilitée (article 782 du CPP).

En application des articles 769, 798 et 798-1 du CPP, toute personne ayant fait l'objet d'une réhabilitation de plein droit, ou d'une réhabilitation judiciaire peut demander que cette condamnation soit retirée du casier judiciaire et ne soit plus mentionnée au bulletin n°1.

Ainsi, une victime condamnée pour des faits qui auraient été commis sous la contrainte dans le cadre de la traite des êtres humains pourrait présenter une demande en réhabilitation judiciaire, laquelle permettrait, si le tribunal y faisait droit, l'effacement de cette mention sur le B1 de l'intéressée.

L'effacement des bulletins n°2 et 3 du casier judiciaire

Dans le cadre d'une recherche d'emploi et de la nécessité de présenter un bulletin n°2 du casier judiciaire (ci-après B2) ne portant trace d'aucune condamnation, toute personne condamnée peut présenter une requête en effacement du B2 à l'autorité judiciaire (article 775-1 du CPP), sauf si elle a été condamnée pour l'une des infractions visées à l'article 706-47 du CPP.

Ainsi, toute victime condamnée pour des faits qui auraient été commis sous la contrainte dans le cadre de la traite des êtres humains pourrait présenter une demande au tribunal compétent aux fins d'effacement du B2.

Il convient de souligner que le bulletin n°3 est le relevé de condamnations prononcées pour crime ou délit lorsqu'elles ne sont pas exclues du bulletin n°2. Cela signifie que si le tribunal a exclu – dans le jugement

de condamnation ou ultérieurement – la mention au bulletin n°2, les condamnations ne figureront pas non plus au bulletin n°3.

Par ailleurs, comme pour le bulletin n°2, il existe une procédure d'exclusion de mention d'une condamnation au bulletin n°3, prévue à l'article 777-1 du CPP (qui renvoie aux conditions fixées par l'article 775-1 du CPP relatif à la procédure d'exclusion du B2).

Ainsi, toute victime condamnée pour des faits qui auraient été commis sous la contrainte dans le cadre de la traite des êtres humains peut également présenter une requête au tribunal compétent aux fins d'exclusion de la mention de sa condamnation au Bulletin n°3.

La demande de révision

En application de l'article 622 du code de procédure pénale, la révision d'une décision pénale définitive peut être demandée au bénéfice de toute personne reconnue coupable d'un crime ou d'un délit lorsque, après une condamnation, vient à se produire un fait nouveau ou à se révéler un élément inconnu de la juridiction au jour du procès, de nature à établir l'innocence du condamné ou à faire naître un doute sur sa culpabilité.

Ces conditions semblent satisfaites dans l'hypothèse d'une personne qui aurait été condamnée pour une infraction, lorsque des éléments nouveaux ou inconnus de la juridiction au jour du procès sont mis à jour et permettent de démontrer que cette infraction a été commise sous la contrainte dans un contexte d'exploitation. La révision est donc ici envisageable légalement.

Cependant le résultat semble incertain car les difficultés liées à la caractérisation de la contrainte demeurent.

En effet, quand bien même les exploitants de la victime auraient été condamnés entre temps pour traite des êtres humains, il faudrait pouvoir disposer d'éléments suffisamment précis pour démontrer une contrainte exercée sur cette personne en particulier et concomitante à la commission de l'infraction concernée afin d'écarter sa responsabilité pénale.

Sur la nécessité de légiférer :

En l'état actuel du droit, aucun fondement textuel ne permet au parquet de présenter aux services du casier judiciaire une demande d'effacement d'une condamnation d'une victime qui aurait commis des faits sous la contrainte.

Une telle requête du parquet auprès des services du casier judiciaire pourrait s'analyser comme une remise en cause du principe de l'autorité de la chose jugée, lequel s'oppose à ce qu'une décision devenue définitive soit remise en cause. Ce principe est d'ailleurs apprécié strictement par la cour de cassation qui a pu considérer que « le principe de l'autorité qui s'attache à la chose jugée, fût-ce de manière erronée, s'oppose à ce qu'une décision de justice devenue définitive soit remise en cause (dispense d'inscription au casier judiciaire d'une infraction qui n'en est pas susceptible) » (Crim 28 sept 2010, n° 10-80.530).

Ainsi, sans évolution législative sur ce point, il apparaît difficile de procéder à de tels effacements de condamnation.

Une modification pourrait porter sur les articles 769 et R. 70 du CPP (relatif à l'effacement des fiches du casier judiciaire) ou sur l'article 778 du CPP (relatif aux rectifications des mentions inscrites sur le casier judiciaire). Toutefois, une telle modification législative n'apparaît pas opportune dans la mesure où, comme il a été indiqué supra, d'autres mécanismes permettent de procéder à l'effacement des condamnations. Si une telle modification législative était opérée, se poserait la question de savoir comment déterminer si les

faits pour lesquels l'intéressé a été condamné ont bien été commis sous la contrainte, alors même que la procédure est clôturée. Elle se heurterait ainsi au principe de l'autorité de la chose jugée.

Par ailleurs, un point de vigilance souligné par le CJN concerne les condamnations étrangères prononcées contre des ressortissants français (ou qui le sont devenus) victimes de tels faits. Selon l'architecture juridique d'ECRIS, seules les autorités étrangères de condamnation peuvent solliciter l'effacement de telles décisions et non les autorités nationales. Une modification législative ne pourrait donc pas concerner les victimes dans cette hypothèse.

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