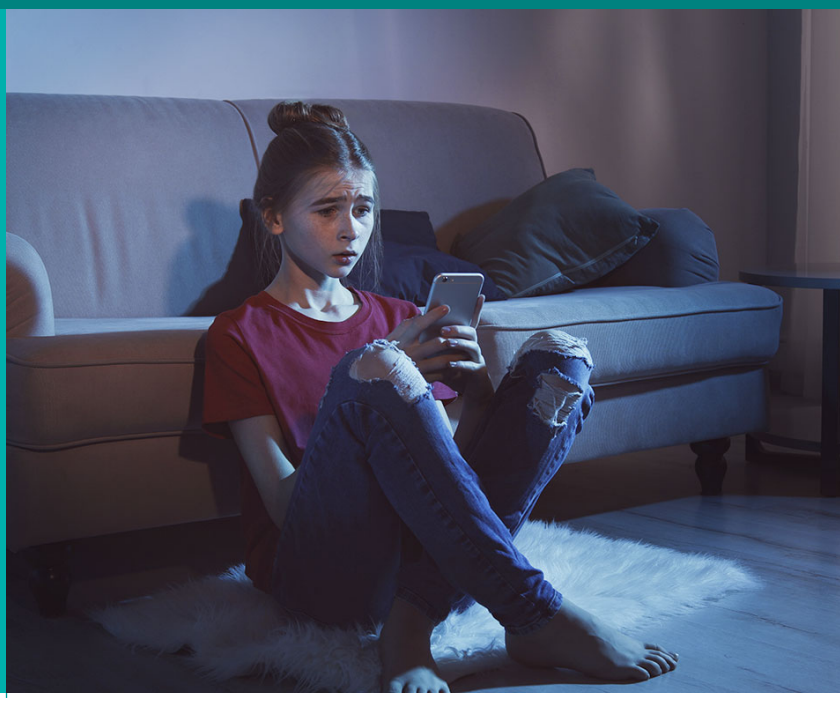
FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities to human trafficking

EVALUATION REPORT

LUXEMBOURG



GRETA

Group of Experts on Action against Trafficking in Human Beings

Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

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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 July 2022 to June 2026, evaluates the measures taken by Luxembourg to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as 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.

Luxembourg remains primarily a country of destination and transit for victims of trafficking in human beings. There were 50 formally identified victims in 2022, 64 in 2023, four in 2024, and five in 2025; the increase in 2022 and 2023 was linked to a major THB case. The main types of exploitation were sexual exploitation and labour exploitation, particularly in the HORECA (hotels, restaurants and catering), construction and domestic work sectors. The majority of identified victims originated from third countries, with female victims mainly from Russia and Ukraine and male victims mainly from Brazil and Albania. The authorities have also noted an increase in the number of cases with signs of THB involving au pairs, as well as a shift towards sexual exploitation being carried out in accommodation rented for very short periods via online platforms. The increasing prevalence of platform work has also been identified as an emerging risk.

The Luxembourg authorities have taken a series of steps to develop the legislative and institutional framework for action against trafficking in human beings. In 2024, the Advanced Protection Division was set up within the Grand Ducal Police, focusing on protecting victims exposed to violence or serious threats.

Since its adoption in 2016, the first National Action Plan against Trafficking in Human Beings has neither been evaluated nor updated. GRETA therefore urges the Luxembourg authorities to adopt a new action plan as soon as possible, with measurable objectives, monitoring indicators and a mechanism for evaluating its impact. It also invites the Luxembourg authorities to ensure better mainstreaming of anti-trafficking action across all public policies and national action plans. The Ministry of Justice officials responsible for co-ordinating action against trafficking also have other duties, limiting the time they can devote to this task, and GRETA considers that the Luxembourg authorities should consider appointing a national co-ordinator exclusively responsible for action against THB.

The first National Action Plan against THB places particular emphasis on migrant workers, Travellers, workers in the construction and restaurant and catering sectors, and unaccompanied children, with close attention also given to prostitution and to setting up a support programme for leaving prostitution.

Some children are at greater risk of exploitation and trafficking due to their heightened vulnerability. This situation is thought to affect, in particular, children in the care of child welfare services, especially those living in emergency shelters for children or placed in closed centres, and unaccompanied children. Luxembourg has adopted its first National Action Plan for Children's Rights (for the period 2022-2026) and is currently undertaking a major reform of the juvenile justice system. GRETA considers that the Luxembourg authorities should strengthen measures to prevent trafficking of children, ensure effective protection is provided to all unaccompanied children, including those who do not apply for international protection, and integrate the prevention of child trafficking in the school curricula.

Applications for international protection in Luxembourg increased from around 1 100 to 1 200 per year in 2020-2021 to approximately 2 450 in 2023, before falling to about 1 650 in 2025. Since August 2023, access to the initial reception centre has been restricted to those who have already submitted an application for international protection, and a waiting list system for single men was introduced in autumn 2023. GRETA is concerned that these measures increase the vulnerability of applicants for international protection who are without accommodation and the risks that they are trafficked. It also considers that the Luxembourg authorities should ensure that applicants for international protection and refugees have access to suitable accommodation and employment, so as to prevent them from becoming vulnerable to THB.

Luxembourg's labour market is highly internationalised and certain categories of migrant workers, in particular third-country nationals, may face a heightened risk of falling victim to THB. GRETA welcomes the considerable increase in the number of inspectors at the Inspectorate of Labour and Mines (ITM), from 22 in 2018 to 136 in September 2025, and notes with satisfaction the ITM's increasingly proactive role in detecting potential victims. However, GRETA is concerned that a draft law proposing to require workers to remain with their first employer for six months and to extend the duration of the initial "salaried worker" residence permit from one to two years would increase the risk of migrant workers becoming dependent on their employers, thereby exposing them to a greater risk of exploitation. GRETA considers that the authorities should propose training on THB to trade union representatives and ensure that policies on labour market access do not lead to increased dependence on employers.

Out of the 118 victims identified between 2022 and 2024, 83% were women, primarily affected by sexual exploitation. In 2025, Luxembourg adopted its first National Action Plan on Gender-Based Violence and its second National Action Plan on Women, Peace and Security 2025-2030, which include measures related to trafficking. A Gender Equality Observatory has also been set up and is currently focusing on domestic violence. GRETA welcomes these measures and considers that the authorities should extend the Observatory's remit to other forms of gender-based violence, including trafficking, and support specific research on women in vulnerable situations, such as women with disabilities, migrant women or women engaged in prostitution.

GRETA notes the absence of specific policies aimed at reducing the vulnerability of people with disabilities to trafficking in human beings, and invites the authorities to ensure that awareness-raising campaigns on THB are accessible to persons with disabilities.

The procedure for identifying victims has not changed. It is set out in a roadmap from 2017 which is confidential and only available to members of the Monitoring Committee. GRETA once again urges the Luxembourg authorities to ensure that the identification of presumed victims is not dependent upon the opening or continuation of criminal proceedings, to update and disseminate the roadmap and to set up a formalised national referral mechanism which follows a multidisciplinary approach.

GRETA welcomes the opening of the National Centre for Victims of Violence in 2025 and the opening in 2023 of a new shelter for victims of THB, the *Maison New Step*. Nevertheless, it urges the Luxembourg authorities to ensure that the assistance provided to victims is not dependent on criminal proceedings being initiated or ongoing, and that all presumed and identified victims in Luxembourg can receive appropriate support and assistance, based on their individual needs, irrespective of the country in which they were exploited.

No children were formally identified as victims of THB over the 2022-2025 period. The information provided by the authorities regarding foreign children apprehended for theft and placed in a secure centre does not enable GRETA to conclude that the judicial authorities carry out sufficient and systematic evaluations to determine whether such children may have been coerced into committing these offences. This raises serious questions as to whether the duty to proactively identify child trafficking victims is being effectively fulfilled in practice. GRETA again urges the authorities to step up their efforts to identify child victims of trafficking and provide them with appropriate assistance.

All sentences handed down for THB during the period under review were suspended and the abuse of a position of vulnerability was found to be an aggravating circumstance only very rarely. GRETA urges the Luxembourg authorities to step up proactive investigations into THB and ensure that the penalties imposed are effective, proportionate and dissuasive, in particular by limiting the near-systematic use of suspended sentences and mitigating circumstances.

Luxembourg does not have a witness protection programme. GRETA welcomes the intention to legislate on witness protection and on the rights of child victims and witnesses in criminal proceedings and invites the authorities to finalise and adopt these measures without delay in order to ensure effective and appropriate protection. It also considers that the authorities should consider criminalising the use of services of a victim of any form of trafficking in human beings.

In light of the growing use of ICT for recruiting, controlling and exploiting victims of trafficking, GRETA welcomes the legislative changes that have taken place during the period, including the extension of the scope for undercover investigations to include cases of trafficking in human beings and the adoption of a law permitting the use of sound recording and computer data capture tools in THB cases. However, co-operation between law enforcement and the private sector remains limited and the police do not have specific software to detect forms of exploitation other than sexual exploitation. GRETA considers that the authorities should strengthen co-operation with ICT companies and continue to invest in digital tools for proactive investigations.

With regard to the follow-up topics arising from the previous evaluation cycle, GRETA notes that THB remains under-researched, particularly where vulnerable groups are concerned, and considers that the authorities should ensure the continuation of existing research and intensify their efforts to strengthen the available knowledge base.

Victims still face many obstacles in accessing compensation and there was only one instance of compensation being awarded since 2021. GRETA once again urges the Luxembourg authorities to ensure that the collection of evidence about the harm the victim has suffered is part of the criminal investigation, to provide training on compensation for victims of THB to lawyers, prosecutors and judges and to broaden the eligibility criteria for state compensation so that any victim of human trafficking may access it.

Lastly, although the non-punishment provision is enshrined in Luxembourg law, its application in practice remains a cause for concern. The National Rapporteur highlighted that, in cases of THB for the purpose of sexual exploitation, the women convicted are rarely the principal offenders and are themselves often in a vulnerable position, but are almost always regarded as co-perpetrators, without the principle of non-punishment being mentioned in the judgements. GRETA is concerned about the risk that the principle of non-punishment may not be applied in the context of the ban on begging that came into force in Luxembourg City in January 2024. Therefore, GRETA urges the Luxembourg authorities to take further steps to ensure the application of the non-punishment principle in practice, in particular through training for law enforcement officers, prosecutors and judges.

List of acronyms and abbreviations

ADEM	Employment Development Agency
ODIHR	Office for Democratic Institutions and Human Rights (OSCE)
CA	Court of Appeal
CCDH	Advisory Committee on Human Rights
COTEH	*Service d'assistance aux victimes de la traite des êtres humains* (support service for victims of THB), run by *Fondation Maison Porte Ouverte*
FED	*Femmes en détresse asbl*
FEDAS	*Fédération des acteurs du secteur social au Luxembourg asbl*
FMPO	*Fondation Maison Porte Ouverte*
HORECA	Hotels, restaurants, cafés
INAP	National Institute for Public Administration
ITM	Inspectorate of Labour and Mines
MAEE	Ministry of Foreign and European Affairs
MEGA	Ministry of Gender Equality and Diversity
OKAJU	*Ombudsman fir Kanner a Jugendlecher* (Ombudsperson for Children and Young People)
ONA	National Reception Office
ONE	National Office for Children
PAN	National Action Plan
SAVTEH	*Service d'assistance aux victimes de la traite des êtres humains* (support service for victims of THB), run by *Femmes en détresse*
SNJ	National Youth Service
THB	Trafficking in human beings
EU	European Union
UNISEC	Secure Unit of the State Socio-Educational Centres

General information on trafficking in human beings in Luxembourg
(covering the period from 2022 to 2025)

Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings Previous evaluations by GRETA	1 August 2009 • First evaluation report (published on 15 January 2014) • Second evaluation report (published on 6 November 2018) • Third evaluation report (published on 4 October 2022)
Co-ordination of national action against THB	Interministerial Committee tasked with co-ordinating activities to prevent and evaluate the phenomenon of trafficking in human beings (Monitoring Committee)
National Rapporteur	Advisory Committee on Human Rights (CCDH)
Specialised bodies and NGOs	• Advanced Protection Division – Crimes against Persons Department, Criminal Investigation Police • Organised Crime Division, Criminal Investigation Police • InfoTraite (victim support services) was formed through the merger of SAVTEH, a service provided by the association *Femmes en détresse*, and COTEH, a service provided by the *Fondation Maison de la Porte Ouverte*. The NGO HUT – *Hëllef um Terrain* joined in 2025.
National Strategy/Action Plan	National Action Plan against Trafficking in Human Beings (2016)
Relevant legislation	• Criminal Code (Articles 382-1 to 382-3) • Code of Criminal Procedure • Amended Law of 8 May 2009 on assistance to and protection and safety of victims of trafficking in human beings • Law of 13 March 2009 on trafficking in human beings • Law of 9 April 2014 strengthening the rights of victims of trafficking in human beings. • Law of 31 May 1999 reinforcing measures against trafficking in and sexual exploitation of children
National Referral Mechanism (NRM)	Luxembourg drew up a roadmap in September 2017 outlining the co-operation between various stakeholders involved in the process of detecting and identifying victims. This document is confidential and only available to members of the Monitoring Committee.
Trafficking profile	Luxembourg is a country of destination and transit for victims of trafficking in human beings. The main types of exploitation identified by the police are THB for the purposes of sexual exploitation and labour exploitation. Between 2022 and 2024, all identified victims were adults who mostly came from third countries. Of the women identified as victims during this period, most were from Russia and Ukraine, while most of the men identified as victims were from Brazil or Albania.

I. Introduction

1. Since the entry into force of the Convention in Luxembourg on 1 August 2009, the Luxembourg authorities have taken a series of steps to develop the legislative and institutional framework for action against THB and to strengthen co-ordination among the entities involved. Key measures include the adoption in 2016 of a National Action Plan against Trafficking in Human Beings, the setting up of an Interministerial Monitoring Committee tasked with co-ordinating activities to prevent and evaluate the phenomenon, the appointment of the Advisory Committee on Human Rights as National Rapporteur, the introduction of legislation on compensation for victims and the strengthening of the role of the Inspectorate of Labour and Mines in combating trafficking. After three rounds of evaluation, however, GRETA concluded that there were persistent gaps in several areas, in particular in the identification of victims of THB, their access to assistance, the identification of and care for child victims, the protection of victims and witnesses and victims' access to compensation.

2. On the basis of GRETA's third report, on 25 November 2022 the Committee of the Parties to the Convention adopted a recommendation to the Luxembourg authorities, requesting them to inform the Committee within a two-year period of measures taken to comply with the recommendation. The report submitted by the Luxembourg authorities was considered at the 35th meeting of the Committee of the Parties (29 November 2024) and was made public.[2]

3. On 13 February 2025, GRETA launched the fourth round of evaluation of the Convention in respect of Luxembourg by sending the questionnaire for this round to the Luxembourg authorities.[3] The deadline for submitting the reply to the questionnaire was 13 June 2025 and the authorities' reply was received on that date.

4. An evaluation visit to Luxembourg took place from 23 to 26 September 2025 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Ms Ia Dadunashvili, member of GRETA;
- Mr Peter Van Hauwermeiren, member of GRETA;
- Ms Jenna Logeais, member of the Secretariat of the Convention.

5. During the visit, the GRETA delegation met Ms Elisabeth Margue, Minister of Justice, and Ms Pascale Millim, Chair of the Interministerial Monitoring Committee for action against THB. Discussions were held with Ms Fabienne Rossler, Secretary General of the Advisory Committee on Human Rights (CCDH), as well as with Ms Claudine Konsbruck, Ombudsperson, and Mr Charel Schmidt, Ombudsperson for Children and Young People (OKAJU), and their teams. Meetings were also held with officials from the Ministries of Justice, Home Affairs, Gender Equality and Diversity (MEGA), Labour, Health, the Ministry of Education, Children and Youth and the Ministry of Foreign and European Affairs, Defence, Development Co-operation and Foreign Trade. The delegation met with the Prosecutor General's Office and prosecutors in Luxembourg and Diekirch, the Diekirch investigating office, the Criminal Investigation Police – in particular, the Organised Crime and the Advanced Protection Divisions – and the Victim Support Service (SAV) of the Prosecutor General's Office. Discussions were also held with the Inspectorate of Labour and Mines (ITM), the General Directorate of Immigration, the National Reception Office (ONA), the National Office for Children (ONE) and the National Youth Service (SNJ). In addition, a meeting was held in the Chamber of Deputies with members of the Committee on Justice and the Luxembourg Delegation to the Parliamentary Assembly of the Council of Europe.

[2] https://rm.coe.int/rapport-soumis-par-les-autorites-du-luxembourg-pour-etre-en-conformite/1680b2bd6e
[3] https://rm.coe.int/questionnaire-for-the-evaluation-of-the-implementation-of-the-council-/1680abd8fa

6. Separate meetings were held with non-governmental organisations (NGOs), trade union leaders and academics.

7. During the visit, the GRETA delegation visited the recently established National Centre for Victims of Violence (CNVV), which was inaugurated in April 2025 and is run by the Red Cross. They also visited the *Maison New Step*, a shelter for victims of trafficking in human beings which opened in 2023.

8. The delegation also attended a hearing on a case of trafficking in human beings for the purpose of labour exploitation at the Luxembourg District Court (see paragraph 64).

9. The list of 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 wishes to place on record the co-operation provided by the Luxembourg authorities, and in particular Ms Pascale Millim, Advisor at the Directorate of Criminal and Penitentiary Law of the Ministry of Justice and the contact person appointed to liaise with GRETA.

11. The draft version of the present report was approved by GRETA at its 56th meeting (2-6 March 2026) and was submitted to the Luxembourg authorities for comments. The authorities' comments were received on 18 May 2026 and were taken into account by GRETA when adopting the final report at its 57th meeting (22-26 June 2026). The report covers the situation up to 26 June 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. Luxembourg continues to be a country of destination and transit for victims of trafficking in human beings (THB). According to police data, 50 victims of trafficking were formally identified in Luxembourg in 2022, 64 in 2023, 4 in 2024 and 5 in 2025.[4] The sharp increase in the number of victims in 2022 and 2023 was due to a major THB case (see paragraph 141). In addition, the number of presumed victims, including anonymous cases reported by InfoTraite to the police, was 15 in 2022, 17 in 2023 and 21 in 2024. The ITM also detected 12 potential victims in 2022, 23 in 2023 and 23 in 2024. The main types of exploitation identified by the police were trafficking for the purposes of sexual exploitation and labour exploitation, with HORECA (hotels, restaurants and cafés), construction and domestic work most affected – a trend already observed. Statistics show that the majority of formally identified victims came from third countries. Of the women identified as victims, most were from Russia and Ukraine, while most of the men were from Brazil or Albania. One victim from Luxembourg was identified in 2024 and two victims were EU nationals (one in 2022 and one in 2024).

13. As regards emerging trends in trafficking in human beings, the authorities noted an increase in the number of cases with signs of THB involving au pairs.[5] Sexual exploitation has shifted from cabaret-style venues to apartments or rooms rented for very short periods via online platforms, with advertising on specialised websites and social media. This trend, which began during the Covid-19 pandemic amid venue closures, had already been noted in GRETA's third report.[6] The authorities point out that the increasing prevalence of platform work could pose a new challenge. Although no victims have been identified to date, inspections have revealed a risk of people with irregular status being exploited.

14. With regard to the legislative framework for combating human trafficking, measures were taken in 2023 to allow certain criminal proceedings, in particular the hearing of witnesses in expedited police investigations, to be conducted via telecommunications.[7] The Law of 28 March 2023 amends the Criminal Code to introduce a general aggravating circumstance for crimes committed with a motive relating to any of the factors listed in Article 454 of the Criminal Code (such as the victim's sex, sexual orientation, sex change or gender identity).[8] The Laws of 7 August 2023 also address several areas: the introduction of partial legal aid to facilitate access to justice (the state will cover 50% or 25% of the reimbursement of costs),[9] amendments to the Criminal Code and the Code of Criminal Procedure to strengthen action against the sexual abuse and sexual exploitation of minors,[10] and the extension of undercover investigations to all crimes and offences punishable by at least two years' imprisonment.[11] Lastly, a separate law, also passed on 7 August 2023, amends the Labour Code and legislation on immigration and the reception of applicants for international protection, by strengthening penalties for the illegal employment of third-country nationals and by extending the ITM's powers.[12]

15. Furthermore, the Law of 22 June 2022 on the management and recovery of seized or confiscated assets[13] set up an Asset Management Office (BGA), under the authority of the Minister of Justice, and an Asset Recovery Office (BRA) within the Public Prosecutor's Office of the Luxembourg judicial district. The law amended Article 583 of the Code of Criminal Procedure, which now allows a civil party to claim

[4] Compared with three victims in 2018, one in 2019, five in 2020 and 11 in 2021.
[5] The authorities state that, at the time of replying to the GRETA questionnaire, there were 309 au pairs present in Luxembourg, compared with the 174 who had an ongoing au pair agreement in 2016.
[6] See GRETA's third report on Luxembourg, paragraph 12.
[7] https://legilux.public.lu/eli/etat/leg/loi/2023/07/29/a517/jo
[8] https://legilux.public.lu/eli/etat/leg/loi/2023/03/28/a185/jo
[9] https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a542/jo
[10] https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a520/jo
[11] https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a516/jo
[12] https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a556/jo
[13] https://legilux.public.lu/eli/etat/leg/loi/2022/06/22/a323/jo

expedited compensation for damages from the BGA, subject to certain conditions (see paragraphs 191 and 192).

16. The legal framework for combating THB is set to be further strengthened, notably by transposing the revised EU Directive on combating trafficking in human beings (Directive 2024/1712/EU)[14] and updating the roadmap drawn up in September 2017 which sets out the procedure for identifying victims (see paragraph 101). GRETA also notes the work under way on a preliminary draft law on the protection of victims and witnesses (see paragraph 153), further work on draft legislation on the rights of child victims and witnesses (see paragraph 154),[15] efforts to restrict the routine use of suspended sentences for first-time offenders (see paragraph 145)[16] and initiatives to reinforce special surveillance measures in order to empower judicial authorities to combat serious crime effectively (see paragraph 173).[17]

17. GRETA notes that Luxembourg is undertaking the most significant reform of its juvenile justice system in over 30 years. The amended Law of 10 August 1992 is currently being completely revised through three draft laws: Draft Law No. 7991, which introduces criminal proceedings for minors (see paragraphs 126 and 199); Draft Law No. 7992, which concerns the rights of child victims and witnesses in criminal proceedings (see paragraph 154); and Draft Law No. 7994, which relates to the assistance, support and protection of minors and young adults (see paragraph 41).

18. With regard to the institutional framework, national co-ordination for action against THB continues to be carried out by the Interministerial Committee tasked with co-ordinating activities to prevent and evaluate the phenomenon of trafficking in human beings (the Monitoring Committee), chaired by the Ministry of Justice. The committee's two main statutory responsibilities are to co-ordinate and monitor prevention and evaluation activities and to centralise and analyse statistical data. However, the Ministry of Justice officials responsible for co-ordinating action against trafficking also have other duties, limiting the time they can devote to this task. This leads to an excessive workload and delays to the implementation of several planned measures (see paragraph 21). GRETA considers that the Luxembourg authorities should consider appointing a national co-ordinator who would be exclusively responsible for action against THB with the support of a dedicated team. The National Rapporteur also made the same recommendation in its fifth report on trafficking in human beings.[18]

19. The Monitoring Committee brings together representatives from government ministries and people working directly in the field, including the Inspectorate of Labour and Mines, the National Reception Office, the National Youth Service, the public prosecutors' offices, the Grand Ducal Police and InfoTraite. As part of the transposition of the revised EU Directive on trafficking in human beings (2024/1712/EU), the authorities plan to review the composition of the committee, potentially setting up working groups or sub-committees. The committee generally meets two to three times a year; however, it is reported to have met only once in 2025. The Monitoring Committee has an annual budget of €15 000, mainly earmarked for publications and awareness-raising activities. Additional funding may be obtained where necessary, particularly via the anti-crime fund financed by assets confiscated in money laundering or drug-related cases. A task force (select committee) also meets two to five times a year as required. With representatives from MEGA, the General Directorate of Immigration, the police's Advanced Protection Division, InfoTraite and the Ministry of Justice, the task force deals with specific operational situations which often require the involvement of assistance providers, the police and immigration authorities. Members of the task force deliver training on THB and are accredited by the National Institute for Public Administration (INAP).

[14] Directive (EU) 2024/1712 of the European Parliament and the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.
[15] Draft Law No. 7992 (rights of child victims and witnesses).
[16] Draft Law No. 8486 proposing to amend Article 195-1 of the Code of Criminal Procedure.
[17] Draft Law No. 8515 amending Article 88-2, paragraph 2, of the Code of Criminal Procedure.
[18] CCDH, Fifth report on trafficking in human beings in Luxembourg, 2023-2024, page 39.

20. Between 2018 and 2024, the Criminal Investigation Police had a unit that combined victim protection and searches for fugitives, with one officer dedicated to each task.[19] In 2024, the Grand Ducal Police set up the Advanced Protection Division, separating victim protection from the pursuit of wanted fugitives. The new division focuses on protecting victims exposed to violence or serious threats, particularly in cases involving THB. It is responsible for formally identifying and assisting such victims, and actively participates in awareness-raising initiatives. GRETA welcomes this development, while emphasising the need to increase the division's staffing levels in order to implement an official 24/7 on-call service.

21. Since its adoption in 2016, the first National Action Plan against Trafficking in Human Beings has neither been evaluated nor updated. In its second report, GRETA therefore invited the Luxembourg authorities to carry out an independent assessment of the plan's implementation.[20] The authorities have reported that work on the plan was delayed due to staff shortages, first because of the public health crisis triggered by the Covid-19 pandemic and then because of the situation in Ukraine. Nevertheless, they maintain that their efforts have helped to prevent numerous cases of THB since Russia's large-scale invasion of Ukraine. The plan is set to be reviewed as part of the transposition of the revised EU Directive on trafficking in human beings. GRETA requests updates on this review. GRETA urges the Luxembourg authorities to adopt a new action plan as soon as possible, with measurable objectives, monitoring indicators and a system to evaluate its impact.

22. As National Rapporteur, the CCDH submits a report on trafficking in human beings, along with recommendations, to the Chamber of Deputies at least once every two years. However, there is no formalised mechanism for implementing the recommendations following the report's publication. In December 2024, during a debate in the Chamber of Deputies on the CCDH's fourth report on THB, a motion inviting the government to implement its recommendations was rejected by two thirds of MPs. A draft law proposes placing the CCDH under the authority of the Chamber of Deputies.[21] The CCDH requested this change, which would form part of a broader institutional development process for the Committee, constituting a further step towards strengthening its independence. Currently, the CCDH serves as an advisory body to the government, which appoints its members, and operates under the authority of the Prime Minister.[22]

23. In its fourth report on trafficking, the CCDH invited the government to harmonise the various national strategies to ensure better prevention of THB.[23] GRETA welcomes the inclusion of THB in the National Action Plan on the Rights of the Child and in the plan for Women, Peace and Security (2025–2030), but notes its absence from plans concerning LGBTI rights, emotional and sexual health and the rights of persons with disabilities (2019–2024), as well as from the government's action plan on illicit drugs and related issues (2020–2024). While welcoming the close interministerial co-operation on the issue of THB through the work of the Monitoring Committee, GRETA invites the Luxembourg authorities to ensure better mainstreaming of anti-trafficking action across all public policies and national action plans.

[19] See GRETA's third report on Luxembourg, paragraph 111.
[20] See GRETA's second report on Luxembourg, paragraph 28.
[21] https://legilux.public.lu/eli/dl/pl/2025/43
[22] Regulation adopted by the Government sitting in Council on 26 May 2000 establishing the Advisory Committee on Human Rights.
[23] CCDH, Fourth report on trafficking in human beings in Luxembourg, 2021-2022, page 30.

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 shall 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 Luxembourg, the first National Action Plan against THB provides for targeted initiatives for vulnerable groups and high-risk sectors. Particular emphasis is placed on migrant workers, Travellers, workers in the construction and restaurant and catering sectors, and unaccompanied minors, with close attention also given to prostitution and to setting up a support programme for leaving prostitution.

26. Many training courses have been made available to professionals who work with vulnerable people in sectors such as education, immigration and health (see paragraphs 36, 42 and 56). According to the authorities, the training aims to equip professionals to detect and provide support to victims of THB, and to raise awareness of the need to consider their various vulnerabilities. For instance, between 2022 and 2024, 11 training sessions were held for doctors, nurses and psychologists.

27. The authorities also reported that the "You have rights!" information leaflet for potential victims of THB was tailored to those identified as the most vulnerable in Luxembourg, and produced in the languages most commonly spoken by third-country nationals. However, GRETA notes that no national awareness-raising campaign on THB was carried out during the reporting period, with the last campaign dating back to 2019.[24]

28. The CCDH confirmed that it had held consultations with survivors of trafficking when drafting its fourth report.[25] GRETA was also informed that the PROTEX project (see paragraph 182) would draw on the experiences of victims and individuals at risk. Noting the importance of taking into account the lived experiences and views of victims and survivors of trafficking when designing anti-trafficking policies and measures, GRETA invites the Luxembourg authorities to set up an advisory council for survivors of trafficking. Reference is made in this context to the guidance of the Office for Democratic Institutions and Human Rights (ODIHR) on establishing and maintaining National Survivors of Trafficking Advisory Councils[26] and ICAT's Issue Brief on Ensuring Ethical Survivor Inclusion.[27]

[24] See GRETA's third report on Luxembourg, paragraph 157.
[25] CCDH, Report on trafficking in human beings in Luxembourg, 2021-2022, page 14.
[26] OSCE/ODHIR, *Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils (NSTACs)*, 2024.
[27] ICAT, *Ensuring Ethical Survivor Inclusion*, Issue Brief, 2025.

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

29. This section examines the preventive measures taken with regard to certain groups identified as vulnerable to THB based on the information provided by the Luxembourg authorities as well as non-state actors. 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 people

30. In its fifth report, the National Rapporteur on Trafficking highlighted that some children were at greater risk of exploitation and trafficking due to their heightened vulnerability and fragility. According to the CCDH, this particularly concerns children in the care of child welfare services, especially those living in emergency shelters for children and those placed in closed centres such as UNISEC (Secure Unit of the State Socio-Educational Centre), and unaccompanied children.[28] However, as no in-depth study of the issue of trafficking in children or children's vulnerability to trafficking has yet been conducted in Luxembourg, the scope to tailor preventive measures effectively is limited.

31. In its second report on Luxembourg, GRETA considered that the authorities should step up efforts to prevent trafficking in children.[29] In its third report on Luxembourg, GRETA urged the Luxembourg authorities to raise awareness among and train professionals working with and for children so that they could detect presumed cases of trafficking and to amend the Law of 10 August 1992 on the Protection of Young People in order to guarantee adequate protection for unaccompanied children who were not applicants for international protection.[30]

32. GRETA welcomes the adoption of the first National Action Plan for Children's Rights for the period 2022-2026. The plan highlights the risk of trafficking in children and its objectives include measures to combat the risk this poses to children fleeing the war in Ukraine. It states that links will be established with the priorities and actions set out in the National Action Plan against Trafficking in Human Beings.[31] However, the National Rapporteur noted with regret in its 4th report that THB had not been addressed in a "broader and more cross-cutting manner".[32] The National Action Plan for Children's Rights identifies unaccompanied children as a priority group, in line with the 2018–2023 coalition agreement,[33] which specifically mentions appointing guardians, administrators and lawyers swiftly and strengthening reception facilities. This action plan is reportedly due to be evaluated in 2026.

33. According to Luxembourg government data, 56 unaccompanied children applied for international protection in 2021,[34] up on previous years.[35] This figure then increased sharply, reaching 110 in 2022[36]

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[28] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, page 133.
[29] See GRETA's second report on Luxembourg, paragraph 65.
[30] See GRETA's third report on Luxembourg, paragraph 189.
[31] https://men.public.lu/dam-assets/catalogue-publications/droits-de-lenfant/informations-generales/strategie-nationale-plan-daction.pdf, page 11.
[32] CCDH, Report on trafficking in human beings in Luxembourg, 2021-2022, page 30.
[33] https://gouvernement.lu/dam-assets/fr/publications/accord-coalition/2018-2023/Accord-de-coalition-2018-2023.pdf
[34] Review of asylum, immigration and reception (2021), page 7. https://maint.gouvernement.lu/dam-assets/dossiers/documents/statistiques-en-matiere-d-asyle/Bilan-2021-Asile-Immigration-et-Accueil.pdf
[35] GRETA's third report on Luxembourg noted that 35 applications were made in both 2018 and 2019, and 50 in 2020 (see paragraph 197).
[36] Review of asylum, immigration and reception (2022), page 8. https://maint.gouvernement.lu/dam-assets/le-ministere/immigration/bilan/bilan-de-lanne-2022-en-matire-dasile-dimmigration-et-daccueil.pdf

and 147 in 2023,[37] before falling to 31 in 2024,[38] reflecting the general decrease in applications by Syrian nationals. However, there are still no statistics on the number of unaccompanied children present in Luxembourg who have not applied for asylum.

34. The initial reception centre for unaccompanied children has 18 permanent places. According to the authorities, children stay there for a short period until they are referred to an appropriate specialised care facility.[39] In 2025, Luxembourg's national network comprised 15 facilities for unaccompanied children, providing a total of 159 places. Furthermore, an additional 51 places are being made available at four new facilities opening in 2025 and 2026.[40] In June 2025, the Minister for Education, Children and Youth stated that capacity generally met demand.

35. A number of reports have addressed the issue of unaccompanied children, including those published by the OKAJU, and more specifically its 2022 annual report, "A childhood on hold: the situation and reception of children in exile in Luxembourg",[41] and its thematic report, "Towards an independent administrative status for unaccompanied children in Luxembourg".[42] UNICEF Luxembourg also published a report aimed at shifting the focus of the debate back to the fact that unaccompanied children are, above all else, children.[43] In 2023, the UNHCR published a follow-up to its 2019 study on reception conditions for unaccompanied and separated children.[44] Lastly, in 2024, Caritas Luxembourg published a document setting out a series of recommendations and proposals to improve care for such children.[45] Although these studies do not focus on THB, they highlight the specific vulnerabilities and shortcomings inherent in the current system.

36. In collaboration with the Criminal Investigation Police, COTEH held two crash courses on THB for professionals working with unaccompanied children via Luxembourg's *Fédération des acteurs du secteur social* (FEDAS). GRETA notes that in 2025, the FEDAS also ran two further training sessions on the care of unaccompanied children, which raised awareness of the risks of trafficking in human beings.[46] The authorities state that the identification of situations involving child victims or potential child victims of THB is part of the in-service training provided to members of the various divisions of the Department for Refugees. This training is particularly aimed at the divisions responsible for reception, hearings, legal proceedings, decisions and the Dublin Regulation, as staff may come into direct contact with children seeking international protection at various stages of the procedure.

37. Until recently, the main provisions relating to unaccompanied children were set out in the Law on international protection. Unaccompanied children who did not apply for international protection therefore found themselves in a "grey area" without any real status, leaving them vulnerable to a legal vacuum as regards child protection.[47] However, discussions held during GRETA's visit confirmed that the National Office for Children (ONE) has taken over responsibility for the care of unaccompanied children arriving in Luxembourg, a role previously fulfilled by the National Reception Office (ONA). It appears that unaccompanied children can now be taken into care without having to apply for international protection. GRETA welcomes this development, which reflects a shift in approach whereby children are recognised

[37] Ministry of Home Affairs Activity Report 2023, page 71. https://gouvernement.lu/dam-assets/fr/publications/rapport-activite/minist-interieur/2023-rapport-activite-maint/rapport-dactivits-du-ministre-des-affaires-intrieures-2023.pdf#page=68
[38] Review of asylum, immigration and reception (2024), pages 5 and 6. https://gouvernement.lu/dam-assets/images-documents/actualites/2025/02/03-gloden-hahn-bilan/rapport-dactivits-2024-asile-immigration-et-centre-de-rtention.pdf
[39] Parliamentary Question No. 2323 https://www.chd.lu/fr/question/28810
[40] Parliamentary Question No. 2323 https://www.chd.lu/fr/question/28810
[41] OKAJU, 2022 Annual report, "A childhood on hold: the situation and reception of children in exile in Luxembourg".
[42] OKAJU, 2023, Thematic Report Rapport thématique VERS UN STATUT ADMINISTRATIF AUTONOME POUR LES ENFANTS NON-ACCOMPAGNES AU LUXEMBOURG - Sortir les enfants non-accompagnés de la pénombre administrative et juridique
[43] UNICEF, 2023 ENFANTS NON ACCOMPAGNES METTRE L'ENFANT AU CENTRE
[44] UNHCR, 2023 ENFANTS NON ACCOMPAGNÉS ET SÉPARÉS AU GRAND-DUCHÉ DE LUXEMBOURG CONDITIONS D'ACCUEIL DES ENFANTS NON ACCOMPAGNÉS ET SEPARÉS AU GRAND-DUCHÉ DE LUXEMBOURG - État des lieux et recommandations
[45] Caritas, 2024, Améliorer la prise en charge des mineurs non accompagnés
[46] https://www.fedas.lu/en_GB/blog/aide-a-l-enfance-et-a-la-famille-4/bien-accueillir-et-accompagner-les-mineurs-non-accompagnes-308
[47] See GRETA's third report on Luxembourg, paragraph 187.

and protected first and foremost as children. Nevertheless, the current lack of a formal legal basis for this care, outside of the international protection framework, remains a source of uncertainty.

38. The Law of 11 June 2026, implementing the EU Pact on Migration and Asylum in Luxembourg law, amends the Law on the free movement of persons and immigration to introduce provisions for unaccompanied children who do not lodge an application for international protection. Such children will be able to obtain a three-month certificate allowing them to remain in the country pending a decision on whether to grant them a residence permit as an unaccompanied minor or to issue a return decision.[48] The law stipulates that "except in cases where the decision is based on imperative grounds of public security, no return decision may be taken against a minor who is not accompanied by a legal representative unless the removal is necessary for the best interests of the child". It also specifies that the best interests of the child are to be assessed on an individual basis by an advisory committee. If the committee deems that it is in the unaccompanied minor's best interests to remain in the country, the minister must grant them a residence permit for unaccompanied minors valid until they reach the age of majority. GRETA reiterates that, under the Convention, child victims must not be returned to a state where a risk and security assessment indicates that returning would not be in their best interests.

39. GRETA notes the National Rapporteur's findings that an initial age assessment is carried out when unaccompanied children arrive at the initial reception centre. If staff determine that the person is of legal age, they are referred to the centre for adults.[49] In the light of the access restrictions and waiting lists at the initial reception centre for adults, as set out in paragraphs 50Error! Reference source not found. and 51, GRETA shares the National Rapporteur's concern that an error in age assessment could result in unaccompanied children finding themselves on the street and vulnerable to traffickers.

40. In recent years, concerns persisted about the time it takes to appoint guardians and ad hoc administrators for unaccompanied children, especially when age assessment procedures cause delays.[50] However, the National Rapporteur's 2023–2024 report noted the reduction in waiting times, from a few weeks to a few months, as a positive development.[51] The authorities reported that, by the beginning of 2026, the appointment of ad hoc administrators for unaccompanied children was taking only a few days. GRETA was not informed of the existence of, or the provision of, any training in THB for guardians and ad hoc administrators. There is no legal requirement for ad hoc administrators to undergo training. The National Rapporteur stated that, as lawyers almost always took on this role, the Bar Association should set up and provide regular dedicated training on THB.[52]

41. According to amendments proposed by the government in May 2025,[53] Draft Law No. 7994 on assistance, support and protection for minors and young adults (see paragraph 17) would strengthen the ONE's preventive role and introduce a "protection" protocol for foster care placements. The aim is to ensure the protection of minors and young adults by assessing potential risks and setting out measures to address them.

42. Training is offered to professionals working in child welfare, family support and non-formal education, in particular by the Agency for Quality Development in the Childhood and Youth Sectors, with modules on sexuality education, prevention, media literacy and children's rights. In partnership with the National Reference Centre for the Promotion of Sexual and Emotional Health, the Ombudsman for Children and Young People (OKAJU) also offers training for teachers and educational staff. For instance, a workshop on online violence was held in May 2025.[54] However, these initiatives do not appear to address THB directly, or only touch upon it briefly. Furthermore, according to the information received, little dedicated

[48] https://legilux.public.lu/eli/etat/leg/loi/2026/06/11/a284/jo
[49] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, pages 121-22.
[50] CCDH, Report on trafficking in human beings in Luxembourg, 2021-2022, page 73.
[51] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, page 120.
[52] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, pages 121-22.
[53] https://wdocs-pub.chd.lu/docs/Dossiers_parlementaires/7994/20250909_AmendementGouvernemental.pdf
[54] https://cesas.lu/wp-content/uploads/2025/03/2501_SAS_Programme-final.pdf

training on THB has been provided by accredited trainers to professionals working with children, apart from those at the National Office for Children. GRETA welcomes these initiatives, while noting the lack of dedicated training and awareness-raising on THB for people working with children.

43. GRETA notes that THB, including the risks associated with online trafficking, is not part of school curricula and that no structured awareness-raising initiative that directly targets children, particularly in schools, has been launched to date. In its second report on Luxembourg, GRETA noted that the authorities were considering collaborating with NGOs to develop an educational kit for upper secondary school teachers to raise pupils' awareness of the issue.[55] Although the kit was developed and tested in a school, the project was put on hold due to the Covid-19 pandemic and has not resumed.

44. In their reply to GRETA's questionnaire, the Luxembourg authorities stated that the country's action to combat child abuse relies on a co-ordinated system combining continuous monitoring, reporting mechanisms and online educational resources to equip professionals, particularly teachers, educators and people working in the justice system, with the necessary tools and knowledge. According to the authorities, centralised oversight and effective collective awareness-raising are ensured by the prosecution service's active participation in conferences, round-table discussions and open days, particularly in upper secondary schools, and collaboration with the National Education Training Institute. A booklet on child abuse is available to all teaching staff and online; it includes a reference to trafficking in human beings in the context of sexual and economic exploitation.[56]

45. The authorities stress the vital importance of combating child abuse in sport. In collaboration with the Luxembourg Public Prosecutor's Office, the Ministry of Sport has introduced a reporting procedure to enhance awareness and protection.[57]

46. GRETA considers that the Luxembourg authorities should strengthen measures to prevent trafficking of children, and in particular:

- ensure effective protection is provided to all unaccompanied children, including those who do not apply for international protection, and ensure they have access to appropriate services and support, in particular as part of the ongoing reform of the youth protection system;
- pay particular attention to trafficking in human beings in research on the vulnerabilities of different groups of children and develop targeted, appropriate measures for these groups;
- carry out large-scale, regular and targeted awareness-raising campaigns aimed at children, parents, people working with or in contact with children, as well as guardians and ad hoc administrators, on the risks associated with trafficking, paying particular attention to children in vulnerable situations;
- make the prevention of child trafficking part of school curricula, notably by including this topic (and online recruitment methods) in lessons on developing media literacy and life skills, and ensure that teachers receive appropriate training to address these topics.

[55] See GRETA's second report on Luxembourg, paragraph 59.
[56] https://men.public.lu/dam-assets/catalogue-publications/droits-de-lenfant/informations-generales/abuse-of-minors-en.pdf, page 7.
[57] https://sports.public.lu/fr/signaler-violence.html

ii. Applicants for international protection and refugees

47. According to official statistics,[58] applications for international protection in Luxembourg increased from around 1 100 to 1 200 per year in 2020-2021 to approximately 2 450 in 2023, before falling to about 1 650 in 2025.[59] In 2025, the main countries of origin were Eritrea (19%) and Syria (11%).[60] Refugee status is granted in around a quarter of cases.

48. The Law of 18 December 2015 on the reception of applicants for international protection and temporary protection provides for access to housing, healthcare, education and the labour market six months after lodging an application.

49. Between 2019 and 2024, the number of beds available for people seeking international protection doubled from 4 000 to 8 200. Beneficiaries of international protection can stay in ONA facilities for up to one year after being granted protection. However, the ONA lost 400 beds in 2025 and will lose a further 300 in 2026 because some facilities are only temporary.[61]

50. Since August 2023, access to the initial reception centre has been restricted to individuals who have submitted an application for international protection. As the General Directorate of Immigration offices are only open on weekday mornings, GRETA has been informed that some people have had to spend one or more nights on the street. This situation reportedly persists.[62] According to the authorities, however, vulnerable people, such as families with children and unaccompanied children, are not affected.[63]

51. Moreover, in autumn 2023, in response to reception facilities reaching capacity, the Luxembourg authorities introduced a waiting list system for single men seeking international protection, making their access to accommodation conditional on the availability of places within the ONA network. In March 2025, the government confirmed that this measure would remain in place, stating that the maximum number of people registered on the waiting list at any one time had been 110, with this figure varying over time.[64] According to the authorities, the aim is to prioritise the most vulnerable applicants for international protection for immediate allocation of accommodation within the network. The ONA has no information regarding the accommodation conditions for those deemed not to be a priority during the waiting period.[65] GRETA is concerned that such measures leave applicants for international protection who are without accommodation more vulnerable and at greater risk of trafficking.

52. GRETA has noted the concerns of NGOs who report that the abovementioned measure has resulted in men seeking international protection sleeping on the street for weeks on end, without, in most cases, being able to defend their rights in court. Although collective proceedings brought by associations were found to be inadmissible (judgment of 14 July 2025), two rulings by the Administrative Tribunal (judgments No. 52308 of 18 July 2025[66] and No. 50138R of 8 March 2024)[67] recognised the men's right to accommodation from the time they lodged their application. The rulings also found that the state failed to act, as it placed them on a waiting list or directed them towards homeless shelters that do not comply

[58] https://maint.gouvernement.lu/dam-assets/dossiers/documents/statistiques-en-matiere-d-asyle/2025/statistiques-protection-internationale-11-2025.pdf
[59] January to November 2025
[60] https://maint.gouvernement.lu/dam-assets/dossiers/documents/statistiques-en-matiere-d-asyle/2025/statistiques-protection-internationale-11-2025.pdf
[61] https://www.chd.lu/fr/node/2786
[62] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, page 112.
[63] Parliamentary Question No. 8267 https://wdocs-pub.chd.lu/docs/exped/0142/115/285156.pdf
[64] Parliamentary Question No. 1936, 18 March 2025 https://wdocs-pub.chd.lu/docs/exped/2025/03/QP_58134_1742303991443.pdf
[65] Parliamentary Question No. 1936, 18 March 2025 https://wdocs-pub.chd.lu/docs/exped/2025/03/QP_58134_1742303991443.pdf
[66] https://www.stradalex.lu/fr/slu_src_publ_jur_lux/document/t_adm_lu_52308
[67] https://www.stradalex.lu/fr/slu_src_publ_jur_lux/document/t_adm_lu_50138

with Directive 2013/33/EU on standards of reception. Discussions between GRETA and NGOs suggest that the comparatively low number of such rulings, despite the large number of people seeking international protection without access to accommodation, can partly be explained by the difficulties these individuals face in obtaining a lawyer and contending with protracted court proceedings.

53. The authorities state that a leaflet on the rights of persons seeking international protection is provided at the time of application, in a language understood by the applicant (11 languages available). The leaflet includes a section on vulnerable persons, particularly those requiring special procedural safeguards ("due to [their] age, gender, sexual orientation, gender identity, disability, serious illness, mental health issues or as a consequence of torture, rape or other serious forms of psychological, physical or sexual violence"), as well as unaccompanied children. According to the authorities, applicants for international protection are informed of the info-dpi.lu website, where they can find information on the procedure, accommodation and useful addresses in Luxembourg. A complete redesign of this website is under way, and there are plans to add a section dedicated to THB.

54. According to the authorities, all applicants for international protection undergo a police interview when they lodge their application. If the applicant is a victim of trafficking in human beings, the police forward the information to a specialist officer in the Criminal Investigation Police responsible for the protection of victims of THB. Awareness-raising and information leaflets on support services are also available in the waiting room of the General Directorate of Immigration.

55. A vulnerability screening tool was introduced at the ONA reception point at the end of 2024 to identify vulnerabilities among applicants for international protection. The main objective of the initial semi-structured interview, conducted by a social worker, is to identify, assess and respond to vulnerabilities and specific needs related to health, reception and accommodation among new arrivals. A second interview, held two weeks later, focuses on protective factors of applicants for international protection.[68] However, NGO representatives have noted an ongoing lack of clarity regarding the transmission of information about vulnerabilities to the General Directorate of Immigration, which may limit the ability to take specific needs into account. They have also pointed out that these vulnerabilities are sometimes detected late, partly due to a lack of proactive identification and the need for self-reporting by those concerned. The National Rapporteur expressed similar views and criticisms in its last report.[69] The authorities stated that the disclosure of information relating to vulnerability is explicitly governed by Article 19, paragraph 1, of the amended Law of 18 December 2015 on international protection and temporary protection, and that such information may only be transmitted to the Minister by the ONA with the consent of the person seeking international protection, in order to protect their rights and personal data. GRETA emphasises that safeguards regarding consent and personal data protection must be implemented without undermining the obligations arising from the Convention as regards the identification of and assistance to victims.

56. Between 2022 and 2024, training and awareness-raising initiatives on trafficking in human beings were offered to those working with applicants for international protection and persons with refugee status. These initiatives targeted state and local authority officials, including members of the ONA, the General Directorate of Immigration, the Grand Ducal Police and staff of detention centres, as well as staff from the Migrants and Refugees Department of the Luxembourg Red Cross and from Caritas. The training primarily consisted of six-hour courses, with additional shorter awareness-raising sessions and "crash courses". According to the authorities, all border guards receive training on THB.

57. In response to Russia's full-scale aggression against Ukraine, the Monitoring Committee introduced a number of measures to prevent the exploitation of those fleeing the war in Ukraine, starting with the publication of a press release in March 2022.[70] These include a leaflet in Ukrainian on the rights of

[68] Reply to Parliamentary Question No. 1921 of 17 March 2025.
[69] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, pages 106-107.
[70] https://gouvernement.lu/fr/actualites/toutes_actualites/communiques/2022/03-mars/25-sensibilisation-risques-ukraine.html

potential victims and a booklet on labour law. A pop-up message in Ukrainian on the website www.stoptraite.lu further reinforces this information. The Ministry of Justice, the Criminal Investigation Police and InfoTraite produced a 30-minute awareness-raising video for staff in contact with the Ukrainian population. The Monitoring Committee and other stakeholders also contacted the administrators of several social media pages aimed at people fleeing the war in Ukraine, to raise awareness of the risk of malicious posts and advertisements.[71]

58. The ONA covers the healthcare costs of applicants for international protection. Médecins du Monde also provides free healthcare for homeless people, recent arrivals with irregular status and people who are unable to afford treatment. Universal healthcare coverage enables vulnerable people without standard health insurance to access care without paying upfront. During their first three months in Luxembourg, applicants for international protection can access healthcare via the Health Service for Migrants, but this is restricted to urgent care. After this period, they join the National Health Fund (CNS). They pay upfront and are reimbursed in accordance with CNS rules, with a revolving fund available to help where necessary.

59. Promoting access to the labour market for applicants for international protection and refugees is primarily the responsibility of the Employment Development Agency (ADEM), which works alongside other state bodies to facilitate integration. The authorities report that "Job Days" have already been organised with employers, and further such events are planned.

60. An interministerial group has been set up to implement the EU Pact on Migration and Asylum, in particular Directive 2024/1346 laying down standards for the reception of applicants for international protection. According to the authorities, several approaches are being considered to identify applicants' needs and put measures in place to help them into employment. For example, those proficient in Luxembourgish, German, French or English can register with the ADEM, while others may pursue language training through the Ministry of Education, Children and Youth. The draft law transposing this directive, tabled in April 2026, provides for a reduction in the waiting periods for accessing the labour market.[72] To this end, it removes the need to apply for temporary authorisation to work, instead establishing direct access to the labour market after an application for protection has been registered and a four-month waiting period has elapsed. This aligns with the objective set out in the government's 2023–2028 coalition agreement of enhancing the employability of applicants for international protection.[73] However, such access may only be granted if the administrative court has not yet made a final decision on the application, and if the processing delay is not the applicant's fault.

61. While welcoming the efforts made, GRETA considers that the Luxembourg authorities should take further measures to reduce the risk of applicants for international protection and refugees falling victim to human trafficking. They should ensure, in particular, that all such people have access to suitable accommodation and employment, so as to prevent them from becoming vulnerable to THB.

62. Furthermore, GRETA invites the Luxembourg authorities to continue raising awareness among applicants for international protection and refugees of their rights and the risks of trafficking in human beings.

[71] https://wdocs-pub.chd.lu/docs/exped/0129/102/259025.pdf
[72] https://www.chd.lu/fr/dossier/8732
[73] https://gouvernement.lu/fr/publications/accord-coalition/accord-de-coalition-2023-2028.html, page 187.

iii. Migrant workers

63. Luxembourg's labour market is highly internationalised and heavily reliant on foreign workers. In 2021, nearly 59.2% of resident workers were born abroad.[74] According to the authorities, in response to the current labour shortage in Luxembourg, an increasing number of companies are turning to foreign staff. In this context, certain categories of migrant workers may face a heightened risk of falling victim to THB, with nationals of third countries being particularly vulnerable (see paragraph 12).

64. These vulnerabilities were illustrated when the GRETA delegation attended a hearing at the Luxembourg District Court during the visit (see paragraph 8). The case concerned the exploitation, over several years, of a number of Nepalese nationals who had been recruited to work in a restaurant in Luxembourg. They paid for their own travel, signed contracts written in French that they did not understand and worked extremely long hours without any rest periods for derisory wages, most of which were taken by their employer. The victims lived in squalid accommodation, were deprived of food and water, were forced to carry out multiple tasks beyond their job description and were subjected to severe, repeated physical and psychological violence (see paragraphs 136 and 146Error! Reference source not found.).

65. In its second evaluation report, GRETA considered that the Luxembourg authorities should expand the resources of labour inspectors, so that they could be actively involved in preventing trafficking in human beings. In its third report, GRETA noted that the number of people carrying out labour inspection duties on the ground had risen considerably, increasing from 22 in 2018 to 66 in October 2021. The number of labour inspectors continued to increase, reaching 136 in September 2025. The authorities also indicated that the ITM's budget had been gradually rising. GRETA welcomes these developments, while also noting that, according to the ITM, a growing number of companies are turning to foreign or temporary salaried workers due to the current labour shortage. This trend is resulting in a wider variety of situations requiring monitoring, such as posted worker schemes and temporary work. To address these challenges, the ITM plans to increase its workforce by recruiting new inspection staff.

66. The ITM has a specialised team dedicated to monitoring posted workers. These specialist inspectors have received advanced training on trafficking. In addition, according to the authorities, all ITM inspection staff have completed basic training to raise their awareness of issues related to trafficking.

67. The ITM is responsible for disseminating information on labour law and on the legislation within its remit concerning the employment of third-country nationals who are present in the country irregularly or in an irregular situation. This information is available on the ITM website in French, German and partly in English, mainly as regards the provisions on posted workers. The ITM also publishes booklets on labour law for all workers, including migrant workers, to whom the same provisions apply.[75]

68. Interpreters are not always present during inspections, but the ITM does use translation tools and multilingual fact sheets to inform workers of their rights. According to the authorities, the ITM takes care to use all available practical means to overcome language barriers and ensure that migrant workers understand their rights and obligations.

69. While the Labour Code does not place any restrictions on changing employers, third-country nationals holding a "salaried worker" residence permit are limited to a single sector and occupation during the first year (Article 43(2) of the Law of 29 August 2008 on the free movement of persons and immigration). A change of sector or occupation is possible upon request, provided the conditions set out in Article 42(1) are met. However, according to civil society representatives met by GRETA, these processes can be complex and limit opportunities for change. They may also hinder the recruitment of third-country nationals, particularly given the timeframes involved and the possibility of a refusal by the

[74] https://statistiques.public.lu/fr/actualites/2025/stn16-population-2025.html
[75] https://itm.public.lu/fr/publications.html

ADEM where individuals already authorised to work in Luxembourg are deemed to be available. GRETA is concerned about draft Law No. 8586, tabled in July 2025,[76] which aims to transpose EU Directive 2024/1233[77] and would require workers to remain with their first employer for six months and extend the duration of the initial "salaried worker" residence permit from one to two years. A change of employer within the first six months would only be permitted in the event of serious violations by the employer. GRETA is concerned that this measure would increase the risk of migrant workers becoming dependent on their employers, thereby exposing them to a greater risk of exploitation.

70. The Law of 7 August 2023 makes amendments to the Labour Code, the Law on the free movement of persons and immigration and the Law on the reception of applicants for protection. It explicitly grants the ITM the power to detect offences relating to the employment of irregular migrants in Luxembourg, increases fines for their employers (up to €125 000 in the event of aggravating circumstances), and improves the exchange of information between the ITM, customs, immigration and the CCSS to better detect and penalise violations.

71. Under Article 98bis of the Law of 29 August 2008 on the free movement of persons and immigration, residence permits may be issued to irregular third-country nationals in illegal employment where the offence is associated with particularly exploitative working conditions. Only one residence permit has ever been issued on this basis. According to the authorities, this could be due to the fact that victims detected in such situations are generally directed towards the procedures provided for victims of THB, as the officers on the ground cannot immediately determine the exact classification of the offences. Those affected then receive a residence permit and care as victims of trafficking for varying lengths of time, until the criminal proceedings have concluded and the type of residence permit to be granted to them, if applicable, is clarified.

72. For the past three years, the National Youth Service (SNJ) has been actively collaborating with the police and the Advanced Protection Division on matters relating to the risks faced by au pairs. It organises an annual meeting with police officers specialised in THB to take stock of the past year and discuss future challenges. Staff members of the SNJ's Au Pair Service underwent training to better detect signs of trafficking. Although no specific module on trafficking is offered to au pairs and host families, this issue is integrated into the monitoring mechanisms provided for by the 2013 Law, particularly during the application process, mandatory information sessions and home visits carried out to ensure compliance with legal requirements. If THB is suspected, the SNJ immediately notifies the relevant authorities and co-operates with the police. No convictions related to trafficking have been handed down in connection with the au pair scheme.

73. The ITM has set up an external reporting mechanism in accordance with the Law of 16 May 2023 on the protection of whistleblowers, transposing Directive (EU) 2019/1937.[78] According to the authorities, these complaint mechanisms provide a safe avenue for employees, including migrant workers, to report issues such as non-payment of wages, harassment, hazardous working conditions or suspected trafficking, without fear of reprisals.

74. In its third report, GRETA considered that the Luxembourg authorities should step up efforts to prevent and detect cases of domestic servitude. No developments have been observed in this regard. GRETA once again encourages Luxembourg to ratify ILO Convention No. 189 on decent work for domestic workers.[79]

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[76] https://www.chd.lu/fr/dossier/8586

[77] Directive (EU) 2024/1233 of the European Parliament and of the Council of 24 April 2024 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (recast).

[78] https://legilux.public.lu/eli/etat/leg/loi/2023/05/16/a232/jo

[79] See GRETA's third report on Luxembourg, paragraph 154.

75. Trade unions are involved neither in trafficking-related training nor in other efforts to combat trafficking. GRETA reiterates the vital role that trade unions could play in preventing trafficking, provided that their representatives are trained to deal with trafficking and that case detection is part of their mandate.

76. While welcoming the measures put in place in Luxembourg to protect migrant workers and in particular the ITM's efforts, GRETA refers to its Guidance Note on combating trafficking for labour exploitation[80] and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, and considers that the Luxembourg authorities should:

- continue to provide training to labour inspectors on trafficking prevention and victims' rights and provide training for trade union representatives to heighten their vigilance and enhance their capacity to act, and actively include trade union representatives in efforts to combat THB;
- enhance efforts to prevent and detect cases of domestic servitude;
- ensure that policies relating to access to the labour market for third-country workers do not lead to increased dependence on employers, thereby increasing their risk of exploitation, and ensure that any legislative changes do not exacerbate this vulnerability.

iv. Vulnerabilities related to the gender dimension of human trafficking and of persons engaged in prostitution

77. Out of the 118 victims identified between 2022 and 2024 in Luxembourg, 98 (83%) were women and 20 (17%) were men. The majority of victims of sexual exploitation were female, with 94 women (99% of victims of sexual exploitation) and one man (1%). In contrast, men were most affected by labour exploitation, with 19 men (83% of victims of labour exploitation) and four women (17%).

78. In 2025, Luxembourg adopted its first National Action Plan on Gender-Based Violence.[81] The plan refers to trafficking in human beings and includes, for the period 2025-2026, an increase in staffing within the Grand Ducal Police's specialised unit for the protection of victims of THB.[82] It also provides for the permanent establishment of an interministerial committee on gender-based violence, one of whose tasks will be to ensure co-operation with other interministerial bodies, in particular the Monitoring Committee for action to prevent THB.[83]

79. Furthermore, Luxembourg has adopted its second National Action Plan on Women, Peace and Security 2025–2030,[84] in which the authorities commit to strengthening the prevention of THB, in particular by implementing the National Action Plan against Trafficking in Human Beings and raising awareness among the general public and young people. The plan also aims to strengthen protection against THB, both in Luxembourg and abroad, by identifying staff training needs, developing training programmes and introducing internal training on violence against women for the Grand Ducal Police by 2029. In addition, general training is planned for staff in the ONA's immigration and socio-educational services.

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[80] https://rm.coe.int/guidance-note-on-preventing-and-combating-trafficking-in-human-beings-/1680a1060c
[81] https://gouvernement.lu/dam-assets/images-documents/actualites/2025/06/30-backes-rapport-violence/pan-violences-genres.pdf
[82] https://gouvernement.lu/dam-assets/images-documents/actualites/2025/06/30-backes-rapport-violence/pan-violences-genres.pdf, page 46.
[83] https://gouvernement.lu/dam-assets/images-documents/actualites/2025/06/30-backes-rapport-violence/pan-violences-genres.pdf, page 56.
[84] https://defense.gouvernement.lu/dam-assets/publications/2me-plan-daction-femmes-paix-securit.pdf

80. GRETA welcomes the recruitment of four women to the Advanced Protection Division (see paragraph 20), where these posts were previously exclusively held by men. This is in line with Article 29(1) of the Convention and strengthens efforts to prevent trafficking in human beings. Having a gender-diverse team helps to improve understanding of specific vulnerabilities, foster trust-based engagement with people vulnerable to trafficking and enhance awareness-raising activities, particularly among women and girls.

81. The Law of 7 November 2024 established a Gender Equality Observatory and a High Council for Gender Equality to study and propose measures to improve equality.[85] The observatory aims to offer insights into gender inequalities.[86] Currently, the observatory's focus is on domestic violence. However, in accordance with the aforementioned National Action Plan on Gender-Based Violence, its remit should be expanded to encompass other forms of gender-based violence. During GRETA's visit, MEGA emphasised the need to work with the Monitoring Committee to define data collection procedures and ensure the information gathered is complementary. GRETA welcomes the observatory's creation and the prospect of extending its remit to other forms of gender-based violence, which would make it an important tool for gathering data on gender-related vulnerabilities to THB in Luxembourg.

82. The National Action Plan on Prostitution was introduced in 2016 and aims, among other things, "to improve psychosocial support for people engaged in prostitution by strengthening co-operation in efforts to combat pimping and trafficking in human beings". An internal review of the strategy for supporting people engaged in prostitution was carried out and resulted in a report drafted by members of the former Prostitution platform, which was the precursor to the current committee on prostitution.[87] The committee relies on the recommendations made in this internal review to inform its forthcoming work, so that it can carry out its mandate effectively.[88] The Grand Ducal Regulation of 22 March 2023 formally established the committee, which is responsible for monitoring prostitution, analysing its developments and consequences and overseeing the implementation of the action plan on prostitution. It is a statutory requirement for the committee to work closely with the Monitoring Committee.

83. Launched in 2016, the EXIT programme had, by September 2024, received 40 applications for enrolment, with 12 people successfully leaving prostitution. Initially, EXIT supported those wishing to leave prostitution, mainly by providing temporary, supervised accommodation. In response to a parliamentary question on 16 September 2024, the government stated that the programme was being overhauled. According to the authorities, this approach had shown its limitations, in particular the excessive emphasis on housing as the primary solution for reintegration. The programme is now intended to promote overall autonomy (including administrative, social, psychological and professional aspects) in a way that is better suited to individual circumstances.

84. Members of the Drop-In team, a Luxembourg Red Cross service offering medical, social, psychological and material support to people engaged in prostitution, received basic training on THB in 2022 and 2023. In 2024, the service also undertook in-depth training focused on supporting victims of THB.

85. GRETA welcomes the steps taken to address gender-related vulnerabilities to THB and considers that the Luxembourg authorities should:

- continue taking measures to counteract the risks of THB and exploitation of people in prostitution, through information and awareness-raising activities aimed at eliminating gender stereotypes;

[85] https://legilux.public.lu/eli/etat/leg/loi/2024/11/07/a475/jo
[86] Gender Equality Observatory 2024 Activity Report.
[87] https://wdocs-pub.chd.lu/docs/exped/2024/10/QP_56257_1729250885702.pdf
[88] https://wdocs-pub.chd.lu/docs/exped/2024/10/QP_56257_1729250885702.pdf, pages 2 and 3.

- expand and step up data collection on all forms of gender-based violence, including trafficking in human beings, by expanding the remit of the Gender Equality Observatory to encompass other forms of gender-based violence, including trafficking in human beings;
- support specific research on trafficking in human beings experienced by women in vulnerable situations, such as women with disabilities, migrant women or women engaged in prostitution.

v. Persons with disabilities

86. Persons with disabilities[89] 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. Among 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.[90] Reference can also be made to the Committee on the Elimination of Discrimination against Women' (CEDAW) General recommendation No. 38 (2020), 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.[91]

87. Luxembourg signed the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2007; it was ratified by the Law of 28 July 2011[92] and entered into force, together with its Optional Protocol, on 26 October 2011.

88. Luxembourg adopted its first National Action Plan for the Implementation of the CRPD for 2012-2017, followed by a second National Action Plan for 2019-2024. The third National Action Plan is currently being drawn up.[93] The 2023–2028 government coalition agreement[94] provides for many improvements in terms of accessibility, the rights of persons with disabilities and their specific needs, and states that the implementation of the CRPD remains a priority for the government.

89. In their reply to GRETA's questionnaire, the authorities stated that the topics selected for the second action plan had been chosen by the High Council for People with Disabilities in collaboration with the action plan Steering Group. This approach was designed to ensure that the priorities of the action plan aligned with the issues felt to be most pressing by people with disabilities in Luxembourg. The two consultative bodies are mainly composed of people with disabilities and members of associations of and for people with disabilities.

90. In its 2017 Concluding Observations, the UN Committee on the Rights of Persons with Disabilities had expressed concern about the absence of statistical data on persons with disabilities who are victims of violence. The lack of statistics on disability in Luxembourg was also raised by civil society representatives during GRETA's visit.

91. According to the authorities, no victims with disabilities have been identified to date. However, they highlighted the decision taken in 2024 to ensure that any new shelter for victims of trafficking must

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89 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.

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

91 CEDAW, General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, paragraphs 40 and 55.

92 https://legilux.public.lu/eli/etat/leg/loi/2011/07/28/n3/jo#art_6

93 https://mfsva.gouvernement.lu/fr/le-ministere/attributions/personnes-handicapees/pan.html

94 https://gouvernement.lu/dam-assets/documents/dossier/formation-gouvernement-2023/accord-coalition.pdf

be accessible to people with disabilities, including sufficiently wide passageways, ramps and ground-floor emergency accommodation. GRETA notes the absence of specific policies aimed at reducing the vulnerability of people with disabilities to trafficking in human beings. The authorities have acknowledged this shortcoming in what was "new ground" for them and expressed their awareness of the urgent need for action.

92. GRETA considers that the Luxembourg authorities should strengthen data collection, conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically targeting persons with disabilities.

93. GRETA also invites the Luxembourg authorities to ensure that information and awareness-raising campaigns on trafficking in human beings are accessible to persons with disabilities. This means, for example, making content such as leaflets on victims' rights available in alternative formats.

vi. LGBTI persons

94. GRETA emphasises that, in general, LGBTI people are at an increased risk of becoming victims of 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 are often over-represented among children in street situations and can be victims of discrimination by the authorities and services, making them less likely to file a complaint or ask for help.[95]

95. There has been no research in Luxembourg on vulnerability to trafficking based on sexual orientation or gender identity. Furthermore, according to the authorities, no cases of trafficking in human beings involving exploitation based specifically on sexual orientation or gender identity have been identified in Luxembourg as yet. However, GRETA notes from the statistics provided by the authorities that a case from December 2024 involved a presumed transgender victim who came to Luxembourg to undergo surgery, with a promise of accommodation. The authorities informed GRETA that they had no further information regarding this case, as it was an anonymous report forwarded by the drop-in service and the victim did not wish to speak to the police.

96. In 2019, Luxembourg adopted a National Action Plan for the Promotion of LGBTI Rights, comprising eight thematic chapters on education, employment and work, health, family, reception and integration, discrimination, hate crimes and hate speech, and equal rights for transgender and intersex people. No mention is made of trafficking in human beings.

97. GRETA highlights, however, that during its discussions with members of civil society, the absence of data collection and statistics was flagged as an issue, along with the resulting risk of downplaying or under-representing a situation that is very much a reality. Belonging to the LGBTI community was cited as a vulnerability factor.

98. While welcoming the commitment of the Luxembourg authorities to protecting the rights of LGBTI people, GRETA invites the authorities to carry out research into the vulnerability of LGBTI persons to trafficking in human beings and to develop prevention measures specifically aimed at this group, in close co-operation with civil society organisations.

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

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

99. 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 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

100. In its third evaluation report, GRETA urged the Luxembourg authorities to step up their efforts to identify victims of trafficking for all forms of exploitation.[96]

101. The procedure for identifying victims of THB has not changed since GRETA's last evaluation. It is set out in the September 2017 roadmap, a confidential document only available to members of the Monitoring Committee. The National Rapporteur stated that, when it was appointed to the role, it had been granted full access to the roadmap, but that such access was no longer being provided. At the time of its third evaluation, GRETA was informed that an update was under way. However, the update has not been carried out. According to the authorities, the roadmap will be adapted in line with developments in the future draft law transposing the revised EU Directive on combating trafficking in human beings (Directive 2024/1712/EU). They also state their intention to make the roadmap available to all stakeholders.

102. Any authority or individual may detect a victim, but only the police can grant them victim status. The granting of a recovery and reflection period, however, is independent of criminal proceedings. If the public prosecutor's office decides not to prosecute, the victim loses their status. GRETA notes with regret that its recommendations to ensure that identification is not dependent on criminal proceedings and to adopt a multidisciplinary approach to identifying victims have still not been implemented.

103. During GRETA's visit, the Grand Ducal Police stated that the indicators set out in the roadmap needed to be reviewed, pointing out that meetings had been held with the chair of the Monitoring Committee to request that these indicators be updated so as to make them clear, precise and harmonised across all relevant bodies.

104. If a vulnerable person refuses to meet with the police, the InfoTraite service can provide them with psychosocial support for one month to help build trust. In the absence of co-operation, the police may recognise the person as a victim and request a 90-day deferral of removal. During this time, the person will receive support without any contact with the police being required. However, at the end of the deferral period, a face-to-face meeting with the police will be necessary in order for them to obtain a residence permit and continue to receive assistance.[97]

[96] See GRETA's third report on Luxembourg, paragraph 171.
[97] See GRETA's third report on Luxembourg, paragraph 163.

105. GRETA notes with satisfaction the ITM's increasingly proactive role in detecting potential victims of trafficking in human beings for the purpose of labour exploitation. This commitment is evident from the ITM's 2023[98] and 2024[99] annual reports, which include a section on THB and highlight an increase in targeted inspections and the identification of signs of THB and presumed victims. Official reports are also forwarded to the public prosecutor's office. GRETA welcomes the ITM's efforts in identifying victims.

106. The authorities informed GRETA that no statistics were available on the number of victims of THB who had been identified during the procedure for applying for international protection. According to the authorities, the Department for Refugees is not systematically informed of any action taken in response to cases that may be reported by the police unit deployed to the General Directorate of Immigration to the Advanced Protection Division of the Criminal Investigation Police, which is responsible for identifying victims of THB.

107. GRETA notes that no victims of exploitation through begging or exploitation for the purpose of committing crimes or offences were identified during the reporting period, and that there have been no convictions for exploitation for the commission of crimes or offences in Luxembourg to date. The National Rapporteur considered that the apparent absence of cases involving trafficking for the purpose of exploitation in criminal activities was primarily due to a lack of awareness, coupled with difficulties in investigating such cases and an unwillingness to recognise offenders as potential victims.[100]

108. GRETA once again urges the Luxembourg authorities to strengthen the identification of victims of THB, and in particular to:

- ensure that the identification of presumed victims is not dependent upon the opening or continuation of criminal proceedings;
- update and disseminate the roadmap and related indicators and set up a formalised national referral mechanism which follows a multidisciplinary approach to victim identification and involves relevant actors other than the police;
- ensure that all those involved in identifying victims of THB adopt a proactive approach and step up their fieldwork in order to identify victims among those particularly vulnerable to exploitation for the purpose of committing crimes or offences or exploitation through begging, as well as among those seeking international protection, including through targeted training initiatives.

b. Assistance to victims

109. In its previous reports, GRETA urged the Luxembourg authorities not to make the assistance provided to victims conditional on the opening or conduct of criminal proceedings. GRETA is concerned that Luxembourg has still not made any changes in this regard. Practice shows that victims only receive support if they have been identified by the police, and it is only at that point that they are granted a reflection period and access to support. In their reply to the questionnaire, the Luxembourg authorities indicated that this issue would be addressed as part of the work to transpose the revised EU Directive on trafficking in human beings (2024/1712/EU). GRETA would like to be informed of any developments in this regard.

110. In its third report on Luxembourg, GRETA noted that the assistance services for victims of THB officially contracted by the Ministry for Gender Equality (MEGA) were the *Service d'Assistance aux Victimes de la Traite des Êtres Humains* (SAVTEH) of the NGO *Femmes en détresse* and the *Centre Ozanam – Traite des Êtres Humains* (COTEH) of the NGO *Foundation Maison de la Porte Ouverte* (FMPO). These

[98] https://itm.public.lu/dam-assets/fr/publications/rapports-annuels/rapport-annuel-2023.pdf
[99] https://itm.public.lu/dam-assets/fr/publications/rapports-annuels/rapport-annuel-2024.pdf
[100] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, page 113.

two services combined their activities under the name "InfoTraite" in 2020.[101] In 2024, a new NGO officially contracted by the MEGA, *Hëllef um Terrain* (HUT), was set up to take over the national activities previously carried out by Caritas. The NGO runs two shelters for victims of trafficking in human beings. At the start of 2025, HUT joined InfoTraite for the housing component, following discussions initiated prior to the transition from Caritas to HUT. At the time of GRETA's visit, discussions were under way to ensure co-ordination between the three NGOs.

111. The authorities stated that, once identified, victims are entitled to full assistance provided by the InfoTraite service. This includes, in particular, accommodation in one of the service's shelters, material support and financial assistance (an initial start-up allowance followed by a monthly allowance), the issue of a certificate for victims who are third-country nationals allowing them to remain in Luxembourg, registration with the local authority to obtain an official address and receive mail, affiliation to the Social Security Centre, access to a lawyer and legal aid, opening a bank account, accompaniment to medical appointments with a focus on preventive healthcare, as well as regular consultations with a social worker and a psychologist. Support for socio-professional integration is also included, in the form of language courses, training and assistance with jobseeking, and registration with the Employment Development Agency (ADEM) is offered where possible. According to the authorities, InfoTraite provides administrative and psychological support to victims throughout all the necessary procedures, with the aim of promoting their independence and supporting their reintegration into Luxembourg society as effectively as possible.

112. GRETA notes with satisfaction the measures taken by the authorities in response to its recommendation to provide the NGOs co-ordinating assistance and accommodation for trafficking victims with sufficient human and financial resources to ensure that their services are available at all times and that they provide an adequate number of places for all victims in need of safe accommodation. Staffing levels at InfoTraite were increased in March 2024 to 2.5 full-time posts as part of a European-funded project. According to the authorities, the project aims to provide a 24-hour helpline, strengthen reception and care – particularly in terms of psychosocial support for victims – and improve co-ordination of national-level assistance and targeted communication.[102] GRETA understands that the funds currently allocated to InfoTraite's member organisations are sufficient to run the service at its present level, and that these organisations also have the option of applying for additional funding from MEGA where necessary. GRETA welcomes the introduction of a dedicated InfoTraite helpline for the police, enabling the service to be reached 24/7. This enables the police to request assistance directly from InfoTraite outside its office hours, preventing victims from having to be put up in a hotel overnight. The InfoTraite phone numbers listed on the stoptraite.lu website, though, are only available during office hours. GRETA emphasises, however, that telephone support alone is no substitute for continuous on-site supervision and presence, which are essential to guarantee effective protection, assistance and care for particularly vulnerable victims, especially those with mental health issues, and to ensure their safety and well-being.

113. In addition to the three accommodation facilities mentioned in the third report,[103] a new shelter, *La Maison New Step*, opened in 2023. Managed by COTEH, it has seven places and two emergency places. At the time of the visit, these four facilities were almost full.

114. According to data provided by the police, 21 victims received assistance in 2022, 23 in 2023 and 17 in 2024, compared with only 19 victims over the entire 2015–2020 period. However, although the number of people receiving assistance has risen overall, this increase is nonetheless smaller than the rise in the total number of victims identified in 2022 and 2023, which was more marked.

115. The GRETA delegation visited the National Centre for Victims of Violence (CNVV). Its opening in April 2025 marked a significant step forward in support for victims. The CNVV is a one-stop shop offering emergency reception and care for adult and child victims, whether they have an appointment or not, via

[101] See GRETA's third report on Luxembourg, paragraph 15.
[102] Reply to Parliamentary Question No. 400, page 6. https://wdocs-pub.chd.lu/docs/exped/0146/031/292315.pdf.
[103] See GRETA's third report on Luxembourg, paragraph 177.

telephone, e-mail or in person. Following an initial interview, the centre carries out an assessment of the situation and needs of the victim, who is then referred to existing services in Luxembourg. Run by the Red Cross, the centre was staffed by a team of seven at the time of GRETA's visit. There are four elements to its work: psychosocial support, medical assistance, police response/filing of complaints and legal information. The CNVV initially opened outside normal office hours to ensure victims had access when other services are unavailable. Since 1 May 2026, however, the centre has been providing a 24/7 service thanks to a team of social workers, educators, nurses and psychologists.

116. The CNVV enables victims of all forms of violence to file a complaint directly on site. There are separate rooms for adults and children and the police are called in at any early stage. This arrangement provides reassurance to victims and facilitates access to justice. However, GRETA notes that, once a complaint has been filed, the victim must meet with the same police officer, meaning that the victim may be required to go to the police station if the officer is unable to come to the CNVV. The centre maintains good relations with the Criminal Investigation Police, and there are plans for a committee comprising representatives from the Ministry of Justice, the Ministry of Health, the police, the public prosecutor's office, MEGA and MENEJ to meet several times a year. The committee held its first meeting in September 2025. Between the end of April and the end of September 2025, the CNVV received 56 files from people who had come forward, representing around 80 victims, including 25 children. A further 70 people, a third of whom were men, contacted the CNVV via e-mail or telephone. The majority of cases concerned domestic violence, with no reports to date of THB or forced marriage. Awareness of the centre was raised through campaigns on public transport and the violence.org website. Staff also undertook a two-week intensive training course on the various forms of violence, including trafficking in human beings.

117. The CNVV also operates a national helpline for all victims of violence, with a dedicated phone number (20 60 10 60) available 24/7. In addition, in collaboration with the Ministry of Justice, free legal aid is provided through weekly consultations held at the centre.

118. In principle, the Law on the assistance and protection of victims does not allow InfoTraite to support victims of trafficking who have been exploited abroad. The authorities indicated, however, that in exceptional circumstances, the case will be reviewed by a task force (see paragraph 19) in order to reach a joint decision on the arrangements for and the timing of the assistance to be provided by InfoTraite.

119. During the visit, GRETA noted that while family members of third-country victims of THB previously held the same residence permit as the victims themselves, this practice appears to have been changed since 2024 without the support services having been informed. Family members are reportedly now issued with a different type of permit (a "D visa" or a postponement of removal),[104] which is said to make it more difficult for them to access the labour market and training.

120. Reiterating the recommendations made in its previous reports, GRETA once again urges the Luxembourg authorities to ensure that the assistance provided to victims of THB is not dependent on criminal proceedings being initiated or ongoing. In addition, GRETA urges the Luxembourg authorities to ensure that all presumed and identified victims in Luxembourg can receive appropriate support and assistance, based on their individual needs, irrespective of the country in which they were exploited.

121. GRETA welcomes the opening of the new accommodation facility for victims of THB and the National Centre for Victims of Violence and invites the Luxembourg authorities to strengthen THB training for all staff and ensure victims of trafficking have access to psychologists, lawyers and specialist doctors to meet their complex needs.

[104] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, page 78.

c. Identification of, and assistance to, child victims of trafficking

122. In its third report, GRETA urged the Luxembourg authorities to step up their efforts to improve the identification of child victims of trafficking in human beings and the assistance provided to them, in particular by establishing a clear identification procedure that takes into account the specific needs of children, by raising awareness and training professionals, by stepping up the work on the ground, particularly for street children and unaccompanied children, by amending the Law on the protection of young people in order to guarantee adequate protection for unaccompanied children, and by ensuring that all child victims of trafficking benefit from the assistance measures provided for in the Convention, including specialised and appropriate accommodation.[105]

123. The procedure for identifying and assisting child victims of THB has remained unchanged since GRETA's third report. As was the case in 2018-2021, no children were formally identified as victims of THB over the 2022-2025 period. Between 2019 and 2020, an investigation was carried out in Luxembourg concerning foreign children of Roma origin who were involved in begging or collecting donations ostensibly for charitable causes, as well as preying on the credulity of elderly people to obtain substantial sums of money or jewellery.[106] A European Investigation Order was issued to identify the families of the children who had been apprehended, but the case was closed in March 2023 for lack of progress owing to investigative difficulties. In their reply to GRETA's questionnaire, the authorities stated that they consider the phenomenon to have since ceased.

124. It is clear from recent reports that several foreign children have been apprehended for theft. For example, two children were apprehended in Luxembourg City on 2 December 2025 for allegedly stealing a wallet,[107] while four others were detained on 4 December 2025 for attempted theft from a residential property.[108] In one of the related press releases, the public prosecutor's office referred to the presence of organised groups specialising in this type of offence, while another mentioned that the children were homeless: circumstances which could potentially be indicators of trafficking in human beings. These children are either placed in a secure centre or, when UNISEC in Dreiborn is full, at the Luxembourg Prison Centre for adults.[109] In this regard, GRETA reaffirms that placing a child in a closed centre such as UNISEC amounts, in practice, to detention and points to Article 37(b) of the United Nations Convention on the Rights of the Child, which provides that the detention of a child must be used only as a measure of last resort and for the shortest appropriate period of time.[110]

125. According to the authorities, in any situation involving a child, the child's vulnerability and the possibility that they may be a victim are the primary considerations. They also stressed that the possibility of a trafficking situation is systematically examined regardless of the child's behaviour or the extent of their co-operation. However, they acknowledge that it is frequently difficult to assess the situation due to a lack of known identities, inconsistent statements regarding age and very limited co-operation on the part of the children, which, they say, restricts the scope for implementing lasting protective measures. They also state that placement in a secure, specialised educational facility is considered by the youth court judge only as a last resort when all other protective measures have proved ineffective. The information provided by the authorities does not enable GRETA to conclude that a systematic assessment of signs of exploitation is carried out when children are prosecuted for such offences. In other words, there is no evidence that the judicial authorities carry out sufficient and systematic evaluations to determine whether children facing prosecution, particularly for theft, may have been coerced into committing these offences. This raises serious questions as to whether the duty to proactively identify child trafficking victims is being effectively fulfilled in practice.

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[105] See GRETA's third report on Luxembourg, paragraph 189, and GRETA's second report on Luxembourg, paragraph 104.
[106] See GRETA's third report on Luxembourg, paragraph 185.
[107] https://justice.public.lu/fr/actualites/2025/12/communique-parquet-luxembourg-placement-deux-mineurs.html
[108] https://justice.public.lu/fr/actualites/2025/12/communique-parquet-luxembourg-interpellation-quatre-mineurs.html
[109] https://justice.public.lu/fr/actualites/2025/12/communique-parquet-luxembourg-placement-deux-mineurs.html
https://justice.public.lu/fr/actualites/2025/12/communique-parquet-luxembourg-interpellation-quatre-mineurs.html
[110] See GRETA's third report on Luxembourg, paragraph 185.

126. The current version of draft Law No. 7991, which introduces a juvenile criminal code and procedure, raises concerns in that, where an offence has been committed, it allows a child to waive the right to legal assistance from the very first time they are questioned. This is particularly problematic in cases of exploitation for the purposes of criminal activities or offences, where a child's ability to understand their rights and to make a free and informed choice is severely compromised. The absence of a lawyer at this early stage directly hinders the identification of trafficking situations, even though swift detection is essential for recognising the child as a victim. In this respect, the CCDH emphasises the need to ensure the mandatory presence of a lawyer from the outset of proceedings, regardless of the nature of the offence, and the importance of ensuring that children are assisted by lawyers specialising in children's rights, including when on-call services are provided. To the same end, GRETA stresses the need for these lawyers to receive specific training in trafficking in human beings in order to enable the early and effective identification of trafficking cases, particularly those involving exploitation for the commission of crimes or offences.

127. GRETA welcomes the fact that the ongoing reform of youth protection explicitly clarifies that the support provided by ONE is available to all minors present in Luxembourg.[111]

128. As noted in paragraphs 115 and 116, the CNVV was set up to receive both adult and child victims. Victims may lodge a complaint directly at the centre in separate rooms. GRETA welcomes this positive development. As the CNVV project moves forward, it is vital to continue to pay particular attention to adapting both the setting and reception arrangements to the specific needs of children, so that the support provided is fully tailored to their circumstances and vulnerabilities. GRETA notes that, for the time being, the youth protection reform does not provide for the establishment of a separate facility dedicated exclusively to the care of children.

129. GRETA again urges the Luxembourg authorities to step up their efforts to identify child victims of trafficking and provide them with appropriate assistance, in particular by:

- introducing specific procedures for children into the roadmap as part of its update, involving child specialists, taking into account the particular situation and needs of trafficked children, making the best interests of the child a primary consideration, 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 trafficking, including NGOs;
- ensuring that relevant actors increase their activities in the field to identify child victims of THB by paying particular attention to children who may be victims of exploitation for the commission of crimes or offences or exploitation through begging.

130. Furthermore, GRETA considers that the Luxembourg authorities should continue to provide stakeholders (police, prosecutors, lawyers, international protection and migration authorities, airport staff, service providers, educational staff, child protection authorities, NGOs) with in-service training and tools regarding the identification of child victims of trafficking.

3. Substantive criminal law and procedural law

131. 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

[111] Draft Law No. 7994 on assistance, support and protection for minors, young people and families.

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 trafficking.

a. Notion of "abuse of a position of vulnerability" in the law and case law

132. 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.[112] 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".[113]

133. As stated in previous GRETA reports, vulnerability is not part of the definition of THB in Luxembourg (Article 382-1, paragraph 1, Criminal Code) but is considered solely as an aggravating circumstance (Article 382-2, paragraph 1.2, Criminal Code). The offence is punishable by five to ten years' imprisonment and a fine of €50 000 to €100 000 where it was committed by abusing the particularly vulnerable situation in which a person finds themselves, including because of their illegal or precarious administrative situation, their precarious social situation, pregnancy, illness, impairment or disability.

134. It is not enough for a person to simply be in a position of vulnerability. It must also be shown that the perpetrator was aware of the victim's vulnerability and abused it, although the manipulation need not necessarily be intentional. The burden of proof lies with the public prosecutor, including the burden of proving that the perpetrator was aware of the victim's vulnerability and abused it, such awareness generally being inferred from the factual circumstances.

135. The courts continue to take a strict approach when interpreting the requirements for this aggravating circumstance: the courts of first instance have applied this aggravating circumstance only five times since 2020 and the Court of Appeal only once.[114] The authorities emphasise that, in case law, the aggravating circumstance of vulnerability is rarely applied and consider that, had this condition been included among the requirements for the offence of trafficking, there would have been very few convictions.

136. In the labour exploitation case heard by the Luxembourg District Court on 13 November 2025 (referred to in paragraph 64), abuse of vulnerability was found to be an aggravating circumstance: the victims, who did not speak any of the languages commonly used in the country, were economically vulnerable, had incurred expense to travel to Luxembourg and believed they were dependent on the defendant's goodwill for their residence permits. The court also considered the use of force and violence to be another aggravating circumstance.

137. The authorities have not provided any specific information that would make it possible to determine whether the concept of "abuse of a position of vulnerability" is addressed in criminal justice training. The information provided is limited to a general description of the training and specialisation of members of the judiciary, with no specific mention of this concept. No relevant training materials or recommendations have been provided.

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[112] See UNODC Issue Paper, *Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons*, United Nations, April 2013, page 3.

[113] 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.

[114] Figures quoted in June 2025 when the questionnaire was submitted to GRETA and which therefore need to be updated.

138. While reiterating the fundamental importance of using a definition of THB on which there is international consensus, GRETA considers that the Luxembourg authorities should provide training to investigators, judges and prosecutors on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking.

b. Investigation, prosecution and sanctions

139. In its third report, GRETA urged the Luxembourg authorities to take additional measures to ensure that trafficking cases are investigated proactively and prosecuted effectively and lead to effective, proportionate and dissuasive sanctions, including by amending the Code of Criminal Procedure to enable the police to conduct undercover online investigations in cases of trafficking in human beings. Under the Law of 7 August 2023,[115] undercover investigations in the context of judicial proceedings were extended to all crimes and offences punishable by a criminal or correctional sentence with a maximum term of two years' imprisonment or more. Previously, this was limited solely to offences against state security and acts of terrorism and terrorist financing. In their reply to GRETA's questionnaire, however, the authorities stated that the conditions required to conduct an undercover investigation by electronic means were difficult to meet.

140. According to the statistics provided by the Luxembourg authorities, 8 investigations were initiated into trafficking offences in 2021, 8 in 2022, 8 in 2023, 10 in 2024 and 13 in 2025. Criminal prosecutions for trafficking were initiated in 3 cases in 2021 (involving 6 defendants and 7 victims), 3 cases in 2022 (involving 7 defendants and 1 victim), 2 cases in 2023 (involving 2 defendants and 1 victim), 8 cases in 2024 (involving 11 defendants and 4 victims) and 3 cases in 2025 (involving 7 defendants and 1 victim). The number of persons convicted was 0 in 2021, 3 in 2022, 3 in 2023, 6 in 2024 and 8 in 2025. Of these 20 convictions, 11 were men and 9 were women.

141. The authorities informed GRETA of a case involving two Ukrainian defendants accused of pimping and trafficking, with approximately 150 Ukrainian and Russian victims, in which the exploitation took place between 2020 and 2022. The verdict was handed down on 7 May 2026 and the two defendants were each sentenced to seven years in prison, four of which were suspended.[116]

142. In Luxembourg, cases involving children are rarely classified as THB. Between 2013 and 2025, only one decision relating to child trafficking was handed down.[117] This may be due to choices about how to classify cases, as sexual exploitation of children is generally prosecuted under specific offences in the Criminal Code, which carry more severe penalties and trigger enhanced protection measures for victims. Prosecuting cases in this way precludes the possibility of bringing parallel proceedings for trafficking. While the aim of this approach is to ensure maximum protection for the child, its effect is to limit the statistical visibility of situations where indicators of trafficking may be present. More systematic collection of data on these situations, regardless of the legal classification applied, would provide a better understanding of the scale of the phenomenon.

143. The authorities provided copies of the judgments and other decisions delivered over the 2021-2025 period. They included 7 district court judgments, 2 Court of Appeal decisions and 1 Court of Cassation decision delivered in 8 cases in which trafficking offences had been alleged by the prosecution: 5 concerned sexual exploitation and 3 concerned labour exploitation (1 case of domestic servitude and 2 cases of exploitation in a restaurant). In two cases, the defendants were acquitted.

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[115] https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a516/jo

[116] The judgment is not yet final.

[117] Diekirch District Court, 24 April 2014, No. 249/2014.

144. In its third report, noting that all sentences had been suspended, GRETA pointed out that the near-systematic application of mitigating circumstances by judges and the demanding requirements laid down by Luxembourg courts for the recognition of aggravating circumstances led to sentences that were extremely lenient.[118] The finding remains unchanged: all the prison sentences handed down for THB in the above-mentioned judgments were suspended and ranged from 6 months to 4 years.

145. The 2023–2028 coalition agreement states that "[f]or serious offences such as sexual abuse, child abuse or violence against children, the Government will introduce legislation under which any decision to hand down a suspended sentence must be substantiated".[119] GRETA was informed that draft Law No. 8486 seeks to amend Article 195-1 of the Code of Criminal Procedure in order to put an end to the practice of *de facto* automatic suspension of sentences that has developed since the Law of 20 July 2018. The latter requires any non-suspended prison sentence to be specifically justified, except in the case of repeat offences. The courts, encountering difficulties in providing detailed reasons for a non-suspended sentence, have thus tended to impose suspended sentences by default. The Luxembourg authorities indicated that, by requiring specific reasoning only when the non-suspended sentence is less than two years, the draft restores the ability of courts to impose effective custodial sentences where the seriousness of the offence so requires, something that is particularly essential in the fight against human trafficking. Given that sentences are very often less than two years' imprisonment, the impact of this reform will be limited.

146. Mention should also be made of the judgment handed down by the Luxembourg District Court on 13 November 2025[120] in the labour exploitation case referred to in paragraphs 64 and 136. The court sentenced the first defendant to eight years' imprisonment and a fine of €50 000, with a four-year partial suspension, i.e. a more severe penalty than in the other judgments cited above.[121] In the case of the other defendant, however, it was established that she herself had been subjected to violence and had not voluntarily participated in the offences. She was therefore acquitted.

147. According to the authorities, within the Criminal Investigation Department, in-service training has been provided to investigators in the field of victim protection and THB investigations. One such session was held in May 2025 and was attended by around 20 participants; it was delivered by members of the Monitoring Committee for action against trafficking. The authorities also highlighted other opportunities for in-service training at national level, notably through the INAP and the police academy, as well as abroad, via CEPOL, EMPACT or the German Federal Criminal Police Office (BKA).

148. The authorities emphasise that trafficking in human beings, pimping and labour law offences are areas of expertise that are handled by specialised, experienced members of the judiciary. At the Luxembourg Public Prosecutor's Office, six prosecutors deal with pimping and trafficking cases, while two focus on Labour Code offences and trafficking. According to the authorities, having a limited number of specialised prosecutors makes for consistency in terms of their knowledge and practice. All prosecutors receive basic training at France's National College for the Judiciary (ENM), followed by further training during their placements as justice attachés in Luxembourg. Members of the judiciary handling specialised cases also undergo additional training. As regards human trafficking, 5 underwent training in 2021, 10 in 2022, 4 in 2023 and 3 in 2024 at the ENM and the European Law Academy.

149. Civil society representatives met during GRETA's visit expressed concern about the length of proceedings. The public prosecutor's office stated that the timeframes observed were no different from those in other types of cases and emphasised that the procedure affords a high level of protection to the rights of the defence. It further noted that certain procedural requests, such as adjournments of hearings or translation requirements, can have an impact on the overall length of proceedings, and not only in

[118] See GRETA's third report on Luxembourg, paragraph 92.
[119] Page 109 of the coalition agreement 2023-2028.
[120] Luxembourg District Court, 13 November 2025, Judgment No. LCRI-99/2025
[121] An appeal was lodged against this decision and the case was scheduled to be heard by the Court of Appeal on 20 April 2026.

trafficking cases. The public prosecutor's office highlighted the difficulty of precisely quantifying the timeframes specific to trafficking cases.

150. GRETA was informed that the Chamber of Deputies had adopted a multi-year recruitment plan for the judiciary through legislation with the aim of significantly increasing the number of judges and reducing the backlog in the courts. According to the Chamber of Deputies, this measure should make it easier to bring cases involving THB to trial. There are plans to create 94 judge's posts and 20 justice attaché posts for the judicial periods 2024/2025 and 2026/2027.

151. GRETA urges the Luxembourg authorities to take further steps to improve the criminal justice response to trafficking, in particular by:

- stepping up proactive investigations into THB in order to increase the number of cases detected independently of complaints lodged by victims;
- ensuring that penalties imposed for THB are effective, proportionate and dissuasive, in particular by limiting the near-systematic use of suspended sentences and mitigating circumstances, and by imposing effective custodial sentences where the seriousness of the offence warrants it.

152. GRETA further considers that the Luxembourg authorities should continue and strengthen the specialisation as well as the basic and in-service training of investigators, prosecutors and judges in the field of THB, and ensure that the planned increase in the number of judges effectively contributes to improving the handling of trafficking cases, in terms of both capacity and timeframes, including through appropriate training.

c. Protection from intimidation during the criminal proceedings

153. Luxembourg does not have a witness protection programme. During its visit, GRETA was informed that this shortcoming had been acknowledged by the Ministry of Justice and the Ministry of Home Affairs, that a working group had been set up to examine the issue, and that Luxembourg delegations had also visited units abroad to draw inspiration from their practices. GRETA noted that an analysis of the implementation of the protection programme in Luxembourg's neighbouring countries had been undertaken, and that there had been an exchange with the Belgian authorities on this subject.[122] At the time of the visit, a draft law was being drawn up and was due to be tabled shortly. GRETA would like to be kept informed of developments regarding this draft law.

154. Draft Law No. 7992 on the rights of child victims and witnesses in criminal proceedings has been tabled.[123] According to the government, this draft law, which forms an integral part of the reform of the current youth protection system, will strengthen the rights of, and procedural safeguards for, minors who are victims or witnesses of offences, with, for example, measures to ensure appropriate protection and follow-up for the minor.[124]

155. In its third report, GRETA welcomed the introduction, in the Code of Criminal Procedure (Articles 553 to 557), of the possibility of using means of telecommunication in courts for statements and in order to hear witnesses. GRETA, however, was deeply concerned by information indicating that adult victims of trafficking, even those who were most vulnerable, were still routinely cross-examined in the presence of their traffickers in the courtroom. In this report, GRETA urged the Luxembourg authorities to make full use of the available measures intended to protect victims and witnesses of trafficking from intimidation or further trauma during the investigation and during and after court proceedings, including

[122] Reply to Parliamentary Question No. 439 of 7 March 2024.
[123] https://www.chd.lu/fr/dossier/7992
[124] Press release, 20 May 2025: "Présentation des amendements relatifs à la protection de la jeunesse, au droit pénal des mineurs et à la protection des victimes et témoins mineurs"

by using videoconferencing and other appropriate arrangements to avoid cross-examination of victims of trafficking in the presence of the trafficker.

156. The Law of 29 July 2023 amending Articles 38 and 46 of the Code of Criminal Procedure introduced the possibility for a criminal investigation police official or officer to conduct witness interviews via audiovisual telecommunication or audio-conference in expedited or preliminary investigations.[125] According to the authorities, this option has not yet been used in THB cases, given the size of the country and the fact that witnesses are either willing to travel to police premises for interview or agree to be interviewed at their own location.

157. In their reply to GRETA's questionnaire, the authorities stated that, to ensure that victims do not come face-to-face with persons who have committed trafficking offences and to reduce their psychological suffering and protect their privacy, video hearings of victims are systematically conducted in suitable premises by specialised officials from the criminal investigation police, as provided for in Articles 48-1 and 79-1 of the Code of Criminal Procedure. The authorities also explained that, in order to avoid "re-victimisation", the audio and video recording of the hearing is played back in court, and that a further hearing of the witness concerned is held only if the court expressly orders it, in accordance with Article 158-1(3) of the Code of Criminal Procedure. According to the authorities, in the few exceptional cases where the victim has to be summoned as a witness at a hearing, the hearing is conducted via audiovisual telecommunication, to shield the witness from the physical presence of the perpetrator and limit their exposure, pursuant to Articles 553 to 557 of the Code of Criminal Procedure. The court alone has the power to decide whether this procedure should be used and the decision is not subject to appeal. The authorities further stated that various courtrooms at the Luxembourg court complex and the Diekirch courthouse are equipped with videoconferencing systems for hearing victims, witnesses and even defendants. Lastly, they added that the court may decide that proceedings or witness hearings should be held in camera to ensure that they proceed smoothly, in accordance with Article 190(2) of the Code of Criminal Procedure. At the hearing observed by the GRETA delegation (see paragraph 8), however, victims were heard in the courtroom in the presence of the defendants, which appears to contradict the information provided. The GRETA delegation was informed that the victims had agreed to this arrangement and had been psychologically prepared for it.

158. Victims are entitled to an individual assessment by the Victim Support Service (SAV) to determine the need for specific support to prevent secondary victimisation (Article 3-7, point 12, of the Code of Criminal Procedure). They are informed of this provision as soon as a complaint is filed, notably via the Infodroit fact sheets, and can seek support from the SAV from the outset of the proceedings. GRETA was informed by the police that, since 2025, victims are put in touch with the SAV as early as the identification phase, in order to build their trust in the service. The police's Advanced Protection Division also organises regular meetings with the SAV to co-ordinate victim support. Operating under the supervision of the Prosecutor General's Office, the six-person SAV team, comprising mainly psychologists or therapists, works closely with prosecutors and welcomes all victims, their families and any witnesses likely to be affected who wish to receive assistance, to ensure that due account is taken of their specific needs. The SAV prepares victims for legal proceedings by showing them photographs of the court, for example, and by accompanying them to a similar trial. The SAV can also attend the trial if the victim so wishes. According to the SAV, victims of THB represent a minority of those supported: approximately one or two people per year.

159. GRETA welcomes the intention to legislate on witness protection and on the rights of child victims and witnesses in criminal proceedings. It invites the Luxembourg authorities to finalise and adopt these measures as soon as possible in order to ensure effective and appropriate protection for victims, witnesses, their families and anyone co-operating with the judicial authorities from retaliation or intimidation, in particular during investigations and prosecutions.

[125] https://legilux.public.lu/eli/etat/leg/loi/2023/07/29/a517/jo

160. Furthermore, GRETA considers that the Luxembourg authorities should make full use of the available measures intended to protect victims and witnesses of trafficking from intimidation or further trauma during the investigation and during and after court proceedings, including by using videoconferencing and other appropriate arrangements to avoid cross-examination of victims of trafficking in the presence of the traffickers.

d. Criminalisation of the use of services of a victim

161. As stated in GRETA's second and third reports,[126] the Law of 28 February 2018 supplemented the Criminal Code with provisions making it an offence to solicit, accept or obtain, in exchange for remuneration or a promise thereof, relations of a sexual nature from a minor (Article 382-6) or from a person whose particular vulnerability due to their illegal or precarious administrative situation, precarious social situation, pregnancy, illness, impairment or physical or mental disability is apparent or known to the offender (Article 382-7).

162. No case law is available. In their reply to the GRETA questionnaire, the authorities indicated that these provisions are difficult to apply, noting that the public prosecutor's office, which is responsible for evidence, must first demonstrate, beyond any doubt, the existence of human trafficking. In such cases, a final conviction of the trafficker is generally required before a prosecution can be brought, usually several years later because of the length of proceedings, against the person using the services of a victim. The Luxembourg authorities also stated that in an environment dominated by a code of silence, statements from clients are often crucial for investigating and prosecuting traffickers, and that if they testify, they cannot be prosecuted (Article 382-8 of the Criminal Code).

163. GRETA considers that the Luxembourg authorities should consider criminalising the use of services of a victim of any form of trafficking in human beings, with the knowledge that the person is a victim of THB, in accordance with Article 19 of the Convention. The authorities should ensure that the relevant professionals receive appropriate training to ensure effective application of this provision in practice.

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

164. Countries monitored by GRETA have reported an increased 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.[127] 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.

[126] See GRETA's second report on Luxembourg, paragraph 154, and GRETA's third report on Luxembourg, paragraph 158.
[127] 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.

165. As stated in paragraph 13Error! Reference source not found., the authorities have observed a shift in sexual exploitation practices towards the use of short-term housing rentals via specialised apps and websites. The authorities also highlighted the risk of new types of ICT-facilitated violence or abuse emerging, driven by the growth of platform-based work and particularly affecting people with irregular status.

166. As regards raising awareness about THB and digital risks among children, the authorities stated that child protection is a top priority and cited several initiatives. In secondary education, a mandatory "Digital Sciences" course incorporates the prevention of risky behaviours and the development of critical thinking regarding online content. An action plan entitled "sécher.digital" also aims to promote a balanced and responsible digital culture in schools,[128] but THB is not explicitly addressed there.

167. In their 2024 annual report, OKAJU said that the experts they consulted "stated unequivocally that although legislative and preventive measures (awareness raising, etc.) are in place to protect children in the digital environment in Luxembourg, children are not sufficiently protected".[129]

168. The national scheme BEE SECURE aims to improve the digital skills of children and young people, for example through training sessions and workshops in schools and for educational staff and parents. According to the authorities, it covers topics such as online safety, digital identity, cyberbullying and privacy, as well as the prevention of grooming, sextortion and trafficking in human beings. BEE SECURE also provides educational resources and services, including the BEE SECURE Helpline for confidential support and the BEE SECURE Stopline, an anonymous platform for reporting illegal online content, where certain reports may help to identify cases of trafficking and can be forwarded to the relevant authorities. An annual report, the BEE SECURE Radar, is published based on continuous monitoring of ICT usage and associated risks. GRETA welcomes these important initiatives. From the information available, however, it is not possible to assess to what extent the fight against human trafficking is effectively integrated into the action undertaken. The BEE Secure website[130] should be amended to explicitly mention human trafficking as one of the main risks facilitated by ICT.

169. GRETA has not received any information indicating whether training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology. GRETA notes, however, that the training for members of the judiciary includes an introduction to issues related to new technologies and the procedural tools available to them for securing and seizing data for the purposes of the preliminary inquiry or investigation. Furthermore, the Luxembourg Public Prosecutor's Office has three prosecutors specialising in cybercrime, who receive specific training to enable them to deal with the most complex cases and provide support to colleagues as needed. In addition, each department of the Luxembourg Public Prosecutor's Office has a prosecutor specialising in cybercrime on its team.

170. Luxembourg is a party to the Council of Europe Convention on Cybercrime (Budapest Convention) and has signed, but not yet ratified, its Second Additional Protocol on enhanced co-operation and disclosure of electronic evidence. As regards the application of its provisions, GRETA was informed that the Luxembourg Public Prosecutor's Office benefits from direct co-operation with the national registry for the *.lu* domain and a local registrar, enabling it to quickly obtain information on domain names and seize those linked to offences. It may also request information from foreign online service providers, including on an emergency basis, and use videoconferencing for hearings and proceedings. Where illegal content is located within the national territory, the public prosecutor's office may seize it and order its removal.

171. The use of wiretaps, telephone records and websites as evidence is common in THB cases in Luxembourg, particularly those involving sexual exploitation. Since 2013, Luxembourg courts have taken

[128] https://secher.digital/fr/plan-daction/
[129] https://www.okaju.lu/2024/rapport-annuel-2024/
[130] https://www.bee-secure.lu/fr/

into account the use of technology to establish the existence of control over victims, for example through repeated telephone calls.[131] They have also held individuals involved in managing client calls and publishing online advertisements to be criminally liable for pimping or THB.[132]

172. As stated in paragraphs 14 and 139Error! Reference source not found., the Law of 7 August 2023 expanded undercover investigations in the context of judicial proceedings and now includes this option for THB cases.[133] In their reply to the questionnaire, however, the authorities stated that the conditions required to conduct an undercover investigation electronically are difficult to meet.

173. According to the authorities, current criminal procedure tools do not allow for effective search and investigation once criminal networks start using secure internet communications. Sound recording and computer infiltration techniques are currently restricted to terrorist offences and crimes against state security. Draft Law No. 8515 was adopted by the Chamber of Deputies on 4 December 2025, and amends Article 88-2, paragraph 2, of the Code of Criminal Procedure, expanding the scope of application of sound and image recording of places and vehicles, and of computer data capture to include for example THB cases.[134] The explanatory memorandum to the draft law states that sound recording and computer data capture are vital tools for detecting, investigating and combating THB while protecting victims and dismantling the networks responsible.[135]

174. The Luxembourg authorities stated that the initial phase of recruitment, transport and transfer often escapes detection by investigators, not least because victims predominantly come from third countries where they are recruited. The ability to identify victims therefore depends primarily on detecting those who have already been exploited. According to the authorities, existing tools, such as Webcrawler, which was introduced recently, are helpful in identifying advertisements suspected of being linked to pimping but remain focused on a reactive rather than a preventive approach. The authorities state that while Webcrawler is of use in identifying certain suspicious online ads related to sexual exploitation through algorithmic filtering, in the absence of more comprehensive tools or appropriate legal frameworks for the proactive monitoring of online content, the scope for action remains limited. The authorities nevertheless point out that the Webcrawler tool could eventually evolve into a solution for targeted monitoring of social media, messaging platforms or private content, thus providing a way to detect fake job offers or other forms of manipulation. The police stated that they do not have specific software to detect forms of exploitation other than sexual exploitation.

175. GRETA notes that co-operation between law enforcement and the private sector aimed at preventing and identifying THB cases remains limited. It also notes that there are no structured partnerships between the police, on the one hand, and housing search platforms and digital companies, on the other, even though such actors may be used to recruit or exploit victims.

176. While welcoming the legislative changes allowing the use of technology to harness the potential of ICTs in combating trafficking and the measures taken by the Luxembourg authorities to promote children's online safety, GRETA considers that the authorities should strengthen co-operation with ICT companies and continue to invest in capacity building and digital tools for proactive investigations, and in particular:

- use specialised digital investigation tools for social media and encrypted applications, accompanied by training in digital investigation for investigators and prosecutors;
- establish protocols for faster data acquisition from private accommodation platforms and digital companies;

[131] Lux. District Court, 7 November 2013, No. 2897/2013 and Lux. District Court, 8 May 2014, No. 1237/2014
[132] Diekirch District Court, 25 October 2018, No. 533/2018 and Diekirch District Court, 13 August 2020, No. 357/2020.
[133] https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a516/jo
[134] https://www.chd.lu/fr/dossier/8515
[135] https://wdocs-pub.chd.lu/docs/Dossiers_parlementaires/8515/20250515_Dep%C3%B4t.pdf

- provide investigators with specific training on the handling of digital evidence in THB cases.

177. In addition, GRETA invites the Luxembourg authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

V. Follow-up topics specific to Luxembourg

1. Data collection and research

178. In its second evaluation report, GRETA considered that the Luxembourg authorities should continue their efforts to develop and manage a comprehensive and coherent statistical system on trafficking in human beings by compiling reliable statistical data from all the main actors. In its third report, while recognising that some progress had been made, GRETA reiterated this recommendation, emphasising the need to improve the data collection system in order to ensure that there were no discrepancies between sources and to enable cases to be tracked from the complaint to the final judicial decision. To this end, it recommended developing dedicated software, ensuring personal data protection. In each of its reports, the National Rapporteur has also recommended introducing a data collection system to replace the Excel spreadsheet currently in use.

179. GRETA notes that the collection of statistics on THB by the police is generally satisfactory, and welcomes the systematic collection of data by the ITM, which are now integrated into police statistics. These statistics now also include victims who contacted the InfoTraite service but wished to remain anonymous. In the CCDH's 4th report, it is noted that it is becoming increasingly difficult for the rapporteur to compile statistics on prosecutions and convictions, and the government and parliament are urged to take the necessary measures to enable all stakeholders to collect reliable, disaggregated data. The CCDH believes that the judicial authorities lack the tools to collect reliable statistical data, and the CCDH must attempt to determine on its own how many cases have been dismissed or referred. The CCDH reiterated these concerns in its 5th report, noting that, contrary to Article 11 of the amended Law of 8 May 2009 on assistance to and protection and safety of victims of trafficking in human beings, the data collected by the public prosecutor's office are not sufficiently disaggregated, rendering any meaningful evaluation of these data impossible.[136]

180. As indicated in paragraph 106, the authorities do not have statistics on the number of THB victims identified during the procedure for applying for international protection. In its 2023–2024 report, the National Rapporteur noted with regret that the General Directorate of Immigration did not compile statistics that would enable vulnerabilities in general, including THB, to be recorded or compared with the Criminal Investigation Police's official statistics.[137]

181. In its third report on Luxembourg, GRETA urged the Luxembourg authorities to carry out and support research on trafficking in human beings for different forms of exploitation, including labour exploitation (particularly in the construction and catering sectors and domestic work) and trafficking in children, including children in street situations. GRETA remains concerned about the severe lack of data and research on THB, particularly involving children.

182. With regard to research on THB in Luxembourg, it is worth mentioning the PROTEX project - "PROTect against EXploitation: exploitative offences versus legitimate work in a digitalised labour market"- which aims to develop a legal definition of "exploitation" in line with the fast-changing environment and

[136] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, page 67.
[137] CCDH, Report on trafficking in human beings in Luxembourg, 2023-2024, page 108.

digitalisation of the labour market. By clarifying this concept, the project seeks to improve the identification and protection of victims of exploitation, where current labour law has shown its limitations, and to guide the response to forms of exploitation in the new digitalised work situations. Launched on 1 February 2025, for a period of 36 months, it is funded by Horizon Europe (Marie Skłodowska-Curie Actions).[138] GRETA welcomes the active support provided by the Luxembourg authorities for this research conducted by the University of Luxembourg, following GRETA's repeated requests for specific studies on THB in Luxembourg. GRETA stresses the importance of ensuring the continuity of this work, in particular by securing its funding. In its exchanges with GRETA, the Monitoring Committee indicated that it had not sought funding for research studies on THB to date, while acknowledging that this is certainly something the committee should do in the future.

183. GRETA notes with regret that no impact assessment was conducted, either before or after the City of Luxembourg introduced measures prohibiting begging (see paragraph 202Error! Reference source not found.), to assess their effects on the most vulnerable populations, in particular victims of trafficking, children exploited in begging, homeless people and those seeking international protection while awaiting accommodation.

184. Noting that THB in Luxembourg remains under-studied, particularly where vulnerable groups are concerned, GRETA considers that the Luxembourg authorities should ensure the continuation of existing research and intensify their efforts to strengthen the available knowledge base. Such further research would help to support the development of evidence-based policy and decision making

185. While commending the efforts made to improve the police's data collection system on victims of THB, GRETA invites the authorities to develop and implement a more suitable IT tool that would facilitate the management and analysis of statistical data and replace the spreadsheet currently in use.

2. Compensation

186. In its third evaluation report, GRETA urged the Luxembourg authorities to make additional efforts to guarantee effective access to compensation for victims of trafficking.

187. The copies of court decisions sent by the authorities show that there was only one instance of compensation being awarded between 2021 and 2025: a sum of €7 000 for non-pecuniary damage resulting from working in degrading conditions, awarded in 2024[139] and upheld on appeal in 2025.[140] The copy of the judgment states that the remainder of the compensation claim was rejected, but neither the exact amount initially claimed nor the grounds for dismissal are clearly specified. In the other cases reported, the victims did not claim damages. This confirms GRETA's previous finding that, in the vast majority of cases, victims of trafficking did not bring a civil action and, when they did, they received only part of the amount claimed.[141] GRETA notes that the option for judges to make the suspension of a prison sentence conditional on compensating the victim (Articles 629 and 633-7 of the Code of Criminal Procedure) has still not been used in any trafficking case.

188. In the labour exploitation case referred to in paragraphs 64, 136 and 146Error! Reference source not found., the civil claims related to non-pecuniary and bodily harm and economic loss. The Criminal Chamber declined jurisdiction to rule on economic loss, which is a matter for the labour courts, but recognised the validity of the claims relating to non-pecuniary and bodily harm, directly linked to the offences. In the absence of sufficient evidence to quantify this damage, an expert assessment was

[138] https://www.uni.lu/research-en/research-projects/protex/
[139] Luxembourg District Court, 6 June 2024, No. 1291/2024.
[140] Luxembourg Court of Appeal, 25 February 2025, No. 81/25 V.
[141] See GRETA's third report on Luxembourg, paragraphs 57 and 59.

ordered. In the meantime, an interim award of €5 000 was made and legal fees were partially reimbursed in the case of certain parties, while the procedural costs remain to be determined following an expert assessment.

189. As stated in the third report on Luxembourg,[142] although criminal courts have jurisdiction to take decisions on all civil wrongs in theory, recovery of unpaid wages is excluded from this jurisdiction by case law. Victims must therefore bring an action before a labour tribunal in parallel with the criminal proceedings. GRETA has received no information regarding compensation awarded by labour courts to victims of trafficking and has not been informed of any changes following GRETA's recommendation to establish a system to record compensation claimed and obtained by victims of trafficking in proceedings before labour tribunals.

190. With regard to the state compensation mechanism provided for in the amended Law of 12 March 1984, this still does not cover all victims of THB. It remains limited to victims of exceptionally serious forms of trafficking, as well as to certain very narrowly defined circumstances and to children. No progress has been noted in this regard, despite the recommendation made by GRETA in its third report[143] and the one made by the National Rapporteur, both of which call for a revision of the legal framework to improve its accessibility.[144]

191. Luxembourg legislation did not yet permit the use of confiscated assets to compensate victims at the time of GRETA's previous evaluation, but this possibility has now been incorporated into national law with a new mechanism for asset recovery through confiscation. GRETA welcomes the adoption of the Law of 22 June 2022 which completed the transposition of Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the EU, thus adapting the existing confiscation regime. In particular, the new legislation established the Office for the Management of Seized and Confiscated Assets (BGA), which operates under the authority of the Ministry of Justice. It also amended Article 583 of the Code of Criminal Procedure, which now provides that any civil party who is awarded damages in a final judgment but has not received any compensation, or has received only partial compensation, may request that the BGA ensure that these sums are paid to them as a matter of priority. The payment is to be made from the funds or from the net value of the convicted person's assets that have been confiscated.

192. Since it was set up in 2022, the BGA has handled 11 cases relating to human trafficking (Articles 382-1 to 382-3 of the Criminal Code). Three cases date from before 2010 and eight from after 2017, including one police report from 2022, one from 2023 and one from 2024. The total estimated value of the seized and confiscated assets amounts to €2.4 million. According to data provided by the authorities, the confiscations resulted in the following payments: €8 667 was paid to the Treasury, €7 215 was allocated to the "Fonds de lutte contre certaines formes de criminalité" (fund to tackle certain types of crime), and €764 913 was transferred to other states under sharing agreements. No payments have yet been made to victims. An examination of the case files reveals wide variations in the amounts involved. In most cases, the sums involved are modest (€200 or €880), while one case accounts for the bulk of the total with €1.5 million.

193. The Law of 22 June 2022[145] also established an Asset Recovery Office (BRA), attached to the Public Prosecutor's Office of the judicial district of Luxembourg. The BRA's remit is to detect and trace assets with a view to their seizure or confiscation (within the framework of international co-operation or as part of an inquiry or judicial investigation), but also to detect and trace assets belonging to the convicted person in post-sentence asset investigations. GRETA was informed that one of the objectives of the Asset Management Office's 2025–2027 work programme is to develop best practices regarding seizure and to raise public awareness of the "Crime does not pay" policy. In January 2026, a website

[142] See GRETA's third report on Luxembourg, paragraph 64.
[143] See GRETA's third report on Luxembourg, paragraph 69.
[144] CCDH, Report on trafficking in human beings in Luxembourg, 2021-2022, page 139.
[145] https://legilux.public.lu/eli/etat/leg/loi/2022/06/22/a323/jo

(saisiepenale.public.lu) was launched to provide information on the Asset Management Office and the statutory procedures. According to the authorities, there will be a page dedicated to the application of Article 583 of the Code of Criminal Procedure (see paragraph 191).

194. Several questions remain regarding the actual effectiveness of this new mechanism for recovering confiscated assets. This uncertainty is highlighted by the National Rapporteur in its fourth report on THB.[146] There is concern that the mechanism is rather limited, as it appears to cover only damages awarded by criminal courts and would effectively exclude many victims, in particular those who do not bring a civil action or victims of labour exploitation seeking compensation for unpaid wages awarded by labour courts. There is also uncertainty as to how the new mechanism ties in with the compensation mechanism provided for in the amended Law of 12 March 1984. Lastly, the effectiveness of the system will depend on the authorities' ability to identify and confiscate sufficient assets, including through value confiscation, and also on the necessary resources being made available to ensure effective implementation. GRETA shares these concerns and stresses the need to address them.

195. According to the authorities, victims of trafficking are informed on several occasions of their rights to compensation, first by the police and later by InfoTraite. The public prosecutor's office then informs the victim's lawyer in writing and maintains contact, including in cases where the victim is abroad. The judge systematically informs victims about the possibility of bringing a civil action, in accordance with the Code of Criminal Procedure. InfoTraite has also been made aware of the issue of compensation so that it can improve the information given to victims. The SAV informed GRETA that it assists victims in drafting their claims, while noting that victims, anxious for closure after the trial, often waive their right to compensation.

196. The authorities indicated that the issue of compensation will be discussed as part of the work to transpose the revised EU Directive on trafficking in human beings. During GRETA's visit to Luxembourg, they explained that the country is considering establishing a powerful body with competences similar to those of a financial intelligence unit, enabling it to access a database containing all information relating to assets liable to seizure. A draft law was tabled in early 2026.[147] The authorities hope that, with this new mechanism, Luxembourg will be able to be more proactive in identifying executable assets.

197. While recognising the efforts made by the Luxembourg authorities to improve the system of compensation for victims of trafficking, GRETA notes with concern that only one victim was awarded compensation during the period covered by the report and observes that victims still face many obstacles in accessing compensation. Therefore, GRETA once again urges the Luxembourg authorities to guarantee effective access to compensation for victims of THB, and in particular to:

- ensure that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim or loss sustained by the victim, is part of the criminal investigation with a view to supporting compensation claims in court;
- provide training on compensation for victims of THB to lawyers, prosecutors and judges and encourage them to use all the possibilities under the law to uphold compensation claims by victims of THB;
- review the eligibility criteria for state compensation, as defined in the amended Law of 12 March 1984, with a view to broadening them so that any victim of human trafficking may access it, irrespective of their age and the type or severity of the harm suffered.

[146] CCDH, Report on trafficking in human beings in Luxembourg, 2021-2022, pages 139 to 141.
[147] https://www.chd.lu/fr/dossier/8698

3. Non-punishment provision

198. According to Article 71-2, paragraph 2, of the Criminal Code, victims of the offences defined in Articles 382-1 and 382-2 are not to be considered criminally responsible for illegal activities in which they were compelled to take part. Although the non-punishment provision is enshrined in Luxembourg law, its application remains a cause for concern. This is particularly the case in situations of exploitation for the commission of crimes or offences and exploitation through begging, and also when it comes to making a proper assessment of the requirements for the application of the non-punishment principle when prosecuting women for offences related to trafficking for sexual exploitation.

199. Under draft Law No. 7991, children will be able to waive their right to assistance from a lawyer from the very first interview, potentially undermining the effectiveness of the non-punishment principle. As highlighted in paragraph 126, the presence of a lawyer is essential, not least to ensure that situations involving THB are identified early on. In the absence of such identification, there is a real danger that child victims will be treated as offenders and punished, which would run counter to the principle of non-punishment.

200. Discussions held during GRETA's visit revealed a possible reluctance to carry out awareness raising on exploitation in criminal activities or offences, for fear that excessive use might be made of this provision to avoid criminal prosecution.

201. With regard to the arrest of children suspected of theft and placed in a secure centre and, if there are no places in the children's centre, in an adult prison, GRETA is concerned about the application of the non-punishment principle if law enforcement authorities fail to give sufficient attention to possible signs of trafficking (see paragraph 125).

202. On 27 March 2023, the municipal council of Luxembourg City amended the general regulations on public order and safety[148] to ban begging, a decision approved by the Minister for Home Affairs. Whereas previously only organised begging, involving children or groups, was prohibited, since January 2024 the ban has applied to all forms of begging, every day from 7 a.m. to 10 p.m., in some parts of the city. The municipal council justified the measure, arguing that it was necessary, even essential, in order to combat THB and forced begging. A research note from the Scientific Unit of the Chamber of Deputies challenged this, noting that "the necessity of punishing ordinary begging to combat THB is questionable".[149] It also points out that "targeting victims of trafficking in order to better combat trafficking appears to contravene Article 71-2 of the Criminal Code", under which victims forced to participate in unlawful activities cannot be held criminally responsible. The research note also refers to the European Court of Human Rights (*Lacatus v. Switzerland*, 2021), which "doubts that penalising the victims of these networks is an effective measure for combating that phenomenon", and mentions GRETA's second report on Switzerland, in which it is stated that "the criminalisation of begging places the victims of forced begging in a situation of heightened vulnerability".[150] GRETA is concerned that the principle of non-punishment may not be applied in the context of this prohibition. GRETA noted that no mechanism had been put in place to ensure that victims of THB are not penalised under the City of Luxembourg's ban on begging for acts which they were compelled to commit as a result of being exploited and reiterates that such penalties must not apply to victims of THB.

203. It should be noted that, at the time of the visit, no penalties for begging had yet been imposed since the ban came into force. Furthermore, according to police statistics, no victims of exploitation through begging or exploitation in criminal activities or offences were identified between 2022 and 2025. According to the authorities, all police reports for ordinary begging in Luxembourg and Diekirch in 2024

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148 Amended General Regulations on Public Order and Safety of 26 March 2001.

149 M. Marty and F. Spirinelli, "L'interdiction de la mendicité au Luxembourg", Scientific Unit of the Chamber of Deputies, Luxembourg, 5 June 2024, page 3.

150 See GRETA's second report on Switzerland, paragraph 235.

(8 reports) and in 2025 (0 reports) were dismissed. GRETA was informed that the town of Ettelbruck has a similar rule in the Diekirch district.

204. Since May 2026, members of the Grand-Ducal Police and Romanian police officers have been carrying out joint patrols in Luxembourg City and other municipalities. According to the police,[151] the aim is to gather information to be forwarded to the judicial authorities for potential investigations into THB and/or organised begging. This joint operation is scheduled to last six months and can be renewed. Concerned that such an approach may prove counterproductive, the National Rapporteur sent an open letter to the Minister for Home Affairs, highlighting the need for cross-border co-operation and a multidisciplinary approach focused on reducing the precariousness of people's situations, rigorously applying the non-punishment principle for victims of trafficking and systematically taking vulnerabilities into account.[152]

205. Draft Law No. 8418, tabled in July 2024, aims, *inter alia*, to decriminalise all the forms of begging currently provided for in the Criminal Code and to introduce the concept of "aggressive begging".[153] The National Rapporteur has issued an opinion on this draft law in which it states that it "is unclear whether and to what extent the authors of the draft legislation have had regard to this crucial principle, which is seldom applied in Luxembourg".[154] It warns against the risk of blanket criminalisation that could include victims of criminal networks and hopes that this concern will be fully addressed when the draft law is implemented, so as to prevent exploited individuals from becoming victims twice over – first at the hands of their traffickers, and then at the hands of the criminal justice system.

206. The CCDH's 2021–2022 report highlights that, in cases of THB for the purpose of sexual exploitation, the women convicted are rarely the principal offenders and are themselves often in a vulnerable position. Despite the fact that they might be victims, they are almost always regarded as accomplices. The National Rapporteur also noted in its report that the question of the applicability of Article 71-2, paragraph 2, of the Criminal Code concerning the non-punishment principle has never yet been addressed in court rulings.[155] The psychological or physical coercion endured by such women is often downplayed, or even misinterpreted as a voluntary decision, and their precarious circumstances are generally considered only as a mitigating factor in sentencing. This practice highlights a lack of awareness among judges, prosecutors and law enforcement agencies regarding the effective application of the non-punishment principle, despite recommendations aimed at protecting exploited victims.

207. In the copy of judgment 1990/2023 of 19 October 2023 that GRETA received from the authorities,[156] the court notes that "the defendant herself may be regarded as a victim of human trafficking, as she has neither a residence permit nor an income, engaging in prostitution like the other girls out of economic necessity" and "that everything suggests she was herself a victim of human trafficking", and acquits her of all offences relating to THB. Despite this, she was sentenced to 18 months' imprisonment, 12 months of which were suspended, for managing, running and operating a brothel and for pimping. No mention was made of the non-punishment principle.

[151] https://police.public.lu/fr/actualites/2026/05/semaine-19/patrouilles-conjointes-lux-rou.html
[152] https://ccdh.public.lu/fr/actualites/2026/20260319-lettre-ouverte-traite-mendicite-organisee.html
[153] https://www.chd.lu/fr/dossier/8418
[154] CCDH, Opinion on draft Law No. 8418 amending the Criminal Code and the Code of Criminal Procedure, page 18.
[155] CCDH, Report on trafficking in human beings in Luxembourg, 2021-2022, page 102.
[156] https://data.public.lu/en/datasets/r/9fb3c42c-e49b-4473-9d9d-7fa1a8585e10

208. GRETA urges the Luxembourg authorities to take further steps to ensure the application of the non-punishment principle in practice, in particular:

- by raising awareness and providing training for law enforcement officers, prosecutors and judges;
- by ensuring that the non-punishment provision can be applied in practice to child victims of trafficking for offences which they were forced to commit, and making sure that they are swiftly identified as victims and provided with appropriate support and suitable safe accommodation;
- by involving municipalities in action against trafficking in human beings through awareness training for local decision makers and stakeholders.

VI. Conclusions

209. Since the publication of GRETA's third report on Luxembourg on 4 October 2022, progress has been made in a number of areas covered by that report.

210. A new accommodation facility for victims of THB and the National Centre for Victims of Violence have been opened, strengthening the capacity to provide care. The resources of the Inspectorate of Labour and Mines (ITM) have been significantly increased, both in terms of staff and budget, enabling the ITM to play an increasingly proactive role in detecting potential victims of trafficking for the purpose of labour exploitation. In addition, the adoption of the Law of 22 June 2022 has strengthened the system for freezing and confiscating instrumentalities and proceeds of crime, notably through the establishment of the Office for the Management of Seized and Confiscated Assets. Lastly, the Advanced Protection Division dedicated to protecting victims exposed to violence or serious threats, particularly in cases involving THB, was set up in 2024 within the Grand Ducal Police.

211. GRETA welcomes these positive developments in Luxembourg. However, despite the progress achieved, some issues continue to give rise to concern. Some 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 Luxembourg authorities to take action in the following areas:

- Identification of victims (Article 10 of the Convention). The Luxembourg authorities should ensure that the identification of presumed victims is not dependent upon the opening or continuation of criminal proceedings and adopt a multi-agency approach to identifying victims. The authorities should also ensure that all those involved in identifying victims of THB adopt a proactive approach and step up their fieldwork in order to identify victims among those particularly vulnerable.

- Assistance to victims (Article 12 of the Convention). The Luxembourg authorities should ensure that the assistance provided to victims is not dependent on criminal proceedings being initiated or ongoing, and that all presumed and identified victims in Luxembourg can receive appropriate support and assistance, based on their individual needs, irrespective of the country in which they were exploited.

212. Given that these recommendations have been made repeatedly, it is requested that they be implemented as a matter of priority; their follow-up will be examined as part of the monitoring of the implementation of the Convention.

213. As regards the thematic focus of the fourth evaluation round, which is on vulnerabilities to trafficking in human beings, the first National Action Plan against THB provides for targeted initiatives for vulnerable groups and high-risk sectors, with a particular emphasis placed on migrant workers, Travellers, workers in the construction and restaurant and catering sectors as well as unaccompanied children and people engaged in prostitution.

214. While welcoming the measures taken by the Luxembourg authorities to prevent 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 by the authorities:

- Step up efforts to prevent trafficking in children by ensuring effective protection and access to appropriate services for all unaccompanied children, and pay particular attention to the specific vulnerabilities of different groups of children in research in order to develop targeted measures.

- Reduce the risk of applicants for international protection and refugees falling victim to trafficking, by ensuring that they have access to suitable accommodation and employment.

- Support specific research on trafficking in human beings involving women in vulnerable situations, such as women with disabilities, migrant women or women engaged in prostitution.

215. GRETA also calls on the Luxembourg authorities to step up their efforts to identify child victims of trafficking and provide them with appropriate assistance. The authorities should introduce specific procedures for children into the roadmap as part of its update and ensure that relevant actors increase their activities in the field to identify child victims of THB by paying particular attention to children who may be victims of exploitation for the commission of crimes or offences or exploitation through begging.

216. GRETA welcomes the efforts made by the Luxembourg authorities to improve the system of compensation for victims of trafficking. However, victims still face many obstacles in accessing compensation. With a view to supporting compensation claims in court, the Luxembourg authorities should ensure that the collection of evidence about the harm the victim has suffered is part of the criminal investigation. Training on compensation for victims of THB should be provided to lawyers, prosecutors and judges, who should be encouraged to use all the possibilities under the law to uphold compensation claims by victims of THB. The authorities also should review the eligibility criteria for state compensation with a view to broadening them so that any victim of human trafficking may access it.

217. Lastly, the Luxembourg authorities should step up proactive investigations into THB in order to increase the number of cases detected independently of complaints lodged by victims and ensure that penalties imposed for THB are effective, proportionate and dissuasive.

218. GRETA welcomes the steps taken by the Luxembourg authorities to promote online safety and enhance their capacity to detect and investigate ICT-facilitated trafficking in human beings. In order to address the routine use of ICT to recruit and exploit victims of trafficking, the authorities should strengthen co-operation with ICT companies and continue to invest in capacity building and digital tools for proactive investigations.

219. GRETA invites the Luxembourg 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 Luxembourg 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 Luxembourg authorities and civil society.

Appendix 1

Statistics on victims and cases of THB in Luxembourg in 2022-2025

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection.

Indicator		Years			
		2022	2023	2024	2025
Number of victims identified		50	64	4	5
Number of potential victims (ITM)		12	23	23	1
Number of presumed victims		15	17	21	17
Total number of victims (identified, potential (ITM), presumed)		77	104	48	23
Sex and age group	Female	57	64	19	13
	Male	20	40	28	9
	Children	0	0	1	1
Type of exploitation[157]	Sexual	51	54	9	4
	Labour	21	47	37	17
	Sale of children	0	1	1	0
	Begging	0	0	1	1
	Criminal[158]	0	0	0	1
Number of investigations into trafficking or pimping	THB	8	8	10	13
	Pimping	14	9	12	16
Number of prosecutions for trafficking or pimping [159]	THB	3	2	8	3
	Pimping	4	3	4	2
Number of convictions (persons)	THB	3	3	6	8
	Pimping	3	4	6	3
Number of victims who received assistance		21	23	17	-
Number of victims granted a recovery and reflection period		1	5	1	-

[157] GRETA was not provided with an explanation regarding the discrepancy between the total number of victims and the figures broken down by type of exploitation.

[158] Exploitation for the purpose of committing crimes or offences

[159] According to the Luxembourg authorities, the definition of prosecutions has been revised. Prosecutions include all defendants in cases where a preliminary investigation was opened, a summons was issued, or an indictment was filed during the reference year. Each defendant is counted only once, based on the first of the aforementioned events, to avoid double counting.

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 the importance of taking into account the lived experiences and views of victims and survivors of trafficking when designing anti-trafficking policies and measures, GRETA invites the Luxembourg authorities to set up an advisory council for survivors of trafficking (paragraph 28).

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

Children and young people

- GRETA considers that the Luxembourg authorities should strengthen measures to prevent trafficking of children, and in particular:
  - ensure effective protection is provided to all unaccompanied children, including those who do not apply for international protection, and ensure they have access to appropriate services and support, in particular as part of the ongoing reform of the youth protection system;
  - pay particular attention to trafficking in human beings in research on the vulnerabilities of different groups of children and develop targeted, appropriate measures for these groups;
  - carry out large-scale, regular and targeted awareness-raising campaigns aimed at children, parents, people working with or in contact with children, as well as guardians and ad hoc administrators, on the risks associated with trafficking, paying particular attention to children in vulnerable situations;
  - make the prevention of child trafficking part of school curricula, notably by including this topic (and online recruitment methods) in lessons on developing media literacy and life skills, and ensure that teachers receive appropriate training to address these topics (paragraph 46).

Applicants for international protection and refugees

- While welcoming the efforts made, GRETA considers that the Luxembourg authorities should take further measures to reduce the risk of applicants for international protection and refugees falling victim to human trafficking. They should ensure, in particular, that all such people have access to suitable accommodation and employment, so as to prevent them from becoming vulnerable to THB (paragraph 61).

- Furthermore, GRETA invites the Luxembourg authorities to continue raising awareness among applicants for international protection and refugees of their rights and the risks of trafficking in human beings (paragraph 62).

Migrant workers

- GRETA refers to its Guidance Note on combating trafficking for labour exploitation and the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, and considers that the Luxembourg authorities should:
  - continue to provide training to labour inspectors on trafficking prevention and victims' rights and provide training for trade union representatives to heighten their vigilance and enhance their capacity to act, and actively include trade union representatives in efforts to combat THB;
  - enhance efforts to prevent and detect cases of domestic servitude;
  - ensure that policies relating to access to the labour market for third-country workers do not lead to increased dependence on employers, thereby increasing their risk of exploitation, and ensure that any legislative changes do not exacerbate this vulnerability (paragraph 76).

Vulnerabilities related to the gender dimension of human trafficking and of persons engaged in prostitution

- GRETA welcomes the steps taken to address vulnerabilities related to the gender dimension of THB and considers that the Luxembourg authorities should:
  - continue taking measures to counteract the risks of THB and exploitation of people in prostitution, through information and awareness-raising activities aimed at eliminating gender stereotypes;
  - expand and step up data collection on all forms of gender-based violence, including trafficking in human beings, for example by expanding the remit of the Gender Equality Observatory to encompass other forms of gender-based violence, including trafficking in human beings;
  - support specific research on trafficking in human beings experienced by women in vulnerable situations, such as women with disabilities, migrant women or women engaged in prostitution (paragraph 85).

Persons with disabilities

- GRETA considers that the Luxembourg authorities should strengthen data collection, conduct research into the vulnerabilities of persons with disabilities to trafficking in human beings and develop preventive measures specifically targeting persons with disabilities (paragraph 92).

- GRETA also invites the Luxembourg authorities to ensure that information and awareness-raising campaigns on trafficking in human beings are accessible to persons with disabilities. This means, for example, making content such as leaflets on victims' rights available in alternative formats (paragraph 93).

LGBTI persons

- While welcoming the commitment of the Luxembourg authorities to protecting the rights of LGBTI people, GRETA invites the authorities to carry out research into the vulnerability of LGBTI persons to trafficking in human beings and to develop prevention measures specifically aimed at this group, in close co-operation with civil society organisations (paragraph 98).

Identification of victims of THB

- GRETA once again urges the Luxembourg authorities to strengthen the identification of victims of THB, and in particular to:
  - ensure that the identification of presumed victims is not dependent upon the opening or continuation of criminal proceedings;
  - update and disseminate the roadmap and related indicators and set up a formalised national referral mechanism which follows a multidisciplinary approach to victim identification and involves relevant actors other than the police;
  - ensure that all those involved in identifying victims of THB adopt a proactive approach and step up their fieldwork in order to identify victims among those particularly vulnerable to exploitation for the purpose of committing crimes or offences or exploitation through begging, as well as among those seeking international protection, including through targeted training initiatives (paragraph 108).

Assistance to victims

- Reiterating the recommendations made in its previous reports, GRETA once again urges the Luxembourg authorities to ensure that the assistance provided to victims of THB is not dependent on criminal proceedings being initiated or ongoing. In addition, GRETA urges the Luxembourg authorities to ensure that all presumed and identified victims in Luxembourg can receive appropriate support and assistance, based on their individual needs, irrespective of the country in which they were exploited (paragraph 120).

- GRETA welcomes the opening of the new accommodation facility for victims of THB and the National Centre for Victims of Violence and invites the Luxembourg authorities to strengthen THB training for all staff and ensure victims of trafficking have access to psychologists, lawyers and specialist doctors to meet their complex needs (paragraph 121).

Identification of, and assistance to, child victims of trafficking

- GRETA again urges the Luxembourg authorities to step up their efforts to identify child victims of trafficking and provide them with appropriate assistance, in particular by:
  - introducing specific procedures for children into the roadmap as part of its update, involving child specialists, taking into account the particular situation and needs of trafficked children, making the best interests of the child a primary consideration, 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 trafficking, including NGOs;
  - ensuring that relevant actors increase their activities in the field to identify child victims of THB by paying particular attention to children who may be victims of exploitation for the commission of crimes or offences or exploitation through begging (paragraph 129).
- Furthermore, GRETA considers that the Luxembourg authorities should continue to provide stakeholders (police, prosecutors, lawyers, international protection and migration authorities, airport staff, service providers, educational staff, child protection authorities, NGOs) with in-service training and tools regarding the identification of child victims of trafficking (paragraph 130).

Notion of "abuse of a position of vulnerability" in the law and case law

- While reiterating the fundamental importance of using a definition of THB on which there is international consensus, GRETA considers that the Luxembourg authorities should provide training to investigators, judges and prosecutors on how victims' position of vulnerability may exist or arise and how its abuse may operate in the context of trafficking (paragraph 138).

Investigation, prosecution and sanctions

- GRETA urges the Luxembourg authorities to take further steps to improve the criminal justice response to trafficking, in particular by:
  - stepping up proactive investigations into THB in order to increase the number of cases detected independently of complaints lodged by victims;
  - ensuring that penalties imposed for THB are effective, proportionate and dissuasive, in particular by limiting the near-systematic use of suspended sentences and mitigating circumstances, and by imposing effective custodial sentences where the seriousness of the offence warrants it (paragraph 151).

- GRETA considers that the Luxembourg authorities should continue and strengthen the specialisation as well as the basic and in-service training of investigators, prosecutors and judges in the field of THB, and ensure that the planned increase in the number of judges effectively contributes to improving the handling of trafficking cases, in terms of both capacity and timeframes, including through appropriate training (paragraph 152).

Protection from intimidation during the criminal proceedings

- GRETA welcomes the intention to legislate on witness protection and on the rights of child victims and witnesses in criminal proceedings. It invites the Luxembourg authorities to finalise and adopt these measures as soon as possible in order to ensure effective and appropriate protection for victims, witnesses, their families and anyone co-operating with the judicial authorities from retaliation or intimidation, in particular during investigations and prosecutions (paragraph 159).

- GRETA considers that the Luxembourg authorities should make full use of the available measures intended to protect victims and witnesses of trafficking from intimidation or further trauma during the investigation and during and after court proceedings, including by using videoconferencing and other appropriate arrangements to avoid cross-examination of victims of trafficking in the presence of the traffickers (paragraph 160).

Criminalisation of the use of services of a victim

- GRETA considers that the Luxembourg authorities should consider criminalising the use of services of a victim of any form of trafficking in human beings, with the knowledge that the person is a victim of THB, in accordance with Article 19 of the Convention. The authorities should ensure that the relevant professionals receive appropriate training to ensure effective application of this provision in practice (paragraph 163).

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

- While welcoming the legislative changes allowing the use of technology to harness the potential of ICTs in combating trafficking and the measures taken by the Luxembourg authorities to promote children's online safety, GRETA considers that the authorities should strengthen co-operation with ICT companies and continue to invest in capacity building and digital tools for proactive investigations, and in particular:
  - use specialised digital investigation tools for social media and encrypted applications, accompanied by training in digital investigation for investigators and prosecutors;
  - establish protocols for faster data acquisition from private accommodation platforms and digital companies;
  - provide investigators with specific training on the handling of digital evidence in THB cases (paragraph 176).

- In addition, GRETA invites the Luxembourg authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 177).

Follow-up topics specific to Luxembourg

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

- GRETA considers that the Luxembourg authorities should consider appointing a national co-ordinator who would be exclusively responsible for action against THB with the support of a dedicated team (paragraph 18).

- GRETA urges the Luxembourg authorities to adopt a new action plan as soon as possible, with measurable objectives, monitoring indicators and a system to evaluate its impact (paragraph 21).

- While welcoming the close interministerial co-operation on the issue of THB through the work of the Monitoring Committee, GRETA invites the Luxembourg authorities to ensure better mainstreaming of anti-trafficking action across all public policies and national action plans (paragraph 23).

Data collection and research

- Noting that THB in Luxembourg remains under-studied, particularly where vulnerable groups are concerned, GRETA considers that the Luxembourg authorities should ensure the continuation of existing research and intensify their efforts to strengthen the available knowledge base. Such further research would help to support the development of evidence-based policy and decision making (paragraph 184).

- While commending the efforts made to improve the police's data collection system on victims of THB, GRETA invites the authorities to develop and implement a more suitable IT tool that would facilitate the management and analysis of statistical data and replace the spreadsheet currently in use (paragraph 185).

Compensation

- GRETA once again urges the Luxembourg authorities to guarantee effective access to compensation for victims of THB, and in particular to:
  - ensure that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim or loss sustained by the victim, is part of the criminal investigation with a view to supporting compensation claims in court;
  - provide training on compensation for victims of THB to lawyers, prosecutors and judges and encourage them to use all the possibilities under the law to uphold compensation claims by victims of THB;
  - review the eligibility criteria for state compensation, as defined in the amended Law of 12 March 1984, with a view to broadening them so that any victim of human trafficking may access it, irrespective of their age and the type or severity of the harm suffered (paragraph 197).

Non-punishment provision

- GRETA urges the Luxembourg authorities to take further steps to ensure the application of the non-punishment principle in practice, in particular:
  - by raising awareness and providing training for law enforcement officers, prosecutors and judges;
  - by ensuring that the non-punishment provision can be applied in practice to child victims of trafficking for offences which they were forced to commit, and making sure that they are swiftly identified as victims and provided with appropriate support and suitable safe accommodation;
  - by involving municipalities in action against trafficking in human beings through awareness training for local decision makers and stakeholders (paragraph 208).

Appendix 3

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

Public bodies

- Ministry of Justice
- Ministry of Home Affairs (General Directorate of Immigration)
- Ministry of Foreign and European Affairs, Defence, Development Co-operation and Foreign Trade
- Ministry of Gender Equality and Diversity
- Ministry of Education, Children and Youth
- Ministry of Labour
- Ministry of Health
- Criminal Investigation Police
- Prosecutor General's Office and prosecutors in Luxembourg and Diekirch, the Victim Support Service (SAV) of the Prosecutor General's Office, the Diekirch investigating office
- Inspectorate of Labour and Mines (ITM)
- National Reception Office (ONA)
- National Office for Children (ONE)
- National Youth Service (SNJ)
- Ombudsman
- Ombudsman for children and young people
- Advisory Committee on Human Rights (CCDH)
- Members of the Chamber of Deputies (Justice Committee, Luxembourg Delegation to the Parliamentary Assembly of the Council of Europe)
- Interministerial Monitoring Committee for action against THB

- Non-governmental organisations and other members of civil society

- ASTI asbl (*Association de Soutien aux Travailleurs Immigrés*)
- Independent Trade Union Confederation of Luxembourg (OGBL)
- Info-Handicap – National Council for People with Disabilities
- Red Cross
- ECPAT Luxembourg
- *Femmes en détresse* asbl – *Service d'assistance aux victimes de la traite des êtres humains* (SAVTEH)
- *Fondation Maison de la Porte Ouverte* (FMPO) – *Service d'assistance aux victimes de la traite des êtres humains* (COTEH)
- HUT – *Hëllef um Terrain*
- Passerell
- SINGA Luxembourg
- UNICEF Luxembourg
- University of Luxembourg

Government's comments

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

GRETA engaged in a dialogue with the Luxembourg 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 Luxembourg authorities on 18 August 2026 and invited them to submit any final comments. The authorities did not wish to submit any final comments.