

# **Trafficking in children for sexual purposes**

## **Update Country report**

### **The Netherlands**

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The Joint East West research project on trafficking in children for sexual purposes in Europe: the sending countries, has been co-financed by the European Commission STOP II programme and the OAK Foundation

## **Introduction**

The problem of the commercial sexual exploitation of minors has been receiving more attention in The Netherlands since the mid 1990s. In 2001, with the publication of the report on trafficking in children for sexual purposes from Eastern Europe to Western Europe, ECPAT Netherlands and Defence for Children International Section The Netherlands drew attention to the issue of trafficking in minors in and to The Netherlands from a European perspective.

Awareness about the issue of trafficking of human beings for sexual purposes has increased since then among policymakers, the police and judiciary, and youth care organisations, as well as among the Dutch public.

Combating trafficking has become one of the main focuses of the serious crime prevention and prosecution policy of the Dutch police and judiciary. The situation in The Netherlands with regard to the investigation and prosecution of trafficking has improved.<sup>1</sup> In addition, the office of the Dutch National Rapporteur on trafficking in human beings, an independent advisor to the Dutch government, financed by the Ministry of Justice, has been very active. During 2003 The Netherlands was the chair of the Organisation for Security and Co-operation in Europe (OSCE) Taskforce. The main issues for the Taskforce during 2003 have been trafficking in drugs, weapons and human beings. However, the focus has been mainly on adult women and not so much on the situation of minors.

In this report we will update the situation regarding the trafficking of minors for sexual purposes in The Netherlands from 2001 to 2003.

Although interest and awareness are growing, there are still constraints and a lot remains to be done by different parties to combat the problem; special attention should be given to co-operation between these parties.

## **1. Policy, legislation and law enforcement**

### *Lifting of the general ban on brothels*

As of 1 October 2000 with the lifting of the general ban on brothels, the way has been cleared for running prostitution as a legal business. In the new law, the prostitution of minors has been made explicitly illegal, both for those who exploit the minors, and for the clients of prostituted children. Municipalities operate a licensing system under which the running of prostitution is permitted within their municipal borders under certain conditions. Supervisors (usually the police) check whether the conditions are met. In many regions, checks are combined with controls on illegal immigrants. Police use their powers of control to also keep a look out for trafficking in human beings and minors. If a prostitution business does not meet the conditions laid down, administrative measures can be taken, such as a fine or a temporary or longer-term closure of the premises. By regulating the prostitution sector in this administrative way, an attempt is made to make it as unattractive as possible for the sex establishment operators to employ victims of trafficking or to work with minors.<sup>2</sup> For the Dutch police, the prostitution of minors is a priority police matter, whether the victims are Dutch or foreign (cross-border trafficked) children. However, recognition of the victims as such is still a problem.

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<sup>1</sup> Hopkins, R. & Nijboer, J. (2003). Research based on case studies of victims of trafficking in human beings in 3 EU member States, i.e. Belgium, Italy and The Netherlands: Country report The Netherlands. Amsterdam: De Rode Draad.

<sup>2</sup> Dutch National Rapporteur on THB (2003). THB-Supplementary figures. Second report of the Dutch National Rapporteur The Hague: BNRM.

In 2002 the first evaluation of the new law was published. Several parties had predicted that the law would have a negative effect in that prostitution of minors would move underground and be more hidden than it was already. According to the evaluation it is still too early to assess the effects of the law lifting the ban on brothels, because implementation of the law at municipal level has not taken place yet across the whole country. However, the research concludes that minors in prostitution have become less visible: "The criminalisation of the exploitation of minors in prostitution has resulted in such exploitation becoming more common in those parts of the prostitution sector where there is less supervision and which are less accessible to control by the police and healthcare organisations. These parts include street and home-based prostitution, escort services and where prostitution is organised by mobile phone and over the Internet. It is likely that minors work in these more hidden circuits".<sup>3</sup> Because of the new law, minors in prostitution are moved quicker and more often from one place to another all over The Netherlands and even across borders (Germany, Belgium); also they alternate between one form of prostitution and another.<sup>4</sup> This is also the conclusion of a survey carried out by ECPAT-NL.<sup>5</sup> Comments from different organisations working with prostitutes, from brothel owners and from advocacy groups on children's and women's rights mention the need for more controls by government over illegal prostitution and of trafficking in human beings, including children. Currently too much attention from the police and judiciary is directed towards control of the legalized part of the prostitution sector, which should be controlled by the municipal authorities.

#### *International Framework*

By 2003 The Netherlands had still not ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography of 25 May 2000, nor the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime, adopted by the UN in December 2000. In the Dutch law trafficking in human beings is restricted to trafficking for the purpose of sexual exploitation. There is a specific criminal provision against trafficking in persons, but only when such trafficking relates to prostitution. In order to be able to ratify both Protocols, The Netherlands will have to adopt legislation that criminalizes trafficking in human beings, especially women and children, for the sale of organs and for slave labour as well. Such legislation is currently being drafted.<sup>6</sup>

#### *National Action Plan against Sexual Abuse of Children*

By the end of 2002 the National Action Plan against the Sexual Abuse of Children (NAPS) finished. In the NAPS one of the main goals was improved coordination between the police and the care institutions in relation to the registration of victims. Another main goal was to undertake research into prostitution and the trafficking of minors. So far activities have been undertaken to improve coordination over registration but there is still no unified method of registration.

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<sup>3</sup> Daalder, A.L. (2002). Het bordeelverbod opgeheven: prostitutie in 2000-2001. Den Haag: WODC

<sup>4</sup> Goderie, M., Spierings, F. & S. ter Woerds (2002). Illegaliteit, onvrijwilligheid en minderjarigheid in de prostitutie een jaar na opheffing van het bordeelverbod. Utrecht: Verwey-Jonker Instituut, Den Haag: WODC, Ministerie van Justitie.

<sup>5</sup> ECPAT-NL (2003). Minderjarigen in de prostitutie in Nederland: een quick scan. Amsterdam: ECPAT - DCI-Nederland.

<sup>6</sup> STV, 2003

The National Police Services Agency (KLPD) is working on a victim follow-up system since 2002, in which indications of trafficking are recorded, such as minors involved in prostitution. However, the system is not in operation yet in every region of the country. As part of the NAPS, in 2001 a study was published on the nature and extent of sexual abuse of minor boys of non-Dutch origin (from Morocco, Turkey, Dutch Antilles, Surinam and from asylum-seeker countries) and their involvement in prostitution<sup>7</sup>.

No evaluation of the NAPS has so far taken place, nor have future needs been identified. The subject of Sexual abuse of children is now part of the National Action Plan against Domestic Violence. In this plan, however, the issues of sexual exploitation and trafficking of minors are not specified. A Decision of the new Dutch government<sup>8</sup> (16 May 2003) explicitly mentions the intention of the government to intensify the struggle against the trafficking of human beings, forced prostitution and prostitution of minors.

Coordination within the police will be improved because there are plans to create a national police unit, one of whose tasks will be to combat trafficking in human beings.

#### *Dutch National Rapporteur on Trafficking in Human Beings*

The Office of the Dutch Rapporteur on Trafficking in Human Beings (BNRM) was established in April 2000 and has been operating since September 2000. In 2002 the first report on the situation of trafficking of human beings came out. This report gives an overview of the statistics of trafficked women in The Netherlands and recommendations for changes in policy, legislation and law enforcement, and for prevention and victim assistance to improve the protection of human beings against trafficking. At the beginning of 2003 a second report came out, with more up to date information. A third report is expected at the beginning of 2004. Although the BNRM does not provide much specific information on the situation of trafficking in minors, it acknowledges the importance of the issue and the need for a targeted approach to it. Staff members intend to give more attention to this issue in the coming years.

#### *Dutch Policy on unaccompanied minors (UAMs) seeking asylum*

The number of minors seeking asylum has decreased enormously since the new Dutch asylum policy came into force in May 2001, the main goal of which was to restrict the flow of UAMs coming to The Netherlands. In 2000 there were 6,705 UAMs; in 2002 this number had decreased to 3,232 UAMs. Another purpose of the new policy was to improve the quality of information on smuggling and trafficking of people. The consequences of this strict asylum policy are that the use of asylum procedures to traffic minors into the Netherlands has decreased. However, it seems that traffickers are finding other ways to traffic minors into The Netherlands. The Central Organ for reception of asylum seekers is working on a policy to ensure the safety of UAMs in reception centres. So far, safety is not guaranteed and healthcare organisations feel that the measures to protect UAMs from sexual exploitation are not sufficient.<sup>9</sup> There still is no notification procedure for UAMs who have gone missing.

#### *Immigration law and combating trafficking*

Sometimes there appear to be conflicting interests between the agencies responsible for combating trafficking in human beings and especially women and children, and those

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<sup>7</sup> Horn, J.E. van Bullens, R.A.R., Doreleijers, Th. A.H. & M. Jagers. (2001). Aard en omvang seksueel misbruik en prostitutie minderjarige allochtone jongens: Een verkennend onderzoek. In opdracht van het Ministerie van Justitie. Amsterdam: Fora, Vrije Universiteit.

<sup>8</sup> [www.regering.nl](http://www.regering.nl). Meedoen, meer werk, minder regels: Hoofdlijnenakkoord voor het kabinet CDA, VVD, D66. 16 mei 2003.

<sup>9</sup> ECPAT-NL (2003). Minderjarigen in de prostitutie in Nederland : een quick scan. Amsterdam: ECPAT – DCI Nederland.

implementing the immigration laws. In 2002 and 2003 several big raids were carried out by the police in Amsterdam and Rotterdam during which many women who were illegal immigrants working in prostitution were arrested. Whether because of a lack of information or lack of appreciation of their mutual interests, the cooperation between police units working on trafficking and the Immigration and Naturalisation services was inadequate: the women were deported immediately to their home countries without any investigation being undertaken into the existence of trafficking networks and trafficking routes.

### *Changes in the Criminal Code*

From 1 October 2002 some changes in the Criminal Code, under the section dealing with vice, have come into effect. The changes include increasing the age for protection in relation to child pornography from 16 to 18 years, criminalising virtual pornography and the abolition of the requirement of a complaint for the prosecution of offences of sexual abuse of children between 12 and 16 years old. Also the double criminality principle has been abolished in relation to the sexual exploitation of children, in order to make extraterritorial legislation more effective in child sex tourism cases.

## **2. Assistance to victims**

### *B-9 regulation*

The so-called B-9 Regulation (Section B-9 of Immigration Law Circular, 2001) offers aliens who may be victims of trafficking and aliens who are witnesses to trafficking operations, the option of a legal temporary stay in The Netherlands. In order to give victims the time to decide whether they want to report an offence, victims are granted a 'reflection period' of a maximum of three months. This does not apply to witnesses who are informers. If the victim or the witness decides to report the offence, the report is regarded as an application to grant a residence permit. The residence permit is issued for the duration of the investigation and of the criminal proceedings, and expires when the investigation or the prosecution is completed or has stopped. The B-9 Regulation also provides victims and witnesses with reception and shelter, medical assistance, legal assistance and special provisions for maintenance. The number of requests made and granted under this procedure has increased in The Netherlands since 2001. Ten percent of the total of requests granted between 1996 and June 2002 concerned minors.<sup>10</sup>

Some care organisations mention that minor victims of trafficking use the B-9 procedure infrequently. Victims are still not willing to report the crime. Apart from the emotional impact of reporting, this reluctance can be explained by feelings of fear and shame on the part of victims. Victims are afraid of reprisals from the traffickers for themselves or their family in the home country. Witness protection is inadequate. During trials, victims of trafficking have to confront their traffickers. Although the new law (2000) does not require a complaint from a victim, the Dutch police, for the most part, will not start any investigation without a complaint. Traffickers run very little risk of being arrested and prosecuted. When they are prosecuted and convicted the penalty tends to be low and much below the maximum available. In addition to the B-9 Regulation provisions, once criminal proceedings are over, victims can apply for a permanent residence permit on humanitarian grounds. However such permits are seldom granted. Victims stand little chance of being granted asylum on humanitarian grounds: it is difficult to prove that a fear of reprisals and persecution in the home country is justified. The B-9 Regulation does not have much to offer victims. During

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<sup>10</sup> Dutch National Rapporteur on THB (2003). THB-Supplementary figures. Second report of the Dutch National Rapporteur. The Hague: BNRM.

their stay in The Netherlands they are not allowed to work. After the procedures are completed, victims will probably be sent back anyway. Some victims would prefer to live illegally in The Netherlands rather than to be sent back to their country. Some of the victims feel they have to continue working to be able to pay off debts they owe to their traffickers. The provision of information to victims on the use of the B-9 Regulation is still not sufficient, especially with regard to the three months reflection time and whether to report or not.<sup>11 12</sup> Besides, the B9 is only applicable to victims that have worked in prostitution in the Netherlands. When a victim has worked, for example, in Belgium and is trafficked to The Netherlands, where she has not yet worked, she cannot make use of the B-9 procedure. The regulation seems to be more in the interests of the investigation and prosecution of traffickers than in the interests of victims.

### *Prevention and rehabilitation*

Following the new law lifting the ban on brothels, healthcare and social workers notice that minor victims of trafficking are less visible and therefore not easy to reach by healthcare workers.<sup>13</sup> In October 2002, a platform on Youth and Prostitution was founded in The Netherlands. On this platform organisations working with minors in prostitution are working together, exchanging information and discussing constraints and opportunities for the prevention and care of this group. According to the experiences of the participants, the problem of youth prostitution is growing in The Netherlands.

There is a lack of prevention, reception and rehabilitation programmes. In connection with the National Action Plan, a booklet on best practices in youth prostitution was published in 2002. This booklet was meant as a tool for municipalities to copy successful prevention and care projects for minors in prostitution. The number of local and regional initiatives to prevent minors from prostitution is increasing slowly in the last year. However, most of the projects focus on the Dutch victims of so called 'lover boys' and UAM victims. Not much attention is being paid to victims of cross border trafficking. There seems to be little collaboration between the different local initiatives. But this is a national problem that needs to be addressed at national level. The government should take responsibility for coordinating the initiatives.

Since 2003 more attention is paid to the risks of UAMs becoming sexually exploited during their stay in The Netherlands. Two new awareness-raising programmes are about to start (beginning 2004) on the prevention of sexual exploitation of UAM girls. One of these is a programme of SAMAH, an advocacy organisation for UAMs; the other is by Scharlaken Koord, an organisation providing social services to prostitutes.

Although more attention is being paid to the problem of minors in prostitution, there is still a lack of reception centres for them. The Netherlands has only one centre specifically for trafficked and sexually exploited minors, with a maximum of around 10 places.

In May 2003 a feasibility study on the need for the setting up of a centre of expertise on youth prostitution was commissioned by an organisation providing shelter for abused and exploited women. The conclusions of this research are that there is a need for a centre where all the information and knowledge on prevention, reception, care and rehabilitation concerning

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<sup>11</sup> STV (2003). Jaarverslag 2002. Utrecht: STV

<sup>12</sup> Dutch National Rapporteur on THB (2002). Trafficking in Human Beings: first report of the Dutch National Rapporteur. The Hague: BRNM.

<sup>13</sup> ECPAT-NL (2003). Minderjarigen in de prostitutie in Nederland : een quick scan. Amsterdam: ECPAT – DCI Nederland.

sexual exploitation of minors is concentrated.<sup>14</sup> Recently a proposal for such a centre was submitted to the Dutch government.

### *Repatriation*

The International Organisation for Migration (IOM) is involved in repatriation programmes especially for women and children victims of trafficking. Development organisations (Novib, Cordaid and care organisations such as Humanitas) in The Netherlands take part in such programmes. However, these programmes are too new to be evaluated properly yet. Repatriation to and rehabilitation in their environment of origin must be looked into as serious options to help victims. One important issue is a guarantee for the safety of victims who return to their native country.

## **3. Estimates on numbers and profiles of trafficked minors**

### *Prostitution and trafficking of minors in The Netherlands*

Since 1998 no research has been published on the number of girls involved in prostitution and trafficking in The Netherlands. In 2001 research on boys of non-Dutch origin in prostitution in The Netherlands was published.<sup>15</sup> No organisation can give concrete data on the number of minors involved in prostitution who have been trafficked to The Netherlands. Many organisations suspect that the number is far higher than the girls they actually encounter. There are several reasons for this. For one thing, minors work more clandestinely, especially since the new law lifting the ban on brothels came into operation. It seems that minors are not able to access the care organisations. This can be explained by the fact that there is not enough specialised care and reception for this group of minors<sup>16</sup>. Another reason is that minors are not in a position to find help, either because they do not see themselves as victims or because they feel ashamed. Many of them only start to look for help when they have been working in prostitution for a while and are already over the age of 18.<sup>17</sup> Research by De Rode Draad<sup>18</sup> shows that 20% of trafficked women in the Netherlands were lured while they were minors. In one care organisation 28% of the clients mentioned that they were active in prostitution before their 18<sup>th</sup> birthday. There is a lack of registration systems, and even if organisations do have such a system, it is often inadequate. For example, the age of becoming involved in prostitution is not recorded. Some healthcare organisations are working since this year on the improvement of their registration systems.<sup>19</sup> There seems to be an increase in the number of cities in The Netherlands where prostitution of minors takes place. More and more local governments, high schools and organisations point

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<sup>14</sup> Terpstra & Van Dijke (2003). Expertisecentrum Jeugdprostitutie: Haalbaarheidonderzoek naar de wenselijkheid en positionering van een Expertisecentrum Jeugdprostitutie. Leeuwarden: Vrouwenopvang Fryslân.

<sup>15</sup> Horn, J.E. van Bullens, R.A.R., Doreleijers, Th. A.H. & M. Jagers. (2001). Aard en omvang seksueel misbruik en prostitutie minderjarige allochtone jongens: Een verkennend onderzoek. In opdracht van het Ministerie van Justitie. Amsterdam: Fora, Vrije Universiteit.

<sup>16</sup> ECPAT (2002) Voices of victims. Amsterdam: ECPAT-NL

<sup>17</sup> ECPAT-NL (2003). Minderjarigen in de prostitutie in Nederland: een quick scan. Amsterdam: ECPAT/DCI-NL.

<sup>18</sup> Hopkins, R. & Nijboer, J. (2003). Research based on case studies of victims of trafficking in human beings in 3 EU member States, i.e. Belgium, Italy and The Netherlands: Country report The Netherlands. Amsterdam: De Rode Draad.

<sup>19</sup> ECPAT-NL (2003). Minderjarigen in de prostitutie in Nederland : een quick scan. Amsterdam: ECPAT – DCI Nederland.

out that ‘loverboys’ are active in their community and that young girls are at risk of becoming the victims of these young exploiters.

Another phenomenon is occasional prostitution, where children have sexual contact in exchange for money, accommodation, clothing and food. Within this group of ‘street children’ there are also children who are illegally in The Netherlands, such as UAMs who were denied asylum.

### *Trafficking of minors in The Netherlands*

There are some estimates and figures available for the number of victims of trafficking. The most recent estimate, for 1997, is that there are 600 to 1,150 underage victims of trafficking in The Netherlands (40% to 70% of the total number of underage prostitutes). The BNRM found that in the year 2000 at least 129 underage victims of trafficking were in contact with victim support organisations. From 1995 to 2001, 18% of the trafficking cases registered with the public prosecution service (PPS) (suspected cases) concerned minors.<sup>20</sup>

According to the Foundation against Trafficking in Women (STV), the number of reports of trafficked minors is growing. However, this seems to be an absolute rise. Compared to the number of adults, the proportion of minors has decreased slightly. From 2001 to 2003, 83 minors were registered with STV. This is 11% of all their registrations. The biggest group of clients are women aged between 18 and 24 (38%). Often registration takes place at a late stage, when the women and girls have already worked for a while in prostitution. STV suspects that within this group of women a lot of them became victims of trafficking when they were still minors. Not all prostituted women or girls are registered with STV, and therefore the Foundation assumes that the number of minors known to it is only the tip of the iceberg. Almost every girl the Foundation workers encounter knows two or three minor victims of trafficking.

### *Countries of origin of minors*

The biggest group of trafficked women in The Netherlands are from Central and Eastern Europe, mainly from Bulgaria, the Czech Republic, Poland, Russia, the Ukraine, Lithuania and Romania. Since 1998 more and more African victims of trafficking are encountered in The Netherlands.

Minors registered with STV came from 31 different countries, mainly from Central and Eastern Europe and West Africa. They were often forced to work in prostitution during their asylum process in The Netherlands or in other countries. Looking at these countries of origin it is very difficult to see any trends. If the numbers are the tip of the iceberg, it could mean that the amount of victims from every country is higher. Minors are mostly between 14 and 17 years old when they were trafficked. Prostitutes avoid giving their ages: they are afraid of the police, or they are using false documentation. It is sometimes very difficult for healthcare and social workers and police to estimate the age of prostitutes; this is especially the case with African girls. It seems that Central and Eastern European girls are on average older than girls trafficked from African countries. This could be explained by the fact that African girls tend to reach puberty earlier.

A common feature is that minors do not choose voluntarily to work in prostitution. Although they might have known beforehand that they will work in prostitution, they are not aware of the circumstances under which they will have to work. STV found out that most of the minor victims do not know how they were trafficked, and what routes they have taken.

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<sup>20</sup> Source: Dutch National Rapporteur on THB (2003). THB-Supplementary figures. Second report of the Dutch National Rapporteur The Hague: BNRM.

Many girls registered with STV have worked in the legal sector (windows, clubs) and in the streets. However this is not representative of the group of trafficked minors, as most of them will be put to work in the underground scene because of the lifting of the ban on brothels. The girls that are registered with STV are the ones that were reachable by healthcare workers or the ones that were found by the police during raids.

Prostitution of cross border trafficked girls often takes place in closed communities, like the Bijlmer, a suburb of Amsterdam where many West African people live. There are rumours that Turkish coffeehouses are hidden brothels, where mostly Bulgarian women and girls are working, trafficked by Turkish traffickers. Minors seem to be trafficked not only within The Netherlands, but also from The Netherlands to other countries such as Belgium and Italy. Several groups of trafficked minors in The Netherlands will be discussed below.

### *1. Eastern European victims*

Most of the Eastern European girls working in The Netherlands are victims of trafficking. Mostly they remain illegally in The Netherlands, although they might have entered legally, for example on tourist visas. Because they often do not speak English, care organisations have difficulties in contacting them. Besides, their pimps control them. Eastern European girls come mainly from Bulgaria, Lithuania, Moldova, Romania and the Ukraine. Girls come overland, sometimes by bus, to The Netherlands. Often they pass through Italy, Germany and Belgium before they start working here. Bulgarian girls seem to come directly from Bulgaria to The Netherlands. It seems that most of the Eastern European girls come to the west for a better life. Some of them know they will work in prostitution, but they don't realise the forced working conditions in which they will end up. Although adult Eastern European women often make conscious choices, minors all seem to be lured into prostitution. Most of the girls are misled with the offer of nice jobs or study opportunities. According to STV most of the Eastern European victims prefer to return as soon as possible. They can return through the IOM, but it takes a long time. Often they leave the country through the services of the immigration authorities. STV tries to put the girls in contact with La Strada in their home country. There is no follow up on these contacts. IOM also tries to put the girls in contact with local NGOs.

### *2. Victims of 'Loverboys'*

The problem of trafficking within The Netherlands seems to be growing. More and more attention by municipalities, high schools and youth care organisations is being paid to the 'lover boy' phenomenon (a boy makes a girl fall in love with him and after a while lures her into prostitution). In Zwolle, a city in the east of The Netherlands the local government has identified a group of 117 girls (half of them minors) who became the victims of 'loverboys' or who are at risk. Twelve 'loverboys' were arrested in 2002 in this city. Most of the victims are Dutch girls and girls of Moroccan, Turkish, Dutch Antilles, and Surinam origin. One expert mentioned she heard from a news reporter that Moroccan 'loverboys' are now starting to recruit girls in their home country and bring them to The Netherlands with false passports on the pretence of family reunification.

In the legal prostitution scene, only victims of 'loverboys' older than 17 years have been identified. Some of the care organisations mention that 'loverboys' wait to let their 'girlfriend' work in the legal sector (window, club) after she becomes 18, and keep her under close surveillance.

### *3. Asylum-seeking Unaccompanied Minors (UAMs)*

It seems that traffickers rarely use the asylum procedures to traffic (mainly West African girls) into The Netherlands. The asylum procedures are more stringent since the new policy

on aliens was introduced in 2001, and police and immigration officers are paying extra attention to risk groups in the centres for asylum applications. According to the Nigerian Platform traffickers use overland routes to traffic African girls into The Netherlands. Routes for Nigerian girls start, for example, in Morocco and move to Spain from where they are trafficked further into Western Europe. Some girls travel through Turkey and Greece to Poland, and come into The Netherlands through Germany. Often girls are more than six months on their way; during their trip they experience a lot of violence, including rape, and are forced to prostitute themselves. For smuggling of people the use of false documents is increasing. The Information and Analysis Centre for Smuggling of People believes that more and more Dutch residents are selling their travel documents. Experts believe that traffickers are increasingly using false passports to bring in girls. They also mention that traffickers are using different trafficking routes rather than direct flights from the country of origin. They mention routes from Libya to Italy, from Mali to France and from South Africa to The Netherlands. Some of the organisations mention that traffickers have targeted the UK and Belgium, where the asylum procedures are less strict.

There seems to be an increase in the numbers of West African girls trafficked to The Netherlands. The girls come mainly from Nigeria, Cameroon, Sierra Leone, Angola, Liberia, Congo. Minor West African victims that are registered with STV are mostly detected through the asylum procedures. They may have been trafficked to The Netherlands, and after escaping have gone to the police or social workers/caregivers, who bring them to reception centres where they apply for asylum. Or they are detected as victims of trafficking during their first day in the centre when they apply for asylum after arrival. However it is not clear whether traffickers have used UAM procedures deliberately as a means of sexual exploitation or not. Many organizations also mention the risks to UAMs of becoming sexually exploited within the centres:

*“With the present reception policy and the lack of protection within the centres, it is easy for pimps to recruit these girls in the centres.”*

Traffickers use the centres as an easy place to spot and trace girls. Because of increased awareness and attention to the risks of UAMs becoming victims of sexual exploitation, traffickers and pimps work more carefully. Instead of having the girls disappear, traffickers pick them up from the centres at the weekends and bring them back on Sunday evenings. Some girls are even brought to clubs in Belgium and Germany, close to the Dutch border. However, UAMs still go missing from the centres without people knowing where they have gone. There is still no proper registration of girls (or boys) who go missing.<sup>21</sup>

The ‘loverboy’ method of operation is increasingly used for the recruitment of girls in reception centres. Girls, for example, are recruited from their international schools. The backgrounds of UAMs and their uncertain position in the Netherlands present the ideal situation for an exploiter: a lonely and fragile girl will fall for a boy who gives her a lot of attention and affection, for the wrong reasons.

Occasional prostitution within the centres is also mentioned as a common phenomenon: UAMs and the children of asylum seekers offer sex in exchange for money, power, food or clothes. In 2003 more attention was paid to the safety of UAMs in reception centres by government and care organisations. There are more and more signs that sexual abuse and prostitution is taking place within the centres.

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<sup>21</sup> Addendum to the Dutch NGO Report to Committee for the Rights of the Child, 2003. Kinderrechtencollectief, Amsterdam.

When UAMs become 18 years of age they have to take care of themselves. They are not allowed to live in the UAMs' centre anymore. With no money and no place to live, this group becomes at serious risk of sexual exploitation. One organisation mentioned that traffickers wait for the moment the UAMs turn 18. While staying in the UAM centres, they learn the Dutch language and Dutch customs. Once the girls turn 18 and are obliged to leave the centre, traffickers can force them into prostitution.

Under the new asylum policy, UAMs under 15 years of age have a better chance of being granted permanent residence. One organisation suggests that traffickers will continue to use the UAM procedure to traffic girls younger than 15 into The Netherlands.

Together with the new asylum procedure, a new system of reception was introduced for UAMs who will not be granted asylum when they reach the age of 18: the campus system, in which reception and care of the young person focuses on return to the home country. As predicted by several professionals, UAMs are not happy with this type of reception and some of them prefer a life on the streets to being send back to their country of origin or living in the centre.

The number of UAMs that have not been granted asylum is increasing in The Netherlands. As most of these former UAMs do not want to return to their home country, they prefer an illegal life in The Netherlands, which makes them vulnerable to sexual exploitation. One organisation often encounters UAMs who are without a legal status working in the sex business.

#### *4. Chinese girls*

A couple of years ago there was a lot of attention to the situation of trafficked Chinese girls. In reception centres health care workers still encounter minor pregnant Chinese girls. They may be involved in prostitution, but it is not clear. STV still encounters girls that have been trafficked when they were minors. Most of these girls were recruited from their villages by travel agents. They did not choose voluntarily to migrate, but were motivated by the chance to escape from poverty, or they were forced to go by family members. Such girls end up claiming asylum, and often it is only after years that it becomes clear that they were victims of trafficking. They had been trafficked while they were minors, at the age of 14 or 15 years. The stories these girls tell are all the same. They were trafficked to a big city in China and then brought directly by plane to The Netherlands. Some travelled part of the way by boat. Some of them, especially girls from rural areas of China, have never before been in contact with the modern world; they do not understand the role of the police, for example. They come into The Netherlands with documents, but it is hard to believe that these are genuine. Since 2002 there is a significant decrease in the numbers of Chinese girls coming to The Netherlands, including among those registered with STV, which could be explained by the new stricter asylum policy.

#### *5. Boys*

In general it is assumed that the number of male victims of trafficking is small and that prostitution by boys tends to be a conscious and voluntary choice. Making money is the most important reason that boys prostitute themselves. According to research by the Dutch National Rapporteur<sup>22</sup> less than 1% of the victims of trafficking with whom care organisations had contact in the year 2000, were male. However, in the same report it mentions that the

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<sup>22</sup> Dutch National Rapporteur on THB (2002). Trafficking in Human Beings: first report of the Dutch National Rapporteur. The Hague: BRNM.

possibility that minor male prostitutes are victims of trafficking is quite high, especially in relation to foreign boys. They come, whether voluntarily or under duress, to The Netherlands because of the lack of opportunities in their own country, because of financial problems, or because they have been discriminated against for their homosexuality. Some of them have already worked in prostitution in their home countries. Because of their illegal status, these boys often work in escort or gay bars that are difficult to control. Their illegal status, language problems and the fact that they are often homeless, tends to make them more easily dependent on a client or exploiter, which in turn makes them vulnerable to abuse and exploitation. In research done in 2001<sup>23</sup> it was estimated that at least 1,500 minor boys are working in prostitution in The Netherlands. Between 10% and 30% are of Moroccan origin and between 8% and 12% are Romanian. Boys of Turkish, Surinamese and Dutch Antillean origin are also involved. One organisation mentioned that boys also come from Poland and the Czech Republic. In July 2003, in the south of The Netherlands, some young Czech boys were found, probably trafficked by Dutch men. Within the group of boys prostitutes there are also West European boys (from Germany, Belgium, Italy, and Spain), and boys from North African countries (Tunisia and Algeria). Sometimes these boys have been misled with offers of a nice holiday or a well-paid job, and illegally trafficked to The Netherlands and forced into prostitution. Many of the boys are between 12 and 16 years of age when they become involved in prostitution for the first time. Increasing use of the Internet, and of mobile telephones, for contacting clients makes it more difficult for the police and social workers to locate such boys.

#### **4. Traffickers**

In general there are two sorts of traffickers. Firstly there are small groups of three to five people between 18 and 25 years of age, originating from the Balkans, Central and Eastern Europe or Turkey. They look for a gap in the Dutch prostitution market and try to plant their girls, mostly from their country of origin. The group subsequently tries to maintain its position in the market, and brings in new girls regularly. Girls are moved around quickly from one place to another. These groups have a loose network-like structure and are also involved in other criminal activities, such as sale and trafficking of drugs, car theft and burglary. Secondly there are groups of seven or more traffickers, between 20 to 40 years of age, often originating in Central and Eastern Europe or Africa. These are rather stable and hierarchic organisations; their aim is to provide a steady flow of women from their countries of origin and to expand their position in the Dutch prostitution market. They use Dutch procedures and facilities for their own purposes, such as the asylum process and reception centres. Sources say that traffickers also trade in women who are not from their countries of origin. Even trafficked women report that they have been traded by many different traffickers, some of who have no relation to their country of origin.<sup>24</sup>

In the period 1997 to 2001 the Dutch police arrested 508 traffickers. The files in respect of 445 of them were sent to the Public Prosecutor Services. One fourth (26%) of the suspects were female. The number of female suspects has increased in the last two years. Some of these are victims of trafficking themselves. Most of the traffickers in 2001 came from The

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<sup>23</sup> Horn, J.E. van Bullens, R.A.R., Doreleijers, Th.A.H. & M. Jägers. (2001) Aard en omvang seksueel misbruik en prostitutie minderjarige allochtone jongens – een verkennend onderzoek. In opdracht van het Ministerie van Justitie. Amsterdam: Foru, Vrije Universiteit.

<sup>24</sup> Goderie, M., Spierings, F. & S. ter Woerds (2002). Illegaliteit, onvrijwilligheid en minderjarigheid in de prostitutie een jaar na opheffing van het bordeelverbod. Utrecht: Verwey-Jonker Instituut, Den Haag: WODC, Ministerie van Justitie.

Netherlands (some having been born outside The Netherlands), former Yugoslavia, Nigeria, Turkey, Albania and Bulgaria. The nationality of the suspects seems to vary every year, and no clear trends are visible. Traffickers recruit mainly in The Netherlands, Nigeria, the Czech Republic, the Ukraine, Bulgaria and Russia. Moldova is also mentioned.<sup>25</sup>

## **5. Recommendations**

Adequate research to gain facts and figures on minors in prostitution in The Netherlands is needed, including data on youth trafficked for that purpose. Specific attention to boys who are sexually exploited is needed. Peer research techniques could be used.

There must be adequate registration of minor victims of prostitution and trafficking, young people at risk, as well as of girls and boys who go missing from reception centres for asylum seekers.

Cooperation between the different police departments and coordination at national level is needed. More criminal proceedings should be undertaken, procedures for witnesses should be eased, tougher sentences for traffickers should be sought, and their earnings confiscated.

More interaction and cooperation between police, health care workers and social workers is needed. A coordinated national approach to prevention and awareness-raising should be implemented at local level: cooperation between schools, STD prevention workers, social workers, youth themselves and police. Peer education techniques could be applied.

More reception, care and rehabilitation centres specifically for minor victims of sexual exploitation and trafficking are needed. The use of peer counselling techniques in such centres could be used.

There should be better use of the B-9 Regulation: shorter procedures, victim and witness protection, better chances of permanent residence on humanitarian grounds, permission to work and get an education, financial support.

Current repatriation programmes for victims should be evaluated and good practices developed.

A Code of Conduct for the legal sex business should be developed, so that clients will know that the sex establishment does not condone trafficking and sexual exploitation, especially of women and children.

January 2004

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<sup>25</sup> Dutch National Rapporteur on THB (2003). THB-Supplementary figures. Second report of the Dutch National Rapporteur. The Hague: BNRM.