

The Netherlands

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1. INTRODUCTION

Trafficking in human beings for sex is a daily practice between Eastern and Western Europe and The Netherlands is considered an important receiving and transit country. The existing knowledge in The Netherlands on the phenomenon of trafficking in human beings for sexual purposes deals primarily with adult women. There is only limited information about the trafficking in children for sexual exploitation.

The object of this research is to provide a comprehensive study of and to what extent, children are trafficked for sexual purposes to The Netherlands; how they get here, what happens to them next, and what can be done to help them. Annemieke Wolthuis and Mirjam Blaak working for Defence for Children International in Amsterdam undertook the main research in The Netherlands. Kordula Braat, Sabine Brand, Sandra de Vries and Caroline Waudoo, colleagues and interns, contributed to the research.

To carry out the tasks of the project the researchers searched for existing literature and reports on trafficked children, child prostitution and other forms of sexual exploitation of (mostly) foreign children in The Netherlands. They also looked at related material and policy papers on trafficking in women and prostitution in general. The already existing information was combined and key persons, working on policy or field level were interviewed. The interviews lasted on average for one and a half hours, and were undertaken using an open questionnaire. If the questionnaire was not suitable, only some questions were used. Additional information was gained in informal meetings and telephone calls with other experts. The report is not focused solely on children trafficked from Eastern Europe, but also includes information on trafficked children from other regions.

2. LEGISLATION AND POLICY

Dutch policy on prostitution

It is not illegal to engage in prostitution in the Netherlands, but prostitutes have to be 18 years or older and have to do their work voluntarily. On 1 October 2000 a new law came into force lifting the ban on brothels.

Article 250a of the Criminal Code deals with trafficking in people. The acts covered are listed below. They carry a maximum of six years imprisonment, but with aggravating circumstances can go up to a maximum of eight or ten years (sub 2 and 3). The full text can be found in the annex.

The following acts are offenses under article 250a:

- forcing another person to engage in prostitution;
- inducing a minor to engage in prostitution;
- recruiting, abducting or taking a person to engage in prostitution in another country (complying with the 1933 International Convention for the Suppression of the Traffic in Women of Full Age);
- receiving income from prostitution involving a minor or a person forced to engage in prostitution;
- forcing another person to surrender income from prostitution.

With the new law, it is no longer an offence to operate a brothel. The Netherlands has decided to change the law in a way to reflect everyday reality, with the objective to end abuses in the sex industry. The aim is for the changes to be in the interests of the prostitutes and for them to facilitate action against sexual violence and abuse and the traffic in people.

The employment of prostitutes is regulated by municipal licences. The municipal authorities sets rules for brothels operating within their jurisdiction.

Combating the traffic in people

The introduction of a municipal licensing system is meant to enable the police and other law enforcement agencies to carry out inspections of brothels. They will be especially alert to illegal forms of pimping, and the traffic in persons often associated with these activities. Trafficking in persons carries

a penalty of up to six years imprisonment. Keeping minors out of prostitution and other forms of exploitation is a high priority for the Dutch government, as well as the police and the public prosecutor's department.

Assistance for victims

Prostitutes who are in The Netherlands illegally and who are victims of trafficking are entitled to assistance from the government. Anyone who formally accuses a trafficker is granted a temporary residence permit pending the outcome of legal proceedings (laid down in a circular (letter) to Dutch refugee law: B9, formerly B17). In some cases they may be eligible for a permanent residency permit on humanitarian or personal grounds. (Dutch Policy on Prostitution Questions and Answers, Foreign Information Division, Ministry of Foreign Affairs.)

The new law ('Wet Opheffing Bordeelverbod') is too new to judge its effect on Dutch society. Most key people expect that it will improve the situation for prostitutes, but that illegal prostitutes - including minors - will disappear into even more hidden clubs or houses.

Dutch National Action Plan 'Dealing with Sexual Abuse of Children'

On 19 July 1999, the Dutch government published a position paper: Combating sexual exploitation and sexual violence against children ('Bestrijding seksueel misbruik van en seksueel geweld tegen kinderen'). The report mentions all projects and planned activities on this field and is a continuation of the agreements made in Stockholm in 1996 at the World Congress Against Commercial Sexual Exploitation of Children. The National Plan of Action (NAPS) is based on this and came out on 21 March 2000. It contains information on different aspects of sexual exploitation of children, such as an activities plan, goals, priorities, partners and timing. The relevant plans for this research will be mentioned below.

Prevention of child prostitution

The government refers in its National Plan of Action to the research report of the Dutch Institute for Social Sexual Research (NISSO) of 1998 and specifies that the scope of child prostitution is difficult to measure and that there will always be a hidden population. Often forced prostitution is not reported as a crime or the accusation is withdrawn. Research concludes that victims begin to look for help with family members and/or friends. Another reason for the uncertainties about numbers is the lack of police figures on how many boys and girls are working in prostitution. In addition, different government authorities and agencies use different methods of registration. The improvement of coordination of registration between the police and care institutions is one of the action points of the NAPS.

Child trafficking and UAMs in relation to child prostitution

The disappearance of UAMs (unaccompanied minors seeking asylum) from West Africa and China is described as a serious problem. In addition the particular vulnerability of young people and children from Eastern Europe is mentioned. Research and improved methods of registration are needed to get a clear picture of the numbers of minors involved, and how they entered into prostitution, as well as enabling us to give recommendations for adequate preventive measures, and assistance and care.

National Rapporteur on Trafficking in Human Beings

The (Bureau of the) Dutch Rapporteur on Trafficking in Human Beings started working in mid-September 2000. The Rapporteur, Ms Korvinus, is assisted by a team of two researchers, a legal affairs staff member and a secretary. The position is based on recommendations by the Hague Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the purpose of Sexual Exploitation, The Hague, 26 April 1997. The EU member states reaffirmed their commitment to maximize cooperation in the fight against trafficking in human beings, and trafficking in women in particular. The objective of the Hague Ministerial Declaration was to encourage further action in the field of prevention, investigation and prosecution, and assistance and support. At the national level this involves setting up national monitors to report to the

respective governments on the scale, nature and mechanisms of trafficking in women and the effects of policy pursued.

On 29 June 1999 the Minister of Justice adopted the recommendation of the Hague Ministerial Declaration regarding the Emancipation Policy of 1999, and informed the Dutch Lower House (Tweede Kamer) that it intended to install a national rapporteur on trafficking in women. The scope was later enlarged to trafficking in human beings (letter of 11 January 2000).

The Rapporteur works independently and will report annually to the Dutch government on the scale, nature and mechanisms of trafficking, the effectiveness of policies and measures concerning this phenomenon, and encourage cooperation between national rapporteurs. The government responds to the reports and will notify parliament of the Rapporteur's findings. The research area of the Dutch Rapporteur is in line with article 250a of the Dutch Criminal Code. In the first year the Bureau mainly gathered information from organisations working in this field and invested in building a network.

Dutch policy on unaccompanied minors seeking asylum

Increased flow of unaccompanied minors seeking asylum

The number of minors seeking asylum in The Netherlands has increased from 1.562 in 1996 to 6.681 in the year 2000. This group consists of young boys and girls, and 95% have come to The Netherlands with adult male smugglers or traffickers. Some parents have paid a large sum of money so that their children can reach the 'Promised Land'. Before they leave their country, some child traffickers threaten African girls with rituals such as voodoo.

Dutch asylum procedure

Once the unaccompanied minors seeking asylum (UAMs) have passed the Dutch border at Schiphol airport without documents they have to check in at the reception centre AC-Schiphol to apply for asylum. If they enter Dutch territory by land through Belgium or Germany, they have to claim asylum at reception centres in Zevenaar or Rijsbergen. An identity interview follows.

Dutch policy for UAMs

If, after the identity check and age test, the refugee appears to be a minor (under the age of 18) who does not fulfil the requirements for refugee status and there is 'inadequate care' in the home country this child might fall under a special Dutch policy for UAMs. This policy was introduced in the early 1990s, giving these children permission to stay for a year with the possibility of extending their permits twice if no adequate care was found in their home country. After the identity check in the reception centre the asylum procedure continued in one of the special 'research centres' for children (OC). After staying there for about six months young children would often be placed in a foster home and older children lived in small living units (KWEs), or asylum seekers' centres (AZCs).

New policy for UAMs

Since 1 May 2001 the government's policy has been changed to restrict the flow of UAMs coming to The Netherlands. Central to the changes is the policy that UAMs have to return to their home country and if possible be reunited with their parents or family. The new policy has broadened the sense of the term 'adequate care' in the country of origin. This now includes also the possible care by extended family, tribes, orphanages and NGOs. Children who seem to be lying about their travel/refugee story also have to return to their country of origin.

Reception under the new Dutch policy for UAMs

Under the new policy there will be two ways of reception: one focusing on 'return' and one focusing on 'integration'. In the reception centre for integration, children are prepared to live in Dutch society. However, the intention is that most children end up in the basic reception centre until proper care has been found in the home country. The centres are isolated from the rest of Dutch society and consist of groups of 25 people with only one supervisor. There have been a lot of complaints by politicians and social workers about the new central way of reception. One of the criticisms is that there is a lack of

adequate supervision. Another complaint is that the reception is not differentiated. As a consequence of the new policy a lot of minors who have to return to their country will prefer to stay illegal in The Netherlands. They will be an easy catch for the prostitution and criminal circuit.

3. OVERVIEW OF OTHER RESEARCH

In The Netherlands there is no literature available focusing mainly on trafficking of children for sexual purposes. There is some literature available on subjects that surround the issue of trafficking which will be summarised in this chapter.

Prostitution in The Netherlands

'More and more escort girls are minors' reads a recent headline of a regional Dutch newspaper (Neefjes in: De Gelderlander, 2001). According to the author of this article, since the new law came into force the vice squad no longer has a grip on the growing number of minors who are prostitutes working in escort agencies. Illegal female minors, mainly from Eastern Europe and Nigeria are working in an underground escort scene. They work from parking lots, toilets and private apartments. The customers find their way to the underage prostitutes by mobile telephone.

As previously mentioned, it is not illegal to engage in prostitution under Dutch Law if a person is 18 or older and works voluntarily. In The Netherlands prostitutes can work in the streets, behind windows, in private clubs, massage houses or as escorts. In most cities prostitution in the streets is only permitted in special areas, the so called 'tippelzones'. Also in special areas, the 'red light districts' prostitutes can rent rooms and sit behind windows. These window prostitutes can work for themselves or for pimps. In Amsterdam research has been done into the nature and number of escort services in Amsterdam, under assignment of the manager of the red light district of the municipalities of Amsterdam (Eysink, Smeets & Etman 2000). Escort mediation is carried out by escort bureaux, but also by clubs and individual or private escort mediators. The client will contact an escort mediator by telephone and the prostitute will visit the client at his chosen location. The research identified more than a hundred escort bureaux (homosexual and heterosexual), which are owned by about twenty people. There are legal and illegal people working in the escort business. Most of the legal escorts are young men and women, ranging from a low to a high education level, who are doing escort work along with other work, study or caring for their family. A problematic personal and/or financial situation, is often the reason given for becoming involved in prostitution. Some of them work for the money to pay debts, to be able to go on holiday, for extra expenses, or as additional money for the family income. Others are actively chosen by selection evenings and adverts in glossy magazines. There are also escorts who find their own way to the services or through friends or acquaintances.

According to this research, young women and men without a legal permit from Eastern Europe, Asia, South America and Africa are widely represented in the prostitution market in Amsterdam, including the escort market. The researchers did not find female minors in the escort branch (Eysink, Smeets & Etman 2000). Although the police have spotted some prostitutes who are minors working in the street walking zone ('tippelzone') and the researchers also heard of girls working in private houses in the south-eastern part of the city. With false papers, ages and nationalities have been changed. Underage boys are generally not working in clubs or as escorts, but according to the informants, in separate paedophile networks outside the homosexual prostitution scene.

People working illegally work at every level of the escort market. On the upper side it involves young women working individually or via mediation. On the lower side it involves young women and men working on the streets, in an area with homosexual bars, or near the night life and entertainment scene. In different parts of the city illegal escort agencies have been spotted. These agencies force illegal female escorts to work for very low prices, in the most unattractive and risky situations (Eysink, Smeets & Etman 2000).

Child prostitution in The Netherlands

In general

Although child prostitution is a very 'hot item' in the media, there is not much literature on the subject. The literature that exists is rarely based on systematic research. Terre des Hommes researched the nature and extent of child prostitution in The Netherlands in 1997. On the basis of their report it is not possible to give an informed overview of the character and scale of commercial sexual exploitation of children in The Netherlands. Although this report does not give a number for children involved in prostitution in The Netherlands, it gives an insight into the types of child prostitution in The Netherlands. The research distinguished five different categories of sexual exploitation in The Netherlands:

1. *Unaccompanied Minors Seeking Asylum*

Unaccompanied minors seeking asylum (UAMs), mainly West African and Chinese girls disappear from the refugee centres and are forced into prostitution.

2. *Child sexual abuse for the child pornography industry*

Paedophiles invite children into their homes, where they gain the children's trust and then sexually abuse them. Brutal sexual abuse and rape are filmed and photographed and then sold on the black market.

3. *Young boys*

Young boys working in illegal gay brothels and escort services. They are held hostage by pimps.

4. *Teenage 'romance'*

Teenage girls are 'romantically' seduced by gangs of young immigrant Moroccan men. Once the girl has become a gang member's 'girlfriend', she is manipulated into becoming a prostitute, with her gang member 'boyfriend' working as her pimp.

5. *Individual situations*

Children are sexually abused and commercially exploited by their parents, who let friends and acquaintances sexually abuse their child for money.

In 1998 TransAct and Child Right Worldwide, organisations active in the field of children's rights and sexual abuse, set up a study group on child pornography and child prostitution in The Netherlands. Police, judicial authorities and NGOs were involved in this group. In their overview of the state of affairs in child pornography and prostitution in The Netherlands they concluded that due to a lack of registration it is impossible to give exact figures on the extent of child pornography or prostitution in The Netherlands (TransAct/Child Right 1998).

To tackle the problem of child prostitution, further examination of the issue is needed. Responding to this lack of knowledge and the non-existence of numbers of those involved in child prostitution, the Dutch Institute for Social and Sexological Research (NISSO) in 1998 started the first large national research project on female minors who are prostitutes in The Netherlands (Venicz and Vanwesenbeeck 1998). The NISSO research aimed at getting a more accurate figure for the number of female minors (younger than 18 years old) in prostitution and focused on foreign girls and forced prostitution.

Numbers

According to the researchers, to make child prostitution visible and to alert people it is very important to improve the registration of child prostitution. They estimated that between January 1996 and July 1998 between 1.000 and 1.500 children were working in prostitution. These numbers can only be estimated because contact with underage prostitutes is not always centrally registered by the care institutions or the police. Most of the underage prostitutes are scared to report to the police. Those who do report to the police, are not always centrally registered. That there are no clear data could also be attributed to the underground prostitution circuit (Venicz en Vanwesenbeeck 1998). According to Asja, the first voluntary care facility in The Netherlands for underage prostitutes, it is estimated that there are between 1.000 and 2.000 minors who are prostitutes in The Netherlands.

Girls

In the research of Venicz and Vanwesenbeeck (1998) the care institutions gave details on the ethnic background of 315 girls with whom they came into contact. Of the 315 known cases, 33% were Dutch

and 9% were Eastern European. Most of them are illegal minors and were found on prostitution premises. Most of the time these girls do not appear in the asylum procedure, but go directly onto the prostitution circuit. Other significant nationalities are: Moroccan, Nigerian and Chinese. Of the total number 42.2% are clearly forced to work in prostitution and 37.1% are forced presumably into prostitution (Venicz and Vanwesenbeeck 1998).

The Foundation Against Trafficking in Women (Stichting tegen Vrouwenhandel) has pointed to an increase in the number of reports to the police of Dutch and foreign girls who are forced to work in prostitution (Venicz en Vanwesenbeeck 1998, Bullens en Van Horn 2000).

Bullens and Van Horn (2000) studied police files, process files and personality files of 16 girls who were forced into prostitution. Nine of the group were from Morocco and the other seven were Dutch. Most of them had a low or medium level of education, did not finish school and had problems with teachers. The family situations of most of them can be described as problematic (because of divorce of the parents, unemployment, illness of a parent, cultural conflicts, fights, or sexual abuse). Five of the Dutch girls were adults (18-23 years) when they were first introduced to prostitution, two were underage: 16 and 17 years old. Of the Moroccan girls, there were five between 18 and 22 years old and three were younger: between 15 and 17 years old.

The girls have been working in different forms of prostitution: street prostitution, window prostitution, in night clubs and brothels in different cities in The Netherlands and Belgium. Most girls worked mostly on the streets, even in different cities on one evening. They had on average 10 to 15 customers per day and worked five days a week eight hours a day. The average period they worked in prostitution was 60 weeks (15 months) with a spread from 12 to 172 weeks. All of them had to hand over the money they earned to their pimp the same evening. Of this amount they got 25 or 30 Dutch Guilders to buy food. Sometimes they were allowed to buy some clothes (Bullens and Van Horn 2000).

The exploratory research of Bullens and Van Horn (2000) describes the forced prostitution of young girls by three processes:

1. grooming: series of planning activities with the goals to recruit boys or girls to be trafficked on to the sexual gratification of third parties;
2. recruitment: forced into the scene;
3. maintenance: many girls who end up in an exploitative situation in prostitution maintain the situation they are in. The phenomenon has been explained by the so-called Stockholm syndrome: a survival strategy whereby the victims identify themselves with the aggressor.

An overview of the known-literature on the prostitution of girls, reveals that it focuses on underage girl prostitutes who are seduced onto the circuit by (lover)boys of the same age as them (Hoogendoorn 1997, Venicz en Vanwesenbeeck 1998, Van Lune 1997, Bullens and Van Horn 2000). The 'loverboys' pretend to be their boyfriend and use tactics with a view to prostitute them. These girls frequently have problems at home, low self-esteem and a low level of education and are very sensitive to the attention of these boys. Once entangled in the web of prostitution it is very difficult for these girls to get out (Van Lune 1997, Venicz and Vanwesenbeeck 1998). Most of the girls are about fifteen years old when they start working in prostitution (Venicz and Vanwesenbeeck 1998).

Emotional manipulation is the most used means of force. According to Venicz and Vanwesenbeeck (1998) one in five underage prostitutes is forced by physical violence and one in three is threatened with the use of force. According to Bullens and Van de Horn (2000) the most effective methods used by the pimps to manipulate the girls to prostitute themselves are the threat of force and the use of physical violence. With Moroccan girls it was also very effective to threaten to tell their parents or send them home again. Traditionally a Moroccan girl should not have relations with men before her wedding. According to the community, when a girl runs away she loses her decency because she cannot control her behaviour towards boys and men any more. Taking away their virginity, means that returning home is even more difficult. As soon as girls are recruited it becomes more and more difficult for them to get away from the pimps and a life of prostitution.

Background

From the background information of these underage prostitutes arises a very gloomy vision. They are often girls with problematic family situations, who have run away from home or who have been sexually abused in the past. There are no surprising differences between the problems of Dutch underage prostitutes and foreign girls. Foreign girls do have some extra problems like illegality, war trauma or experiences with violence. Because of these negative circumstances girls who are minors become 'easy targets' for traffickers (Venicz and Vanwesenbeeck 1998). Bullens and Van Horn (2000) think that family problems are one reason that girls run away from home. They also state that being homeless is more often the reason girls end up in prostitution than because of family problems (Bullens and Van de Horn 2000).

Of the 16 girls in Bullens and Van de Horn's research (2000), six tried to get away. Only three succeeded. A combination of factors keeps the girls in prostitution: an emotional dependence on the pimps; a fear of 'reprisals'; and social isolation. The girls realise that they are dependent on their pimp and in order to survive they try to do their utmost to please him. Therefore they actively steer clear of the police and care institutions (Bullens and Van de Horn 2000). In 1995 and 1997 special projects were set up in Utrecht to help these girls (Project 13 and Pretty Woman).

Prostitution of boys

Systematic research on prostitution of boys is limited and little information is known about the subject (Beth 1995, Korf, Nabben en Schreuders 1996). Back in 1988 a member of the city council of Amsterdam stated that within the prostitution circuit a group of boys worked in 'unbound' prostitution, outside of the sex clubs (Buijs 1988). It concerned about 150-200 boys between the age of 15 and 25. This eventually led to a request for in-depth research on the backgrounds and characteristics of this group. Since then the number of publications on the subject of boy prostitution has increased.

According to organisations like TransAct (an organisation that fights against sexual violence) and AMOC (a care organisation for drug addicts and prostitutes from foreign countries in Amsterdam) the number of boys in prostitution is growing. One calls for a joint approach by the police, judicial and care institutions to assist these boys or get them out of prostitution (Tjoelker 1996).

Further research is necessary to improve tracking the abusers and providing care for the boys who are sexually exploited.

The available reports show that most boys get entangled in the web of prostitution because of bad social circumstances. For them it is a temporary way to survive and they are driven by their desperate desire for money. They are young adolescents who run away from an unhappy, neglected or violent environment. Their level of education is in general low. Most boys come from low socio-economic groups and multi-problem families. Arriving in 'the big city' without money and a place to live they become easy prey to sexual exploiters. When they work in prostitution they often get addicted to drugs and their need for money grows, which creates a vicious circle.

Numbers, age and where do they come from?

It is difficult to estimate the precise number of boys in prostitution, because of the existence of a closed circuit, which makes it difficult to get facts. This applies especially to the escort service, which takes place behind closed doors with illegal children and making it difficult to know what happens. In 1995 Beth estimates that the number of boys in Dutch prostitution is approximately 3.000 and that there are 900 boys between 8 and 25 in prostitution in Amsterdam (Beth, 1995). In a more recent annual report of AMOC (1999) it is estimated that about 1.000 boys and men are working in prostitution in Amsterdam.

Korf, Nabben en Schreuder (1996) carried out research among Romanian boy prostitutes. They estimated that annually 300-400 Romanian boys are working in prostitution in Amsterdam. Most boys travel from city to city or from country to country. They stay for an average of two months in a city and then travel on. According to their estimates, each year about 50 Romanian boy prostitutes are working in the Hague and Rotterdam. Romanian boys are mostly driven into prostitution as a means of

survival. Most Romanian boys were older than 16. Although in general the difference between the Dutch and foreign boy prostitutes is that Dutch boys are mostly older when they enter the prostitution circuit (14-16 years).

Background

The male prostitution scene is not a homogeneous group. Some boys are homeless drug users, others work in professional environment, living on their own or with customers. Most Eastern European boy prostitutes AMOC encounters are from Romania, Poland and the Czech Republic. Most of these boys are between 16 and 26 years old; some of them, however, will often still work in prostitution when they are older. AMOC only meets boys younger than 17 years old by chance, since this group works in a relatively closed circuit of customers and intermediaries (AMOC 1999).

The Eastern European boy prostitutes usually work on the streets, at the Central Station or in bars. Since the Local Prostitution Act has come into effect, prostitutes from non-European member countries are not allowed to work in brothels or clubs any more. Some of them use drugs: cocaine and crack. The majority are illegal and have no access to social services or medical facilities. They often became involved in male sex work at a young age, usually at stations, public conveniences or at other meeting places. Many of the boys will sooner or later run into difficulties with their illegality, lack of education, financial situation or their sexual identity (AMOC 1999).

According to Beth very young children (from 10 years) also work in prostitution. Young boys from Germany or Poland are trafficked to The Netherlands and then are sexually exploited. Most boys of 14 or 15 years of age already work in prostitution in their home country before they are trafficked to The Netherlands. Because they are already lost in the web of prostitution they easily become a victim of a recruiter.

Another group are the boy prostitutes from Turkey or Morocco, who are mostly very young. Most boys work as prostitutes for between one and four years; a relatively short period (Beth 1995).

AMOC (1999) also encounters male sex workers from North African countries, such as Morocco, Tunisia and Algeria. They are beyond the scope of AMOC's target group, even though their problems are similar to those of the Eastern European boy prostitutes.

Effect of the new law

Since 1994 brothels are more strictly controlled regarding age and nationality (non EU-subjects). As a reaction to this there has been a movement from boy prostitution in brothels to the closed, escort scene and to brothels and clubs in the province and the circuit is becoming larger. In these areas the police exercises little control. This is why many people feel that the problem of child prostitution and boy prostitution in particular is being neglected. Rehabilitation programmes are almost non-existent and the prevention programmes that exist are mostly aimed at girls.

Trafficking of women for sexual purposes

Since the beginning of the 1990s, the number of Central and Eastern European women working in prostitution in The Netherlands has increased. The Northern and Eastern section of the Interregional Investigation Team (IRT) estimated that each year 2.000 women from Central and Eastern Europe are trafficked to The Netherlands (Vocks and Nijboer 1999). The Foundation Against Trafficking in Women (STV) calculates the number of women who report that they have been trafficked to The Netherlands. The majority of the reports are from Eastern European women. Most of these women are between 18 and 25 years old.

Comparison of victims of trafficking in women reported to STV during the years 1995-2000.

Geographical area	1995	1996	1997	1998	1999	2000
Central and Eastern Europe	125	77	117	131	121	126

Western Europe	6	10	9	13	19	26
Asia	5	14	14	15	26	23
Africa	2	13	21	15	80	87
Latin America and Caribbean	18	5	10	35	15	7
Middle East	2	0	0	24	3	2

Source: Annual Report STV 2000

Vocks and Nijboer (1999) conducted a quantitative study among women victims of trafficking. 72 women filled in a questionnaire. Only two respondents were minors. Almost half of the respondents worked in the sex industry before they ended up in The Netherlands. Twenty per cent of the respondents were taken to a foreign country without their consent. They were kidnapped or sold (Vocks and Nijboer 1999).

They found three kinds of trafficked women among their respondents:

1. Kidnapped or sold women. Eight of the respondents did not choose to work in prostitution themselves. They were kidnapped. In all cases the kidnapper was an acquaintance of the woman. Later on they were sold to other pimps. The other five chose to work in prostitution themselves, but later on were sold by their pimps without their consent.
2. Misled women. These women are recruited by people who they did not know well. The recruiters misled them by offering them a job in a foreign country. The women accept this offer, because they see it as a chance to escape from their (poor) living conditions.
3. Exploited women. These women choose to work in prostitution for economic reasons. Before leaving their country, they know they will work in prostitution. Most recruiters are acquaintances of the women. The women end up in situations in which they are exploited by their pimps.

Trafficking of minors for sexual purposes

In the research of Vocks and Nijboer, only 2 of the 70 respondents among trafficked women were minors. In recent years there have been cases and rumours of minors seeking asylum in The Netherlands getting entangled in the prostitution circuit by traffickers. Sometimes young unaccompanied asylum seekers (mostly Nigerian, Liberian or Somalian, but also Chinese) disappear from care institutions and are found in prostitution. The UAMs from Nigeria and China are particularly seen as risk groups. In 1999 the newspaper 'De Volkskrant' reported that since 1990 Valentijn, a care centre for unaccompanied underage asylum seekers has seen girls from Nigeria disappear after a few days or weeks stay. Traffickers probably take them away and force them to work in prostitution. The managing director of this refuge centre states: *"the child traffickers use the unaccompanied underage asylum seeker system as a cheap hotel. They can get in easily, are cared for, learn a bit of Dutch and when the traffickers need them, they just get them"*. West African girls

A spokeswoman from Payoke, a pressure group for prostitutes in Belgium, states that many of the Nigerian prostitutes in Antwerp came to Belgium via the Dutch system for unaccompanied underage refugees. She knows several Nigerian girls whose parents are threatened after they leave prostitution as well as girls, who after all their traumatic experiences, finally end up in a psychiatric hospital (De Volkskrant 20 March 1999).

Under assignment of the regional police of North and Eastern Gelderland, research was carried out into preventing the disappearance of West African (Nigeria, Sierra Leone, Liberia, Togo) unaccompanied minor asylum seekers (UAMs) from refugee centres in The Netherlands (Vellinga 1999).

Since 1996 several police investigation teams have investigated the disappearance of West African UAMs. The girls traced were all working or had worked in prostitution in Belgium, Germany, Italy or

The Netherlands. It seems that the special procedure for unaccompanied minors who are refugees in The Netherlands is used by African traffickers to get a legal entry for West African girls and women. Later on, the traffickers will sell the girls to brothel owners (Vellinga 1999).

According to police detectives and other specialists, Nigerian traffickers instruct the West African minors to tell the same kind of story to the Dutch immigration and naturalisation service. They never tell their true stories. Statements of West African girls (who left prostitution and who felt confident enough to go to the police or another organisation), tapped telephone calls by the police and letters found during house searches reveal a completely different story (Vellinga 1999) to the one told to the immigration office:

'In the country of origin most girls are recruited by a man or woman who convince them they can work in a restaurant or a shop in Western Europe and earn a lot of money. The parents and the girl should pay about USD 45,000 dollars to bring the girl to Europe. The recruiter and the family agree that the girl will pay back this amount of money by working for the recruiter when she arrives in Western Europe. With a voodoo ritual they reinforce this agreement. From the recruiter the girl receives false identity papers which she has to throw away before arriving in The Netherlands by plane. When she arrives at the Dutch airport she has to apply for asylum and say that she is 15 or 16 years old. After arriving in a reception centre they have to phone a telephone number they received from their recruiter and will be picked up by another person after a few days (less than a week). This trafficker will sell them to a brothel owner.'

One of the police investigation teams succeeded in tracing 16 of 32 girls who disappeared from one of the refugee reception centres. They were working in prostitution in The Netherlands, Belgium or Germany. Another team traced 18 of 31 disappeared girls from another refugee reception centre. They found the girls back working in prostitution in Italy, Belgium and Germany. Another police investigation team was able to arrest a group of people involved in this kind of trafficking. In April 1999 two men and one woman were sentenced to prison for nine and three and half years respectively (Vellinga 1999).

In 1999, Terre des Hommes and the Nigerian Democratic Movement in The Netherlands carried out research into the trafficking of Nigerian girls to The Netherlands to identify the factors involved in child prostitution of Nigerian girls in The Netherlands and to examine child trafficking between The Netherlands and Nigeria for use in child prostitution (Oviawe and Iyare 1999). Taking the results of the interviews and the figures of the central reception for asylum seekers (COA) the researchers estimated that at the moment of the research about 300 to 400 Nigerian girls between 13 and 18 years old were working in Dutch prostitution. All these girls originally come from the Edo/Delta province in Nigeria. The Nigerian girls work in window prostitution, brothels or in the streets (Oviawe and Iyare 1999).

The research identifies three different categories of Nigerian child prostitutes. The first group is formed by girls coming to The Netherlands for political or humanitarian reasons. They ask for asylum and are placed in one of the Dutch asylum centres. Nigerian traffickers visit these centres and try to get in to contact with these girls. Eventually they disappear from the centres and are forced to work in prostitution and sold to other traffickers in The Netherlands or other countries. The second group is formed by girls who choose to work in Dutch prostitution to escape the bad economic situation in Nigeria. They seek a trafficker themselves. In one case a young woman had to pay an amount of NLG 200,000 for her trip. These women will work for the trafficker until they have paid back their debts. Later on, some of them will start a child prostitution trafficking business themselves. The largest group is formed by girls who are recruited by traffickers in rural poor areas in Nigeria. The trafficker convinces the girl and their family, she can get a good job in Europe as seamstress, restaurant worker or nurse. The girls and their family members undertake a voodoo ritual in which they make an agreement on the costs of the travel. The costs can range between NLG 55,000 and NLG 80,000. The girls have to pay back the money later. When they arrive in The Netherlands they are forced to work in the sex industry and are sometimes sold to other brothel owners. Because of the voodoo power of

the trafficker the girls cannot easily escape. Even when a girl escapes from the trafficker and stays in a safe place, she will live in fear for the voodoo power. Therefore girls are afraid to report to the police and eventually disappear from safe houses (Oviawe and Iyare 1999). The traffickers involved in trafficking for child prostitution are mostly female Nigerian ex-prostitutes and also some female and male Nigerian drug traffickers and business men. The majority live and have legal status in The Netherlands.

The traffickers are ad hoc, organised in small groups (2 to 5 people). Most of the time there is a person in Nigeria who recruits the girl and arranges travel documents (Dutch passports hired from Ghanaian girls in The Netherlands), a smuggler who accompanies the girl to the Netherlands and a person who receives the girls in The Netherlands. The traffickers use traditional rituals (offerings with nails and hair), often referred to as voodoo rituals, as a way to force the girl to pay back the costs for the travel and to bind them to their organisation. The different people involved in trafficking Nigerian girls are actors in an informal network in Western European countries. They exchange the girls easily between the different countries. There are many contacts between traffickers in Italy and The Netherlands (Oviawe and Iyare 1999).

Chinese girls

In the last few years there have also been signs and cases of sexual exploitation of Chinese unaccompanied minors seeking asylum. Until now, no research has been done on the Chinese UAMs. The research mentioned earlier and some newspaper articles give some more details on this subject. Nevertheless, the information about the circumstances of Chinese unaccompanied minors seeking asylum remains unclear.

In 1997 several newspaper articles were written about Chinese unaccompanied minors seeking asylum. One article states that in 1997 the number of requests of Chinese unaccompanied underage refugees had increased. In Valentijn (a care centre for young unaccompanied minors who are refugees) many of the Chinese girls are pregnant. Some of the girls stated during their interview that they were sexually abused and forced to prostitution by their human smugglers (newspaper clipping 1997).

In the research of Vellinga (1999) a Dutch police investigation team revealed that Chinese girls and boys had left their rural home towns in search of a better standard of living in the more developed eastern part of China. There, they fall in the hands of human traffickers, who arrange the journey of the girls and boys. To pay back their travel costs, the girls are forced into prostitution and the boys are used for other means.

In the research of Terre des Hommes about child refugees, Dutch refugee centre workers said the majority of the young Chinese girls were sexually abused and had been forced to work as prostitutes en route to The Netherlands. The girls, from different social backgrounds, were tempted by traffickers/smugglers with stories about an easy and prosperous life in Europe and the United States. Their parents pay about USD 20,000 to these people. They borrow the money from relatives, friends or underworld loansharks. Chinese human traffickers and/or smugglers, called 'she tou' (snakeheads) are organised in an international human smuggling or trafficking network. The smuggling trails to Western Europe always pass through Moscow. The girls are forced to stay there for months, living with other smuggled Chinese in cramped and filthy apartments. They are forced to work as prostitutes. Girls who resist are beaten and sometimes even killed. The girls are told the USD 20,000 their parents paid the smugglers was only the first leg of the trip, from China to Moscow. If the girls want to complete their trip to Western Europe, or even return to China, they must earn another USD 20,000 working as prostitutes. After the girls have worked in Russian brothels for many months, they are brought via the Czech Republic and Germany to The Netherlands (Hoogendoorn 1997).

An informant in the NISSO research estimated that the majority of the Chinese unaccompanied underage refugees have been working in prostitution. The girls are recruited by traffickers and forced to work as prostitutes in Russia and the Czech Republic to pay back their travelling costs. Some girls

also said they had worked in a brothel in The Netherlands. Another informant told the researchers that some girls told him they heard they would be sold to elderly Chinese men and three girls were still working in prostitution after they were housed in a refugee centre. The Chinese prostitutes work in brothels reserved only for Chinese men. The girls are watched 24 hours a day and are not allowed to leave the house. Some of the girls manage to escape, others, mainly pregnant girls are dumped on the streets. These girls eventually apply for asylum. According to the researchers quite a lot of the Chinese UAMs disappear from the asylum centres after some time. Almost no research is done to find out the whereabouts of the disappeared (Venicz and Vanwesenbeeck 1998).

Special measures

Over the last few years, a number of measures have been adopted to combat trafficking in minors seeking asylum (Separated Children Project 2000). The relevant authorities have made different agreements to make sure that children do not end up as prostitutes. For example, by sending them to secure care addresses, an accelerated detailed hearing by the Immigration and Naturalisation Service, the accelerated appointment of a guardian and informing the children what might happen to them if they leave the centre (Separated Children Project 2000). In addition local police and reception centres sometimes make informal agreements. For example to quickly inform each other if a particular child seems at risk. This enables the responsible authorities to supervise the child more closely and to initiate more quickly searching procedures if the child disappears. The IND (Immigration and Naturalisation Service of the Ministry of Justice), COA (Centraal orgaan Opvang Asielzoekers which is responsible for care in the reception centres) and Opbouw (National Institution for Ambulatory Youth Assistance and the Institution for Guardianship of UAMs) regularly meet to discuss trafficking-related issues. The Immigration and Naturalisation Service now runs courses for its officials to help them recognise the problem so that they can be aware that children may be victims of trafficking (Separated Children 2000).

4. RESULTS OF THE INTERVIEWS

Definitions of trafficking

The police and justice officials use the definition of the new article 250a of the Dutch Criminal Code. It is a general article, not focused on children. Most of the interviewed social workers do not use a specific definition, but associate it with the harm done to women and girls, with deception, exploitation and abuse of women and children.

One of the social workers describes trafficking as "*the transport of children for profit of any kind for the traffickers and without consent of the children*". Another social work organisation speaks of trafficking when somebody does work against his or her will. They have developed criteria of indication to point trafficking out to prostitutes. This informative material, translated into twelve languages, is being distributed among prostitutes.

A. Children

According to the majority of the interviewees very young children are generally not trafficked for sexual purposes. The majority come across 16-18 year olds, sometimes 14-16 year olds and only very rarely younger children are found in a situation of sexual exploitation .

Where do the trafficked children come from originally?

Trafficked children come from many Eastern European countries: mainly the Czech Republic, Slovakia, Bulgaria, Ukraine and Poland. Also Russia, Hungary, Romania, Albania, Moldova, Estonia, Latvia, Lithuania and Kazakhstan were mentioned.

Often it concerns indirect trade via Germany and Belgium to The Netherlands and sometimes on to other destinations. According to one of the interviewed researchers the Albanian mafia is playing a big

role in the trafficking network at the moment. The unaccompanied minors seeking asylum who are trafficked and end up in prostitution are mostly from Nigeria and China. The girls involved in prostitution by the so-called 'loverboys' are of Moroccan and Dutch origin. Another care organisation also mentioned Latin America as a country of origin of trafficked children for sexual purposes.

How are they trafficked?

It is said that women and children in Eastern Europe are being recruited with a false promise, for instance to work in a restaurant. Eventually they are entangled in the web of prostitution. A lot of women said they entered The Netherlands when they were minors. They enter our country via Poland and then Germany or they come directly. From Eastern Europe the way youngsters get in the country is the same as adults. In The Netherlands the girls involved in prostitution through the so-called 'loverboys' are recruited from schools and cafes by pimps or friends of the pimps. Minors seeking asylum who report themselves as victims of trafficking came to The Netherlands through mediators, smuggling routes and trafficking. Young unaccompanied asylum seekers (UAMs) from China enter our country often via Russia. On their way to The Netherlands they are often sexually exploited. Some minors seeking asylum are seduced by so-called 'loverboys' who force them in prostitution. A police officer says that unaccompanied asylum seekers from Nigeria have sometimes worked in prostitution in Belgium and Italy before they enter The Netherlands and ask for asylum.

A social worker who works with boy prostitutes does not know about any organised or structured ways to get boys into the country. Most of the boy prostitutes come on their own. Sometimes an older 'friend' is involved in getting younger boys into the country. These older boys are mostly former prostitutes themselves, who have become too old or too addicted (to drugs) to work as a prostitute and see the exploitation of younger boys and sometimes also girls as a way to provide them with some money.

For what purpose do they come to The Netherlands?

Foreign prostitutes who are minors flee their country of origin for a variety of reasons. The informants mention pull and push factors. Economic reasons are mentioned by the majority of the informants. A social worker states that working in prostitution is a survival strategy for many Eastern European people. A researcher says that in Eastern Europe, there is a dream of working in Western Europe. Working in prostitution is one of the possibilities to escape poverty. In Eastern European countries many people have few possibilities for future work. According to a social worker some of the girl prostitutes are tricked into coming to The Netherlands. A police officer says that some of the underage prostitutes know what they are going to do in The Netherlands, but others are brought to The Netherlands under false pretences. It are often children in vulnerable positions, says a social worker, who are entangled in prostitution by pimps. These are children in children's homes, street children, and children who do not get support at home.

Another social worker, who works with boy prostitutes, sometimes meets boys from better social backgrounds, with rich parents, who start working as a prostitute looking for some adventure. He also meets boys who flee their countries of origin because of discrimination against homosexuals or the social stigma surrounding homosexuality. For some of these boys prostitution in The Netherlands is a way to experiment with their homosexuality.

What happens once they are in the country?

In general, when the trafficked children or women arrive in the country, they are forced to work immediately. According to one of the social workers the way the children are treated depends on whether they know that they are going to work in prostitution. A researcher says: *"the children are explained about how much they will earn and lingerie is bought. The same day they will work in a club or behind a window"*. Sometimes they get a 'property tattoo', with the name of the pimp. Some of the interviewees know cases in which the children were 'prepared' for their work in prostitution. One social worker said: *"Sometimes as a way to prepare them, they will be raped for a week or two. In this way they know what they can expect"*. For the same purpose gang rape also

occurs in The Netherlands, according to another social worker.

After the minors are set to work as prostitutes, they will soon go from city to city, in The Netherlands and also to Antwerp in Belgium, tells a researcher. She found out that a police investigation team call it the 'carousel system'. In this way the exploiters will be secured of so-called 'fresh meat'. Young and new is good for the sales rate, it generates more money and the police will lose track of the girls.

Another researcher knows that after arriving in the country Nigerian minors are immediately sold to a brothel. They work there for a while and are then sold to another brothel.

According to the police some of the girls have to watch a video. It shows a girl who did not want to do what the pimp asked her and was beaten up and actually died. These videos are said to be available at certain Nigerian shops in areas like the Bijlmer in Amsterdam.

Some noticed that the traffickers of Nigerian girls no longer use the asylum procedure. The risk of getting caught has become too high. According to them, most of the Nigerian prostitutes now are illegal rather than seeking asylum. A selling circuit exists for the Nigerian prostitutes to reduce the chances of being caught by police and to provide new girls for the customers.

Another agency tells that so-called 'loverboys' are increasingly trying to seduce unaccompanied minors seeking asylum to get them into prostitution.

Numbers

All of the informants say they are incapable of giving any numbers. There are lots of rumours and few concrete cases. One of the social workers says metaphorically it is the 'tip of the ice berg in the deep black sea'. There is some research that gives a careful estimate of the numbers of boy and girl prostitutes in The Netherlands (see overview of available literature). There are not even estimated numbers for trafficking. The Foundation Against Trafficking in Women states that they increasingly encounter reports of minors. From 1992 the reports of minors between 14 and 18 years old increased. At the moment 30% of the total number of reports are from minors.

Social workers in Rotterdam know there are approximately 750 people a year involved in trafficking in Rotterdam. It is not clear how many of the victims are minors. Other social work organisations meet more girls of 18 or 19 years old, than minors. One researcher concludes: "you can only speculate about the numbers and the ratio of adults to children. There is always a hidden group.". Other researchers expressed the feeling that there are probably more children involved in more hidden situations.

The police in the northern part of the province Limburg, close to the German border receives regular rumours from the prostitution scene about young boys trafficked from Prague to The Netherlands. It concerns 13-17 year old Czech boys. They are working in homosexual bars and special homosexual meeting points. Due to a lack of manpower the police have not investigated these rumours. Sometimes the police there also come across a few African girls who are minors.

In a custody centre for young unaccompanied asylum seekers approximately 30% of them disappeared from the central care. In most cases it is not known why they disappeared or where they went.

A social work organisation helps three different groups of minors in prostitution: 'loverboy' related, drug addicts and trafficked girls. Between October 1999 and October 2000 nine of the twenty clients were trafficked minors in prostitution.

The Ministry of Justice has made the registration of minors in prostitution one of the focal points of the National Action Plan. In future the police, the Office of the Public Prosecutor and social care organisations will cooperate in registering any minors in prostitution they come across. At the moment the Free University of Amsterdam and a youth care organisation is conducting research into the nature and extent of sexual abuse and prostitution of minor boys with non-Dutch ethnic backgrounds.

B. National legislation and law enforcement

New law

All the interviewees were unsure about the effects of the new law legalising brothels. Most people expect that a lot of prostitution will disappear into private sectors, illegality or cross the border. Illegal immigrants will hide from the police and so will the pimps and others involved in child prostitution. Until

recently street workers could reach part of this group and provide them with health services, AIDS prevention and information. This will be more difficult in the future. One of the street workers has seen some changes already. The illegal prostitutes are no longer hanging around public places where clients would normally meet them. They have become more careful. They are using their social network, mobile telephones, websites and e-mail to find clients. In the opinion of one of the researchers the new law will not bring many changes to their situation. The prostitution of minors was already taking place underground.

One of the weaknesses is the enforcement of the law. According to a social worker: *"It is a drama, beautiful laws are drafted and the legislation is superbly formulated by the Public Prosecutor, but the enforcement of the law is a problem. The police are not ready for the new legislation: they can not keep up with criminality."* Social workers and researchers speak about insufficient capacity of the police. There is a lack of personnel and of knowledge. Also, according to one of the social workers, insufficient action is taken to combat the problem of the disappearance of unaccompanied minors seeking asylum.

Representatives of the Ministry of Justice explain that there should be a change in culture within the Office of the Public Prosecutor. They have to realise that trafficking is not just a national problem and that it should be tackled internationally. At the Office of the Public Prosecutor one person has been made responsible for trafficking, but the subject seems to be very new to them. For this research, we were unable to speak to public prosecutors even though we called and tried different regional offices. Another problem is that the police and social care institutions do not work together. One police officer explains that his force have nothing to offer the girls: *"why would they cooperate?"* Another problem is that after a minor has been picked up by the police, it is hard to find a place for them to stay. The youth care institutions often say that must go to the foreign police because they are illegal. But they do not want the minors either.

Victims who launch a complaint against a trafficker have the right to stay in the country during the procedure and to get financial support from the community (B17-procedure, recently changed into B9). Researchers explain that the procedure is good because it keeps the witnesses in the country, but once the trial is over they have to leave. For most victims, this is not an option.

According to the Ministry of Justice, prostitutes – especially foreign prostitutes – are given inadequate information. There is a discussion going on about who should be responsible for this. There are some regional contact points where prostitutes could go for help. They are working hard to optimise the information. Local governments, in cooperation with care institutions (for example 'De Rode Draad' in Amsterdam) are drafting information pamphlets.

C. Child care/protection

Existing projects

Prevention

In The Netherlands there are several prevention programmes for 'loverboy'-related prostitution of minors, like the projects 'Beauty and the Beast', 'Pretty Women' and 'Project 13' in Utrecht. Asja in Leeuwarden has started to visit schools to give out information. The Department of Justice is now occupied with projects aimed at teaching children to become less approachable. These prevention projects, in cooperation with the Department of Education, are taking place in primary schools. They are drafting the same kind of prevention projects for secondary schools. A care centre for UAMs also warns girls when they arrive.

On a European level, travel agencies, La Strada and STV (Foundation Against Trafficking in Women) are active in the Czech Republic, Poland, Bulgaria and the Ukraine. They provide different activities including prevention programmes, telephone hotlines, shelters, and television and radio programmes. At the European level there is the DAPHNE budget programme of the European Commission which is aimed at prevention. The Department of Justice encourages Dutch partners to use these means and to continue efforts to combat trafficking of children for sexual purposes. They say the Immigration and Naturalisation Services (IND) also work on prevention internationally, but field workers and NGOs say

they have seen little in practice.

The Religious Working Group Against Trafficking in Women has a good network all over the world and has set up prevention programmes on a large scale. They also have programmes to help child victims in getting back to normal life.

Rehabilitation

A few projects are in place, but there is little coherence between the projects and there is little involvement from government ministries (such as Foreign Affairs and VWS, which is responsible for youth care):

- La Strada, an active organisation in Eastern Europe, has programmes in countries of origin;
- The Religious Working Group Against Trafficking in Women undertakes action in many different parts of the world;
- The BlinN (Bonded Labour in The Netherlands) project is a cooperation project between PMW (Prostitution Social Care), Humanitas and NOVIB. This project provides financial aid for victims of trafficking who cannot claim help from social services. Humanitas tries to give the girls an education so that they can make a living in another way other than prostitution. When they get back to their own country, they have achieved something.
- Pretty Woman and Project 13 in Utrecht are focused on getting the girls out of forced prostitution and back to a normal life.

Repatriation

The repatriation programmes for foreign illegal prostitutes often take place in cooperation with STV (Foundation Against Trafficking in Women), La Strada or IOM (International Organization for Migration). If they are sent back home, they get a ticket and pocket money for the first week. According to a social worker the girls or women often do not want to return to their home country. The women disappear into the underground circuit or they hook up with a partner who has a bad influence on them. If an unaccompanied minor seeking asylum turns 18 without a long-term residence permit and the situation in their country of origin is deemed to be 'safe', they have to go back. There is an education programme where they can learn a language and practical skills such as sewing or computer work before returning home. The Religious Working Group Against Trafficking in Women, NOVIB and Humanitas are setting up a special home in which trafficked women can stay for three months and where they can get an education. After three months they will be sent to reintegration projects in their countries of origin.

D. General observations

Demand

According to most of the interviewed people, among prostitution consumers there are consumers who are especially interested in young girls. These consumers are men from all areas of society and from all over the world. One social worker says that for these consumers it does not matter where the girls come from originally, the only thing they are interested in is that the girls are young. Another one says: "they prefer 'young flowers'. Younger prostitutes in general earn more than older ones. Also some pimps prefer young girls because they are vulnerable and easy."

According to a social worker, there are signs of paedophile networks on the internet. It is unclear if there is a hidden paedophile scene with a demand for very young children, but rumours about this kind of network do exist.

The role of the police, NGOs and children in combating trafficking of children

Most care institutions and NGOs think that the police should take more action, investigate more and should be better informed about trafficking of children for sexual purposes. According to a researcher, police should be trained to spot the signs of child trafficking at an early stage. The NGOs should support victims, work on prevention, inform people and alert the government. Another organisation

sees a need for better cooperation between the police, judicial authorities and NGOs.

The majority of informants think that child victims should not be used to combat trafficking of children. Some of them think that school kids could be used in actions against trafficking. Others see no harm in involving victims but only when they are strong enough and want to do something themselves. They think they could be of great value.

The role of sending countries

The majority of those interviewed think that more should be done to spread information about child trafficking in the sending countries. Information and prevention programmes in the sending countries are needed. Education programmes within schools or special prevention television programmes could be made. One organisation stresses the need for education to increase awareness and self defence, instead of only focusing on education to combat migration. Some of them also think that more should be done in the field of care. When girls get back home, there should be help for them to reintegrate into society.

E. Organised crime or 'the trafficking system' and how it operates in each country

According to one of the social workers, there are many stories about the organisation of traffickers. Most of the interviewed experts agree on the fact that traffickers of children are organised. Following an inquiry, the police discovered that different girls gave the same names and same licence plates and they concluded that it was organised crime. Most say it concerns small networks and there are no big organisations or networks involved. A social worker talks about an "organised system which exists of short trade lines. The network starts with a contact person in Poland, Germany and The Netherlands. Friends of the trafficker operate as confidants.". One researcher says that someone finds the girls, another transports them and a third person exploits them. According to justice officials, the investigations of a Dutch police team specialising in trafficking indicate that there are different gradations in organised crime.

In the opinion of one respondent, trafficking in women and girls is more lucrative than drug trafficking because the chances of being caught are lower and you can "sell your material more than once".

The pimps in The Netherlands, who use the so-called 'loverboy'-method are not really organised.

There are some loose connections. The pimps mostly have Moroccan or Turkish roots.

In some cases trafficking in children for sexual purposes was discovered only after police investigations into trafficking of arms or drugs. In one specific case Albanian refugees, waiting for their case in a Dutch asylum centre were involved in trafficking of Eastern European girls to Albania, Germany and eventually also The Netherlands.

Drugs

Drugs can be part of the prostitution scene, but are used more by boys than by girls. Particularly boys and young men use drugs to keep up with their sex work. Recently even Viagra is increasingly used. The care institutions that see young girls said that drugs do not play a big role in the lives of the girls. The pimps on the other hand, are sometimes involved the drugs and illegal arms business.

5. CASE STUDIES

In this section some cases of women and minors trafficked for sexual purposes are presented. The following cases are taken from court case reports, the interviews, care centres (such as Asja and PMW) and the available literature and newspaper clippings. The real names of the victims are not used.

Case 1: Nikita

Nikita was brought up in a normal and harmonious family in the Czech Republic. She had a good

relationship with both parents. Her father worked in a factory and could just make ends meet to support his family. At the age of sixteen Nikita lost her parents and her two brothers in a traffic accident. She moved in with her boyfriend at that time and she found a job as a seamstress. Eventually the relationship with her boyfriend ended up in failure and moreover she was fired. As a result of this misfortune she saw no way of keep her head above water financially. As a way of survival, she put her pride and disgust aside and she sold her body on the streets. She did this for a day and a half. During that time she was kidnapped by a group of Roma, who she did not know, and then she was smuggled with a false passport by car into The Netherlands. There she was sold to a gang of six (or more) international women traffickers who forced her to work in a sex club (presumably the Roma were part of this gang). She had to work in this club seven days a week, for many hours a day. She had to give almost all the money she earned to the traffickers. If she did not earn enough or if she stayed away too long with a customer or if she did not obey in another manner she was abused by the traffickers (she was beaten, kicked and burned with cigarette butts). During her work in the club she met a man who saw that she did not work voluntarily and that Nikita was living under bad circumstances. He also saw many traces of abuse. He took care that Nikita got out of prostitution by removing her from the sex club, he provided a temporary hiding address for her in a summerhouse and called in the police. The police brought Nikita to the Asja-care centre.

Case 2: Tatjana

Tatjana did not have a nice life in her home country Romania. Her father was addicted to alcohol and frequently abused Tatjana and her mother. The family lived in poverty, but if Tatjana had fled her home situation to live on her own in Romania, she probably could not expect better circumstances. She heard that for girls like her the future in a Western European country could bring her more fortune; being a waitress she could earn 'gold'. In Romania Tatjana had a friend. This girl had a 'reliable' friend who could help them get work waitressing in Italy. They decided to go to Italy together with another friend. But as it turned out their journey was not to Italy, but to Albania. They stayed for a month. Then the 'friends' told the girls that they wanted them to work in the prostitution circuit for them. The girls refused to do this. In Albania they were sold to two Italian men who brought them to Italy and gave them work in an ice-cream shop owned by their family. This did not last, after two weeks the girls were sold again to two Albanian men who took them to a house in the middle of nowhere in Italy. Here serious cruelties began. During the day the men acted normal, but in the night they turned into 'animals' and abused and raped the girls several times. After a few days her friend joined the men's side and excluded Tatjana, making her feel more miserable. After two weeks the men told them they had plans for them in The Netherlands and that they had to work in a sex club there. They left for Amsterdam by train, without valid travel documents. Her friend and one of the men were stopped and were picked up by customs. Tatjana would have wished this to happen, because then she could have prevented the situation getting worse. She and the other man (B.) were not stopped and travelled to Amsterdam. From Amsterdam they went on to Groningen and Tatjana was watched by him all the time. In Groningen she stayed in a house with Albanian men and girls. She experienced the most awful things there. She was again abused and raped by B., but also by other men and she was forced to use cocaine. Eventually she was taken to a club by him where the family of the owner also worked. Tatjana was forced by B. to earn as much money as she could. But because of her disgust for the work she could not have forced sex with strange men. The first night she earned nothing. B. was furious and abused and tortured her in an indescribable way. He even held a gun to her head. The second night Tatjana had one customer, but B. thought this was not enough. The third night she had two customers, but she told to B. she had one and when he found out she had lied to him cruelties followed. The morning after she told the daughter of the owner of the club everything that had happened to her. The daughter told her father and he immediately got her out of his club, let her stay in his house and called in the police.

Case 3: Maria

Maria left home when she was 11 years old. She met two men who introduced her into prostitution.

Later that year she was placed in a residential institute. While staying in this home, she met another man. He told her she could earn a lot of money by working in foreign countries. She was not told what kind of work she would be doing. When she was 12 years old, this man brought her and another boy and girl to Germany. He brought the girls to a woman, who forced them to work as prostitutes. Another man took over Maria and forced her to bring customers to dance and to prostitute herself in his hotel.

At that time she didn't have a passport. She didn't know how to defend herself. The last man raped her several times. The women who forced her to prostitution at first forced her to report this man to the police. So she fell into the hands of this woman again. They took her to a Dutch man. He brought her to Rotterdam in The Netherlands, where she was forced to work in a private club. She was unable to support herself with the money she earned.

When she was 14 years old, she met a Greek man. He seemed nice at first and found her a house. It was not long before he too threaten her with violence and forced her to work in a bar as a hostess and to prostitute herself. The man took all the money she earned.

When she was 16 years old, a female friend helped her to escape. She was invited to stay in her house. After a while they were threatened by the Greek man. In November 1998, they contacted the Dutch Foundation Against Trafficking in Women. The Foundation introduced her to a social care organisation. In April 1999 she reported to the police and told them her whole story.

Case 4: Katja

Katja came from Estonia. Her biological parents were alcoholics. She ended up at the age of four in a children's home. After that she was adopted by an Estonian family. When she was fourteen she ran away from home because her adoptive father sexually abused her. She ended up on the streets and she met a man who forced her to work in prostitution. She got pregnant by this man. During her pregnancy he took her to The Netherlands. The trafficker already had contacts in the criminal circuits. In The Netherlands they applied for asylum and were staying in an asylum-seeking centre. The child was born in June 1994. Around January 1995 the man decided he did not want to stay in the centre any longer. Both went back to Estonia where he forced her again to prostitution and to marry him. Not long after that they returned to The Netherlands. Her passport was kept away from her and she was again forced to work in prostitution. He separated her from her child and he continued to have a hold over her by threatening that she would never see her child again. In 2000 it came out that during this period pornographic pictures of the girl had been made.

In 1997 the police entered the man's house and this resulted in a reunion between the young woman and her daughter. After this the client was forced to prostitute herself again to be able to live. She met a Dutch guy who was willing to support her, but it resulted in a very dependent situation. Her goal is to create her own independent living for her and her daughter.

Case 5: Marel

Marel is a 16 year old Nigerian girl from Ogoni. During the Ken Saro Wiwa crisis, both her parents were killed during the upheavals. When she arrived at the airport in The Netherlands, she applied for asylum. After one month she met a Nigerian man called Jan in the asylum centre. He was married to a Dutch woman and had lived in The Netherlands for more than ten years. After some time he invited Marel to visit them.

What seemed to be a kind invitation, developed into a bad situation. Jan forced her to have sex with him and when Marel refused he told her that he and his friends would send her back to Nigeria. She was very afraid and obeyed him. He eventually forced her to have sex with his friends and after a few months he convinced her to go to Italy. With false documents she travelled to Italy. Marel didn't know that Jan had sold her to a trafficker for NLG 40,000. In Italy she was forced to work as a street prostitute. It was a hard life for her. She met another Nigerian prostitute and together they managed to escape and travelled to Belgium. Because they were illegal, they didn't see another way to earn money other than to work as prostitutes. Marel did not like her work at all and after half a year she escaped and travelled back to The Netherlands. She met the lawyer again who worked on her asylum

application. She was denied asylum status. There is no other choice for Marel than to live illegally in The Netherlands (Oviawe & Iyare 1999).

Case 6

A 16 year old Chinese girl, applied for asylum in 1996. She told the court she didn't leave China voluntarily. An unknown Dutch tourist forced her to travel with him to The Netherlands and put her into prostitution. She left China in November 1996 and stayed with this man in Russia for one month. One month after her arrival in The Netherlands, she applied for asylum. Probably, this girl is a victim of trafficking in women. She did not report to the police (district court case).

Case 7

A Chinese girl lost her parents and only sister in an earthquake. She was taken away from her home town by women traffickers and brought to Moscow. The girl was raped and locked up in a hotel room. The traffickers brought the girl to The Netherlands in the trunk of a car. She eventually managed to escape and applied for asylum in The Netherlands (court case).

Case 8

A social work organisation in The Netherlands met a 13 year old Romanian boy who already had working experience in Budapest and Berlin. The boy decided to return back to Romania with the help of this organisation and a Romanian organisation working with street children.

Case 9

A 16 year old girl ran away from a children's home in the Czech Republic. A male friend brought her into contact with a trafficking group. She first travelled to Germany by bus and was picked up by German contacts who brought her by car to The Netherlands. Here she was sold to a brothel. In this brothel other girls from Central and Eastern Europe and Turkey were working. She was indebted for the cost of the trip and forced to work as many as 20 hours a day. One time her leg was broken by a client. She managed to get to a hospital where - using false papers - her leg was put in a cast. When she returned to the brothel, the owner removed the cast because it prevented her working. After this she managed to run away. She now has pins in her leg and has serious problems with it (Ayotte 2000).

6. CONCLUSIONS AND RECOMMENDATIONS

We did not get clear figures about children who are trafficked and end up in prostitution or other forms of sexual exploitation. But we got more information about the prostitution scene. The fact that many women and also men who are working in prostitution in general started to work as prostitutes when they were much younger, is a clear indication that minors are involved in prostitution. Some cases of trafficking came to light and some traffickers have been prosecuted, but there is still much more to be done to tackle the problem, to help the victims.

Child prostitution in The Netherlands

It is very difficult if not impossible to give clear figures because there is no clear registration method, but more is being done by the police and other authorities to improve this. If we put the estimates made in other research together it is likely that there are between 1000 and 2000 minors who are prostitutes in The Netherlands. These numbers can only be estimated because of the fact that a lot of contacts with underage prostitutes are not centrally registered by the care institutions and the police.

It is also difficult to estimate the precise number of boys in prostitution because of the existence of an underground closed circuit. In most cases prostitution with illegal boys take place behind closed doors. The male prostitution scene is not a homogeneous group. Some boys are homeless drug users, others work in a professional environment, living on their own or with customers.

The Ministry of Justice has made the registration of underage prostitutes one of the focal points of the

National Action Plan. In future the police, the Office of the Public Prosecutor and social care organisations will cooperate in registering any underage prostitutes they come across.

Trafficking in children for sexual purposes to The Netherlands

There are lots of rumours about the trafficking in children for sexual purposes and few concrete cases. The Foundation Against Trafficking in Women states that they increasingly encounter reports of minors who are victims of trafficking for sexual exploitation. From 1992 the reports of minors between 14 and 18 years old increased. At this moment 30% of the total number of reports are minors.

The majority of the interviewees comes across 16-18 year olds, sometimes 14-16 year olds who are victims of trafficking and only very rarely younger children are found in a situation of sexual exploitation. Many Eastern European countries were mentioned as sending countries but the Czech Republic, Slovenia, Bulgaria, the Ukraine and Poland more often than others.

In recent years there have been cases of minors seeking asylum in The Netherlands being involved in prostitution by traffickers. Especially the UAMs from Nigeria and China are seen as risk groups.

Women and children in Eastern Europe are being recruited with a false promises, for instance to work in a restaurant. Eventually they are tangled in the web of prostitution. A lot of women say they entered The Netherlands when they were minors. From Eastern Europe youngsters get into the country in the same way that adults do. They enter our country via Poland and then Germany or they come directly. In The Netherlands girls can also be forced to work in prostitution by so-called 'loverboys'.

Pimps or friends of the pimps try to get into contact with girls at schools or in cafes in order to seduce them. A girl who falls in love with such a boy and starts a relationship with him is later on forced to work as a prostitute.

Minors seeking asylum who report themselves as victims of trafficking came to the Netherlands by mediators, smuggling routes and trafficking. Recently minors seeking asylum are also being seduced by so-called loverboys and forced to work in prostitution.

Some of the trafficked children know they are going to work in prostitution, others are misled.

After arriving in The Netherlands, they are forced to work immediately in a club or behind a window. They often are moved from one city to the next, in The Netherlands but also in Belgium (Antwerp) – in what is known as 'the carousel system'. Some have used the asylum procedure, where they stay for a while in a centre but are quickly taken away by the traffickers. Force and intimidation are used to keep them in prostitution.

Among prostitution consumers there are consumers who are especially interested in young girls. These consumers are men from all layers of society and from all over the world. It is not known if there is a hidden paedophile scene with a demand for very young children. It is rare to find underage boys in prostitution, but there are rumours about these networks and hidden abuse remains.

It is not very clear how the traffickers are organised. Mostly they are organised in small networks; someone finding the girls, another transporting and a third exploiting them.

Some traffickers are caught by the police after investigations on other crimes such as arms dealing and drug trafficking. The police are not investing more in the field of trafficking of children and/or women because of a lack of manpower and finances. Most police officers interviewed think that more should be invested in this area. Nationally the subject gets more attention, but what the results will be have yet to be seen.

National legislation and law enforcement

Recently a new law banning the prohibition of brothels came into force. All those interviewed are not sure what the effects of the new law will be. The police and judicial authorities see it as a good possibility to improve the situation in brothels, protect minors and give the prostitutes more rights. Most care institutions on the other hand expect that much more of the prostitution scene will disappear into illegality. Illegal immigrants will hide from the police and so will the pimps and others involved in child prostitution. For street workers it will be more difficult to reach this group and provide them with health services, AIDS prevention and information.

They think there will be problems with the enforcement of the law. The police are not ready for the

new legislation. There is not enough personnel and there is a lack of knowledge about the law. Also, the police and social care institutions do not work together. Most care institutions and NGOs think that the police should invest more in investigations.

Child care, prevention, rehabilitation and repatriation

Projects such as Pretty Women and Asja should be established at a national level so that more girls could be helped to escape the prostitution scene and the continuing pressure of their pimps. Also for young unaccompanied asylum seekers better protection procedures should be in place.

There are some prevention programmes and information booklets, but they do not seem very coherent. There are some rehabilitation programmes in The Netherlands, helping victims of trafficking or girls to get out of the prostitution and back to a normal life. Repatriation programmes for foreign illegal prostitutes often take place in cooperation with STV (Foundation against trafficking in women), La Strada or IOM (International Organization for Migration). If they have to return home, they get a ticket and pocket money for the first week. It is known that the girls or women often do not want to return. They disappear to the underground circuit or they hook up with a partner who has a bad influence on them. When the unaccompanied asylum seekers turn 18 and have no long term residence permit and the situation in the country of origin is deemed to be 'safe', they have to return.

Recommendations

More awareness raising and prevention

- More information on the prostitution regulations in brothels, for customers, prostitutes and exploiters is needed;
- More information and protection of victims is needed to improve the report of cases to the police;
- It is important to use the press to inform and warn people and give concrete information;
- More should be done to spread information about child trafficking in the sending countries;
- The outcome of the Trafficking Project should be presented to the Parliament;
- NGOs should work on prevention, informing the public and lobby the government;
- Prevention activities should take place much more in the home countries.

Improvement of care and rehabilitation

- Projects such as Pretty Women and Asja should be established at a national level so that more girls could be helped to escape the prostitution scene and the continuing pressure of their pimps. Also for young unaccompanied asylum seekers better protection procedures should be in place;
- Assistance and protection of child victims when filing a complaint to the police should improve;
- The government and NGOs should support victims, which requires sufficient sources;
- Police and social care institutions should work together on coordination and registration of cases;
- When girls get back home, there should be help for them to reintegrate into society;
- In the sending countries much more should be done in the field of care and education;

More action, research and investigations

- NGOs and the police should take more action, investigate more and should be better informed about trafficking of children for sexual purposes;
- More research should be done on the extent and nature of trafficking in children, especially in countries of origin;
- data collection on cases, routes, traffickers etc. should improve on national, European and international level;
- disappearance of children from childcare centres should be more thoroughly investigated;
- States, NGOs and others active in the field have to cooperate to tackle child trafficking;

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8. ANNEX

Annex I

List of interviewed experts

The interviews lasted on average for one and a half hours, and were undertaken using the open questionnaire. If the questionnaire was not suitable, only some questions were used. Additional information was gained in informal meetings and telephone calls with other experts.

The following experts and representatives of organisations were interviewed:

Justice officials

- Ministry of Justice;
- Independent researchers from the Bureau of the National Rapporteur on Trafficking in Human Beings.

Police officials

- Vice Police Youth Section, Utrecht;
- CRI (Police Information Unit);
- Police Child Pornography Unit, Soest (GVAK).

Research and lobby/Non-governmental Organisations

- Terre des Hommes;
- Religious Working Group Against Trafficking in Women;
- Foundation Against Trafficking in Women Care;
- Asja, voluntarily care facility for minors who are prostitutes in Leeuwarden;
- Pretty Woman, assistance and prevention project for minors who are prostitutes in Utrecht;
- AMOC, care facility for foreign male drug addicts and prostitutes in Amsterdam;
- PMW Prostitutie Maatschappelijk Werk (Prostitution Social Care) in Rotterdam;
- Stichting Valentijn Nunspeet (care centre for young unaccompanied asylum seekers).

Other informative meetings (not real interviews)

- International Organization for Migration in The Netherlands;
- researcher from the International Organization for Migration in Brussels;
- researcher looking at boy prostitution for the Youth Service Leiden and Free University of Amsterdam.

Telephone interviews/requests for information

- TransAct, Dutch centre for improving gender specific care and prevention of sexual violence;
- GGD Nijmegen (Municipal Health Service);
- GGD Amsterdam (Municipal Health Service);
- De Rode Draad (The Red Thread, organisation for prostitutes);
- Project 13, intensive care and protection project for underage prostitutes, set up by the vice police youth section, the Child Protection Board, the Office of the Public Prosecutor and the Youth Care Service in Utrecht;

- Police Limburg-Noord, regional investigation team;
- Tampep (Transnational AIDS/STD Prevention Among Prostitutes in Europe Project);
- Street prostitution police unit ('tippelzone') Amsterdam;
- BlinN (Bonded Labour in The Netherlands) project, a cooperation project between PMW, Humanitas and NOVIB. This project provides financial aid for victims of trafficking who cannot claim help from social services;
- Police Human Smuggling Unit (IRT Zwolle).

Other meetings

- A national debate on prostitution and trafficking of women 12 February 2001.

Annex II

Legal Provisions

Article 239 An act outraging public decency committed:

1. in or at a place intended as a public thoroughfare;
 2. in any place other than a public place referred to at 1 above, which is accessible to persons under the age of sixteen;
 3. in a place other than a public place where another person is present and witnesses the act against his will;
- shall render the offender liable to a term of imprisonment not exceeding three months or a second-category fine.

Article 240 Any person who

1. openly displays or offers in or at a public place intended as a public thoroughfare;
2. sends to any person, other than at that person's request; a pictorial representation or object which he knows or has good reason to suppose to be offensive to public decency shall be liable to a term of imprisonment not exceeding two months or a third-category fine.

Article 240a Any person who supplies, offers or shows to a minor whom that person either knows or may reasonably be expected to know to be under the age of sixteen a pictorial representation or object the display of which to persons under the age of sixteen may be considered harmful, shall be liable to a term of imprisonment not exceeding 2 months or a second-category fine.

Article 240b

1. Any person who distributes or publicly exhibits a pictorial representation of a sexual act involving a person who is manifestly under the age of sixteen, or an information carrier containing such a pictorial representation, or who manufactures, imports, conveys in transit, exports or stocks such a pictorial representation or information carrier, shall be liable to a term of imprisonment not exceeding four years or fifth-category fine.
2. Not liable is the person who stocks such a pictorial representation whom it is established the he uses it for a scientific, educational or therapeutic aim.
3. Any person who has made a profession or habit of committing the criminal offenses, described in paragraph 1, shall be liable to a term of imprisonment not exceeding six years or a fifth-category fine.

Article 240bis, article 240ter and article 241 have lapsed.

Article 242 Any person who, by means of violence or other means or threat of violence or other means, compels another person to submit to an act which includes or constitutes physical penetration, shall be guilty of rape and liable to a term of imprisonment not exceeding twelve years or a fifth-category fine.

Article 243 Any person who performs an act including or constituting the physical penetration of another person whom he knows to be unconscious or powerless or whose mental faculties are so inadequately developed or pathologically disturbed that he is not able, or not properly able to formulate or express his wishes in the matter or to offer any resistance, shall be liable to a term of imprisonment not exceeding eight years or a fifth-category fine.

Article 244 Any person who performs an act including the physical penetration of a child under the age of twelve, shall be liable to a term of imprisonment not exceeding twelve years or a fifth-category fine.

Article 245

1. Any person who performs an indecent act including or constituting the extramarital physical penetration of a minor who has reached the age of twelve but has not yet reached the age of sixteen, is liable to a term of imprisonment not exceeding eight years or a fifth-category fine.
2. A prosecution may be brought only following a complaint, except in the cases described in articles 248 and 249.
3. In addition to the legal representative in civil cases, referred to in article 65, paragraph 1, the Child Care and Protection Board is entitled to lodge a complaint as referred to at 2.
4. Other than is laid down in articles 64 to 66, the victim of the offence may lodge a complaint at any time within the period of limitation referred to in article 70 (2).

Article 246 Any person who compels another person to commit or submit to an indecent act, by means of violence or other means, or the threat of violence or other means, shall be guilty of indecent assault and liable to a term of imprisonment not exceeding eight years or a fifth-category fine.

Article 247

1. Any person who commits an indecent act with someone whom he knows to be unconscious or powerless or whose mental faculties are so inadequately developed or pathologically disturbed that he is unable or not properly able to formulate or express his wishes in the matter or to offer any resistance, or who commits an extramarital indecent act with someone under the age of sixteen or induces the latter to commit or submit to an extramarital indecent act with a third party, shall be liable to a term of imprisonment not exceeding six years or a fourth-category fine.
2. If the victim referred to at 1 is under the age of sixteen, but has not reached the age of twelve or older, prosecution may be brought only following a complaint, except in the cases described in articles 248 and 249.
3. Article 245, paragraph 2 and 3 shall apply *mutatis mutandi*.

Article 248

1. If one of the indictable offenses defined in articles 243 and 245-6 results in serious physical injury, a term of imprisonment not exceeding twelve years or a fifth-category fine shall be imposed.
2. If one of the indictable offenses defined in articles 242-247 results in death, a term of imprisonment not exceeding fifteen years or a fifth-category fine shall be imposed.

Article 248bis has lapsed.

Article 248ter

1. Any person who intentionally induces a minor of unimpeachable conduct whom that person knows or may reasonably be expected to know to be a minor, to commit an indecent act with him or to submit to such an act committed by him by offering or promising a gift of money or property, or by misusing authority or influence derived from the actual state of affairs, or by means of deception, shall be liable to a term of imprisonment not exceeding four years or a fourth-category fine.
2. Article 245, paragraphs 2, 3 and 4 shall apply *mutatis mutandi*.

Article 249

1. Any person who commits an indecent act with his minor child, foster child or adopted child, his ward, a minor entrusted to him for care, education or supervision, or a servant or subordinate who is a minor, shall be liable to a term of imprisonment not exceeding six years or a fourth-category fine.
2. The same penalty shall apply to:
 1. any public servant who commits an indecent act with a person under his authority or in his charge;
 2. any manager, doctor, teacher, official, supervisor or servant in a prison, state labour institution for care and protection of children, orphanage, hospital or charitable institution, who commits an indecent act with a person committed to the institution;
3. any person employed in the health care sector or in social work who commits an indecent act with anyone committed to his care as a patient or client.

Article 250

1. 1. Any person who intentionally causes or encourages his minor child, foster child or adopted child, his ward, a minor entrusted to him for care, education or supervision, or a servant or subordinate who is a minor, to commit an indecent act with another person, shall be liable to a term of imprisonment not exceeding four years or a fourth-category fine.
2. Any person who intentionally causes or encourages a minor whom he knows or may reasonably be expected to know to be a minor to commit an indecent act with another person, other than in the cases defined at 1, shall be liable to a term of imprisonment not exceeding three years or a fourth-category fine.
2. If the offender has made a habit of committing the indictable offence, the terms of imprisonment may be increased by one third.

Old article 250ter, now replaced by **article 250a** (see below)

1. Guilty of traffic in men shall be liable to a term of imprisonment not exceeding six years or a fifth-category fine:
 1. any person who, by means of violence or other means, or threat of violence or other means, or by misusing authority or influence derived from the actual state or affairs, or by means of deception brings another person to prostitution, or takes steps under aforementioned conditions whom he knows or may reasonably be expected to know that that person comes in the prostitution;
 2. any person who recruits, takes or kidnaps a person with the aim to bring that person in another country in the prostitution;
 3. any person who brings another person in the prostitution or acts with regard to a person whom he knows or may reasonably be expected to know that that person comes in the prostitution, if that person is a minor.
2. Liable to a term of imprisonment not exceeding eight years or a fifth-category fine shall be:
 1. traffic in men by two or more combined persons;
 2. traffic in men with regard to a person under the age of sixteen;
 3. traffic in men, if violence or other means, described in paragraph 1, causes grievous bodily harm.
3. Traffic in men by two or more combined persons under the conditions, described in paragraph 2, sub 2. and 3., shall be liable to a term of imprisonment not exceeding ten years or a fifth-category fine.

New **Article 250a** (unofficial translation).

Section 1

Any person who:

1. by force or some other physical act, by threats of violence or of any other physical act, by misuse of authority arising from the actual state of affairs or by deception, induces another person to make him/herself available for the performance of sexual acts with a third party for remuneration or, under the said circumstances, takes any action which he or she knows or may reasonably be expected to know will result in that other person's making him/herself available for performing those acts;
2. recruits, takes with him or her or abducts a person with a view to inducing that person to make him/herself available for performing sexual acts with a third party for remuneration in another country;
3. induces another person to make him/herself available for performing sexual acts with a third party for remuneration or takes any action which he or she knows or may reasonably be expected to know will result in that other person making him/herself available for performing those acts when the other person is a minor;
4. wilfully profits from sexual acts of another person with a third party for remuneration, while he or she knows or must reasonably assume that that other person is making him/herself available for performing those acts under the circumstances referred to in para. 1;
5. wilfully profits from sexual acts of another person with a third party for a remuneration, if the other person is a minor;
6. forces another person by violence or some other physical act or threat of violence or other physical

act or by misuse of authority arising from the actual state of affairs or by deception to benefit him or her from the proceeds of his or her sexual acts with a third party.
shall be guilty of trafficking in persons and as such liable to a term of imprisonment not exceeding six years and a fifth category fine, or either of these penalties.

Section 2

The following offenses shall be punishable with a term of imprisonment not exceeding eight years and a fifth category fine or either of these penalties:

1. trafficking in persons by two or more persons acting in concert;
2. trafficking in persons in respect of a person who is under the age of sixteen;
3. trafficking in persons if force or some other physical act as referred to in paragraph 1 results in serious physical injury.

Section 3

Trafficking in persons by two or more persons acting in concert under the circumstances referred to in section 2, para. 2 or 3, shall be punishable by a term of imprisonment not exceeding ten years and a fifth category fine or either of these penalties.