



Content

I Introduction

| | |
|---|-----------|
| II Investigation Results | 2 |
| 1 Unaccompanied Asylum-seeking Minors | 3 |
| 1.1 West-African girls | 3 |
| 1.2 Chinese UAM's | 6 |
| 1.3 Positive and negative developments | 7 |
| 1.3.1 Justice and police | 7 |
| 1.3.2 National Cluster-group UAM's | 9 |
| 1.3.3 Refugee-centres | 11 |
| 2. Sexually abusing children for child-pornography | 13 |
| 2.1 Pressure points | 14 |
| 3. Young boys | 17 |
| 3.1 Pressure points | 18 |
| 4. Young girl romance | 19 |
| 5. Individual situations | 21 |
| 5.1 Procedures and pressure points | 21 |
| 6. Final conclusion | 24 |
| 6.1 Pressure points | 24 |
| 6.2 General conclusion | 28 |
| 6.3 Recommendations | 28 |



Introduction

Child Prostitution in the Netherlands

"Girls recruited for prostitution at Rotterdam orphanage."

"Nigerian girls disappear from refugee-centre."

"Moroccan girls lured into prostitution through drugs."

With shocking headlines like these appearing in Dutch newspapers, *Terre des Hommes* decided to investigate the exact nature and extent of the commercial sexual exploitation of children in the Netherlands. There are many different authorities working in this field, and our report is based on interviews with the police, government officials and social workers.

Terre des Hommes Netherlands

Terre des Hommes Netherlands is dedicated to combating the most extreme forms of child abuse, the most blatant abuses of children's rights¹ and the most serious cases of injustice.

With our children's rights campaigns, *Terre des Hommes* brings these abuses to the attention of government authorities and non-governmental organisations. In countries where child abuse is a common and widespread problem, *Terre des Hommes* provides financial and practical assistance to local organizations who run projects for children that are aimed at improving education, medical care, counselling, sports and games.

Stop Child Prostitution!

To save children from the deadly claws of the illegal sex industry, *Terre des Hommes* funds and runs various prevention programs in Thailand, the Philippines, Indonesia and Brazil. Moreover, we support specialized help-centers where young prostitutes receive food, medical assistance and professional counselling.

In 1996, in response to alarming messages from our partner organizations in various countries about child sex-tourism and child prostitution, *Terre des Hommes* began a campaign to combat all forms of child prostitution. This campaign - 'Stop Child Prostitution!' - began with a political lobby in the Upper Chamber of the Dutch Parliament, which resulted in pertinent questions being asked about Dutch legislation concerning child sexual exploitation. Consequently, the Minister of Justice began investigating the possibility of prosecuting Dutch men, in the Netherlands, for acts of child sexual abuse they've committed as 'sex-tourists' in foreign countries. An amendment to the Dutch Penal Code was the direct result of this political lobby.

¹The Convention on the Rights of the Child as adopted in New York on November 20, 1989.



II Investigation Results

Child prostitution in the Netherlands is a grim reality, and the ways in which children descend into prostitution and are sexually exploited vary. The sexual exploitation of children in this country may be classified as following:

1. Unaccompanied Asylum-seeking Minor(UAM's)

The UAM's are, with the help of people-trafficking organisations, flown to the Netherlands, unaccompanied by parent or guardian. The UAM's – mainly West-African and Chinese girls – disappear from the refugee centers and are forced into prostitution.

2. Child sexual abuse for the child-pornography industry

Pedophiles 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 to other perverts on the black market.

3. Young boys

Young boys are being sexually abused in illegal gay brothels and escort services, where they're held hostage by pimps who threaten to tell the boy's family and friends that he's a gay prostitute if he tries to quit. The shame of this double taboo, of being 'outed', makes this an extremely difficult world to escape. There are no relief-organisations for these troubled boys to turn to for help.

4. Teenage 'romance'

Teenage girls, as young as 13 years old, are 'romantically' seduced by gangs of young, immigrant-Moroccan men. Once the girl has become a gang member's 'girlfriend', she is cruelly manipulated into becoming a prostitute, with her gang member 'boyfriend' serving as her pimp.

5. Individual situations

Children, as young as 4 years old, are sexually abused and commercially exploited by their parents, who let friends and acquaintances sexually abuse their child for money. Increasingly, these children are also being sexually exploited by child-pornographers. Many of these individual cases have come to light through reports made by the Bureau of Trust-Doctors² (BTD).

In the following report, you'll read about these five forms of sexual exploitation of children in the Netherlands. We note which police, justice and child-care organizations have sought to stop this criminal exploitation; and, most importantly, we detail the problems and legal loopholes that continue to hinder their efforts to save helpless children.

²Trust-doctors are medical and psychiatric doctors to whom anyone can report anonymously on abusive situations.



1. Unaccompanied Asylum-seeking Minors

In response to media reports about the young West-African girls who were found working as prostitutes in Belgium, the Dutch Ministry of Justice ordered the Immigration & Naturalisation Department (IND) to investigate all cases involving Unaccompanied Asylum-seeking Minors (UAM's) who had disappeared from Dutch refugee-centres, with 'unknown destination'. The IND's report concluded that *"there is no hard evidence to suggest, in general, that the children who disappeared from refugee centers with unknown destinations, are now living in criminal circumstances (i.e. prostitution, etc.)"*

The IND's investigation, which was hastily and inadequately conducted, seemed to be about self-serving political expediency rather than a genuine desire to discover the truth. For this reason, *Terre des Hommes* decided to launch a *thorough* investigation, which involved interviewing social workers, refugee-centre social workers and members of the police.

Terre des Hommes' investigation discovered the dark reality that the IND report did not search deep enough to find. Young West-African and Chinese girls are being cruelly and illegally prostituted in illegal Dutch brothels and red-light districts. *Terre des Hommes'* investigation, and a recent report from NISSO, both reveal that child prostitution involving young UAM's is a much more serious and widespread problem than the Dutch authorities will admit to.

1.1 West-African girls

Last year, some 250 UAM's disappeared from Dutch refugee-centres, and although it was discovered that the majority of the girls had returned to their home countries, or were living with relatives in other Western countries, it's a fact that some of missing UAM's became prostitutes in Belgium and the Netherlands. Moreover, of the many UAM's who weren't located, and whose whereabouts remain unknown, there is strong evidence to suggest that they are working as prostitutes in Western Europe.

Trade to the Netherlands

The UAM's found working in prostitution were from either Nigeria, Liberia or Sierra Leone, and they routinely disappeared from Dutch refugee centres a few weeks after arrival. This pattern alarmed social workers from the Center Organisation Assylumseekers (COA), the Opbouw³ and the Medical Organisation for Assylumseekers (MOA), and after initiating informal talks with the West-African girls, the social workers were able to piece together their story. *Terre des Hommes* interviewed these social workers, and can report the following:

Generally, the girls who claim to be from Liberia or Sierra Leone are in fact from Nigeria. The

³The Opbouw is a child-care organisation. The Ministry of Justice appointed the Opbouw as the organisation to take guardianship over all the UAM's in the Netherlands.



girls are told to lie about their nationality by the child sex-traffickers who brought them to the Netherlands. If they claim to be from war-torn African countries, like Liberia and Sierra Leone, they believe they stand a better chance of being sent to refugee-centres and not immediately deported. These lies, however, are unnecessary: UAM's are always sent to refugees centers, because international law forbids the Dutch authorities from deporting UAM's until they are 18 years old.

In Nigeria

When a 'madam' finds a suitably attractive and pliable young girl in Nigeria, she asks the girl's parents if their daughter would like to work in a European country. In Western Europe, the madam says, the girl will earn lots of money working as a waitress or nightclub dancer. Often, the madams have worked as prostitutes in Western Europe, and because of their (relative) wealth, they have status in the villages. For impoverished African families, the opportunity for their children to have a better life in Europe and to send money back home is irresistible, and they believe the madam's lies.

The parent's agree to pay the madam \$45,000 to take their daughter to Western Europe. Naturally, the parents don't have such a large sum of money – it would take an African worker 60 years to earn \$45,000 – so the madam says she'll put up the money, but their daughter will have to pay off the debt when she's working as a 'waitress' in Western Europe. The madam tells the parents not to worry about such a large debt, because after working for just six months in the West, their daughter will have paid back the \$45,000. Once both parties have agreed to this arrangement, the girl, her parents and the madam visit the village's voodoo-priest, where the deal is sanctified and the madam is given, as security on the loan, the girl's fingernail clipping, a piece of girl's clothing stained with her blood and a lock of the girl's hair and pubic hair. By possessing these biological elements, the madam has voodoo-power over the girl and her family, which, according to tribal customs, the madam can then use to kill or injure the girl and her family if the money is not repaid.

To the Netherlands

The girls arrive in the Netherlands on commercial airlines, which they've boarded using false passports. Some of the girls use Ghanaese passports, which the smugglers buy from Ghanaese girls who have legitimate Dutch resident permits. The girls get rid of their fake passports en route to the Netherlands by either flushing them down the airplane's toilet or giving them to their pimp-escorts. But ultimately, without legitimate passports, and alone, the girls arrive at Schiphol airport. Dutch immigration officials take the girls to the arrival-center for asylum-seekers, and here the girls request political-asylum.

Recently, West-African girls have been arriving by car, travelling to the Netherlands via Italy, and requesting asylum in Zevenaar, a town on the Netherlands eastern border. Whether arriving by plane or car, the girls are eventually sent to refugee centers for UAM's. Because West-African girls regularly disappear from refugee centers and have established links to enforced child-prostitution, as soon as they arrive in Dutch refugee-centres the social workers try to keep a close watch over them.

Refugee center

Most of the Nigerian girls who arrive at refugee-centers have telephone numbers of Netherlands-based madams and pimps. The girls are told that as soon as they arrive at a refugee center, they must call these numbers. Because the girls strongly believe in madam's voodoo-power, they don't dare disobey these instructions. During the ensuing telephone



conversations, the madam reminds the girl of her voodoo-power. On a pre-arranged day, the girl disappears from the refugee center, the madam picks her up and she is brought to a brothel. These are usually illegal brothels, operating out of private houses in Amsterdam and other large Dutch cities.

If, for some reason, a girl does not immediately telephone the madam, the madam will contact the girl. Because the madams are extremely well-informed as to which refugee-centre the girls are sent to and their residence status, the madams probably have contacts within the refugee-centres.

Case History: A Nigerian girl, arriving at the Valentine Foundation's refugee-centre, washed her clothes, but forgot to take the madam's telephone number out of her pocket, and therefore couldn't contact the madam. For a couple of weeks, the girl was happy and relaxed; however, the madam soon grew impatient, and the girl began receiving threatening phone calls and cassette tapes from the madam. The girl could not handle this emotional strain, and at any moment, day or night, she would wildly recite prayers. The Valentine foundation eventually had to commit this girl to a psychiatric hospital, where she still resides today.

It's important to remember that not all West-African girls go through the asylum- process. Many West-African girls arrive in the Netherlands as 'tourists', are met at the airport by sex-trafficking pimps and brought directly to illegal brothels. These girls are illegal aliens, and therefore it's impossible to say precisely how many West-African girls are involved in prostitution in the Netherlands.

Debt

While some girls know beforehand that they are being brought to the Netherlands to work as prostitutes, others are only told that they will be given a 'job' (waitress, dancer, seamstress etc.) in the Netherlands. In reality, the child-traffickers sell the girls to Dutch pimps and brothel owners for between \$10.000 and \$15.000, depending on the girl's physical attractiveness. Once the girls start working as prostitutes, they must pay back the \$45,000 their parents borrowed from the madam in Nigeria. The girls are told that the \$45,000 was for their travel costs to Europe, but this amount is ten times more than the actual cost.

To service this enormous debt, the girls must service Western European 'gentleman' in brothels, red-light district windows or on the street. But because of the \$45,000 debt, the madam's and pimps keep most, if not all, of the girl's earnings. And because the girl is also expected to send money home to her family in Africa, she must borrow money from her pimp or from underworld loansharks. Today, hundred's of Third-World children are being cruelly manipulated and sexually abused in Western European brothels, and because most of their income is taken from them, these girls are kept here in a state of sexual slavery. To complete this vicious circle, many of the girls are so desperate to repay the madams and buy their freedom that they themselves agree to become madams.

Illegality and voodoo

No matter how vicious the emotional and physical abuse inflicted upon them, the girls don't dare to run away from the brothels, because they fear the madam's evil voodoo-power and are illegal aliens. Moreover, brothel owners tell the girls that if they do leave the brothel, they'll be picked up by the police, tortured, imprisoned and deported. Coming from a



continent where corrupt policemen are common, and unfamiliar with Dutch law, these naïve young African girls fall for pimp's scare tactics. The girls are afraid, vulnerable and alone in a foreign country, and this is why they cannot escape from prostitution without help.

The deep, genuine fear the girls have of the madam's voodoo-power is shown in the following incident:

A Nigerian girl was arrested after she entered a Dutchman's house and destroyed his furniture. The girl told the police that the owner of the house was her pimp and he had forced her to work as a prostitute in Antwerp (Belgium). She said she was tearing his house apart in search of her slip. Her menstrual blood was on the slip, and, therefore, the pimp had voodoo-power over her. Although the girl was 'free' - that is, she had earned enough money as a prostitute to pay off her debt to the pimp - she said she could never truly be free as long as the pimp had her bloody slip and had voodoo-power over her.

1.2 Chinese UAM's

Nigerian's are not the only UAM's who are drawn into prostitution in the Netherlands and Western Europe. According to Dutch refugee center workers, young Chinese girls – all of whom come from China's southeastern provinces – are being forced to work as prostitutes en route to the Netherlands.

Unlike West-African UAM's, Chinese girls don't routinely disappear from Dutch refugee-centres, and although the majority of these girls may not have worked as prostitutes in the Netherlands, they are included in this report because they were prostituted in Europe before being dumped - sexually abused and often pregnant or with infant child - in Dutch refugee-centres. The Chinese UAM's told refugee-center social workers the sordid tales of what had happened to them en route to the Netherlands.

In China

When initially interviewed by the IND, most of the Chinese UAM's claimed that both of their parents were dead and a stranger had offered to bring them to Western Europe. Eventually, however, refugee-center social workers were able to discover the truth.

Some of the Chinese UAM's are from prosperous families in cities, others from poor rural villages, but despite their different social backgrounds, they all believed the wonderful stories they'd heard about life in Europe and the United States, where everybody goes to college, makes lots of money and lives happily ever after. These, and equally ridiculous stories about ordinary Chinese girls who 'made it' in the USA and send money back to their families in China, are usually spread by the child sex- trafficking Chinese pimps, who hope to tempt the parents of young and attractive girls.

The parents of these girls pay child-traffickers \$20,000 to smuggle their young daughters out of China. The smugglers are members of Chinese-maffia gangs called 'She Tu' (Snake Heads), which denotes the gang's position at the head of an international human-trafficking chain. \$20,000 is an exorbitant sum for most Chinese, so the parents must borrow money from relatives, friends or underworld loansharks.



In Moscow

The child-smuggling trips to Western Europe always go via Moscow, where the girls are forced to stay for months, living with other smuggled Chinese girls in cramped and filthy apartments. Here, in illegal mafia-controlled Moscow brothels, the girls are imprisoned and forced to "receive men", to work as prostitutes. Girls who resist are beaten, and sometimes even killed. The girls are told that the \$20,000 their parents paid the smugglers was only for 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 \$20,000 working as prostitutes for the 'Snake Heads'. After the girls have worked in Russian brothels for many months, they are brought (via the Czech Republic and Germany) to the Netherlands..

In the Netherlands

According to refugee-centre social workers, the majority of Chinese girls who arrive in Dutch refugee-centres have been sexually abused en route. And in addition to being prostituted en route, a recent NISSO report confirmed that some of these Chinese girls have also worked in illegal Dutch brothels; however, because these are highly secretive, Chinese-controlled brothels, the Dutch police and prostitute-help organizations have had difficulty making contact with the girls.

Positive and negative developments

In past two years, the Dutch authorities have enacted various measures in response to the disappearance of UAM's. While these measures are certainly a positive development in the effort to uncover more information about the illegal sex-trade of UAM's, there have also been a number of negative developments.

Justice and police

In September 1996, the IND published a report entitled 'Destination Unknown', which revealed the results of their investigation into missing UAM's. The IND report concluded: *"There is no hard evidence to suggest, in general, that the children who disappeared from refugee centers with unknown destinations, are now living in criminal circumstances (i.e. prostitution, etc.)"*

While the IND's investigation found that many of the missing UAM's had returned to their families or were living with relatives in other European countries, such sweeping conclusions cannot be justified in light of a 1997 Eindhoven police investigation, which found that Nigerian girls, who had disappeared from the 'Beatrixoord' refugee center in the Netherlands, were working as prostitutes in Belgium. In June 1998, a Nigerian man was prosecuted in connection with this case..

Obviously, the IND's investigation was flawed; but in August 1997, the members of the upper chamber of the Dutch Parliament accepted the IND report's findings. Consequently, no further parliamentary action has occurred. The Eindhoven police department investigation led to the prosecution of a pimp; moreover, in April 1999, six men, accused of pimping West-African girls, will be prosecuted. A special 'Voodoo-team', set up by the Gelderland police department, arrested the suspects after an intensive, two-year investigation.



Justice, rather than an effective tool for saving children from prostitution.

Vice-squad detectives in large Dutch cities are regularly confronted with young African girls working as prostitutes in brothels, sex-clubs and behind red-light district windows. The police complain that it's difficult to communicate, because the girls are afraid of the police. The girls are frightened because they're usually illegal aliens; they're unable to speak Dutch or English; they don't have passports; and also because they're accustomed to violent and corrupt police forces in their home countries. As the police have discovered, these girls are in an extremely vulnerable and dependant position, and it's precisely this vulnerability that is criminally exploited by pimps, madams and brothel owners.

When the Vice-squad detectives discover a UAM working as a prostitute, they immediately place her in a women's shelter. However, it's unclear exactly what type of shelters these are, and whether or not the shelter's social workers are trained to deal with prostitutes.

Until recently, the Rotterdam Refugee-Police carried out regular inspections of the city's brothels. In 1998, five Nigerian girls were removed from Rotterdam brothels by the Refugee-Police; but, owing to the decentralisation of the Refugee-Police force, this type of proactive, effective policing is no longer possible. Today, the Refugee-Police only inspect brothels if they've received a tip-off about illegal prostitution. Moreover, there's no communication between the various regional police forces, and consequently, the information the police gather about patterns and networks of illegal prostitution is not properly shared.

For the past five years, *Terre des Hommes* has been pressing members of parliament, cabinet ministers and the Dutch media to help stop the trade in child prostitutes. To accomplish this goal, we've continuously stressed the need for the creation of a national police task-force, which would not be restricted by regional jurisdictions and could work effectively with other EU police forces and Interpol.

In 1999, the newly formed national 'human-trafficking-team' began investigating the pimps and madams behind the illegal sex-trade of Nigerian girls to the Netherlands. They are now investigating on a national and international level, and *Terre des Hommes* hopes this signals the beginning of the end to the illegal sex-trafficking of West-African girls. We shall, however, continue to closely follow the team's progress in the coming months and years.

1.3.2 National Cluster-group UAM's

In 1997, the Dutch authorities set up a national cluster-group for UAM's. The cluster-group, which is comprised of representatives from Dutch refugee-centres, the Valentine Foundation, the IND and the Opbouw, deals with problems relating to missing UAM's.

Since January 1998, thirteen West-African UAM's have disappeared from the Valentine Foundation refugee center. Nevertheless, when West-African girls arrive at the Valentine Foundations refugee-centre, the centre's social workers try to keep an especially close watch over them. The girls are immediately questioned upon arrival, and from this, new information often comes to light. If the girls begin talking about telephone numbers and making contact with madams and pimps, the centre's social workers immediately tell them what they can expect once they've made contact. The social workers also stress that the girls can speak openly and honestly without fear, and that the police can be notified. But because of their fear of the madam's voodoo-power, the girls usually refuse to provide information to the

police. However, any information the Valentine Foundation and Opbouw are able to get from girls, is passed on to the local and regional police.

The cluster-group hopes to see other refugee-centres operating in the same way as the Valentine Foundation. At present, certain procedures have been established with respect to the initial registration-interview of UAM's and the Opbouw's guardianship of UAM's:

- ***Pre-guardianship:***

Following the disappearance of a UAM from a refugee-centre, the centre's social workers immediately report the disappearance to the Opbouw. The Opbouw's social workers, however, can only report the disappearance to the police, because the Opbouw only has 'pre-guardianship' over the UAM, not a formal guardianship. Recently, the Opbouw has been allowed to work together with the Council of Child Protection (CCP), in order to be granted formal guardianship of a UAM within one day. Unfortunately, this is not a viable solution, because it's not standard policy to arrange a formal guardianship for every UAM who arrives at the refugee-centre. Rather, only if a refugee-centre social worker feels that a UAM is at-risk to disappear, is the procedure for an early formal guardianship requested. Usually, owing to over-crowding and understaffing of the refugee-center, at-risk UAM's are not identified, and the UAM disappears before a formal guardianship is granted.

Registration-interview

It takes anywhere from a few days, to a few weeks, before a newly arrived UAM is registered and interviewed by an Opbouw social worker. Before the registration-interview takes place, UAM's are not yet in the Opbouw's registration system, and should they disappear, the Opbouw has no information about them. Therefore, the registration-interview of at-risk UAM's is now given higher priority; and if a social worker decides a UAM is at-risk of disappearing, they immediately inform the Opbouw and a registration-interview is quickly arranged. Unfortunately, in larger refugee-centers, where at-risk UAM's are not so easily identified, there's still a chance that at-risk UAM's won't receive an early registration-interview, and will disappear without a trace.

The Opbouw's registration records reveal that since January 1998, 101 UAM's have disappeared. This shockingly large number, however, is not even an accurate reflection of the actual number of UAM's who have disappeared, because many UAM's disappear before being registered-interviewed and placed in the Opbouw's registration system. Because of this problem, the IND has devised the following set of procedures:

The IND have proposed that the Opbouw be allowed to request earlier registration-interviews if they suspect a UAM is at-risk. Last year, the authorities discussed a plan that would ensure every Nigerian and Liberian UAM received an early registration-interview. The authorities, therefore, would be certain to get an accurate picture of travel routes, travel agents and other travel related information regarding these children. The Opbouw have a plan detailing what steps this early registration-interview should take, but unfortunately, their plan has yet to be enacted.

After a UAM disappears, there's uncertainty as to which organization is responsible for investigating the disappearance. Additionally, when the UAM is located, often in a foreign



country, no single organisation claims responsibility for bringing the UAM back to the Netherlands, or finding another acceptable solution.

The police believe the Opbouw is responsible for the return of UAM's. The Opbouw, however, doesn't accept this responsibility and refuses to act, meaning they don't take the necessary steps to arrange guardianship of UAM's after they've disappeared. Because the Opbouw doesn't have formal guardianship of missing UAM's, they don't feel responsible for locating them. Consequently, when missing UAM's are found living in other European countries, the Opbouw does not arrange for them to be returned to refugee-centres in the Netherlands.

1.3.3 Refugee-centres

A major problem is that most refugee centers - especially those for 12-16 year old UAM's - are extremely large and overcrowded, which creates a feeling of anonymity, undermines proper supervision and makes it easier for UAM's to disappear.

The girls, who are alone, afraid and thousands of miles from their homes, sense this anonymity, and therefore, it's extremely difficult for social workers to build trusting relationship with these girls. Yet, establishing a bond of trust is vital if the social services are to work quickly and efficiently. Moreover, building trusting relationships would give the children a strong foundation for their continuing residence in the Netherlands.

Without question, smaller refugee centers, where proper supervision would save many children from falling into the gutter of child-prostitution, better serve the needs of young at-risk UAM's. The Valentine Foundation's refugee-centres are smaller, with a maximum of 20 children per group. Social workers are assigned to each group, and in this reasonably intimate environment, they are able to build bonds of trust with the children—not surprisingly, it's here, in these smaller, more civilised refugee-centres, that important information about the child sex-trade of Nigerian and Chinese girls was revealed. In this trusting atmosphere, the children felt confident enough to speak of their abusive ordeals and to ask for help.

If, for whatever reason, making refugee-centre's smaller is impossible, there's another way for the authorities to create an atmosphere wherein trusting relationships with at-risk children can be established: If a number of social workers are stationed in each refugee-center, where they're specifically responsible for monitoring at-risk West-African and Chinese girls, it would possible to provide proper supervision and build trusting relationships. In this way, more information about these UAM's could be gathered, providing better insights into the plight of UAM's who were smuggled to the Netherlands in order to work as prostitutes.

The Netherlands's official policy for UAM's is to allow them entrance into the country because they're minors (younger than 18 years old) and arrive without parents or guardian. For adult asylum-seekers, however, the situation is the reverse: If an adult asylum-seeker is not fleeing proven political persecution or a war-torn country, they're immediately sent back to their own country. Being a UAM, therefore, is preferable; and consequently, adult asylum-seekers, who are in fact older than 18 years old, often lie about their age when they arrive in the Netherlands. Some UAM's, therefore, are not legitimate UAM's.

For many years, *Terre des Hommes* has been calling for short-term age-investigations of UAM's. In March 1999, the National Diagnostic Center, in Eindhoven, began performing these long overdue age-investigations, whereby a UAM's age is ascertained by x-raying their



collarbone and wrist. If there is any doubt about a UAM's age, they must submit to this medical examination. This means that only genuine UAM's will be granted the right to stay in the Netherlands, which will drastically reduce the numbers of UAM's and, therefore, improve the levels of care and living conditions in UAM refugee-centers. *Terre des Hommes* welcomes the decision to perform age-investigations of UAM's.



2. Sexually abusing children for child-pornography

Amsterdam police department's Vice-squad has set up a child-porn unit, which, under the supervision of Chief Inspector, Jaap Hoek, is working to eradicate the sexual abuse of children. Regularly, the unit receives tips from concerned citizens, such as "every day six children go into my neighbour's house"; "I've seen child-porn tapes in a sexshop"; or "a man came into our photo-shop and asked us to develop pictures of naked children." On the basis of these tips, the team checks to see if these suspects have criminal records for sex offences or a history of sexually abusing children. Once the detectives have enough evidence, they begin full-scale investigations of the suspects.

The suspects in these cases are almost always male paedophile. Typically, paedophile invite children (up to the age of 16) into their homes. To avoid suspicion, the paedophile usually asks the children's parents if they mind if their children come into his home. Initially, the paedophile will let the children play video games, watch movies, eat junk food and do other fun things. In this way, the paedophile builds trusting relationships with the children and also with their parents. Eventually, he shows the children porn-movies. This gradual process leads to a point where the paedophile starts showing the children his genitals, fondling the children's genitals and forcing the children to touch his genitals. The paedophile then begins to make videos and photographs of these perverse sexual games. In this way, the paedophile gradually removes the children's inhibitions and discovers just how far he can force the children to go.

Once the children begin to take part in these sexual games, the games are intensified, leading to extreme sexual assault and rape, which is filmed and photographed. The paedophile then distributes these pictures and videos amongst his paedophile friends, or else sells them on the black market.

Recently, it was revealed that paedophiles are taking children from other countries, especially Eastern European countries, and bringing them to Holland. In one such case, a paedophile visited an orphanage in Poland to donate goods and food. He asked the director which children had passports, and eventually persuaded the orphanage's director to let him take a boy out of the orphanage. In Poland, there are strict penalties for releasing orphans to unauthorised persons, but because this incident occurred during the Christmas holidays, the director could not make an official request to the authorities.

The paedophile did not have any difficulties at border posts; nor did he encounter problems registering the boy in a Dutch school. The school authorities did wonder how the man got the boy, but they never made inquiries to the Dutch authorities. The police later found vicious child-porn films of the boy, who was drugged and tied to a bed and then repeatedly raped. The boy was sexually abused for many months. Ultimately, the boy would've been forced to work as prostitute for paedophile, until he went through puberty and his voice changed, when he then would've been kicked out into the street. Paedophiles are no longer interested in boy's after they've gone through puberty. Thankfully, this paedophile was caught before the boy was forced into prostitution, and he received a four-year prison sentence.



The child-pornography unit also discovered a paedophile network that was posing as a Dutch charity in the Eastern Europe. The 'charity's' aim was not to better the lives of homeless children, but rather to bring the orphans to Holland, where the boys could be sexually-abused and prostituted. Failing this, the paedophiles had hoped to gain free access to the orphanage, where they could then sexually abuse the boys. Unfortunately, owing to a lack of evidence, the members of this paedophile network could not be prosecuted.

To track down people who sexually abuse children requires national and international cooperation. Foreign authorities regularly ask Chief Inspector Hoek's team for information and leads, and in turn, the Dutch team often appeals to foreign police departments for information.

In the Netherlands, the Central Crime Bureau (CCB) is primarily responsible for gathering information about child sex-crimes. However, the CCB does not have the personnel and resources to perform this function, so they largely depend on the Amsterdam's child-porn unit. Chief-Inspector Hoek finds this a terrible situation, and has repeatedly brought this problem to the attention of the Dutch government. Because Chief-Inspector Hoek's team must spend a disproportionate amount of time gathering and disseminating information, they have neither the time nor the resources to spend on serious investigations of suspects and prosecutions.

Recently, the CCB has been enlarged in order to devote more time and resources to investigating child-porn. At the moment, the CCB are studying the procedures the various regional police forces employ to combat child-porn. Most regional police departments investigate child-pornography cases and collect information, but because there isn't a standard, nationwide set of procedures for them to follow, they each employ different methods and procedures. This makes it extremely difficult for the CCB to file and archive the information in their database. For this reason, a national research team needs to be set up, which would follow a nationwide set of procedures, allowing the CCB to effectively track child-pornographers and analyze information.

Amsterdam's child-pornography unit also conducts information-seminars and open-days for teachers and social workers, where they are provided with the latest information and taught how to recognize the distress signals of sexually abused children. This information function, however, must not be the sole responsibility of the child-pornography unit. In 1995, the Minister of Justice promised to enact measures in this area, but as of yet, nothing has been done. As a result, the overall effectiveness of the child-pornography unit is diminished.

2.1 Pressure points

Reorganization of Vice-squad

Since 1995, the child-pornography unit has infiltrated a number of child-porn networks, resulting in eighty arrests and the burning of large amounts of child-porn films and photographs. Child-pornography is a profitable business, yet in the Netherlands, Amsterdam's child-pornography unit is the only police team that concentrates exclusively on combating child-porn.

A recent reorganisation of the Netherlands's police forces, which aimed to create a more generalised approach to policing, disbanded specialised police departments, including the Vice-squad. But when it soon became apparent that only specially trained



police officers could properly handle cases involving child sex-crimes, some of the regional Vice-squads were recommissioned. However, there isn't a national policy for reintroducing Vice-squads in regional police forces.

Today, many regional police departments don't have Vice-squads, and in the regions where they are operational, the Vice-squad detectives don't have enough time to proactively investigate child-porn rings and child-prostitution networks. Therefore, they mostly rely on tips, and can only carry out occasional investigations of these criminal businesses. But given the complex and secretive nature of the child-porn industry, it's highly unlikely that the police will make any major breakthroughs or uncover valuable information. If the government is serious about combating the sexual abuse of children for the production of child-pornography, then full time Vice-squads must be active in every regional police force.

In 1997, the Minister of Justice decided that the country's Vice-squads are diversely integrated into regional police departments, but showed no undue concern for their effectiveness. Vice-squad detectives, however, admit that it will be years before they return to the level of effectiveness they were at before the reorganisation.

In 1998, a study commissioned by the Ministry of Justice found that *"the specialist Vice-squads have a place within the police force in extremely different ways, and therefore, they are not visible."* Yet, the police admit that Vice-squads do not have enough time and resources to devote to child sex-crimes, and consequently, there are very few proactive investigations. When cases, including those involving the monitoring and tracking of Internet child-pornography, are brought to the Vice-squad, they must come with concrete leads to follow, or else an investigation does not take place.

Prosecution for possession of a single item of child-porn

As stated in article 240b of the Dutch Penal Code, "to have supplies" of child-pornography is not the same thing as 'possession'. That is, the possessor of a child-pornography must have two or more copies of the same video/photo if they are to be prosecuted. In this, an individual's right of privacy was given precedence; but until possession of a single item of child-pornography was made illegal, it was unlikely that much headway would be made in the fight against child-pornographers and paedophile.

Terre des Hommes strongly believes that every item of child-pornography is proof that a child has been sexually abused, and that those who possess it, regardless of the amount, have committed a crime and must be punished. Thankfully, following the recent arrest of a paedophile, the Dutch Supreme Court decided that possession of single item of child-porn is a criminal offence. Today, this Supreme Court ruling has taken effect and the legal grounds for prosecuting child-pornographers has been adjusted. *Terre des Hommes* is extremely pleased with this recent development.

Prosecution Requirements

Manufacturing child-pornography, performing lewd acts with minors and enticing minors for this purpose are heinous crimes. If having sexual relations with a minor - as written in article 247 and 248 of the Dutch Penal Code - is proven, prosecution can occur. But these articles demand a 'requirement of complaint' - that is, if a victim is 12 years or older, prosecution cannot take place unless the victim, the victim's parents/guardian or the Council of Child Protection (CCP) have filed an official complaint with the police.

In cases involving child-pornography, this means that the police must locate the child-



victim who appears in the child-porn film so that he/she can file an official complaint. It is, of course, extremely difficult, if not impossible, to locate these children, because in most cases the films have been made years before the tapes were discovered, and the only leads the police have are physical descriptions of the children who appeared in the child-porn film. In these situations, the 'requirement of complaint' impedes the rightful prosecution of people who are party to the sexual abuse of children.

As a result of this absurd loophole in the law, it's possible to prosecute the producer, the distributor and the possessor of child-porn films, but not the paedophile who is sexually abusing the child in the film. Surely, this cannot be what the lawmakers intended?

In cases involving child sex-tourism, this prosecution requirement is also problematic. In 1996, when questions about the 'requirement of complaint' were asked in the Dutch Parliament, an investigation by the Verweij-Jonker Institute was ordered. The final conclusion of their report read: *"The requirement of complaint in the present form does not cope with the binary goals, namely to respect the right of sexual self determination of children and to sharpen the tracing and prosecution of the sexual abuse of children."*

The investigators suggested that a child's right to a judicial hearing should replace the 'requirement of complaint'. Children – those between the ages of 12-16 years old – would then have the right to express their opinions concerning the alleged sexual contact. Additionally, when a child cannot be located or when a child is unwilling to talk, it would still be possible to prosecute the abuser if it's in the general interest of society to do so. By prosecuting in the general interest of society, the systematic dismantling of paedophile networks is possible. *Terre des Hommes* believes that the Ministry of Justice should discuss this idea and change the law, making it possible to prosecute in the interests of society.

Dropping the requirement of complaint

The Verweij-Jonker Institute's report detailed the problems associated with the 'requirement of complaint', finding it particularly problematic in cases involving the sexual abuse of child prostitutes. In 1997, the Ministry of Justice introduced a bill to drop the 'requirement of complaint' in cases of child prostitution, and February 1999, this bill was finally accepted.

Although this bill has been ratified, it's still difficult to prosecute people who have sexually abused child-prostitutes, because to render the 'requirement of complaint' invalid, the payment for sex with minors must be proven. Does the Minister of Justice *really* think that pimps and prostitutes issue receipts to their paying customers? Obviously, it will be nearly impossible to prove that payment for sex with a child occurred. Moreover, this bill has another serious flaw: The bill lacks a precise definition of what constitutes payment. This omission will particularly create problems in cases where the right to sexually abuse child-prostitutes is paid for by bartering goods or services, such as drugs, jewellery, etc. Does bartering valuable goods and services constitute payment?

Criminal record

Art. 248ter of the Dutch Penal Code states that sexually abusing a child is a punishable offence, *unless* the child has a criminal record. This means that if a child has been caught shoplifting, a paedophile can sexually abuse that child without fear of being arrested or prosecuted. *Terre des Hommes* believes that whether or not a child has a criminal record is totally irrelevant and unrelated to the question of whether or not an adult should be punished for sexual abusing a child. In this case, it's the law that is criminal, and Art.248ter must be amended immediately.



3. Young Boys

In 1995, while investigating the whereabouts of a young Polish boy, the Rotterdam police uncovered a prostitution network trading in young boys. Following this investigation, the network was dissolved and the exploiters prosecuted, but the prostitution of young boys remains a serious problem.

Typically, boys – as young as 12 years old – are introduced into this criminal underworld by friends or acquaintances who work as prostitutes. The boys are invited to the brothel, where the pimps convince the boy that it's easy to earn lots of money. In the beginning, the boys are told they only have to massage men, and for this, they're paid \$50.00. After this initiation, the boys are lead, step by step, deeper into prostitution, until eventually they start performing sexual services for men, and child-porn films are made of the boys. The boys are viciously manipulated into becoming prostitutes, and although they are fairly well paid, the boys do not prostitute themselves 'for the money', as is commonly believed.

In general, these boys are emotionally and sexually confused to begin with, and by subtly giving them affection and attention, they are easily manipulated by the pimps. Once they're caught up in this criminal underworld, it's extremely difficult for them to escape, because pimps routinely blackmail the boys, threatening to send the child-porn films they've made of a boy to his family if he tries to quit prostitution.

Boy prostitutes hardly ever work in sex-clubs or brothels. Instead, their pimps give them beepers, and they're contacted when a client requests a boy. The boy, who might be at home or in school when contacted, is then picked up and delivered to the client. The clients, moreover, often treat the boys cruelly.

In one case, a client tied his boys to tables and applied electric shocks to their genitalia. Providing emotional care for these traumatised young boys was necessary, if the boys were to recover their self-respect. But the help-organization that treated the boys failed them, because they were unfamiliar with treating sexually abused male prostitutes. as result, the boys quickly broke off contact with the help-organization. The boys felt alone and misunderstood, which was compounded by the insensitive reaction of their families and friends. Many of the boys were later pulled back into the prostitution world by other exploiters.

In 1999, a judge in Amsterdam sentenced 'Alex Pet' and 'German Willie' to prison terms for recruiting boys who hung around Amsterdam Central Station and forcing them to work as prostitutes in gay-brothels. Moreover, they had used these boys to make pornographic films. Because the police must amass an inordinate amount of evidence before they can prosecute offenders, it required years of investigation before they could apprehend these men. In the meantime, untold numbers of young boys were viciously abused and sexually exploited.



3.1 Pressure Points

Reorganization of Vice Squads

The exact size and nature of these type of child-sex networks are unknown; however, the police believe they operate in all the large Dutch cities. The Amsterdam police have discovered these type of illegal gay-brothels, where they also found child-pornography, and were able to prosecute a number of exploiters. But success stories like these are rare, and because of personnel shortages within the Vice-police, investigations of this type of sex-crime do not occur on a regular basis (see 2.1).

Double Taboo

Because there's a double taboo attached to homosexual prostitution, young boy-prostitutes are stuck between a rock and a hard place. These boys are often misunderstood, because society demands that a boy be strong and tough. Consequently, society can understand that girls can be forced into prostitution or raped, but not boys, who should be strong enough to resist; moreover, it's wrongly believed that boys cannot get an erection if they don't want to have sex. Young male prostitutes are regularly reminded of these beliefs within Dutch society, and this is why they keep this dark, shameful side of their young lives hidden, and why their cries for help are not often heard. Studies have revealed that most of these boys have been raised in dysfunctional families and that they've had prior contact with the police and help-organizations. During this prior contact, however, there were misunderstandings and failures of communication, and the boys were left with a negative impression of these authorities.

To gain insights into this subject, the police and social services must be given relevant and updated information. Detectives and social workers with knowledge of these cases must pass this knowledge on to their colleagues in other parts of the country. Before preventative measures can be enacted, people must know why these boys are vulnerable to being exploited by pimps. If the people are taught to recognize the distress signals these boys give off, than the authorities can be brought in to help. Information, above all, is needed if young boys are to receive the appropriate help. By providing effective emotional counselling and care, we can ensure that these boys never return to prostitution.

For the coming three years, the Ministry of Social Welfare has subsidized Transact, a social workers organisation, assigning them a 'hunter-function'. This means that Transact must do all it can to bring the problem of 'child sexual abuse' to the attention of Dutch society, while also providing help via special relief-organisations. This is an extremely positive development, but it's only the first step. It's vitally important that all social workers are informed about the plight of child-prostitutes, especially of the young boy-prostitutes, who face a double taboo in Dutch society.

Confidentiality and Trust-Doctors

Dr. Ute Roschar, a trust-doctor in Amsterdam, reported a case involving two young boys who were locked in an Amsterdam apartment by a pimp, who would then give the key to his paying clients (paedophile). Dr. Roschar was told that this is quite common in many parts of the Netherlands. Because a trust-doctor must ensure doctor-patient confidentiality, strictly speaking they cannot alert the authorities to these crimes. Dr. Roschar, however, does maintain informal contact with Amsterdam's Vice-squad, and is able to bring these sorts of abuses to their attention.



4. Young girl romance

In the past four years, police, teachers and social workers have increasingly been confronted with young girls (the youngest was 13 years old) who had been forced into prostitution by gangs of youths. The relationship between the girl and gang member begins as a 'romantic' affair, but the gang member's sole objective is to ultimately force the girl into prostitution.

To recruit new girls, the gang members – who are mainly immigrant Moroccan youths with criminal records – hang around schools, youth-centers, etc. After a stormy romance, in which the girl becomes emotionally and financially dependent on her 'boyfriend, and is often encouraged to use drugs, the gang member forces his 'girlfriend' to become a prostitute. The emotionally dependent and confused young girls yields to her pimps-boyfriend's wishes.

Young boys - apprentice gang members - serve as guards and minders of the prostitutes. Pimping young girls is an extremely profitable and desirable business for these gangs—there's not much chance of them getting caught, the earnings are high and little effort is required. The boys are especially interested in recruiting and pimping white girls, of Dutch origin, and they target girls who are vulnerable for the following reasons:

- they are emotionally-damaged from being raised in dysfunctional families
(many of the girls are runaways).
- they have low self-esteem.
- they are desperately yearning for love and acceptance.
- they are vulnerable to peer-pressure and want to be part of the 'gang'.

Projects

In Utrecht, there are a number of projects to help vulnerable young girls. The *Pretty Woman* project was set up to offer help to girls who have become involved with these gangs of pimps. The starting point is helping the girls understand the psychological factors within themselves that cause them to be attracted to the character and 'outlaw' lifestyle of these gangs.

The *Beauty and the Beast* project is aimed at early prevention, warning girls of 14 -15 years old about the methods and aims of these pimps. In addition, *Project 13*, a joint-initiative between the Vice-squad, Council for Child Protection and relief-organisations, aims to locate and remove young girls from prostitution, organise relief projects and provide assistance to childcare-organizations.

With *Beauty and the Beast* (preventative), *Pretty Woman* (voluntary, preventative and curative) and *Project 13* (mandatory, curative and rehabilitative), Utrecht's programs offer the most effective ways to combating this form of prostitution in the Netherlands.

According to project-leaders and Utrecht's Vice-squad, there are a lot of girls at-risk of becoming victims of these prostitution recruitment practices. The exact number of at-risk girls is difficult to estimate, however, because there is a dark cloud of secrecy surrounding prostitution. It's even more difficult to estimate how many girls in the Netherlands are at-risk; but certainly, it's a sad fact that in every large Dutch city young girls and boys are working as prostitutes. Yet, Utrecht is the only city in the Netherlands that is taking definite and coordinated action to combat child-prostitution.



Terre des Hommes believes that projects, like those in Utrecht, must be implemented on a national level in all large cities where child-prostitution exists. Moreover, we believe that a relief-facility must be formed specifically for children who are being forced into prostitution or who have worked as prostitutes. Presently, relief-possibilities for youth who have worked as prostitutes are woefully inadequate, with girls who are found working as prostitutes being picked up and locked away in juvenile detention centres. To treat young prostitutes like juvenile criminals is wrong and unjust. Sexually abused girls and boys, who have been lured into prostitution, are victims, not criminals, and they deserve to be treated with respect and given genuine, therapeutic assistance.



5. Individual situations

Trust-doctors are often the first to discover that children, as young as 4 years old, are being sexually abused and prostituted by their parents - i.e. for money, the parents will let their friends and acquaintances sexually abuse their children.

Initially, the trust-doctor will try to cope with the situation, drawing on the assistance of social workers from the Bureau of Trust-Doctors (BTD), which requires a lot of time and effort. As soon as the trust-doctor feels that this assistance is not helping to improve the situation, the doctor informs the parents that he or she is referring their case to the Council of Child Protection (CCP). This means the parents will be forced to accept the assistance of the CCP. If the parents refuse to cooperate, the child will be put under the supervision of the CCP. At this point, the parents no longer have control over their own family situation and there is a chance the CCP will take permanent control of the child. By warning the parents that as long as the case is not referred to the CCP, they can retain control over the situation and not lose their child, the trust-doctor is able to put pressure on the parents to cooperate. Because of this threat, the parents usually decide to cooperate with the trust-doctor.

The following pressure points, which detail the ways in which child sexual abuse is combatted in the Netherlands, were compiled by Dr. Ute Roschar, an Amsterdam trust-doctor.

5.1. Procedures and Pressure Points

Reporting

When there is suspicion of child-abuse, family members, neighbours, relatives, teachers, social workers, etc. can file a report with the BTD. Notably, there are very few reports filed by family doctors, child-psychologists or social workers from childcare-institutions, despite the fact that the BTD has informed these authorities of the report procedure. The reason why so few reports are made by these organizations and authorities is this: They are afraid of reprisals by those suspected of sexual abuse, and they are afraid to make an incorrect diagnosis. There are deep fears and taboos associated with recognizing and reporting suspected cases of child-abuse, and as a result, many actual cases are not reported. Consequently, there are probably more cases of sexual abuse of children than those reported to the BTD.

Other authorities, such as schools, who are concerned by signs of abuse, regularly report cases of child sexual abuse, and once a report is made, the BTD provides advice. From this advice, judgements are made as to whether or not the existing assistance, including the help of the BTD, is sufficient. Because of new legislation, the BTD is required to immediately inform the parents that a report alleging sexual abuse has been made. Naturally, once the parent's have been informed, it's no longer possible to carry out a successful investigation, because the parents - when guilty - will immediately stop the abuse until the pressure is off. The investigators, therefore, will discover no signs of sexual abuse. But once the investigation is over, the sexual abuse of their children will resume.



The Ministry of Social Welfare is looking into the possibilities, through legislation, of overcoming this problem. The situation, at present, is that after a report is filed with the BTM, the BTM has two weeks to investigate without notifying the parents. After these two weeks have elapsed, the BTM must notify the parents. Given the huge numbers of reports the BTM receives, and the fact that they're not able to start an investigation immediately upon receiving a report, two weeks is definitely not enough time for the BTM to carry out a thorough investigation.

The law, moreover, requires that the parents be told the identity of the person who filed the report. If, however, this identification is detrimental to the welfare of the child, the informer's identity is not revealed.

To improve the process of reporting cases of child sexual abuse, a standard report-code must be developed. This code would state which steps the social worker must follow when a report of sexual abuse is made. It would also state at what stage in the procedure other authorities must be informed. By establishing a report-code, the mishandling of cases can be prevented. Moreover, this report-code will reassure social workers that they are handling the report correctly; and if questioned or threatened, the social workers can justify their actions by saying they are obliged to 'follow procedures'.

Investigation

After receiving a report, the trust-doctor involves other professionals, such as the school doctor and family doctor, who are asked if they've heard anything or seen signs of sexual abuse of the child in question. Sometimes, the trust-doctor will also visit the child's family. The BTM, however, is not allowed to perform physical examinations of the child; but Dr. Roscher strongly believes that these are necessary.

A child's body can provide factual proof of sexual-abuse. Physical examinations of abused children require great expertise, however, and as many doctors have little experience of child sexual abuse cases, the expertise which comes from experience is lacking. In other western countries, there are special medical centers for sexually abused children, where specially-trained doctors perform emotional disturbance, cognitive and medical examinations..

In the Netherlands, however, doctors aren't specially trained to deal with child sexual abuse. Dr. Roschar believes that by using child-friendly techniques and equipment, a child can be delicately examined. Photographs and medical films can be made using tiny gynaecological camera's (a camera in the form of a pen), and because these pen-camera's don't require a flash, the children aren't aware that they are being photographed.

Council of Child Protection

As soon as the BTM discovers evidence of sexual abuse, social workers begin working with the child's family. If the situation doesn't improve, than the social workers refer the case to Council of Child Protection (CCP).

Ideally, the BTM wants the family to voluntarily agree to work together with them to stop the abuse; but if not, the social workers can also use pressure, by threatening to transfer the case to the CCP, which has the power to take the child away from the parents. The BTM waits as long as possible before referring the case to the CCP, because 'Supervision' by the CCP is not an effective tool: Social workers only visit the family once a month, and because the parents behave appropriately during these visits, the social worker can only report that the situation is improved. In actual fact, however, the situation hasn't actually



changed, and once the social worker departs, the parents revert to their abusive behaviour.

Because of the inadequacies of this CCP 'supervision' process, their influence is negligible, and all the work and progress the BTD has made in rectifying the family situation is ultimately destroyed.

Taboo

In the Netherlands, child sexual abuse is a taboo subject. This is because if we publicly acknowledge that sexual abuse of children is a serious problem in the Netherlands, it lowers our status as a developed and civilised country. While Freud was the first to bring attention to the subject, society has chosen to avoid confronting the subject in public. Freud believed that children do not have an erotic character, but rather, society and sexually perverted adults force this upon them. The blame for child sexual abuse lies with adult members of society, not with children. And just as Freud was pressured by his colleagues to change this part of his book, so too has Dutch society done its best to suppress the fact that child sexual abuse is a serious problem in the Netherlands.

Perpetrator therapy

When perpetrators of child sexual abuse are sentenced to prison without being given compulsory therapy, they have a recidivism-rate of 100%. If child sexual abusers are given therapy during their time in prison, however, their recidivism rate is reduced by 40-50%. Not every perpetrator agrees to undergo therapy, however, because many of them do not accept that their actions have caused damage to their child-victims. In 1996, compulsory therapy for child sexual abusers was considered, but because of budget cuts, it was never enacted.

No openness

In the Netherlands, there have been many cases involving social workers who have violently abused those in their care, but they were not formally charged because their employers wanted to avoid the resulting bad publicity. When an organisation discovers, for example, that one of their employee's has been sexually abusing a child, they fire the employee, but do give them a parting 'certificate of good behaviour', thus avoiding scandal. The fired employee, meanwhile, takes this certificate and gets a job at another institution, where the abuse will eventually continue.

In the United States, there is a public blacklist of all known sex-offenders, which every citizen has a right to see. In 1998, the creation of a US-style blacklist was discussed in the Netherlands, but the majority were against it, arguing that people who had been punished for their crimes deserved a fresh start in society. Rather, it was decided that the Netherlands' black-list of sexual offenders would be held at city-hall, where only those with clearance from the mayor's office, such as human-welfare organisations and hospitals, would be able to consult it when hiring employees. *Terre des Hommes* also finds this the best solution for ensuring that perverts and psychopaths are prevented from working with children. Children must be free from the threat of sexual abuse.



6 Final conclusion

There's no doubt that child-prostitution occurs in the Netherlands, and although this report has provided a comprehensive view of the problem, an informed overview of the character and scale of commercial sexual exploitation of children in the Netherlands cannot be made solely on the basis of this report. Only an empirical study, combined with a *thorough* investigation by the Ministry of Justice, could provide a truly informed overview.

Terre des Hommes believes, however, that the pressure points and practical discoveries revealed in this report provide valuable suggestions for effectively combating child-prostitution in the Netherlands.

6.1 Pressure Points

Taboo

Sexual abuse and commercial sexual exploitation of children are taboo-subjects in our society, and because our elected representatives only grudgingly recognise that these perverse injustices exist, they do not devote sufficient resources to what they, in denial, deem to be a 'minor' problem. Meanwhile, the various help-authorities and police departments are struggling in the face of a growing problem.

The taboo surrounding child sexual abuse must be removed, governmental authorities must publicly recognise the scale of the problem and public information campaigns must start at once, drawing much needed attention to the sexual abuse and prostitution of children in the Netherlands.

Requirement of Complaint

In cases involving people who have sexual relations with male/female prostitutes, between the ages of 12 and 16 years old, the 'requirement of complaint' has been removed. This means that paying for sexual relations with underage prostitutes is punishable, whether or not the child files an official complaint. Although this is an extremely positive development, the law needs to be clarified: In law article 245 and 247, a precise definition of payment is missing. This omission will especially create problems in cases where the right to sexually abuse child-prostitutes is paid for by bartering goods or services, such as drugs, jewellery, etc. Does bartering valuable goods and services constitute payment?

As long as the 'requirement of complaint' is rule of law, there will always be problems locating and prosecuting people who are guilty of sexually abusing children. The Dutch parliament decided that removing the 'requirement of complaint' would be too great of an infringement on the citizen's right of self-determination. Nevertheless, if the requirement was removed, the perverts and paedophile who sexually abuse children, whether it involves payment or not, could be prosecuted under art. 245 and 247 of the Dutch Penal Code.

Terre des Hommes believes that preventing child sexual abuse should take precedence over any possible infringements on the rights of self-determination. Sexually abused children do not often file formal complaints because of pressure put on them by those who are sexually abusing them. Surely, this is a violation of the child's right to self-



determination? The individuals' right to self-determination will not be unduly damaged by the removal of the 'requirement of complaint'; but if it is not removed, children, and society, will continue to be destroyed by the paedophile and criminal perverts who cannot be prosecuted for their sex-crimes because of a mere formality - the 'requirement of complaint'.

Guardianship

Getting proof of child-trafficking is nearly impossible, since the deals made between child-trafficking madams and the child's family take place on another continent. Yet, when Unaccompanied Asylum-seeking Minors (UAM) are forced to disappear from Dutch refugee-centres, the police can only investigate if there's suspicion of 'withdrawal of parental authority' (art.279.). The UAM's may have disappeared as part of a pre-arranged deal with the child-traffickers, who then force them into prostitution, but because there are no suspects or evidence of sex-trafficking, and because the UAM is, at that moment, without a formal guardian, she hasn't suffered a 'withdrawal of parental authority', and the police do not investigate her disappearance.

Young girl's, who have been brought to this country by criminals who are intent on forcing them to work as prostitutes, deserve to be searched for when they disappear and saved from the life-destroying degradation of child prostitution. This is possible if the Dutch authorities would simply give UAM's formal guardianship before they disappear.

Presently, the UAM's fall under the guardianship of the Opbouw after a ruling by a district-judge, which takes place approximately three months after the UAM arrives in the Netherlands. The young West-African girls, however, disappear before a judgement has been made and formal guardianship is assigned to the Opbouw. Consequently, there is no formal 'withdrawal from parental authority', and no attempt is made to locate the missing UAM's. By simply assigning guardianship more quickly, UAM's can be rescued from prostitution. This would be a humane act on the part of the Dutch authorities; but so far, there seems to be an astonishing lack of political will to act humanely.

In cases where missing UAM's are found working as prostitutes in other countries, there is great uncertainty and disagreement over which organisation is responsible for bringing the girls back to the Netherlands. No single organisation claims, or seemingly wants, the responsibility of bringing the UAM's back to the Netherlands – or finding an alternative solution. The police believe the Opbouw, as pre-guardian of the UAM, is responsible. The Opbouw, however, doesn't feel responsible, because if a UAM disappears before a judgement concerning formal guardianship is made, the judicial process stops, meaning the UAM never receives guardianship. The Dutch authorities feel no responsibility for locating or saving these children from prostitution, and the names of missing UAM's are simply scratched off the Opbouw's list.

This loophole in the law is convenient if one wishes to save oneself the time and money of locating and returning the missing children to the Netherlands.

Second Hearing

The second hearing that UAM's are given by officials from the Immigration & Naturalisation Department takes place four months after UAM arrives in the Netherlands. This is a vitally important hearing because the UAM's are asked why and how they came to the Netherlands. But since most West African UAM's disappear from refugee-centres a few weeks after they've arrived, the chance to obtain valuable information, such as travel routes, information about trafficking networks, names of madam's and pimps, political reasons for



seeking asylum etc., is lost.

If information is not gathered, child sex-trafficking can't be proven, and investigations into missing UAM's will never take place. For this reason, the IND and the Opbouw resolved to make sure that UAM's who were at-risk of disappearing got a second hearing. Last year, they discussed a proposal to give West-African girls an early second hearing, thus ensuring vital information about child sex-trafficking was obtained before the UAM's disappeared. This plan, unfortunately, has yet to be carried out.

Missing Person System

Following the concerned pledges made by the Ministry of Justice in 1997, the IND set up a National Report-centre for missing UAM's. Every missing UAM must be reported to the center; but sadly, owing to personnel shortages and insufficient resources, the IND was no position to operate this centre effectively, to properly analyse incoming information or, for that matter, to issue sweeping conclusions about the lack of 'hard evidence' concerning missing UAM's and child-prostitution. Moreover, because the police and Opbouw refugee center hardly ever reported cases involving missing UAM's, the registration system was never completed:

In 1998, it was decided that the National Report-centre for missing UAM's should fall under the jurisdiction of the Central Crime Bureau (CCB). The missing UAM's will be registered in the CCB's Missing-Person Database, which is used for all missing-persons in the Netherlands who have disappeared in suspicious or criminal circumstances. In June 1999, this database will finally be used for reporting missing UAM's.

How far the registration of UAM's progresses in the coming months will depend on the efforts of regional Refugee-Police and Vice-squads. Of vital importance is how much time and effort the regional police devote to cases involving UAM's who have disappeared under suspicious circumstances with 'unknown destinations'. If the police fail to give sufficient time and effort to tracking missing UAM's, the Missing-Person Database will be nothing more than a superficially impressive, fundamentally useless registration system for the Ministry of Justice, rather than an effective tool for saving children from prostitution.

Reorganisation of Vice-squads

Since 1995, the child-pornography unit has infiltrated a number of child-porn networks, resulting in eighty arrests and the burning of large amounts of child-porn films and photographs. Child-pornography is a profitable business, yet in the Netherlands, Amsterdam's child-pornography unit is the only police team that concentrates exclusively on combating child-porn.

A recent reorganisation of the Netherlands's police forces, which aimed to create a more generalised approach to policing, disbanded specialised police departments, including the Vice-squad. But when it soon became apparent that only specially trained police officers could properly handle cases involving child sex-crimes, some of the regional Vice-squads were recommissioned. However, there isn't a national policy for reintroducing Vice-squads in regional police forces.

Today, many regional police departments don't have Vice-squads, and in the regions where they are operational, the Vice-squad detectives don't have enough time to proactively investigate child-porn rings and child-prostitution networks. Therefore, they mostly rely on tips, and can only carry out occasional investigations of these criminal businesses. But given the complex and secretive nature of the child-porn industry, it's highly unlikely that the police



with make any major breakthroughs or uncover valuable information. If the government is serious about combating the sexual abuse of children for the production of child-pornography, than full time Vice-squads must be active in every regional police force.

In 1997, the Minister of Justice decided that the country's Vice-squads are diversely integrated into regional police departments, but showed no undue concern for their effectiveness. Vice-squad detectives, however, admit that it will be years before they return to the level of effectiveness they were at before the reorganisation.

In 1998, a study commissioned by the Ministry of Justice found that *"the specialist Vice-squads have a place within the police force in extremely different ways, and therefore, they are not visible."* Yet, the police admit that Vice-squads do not have enough time and resources to devote to child sex-crimes, and consequently, there are very few proactive investigations. When cases – including ones involving Internet child-pornography – are brought to the Vice-squad, they must have suspects and concrete leads to follow, or else an investigation does not take place.

Council for Child Protection

In the fight to stop the sexual abuse of children by their parents, intervention by the Council of Child Protection (CCP) has little or no effect. Because a CCP social worker only visits the family once a month, during which time the parents act appropriately, the social worker can only report that situation is improved, when, in fact, the sexual abuse continues as soon as the social worker departs.

Moreover, the CCP's social workers do not have the knowledge and expertise to deal effectively with sexual abuse within families. The social workers efforts - partly as a result of a lack of proper supervision by the CCP - are totally ineffective and fail to put a stop to the sexual abuse of the children.

The CCP, together with the victims and their parents/guardian, has the right to file a complaint alleging child sexual abuse. If a child is unable to file a complaint, the CCP can do it for the child, which satisfies the 'requirement of complaint' statute. The CCP's social workers, however, hardly ever file complaints. This is because they are not properly informed about their right to file complaints on behalf of the child. By failing to file on the behalf of children, the CCP blocks the only possible avenue to prosecuting sexual offenders in cases where it's not possible for the child to file a formal complaint.

Report

When reports of sexual abuse are filed, social workers must decide how to proceed with the case, and this often creates confusion for everyone involved – the social worker, the person who filed the report and the accused.

To improve the process of reporting cases of child sexual abuse, a standard report-code must be developed. This code would state which steps the social worker must follow when a report of sexual abuse is made. It would also state at what stage in the procedure other authorities must be informed. By establishing a report-code, the mishandling of cases can be prevented. Moreover, this report-code will reassure social workers that they are handling the report correctly; and if questioned or threatened, the social workers can justify their actions by saying they are obliged to 'follow procedures'. Now it is up to the individual social worker to decide in which way he will proceed after a report of sexual abuse has been filed. This leads to uncertainty for the social worker, the one who filed the report and the person accused.



6.2 General conclusion

Based on the present policies of the authorities involved in combating child-prostitution, *Terre des Hommes* has drawn the following general conclusions:

- the sharing of information between the authorities is insufficient;
- the co-ordination, apprehension and prosecution of sex-offenders is inadequate;
- the co-operation between social workers and other authorities is unsatisfactory.

Although, of late, there's been some recognition of the fact that the commercial sexual exploitation of children in the Netherlands is a serious problem, investigations to end this exploitation are still not given the high priority they deserve.

6.3. Recommendations

Terre des Hommes must remind the Dutch government of their responsibilities according to the UN Convention of the Rights of the Child, which became law on March 8, 1995. Given the scale and severity of sex-crimes committed against children in the Netherlands, we believe that the government must give priority to ending child sex-trafficking and child-prostitution. *Terre des Hommes*, therefore, proposes the following procedures:

1. Investigation

To successfully combat child-prostitution in the Netherlands, members of the Dutch parliament must publicly acknowledge that a serious problem exists. Moreover, they must start investigations that will produce valuable information about the commercial sexual exploitation of children; and armed with this information, the police, justice department and relief-organisations can then give child-prostitution a higher priority level and devise an effective battle plan.

In 1998, a comprehensive investigation by NISSO of child-prostitution and enforced prostitution of young, foreign girls in the Netherlands concluded that further investigations by the Dutch authorities are desperately needed. *Terre des Hommes* believes that *Ministry of Justice* should utilise all its resources and comprehensively investigate child-prostitution.

2. Prosecution

Terre des Hommes believes that preventing the sexual abuse of children should be given priority over concerns about the possible infringements of the 'right of self determination'. The Dutch government must protect those who cannot protect themselves from sexual abuse by criminal adults. Any possible infringements on the right to self-determination, as a result of dropping the 'requirement of complaint', are less important than eradicating child sexual abuse and the destructive effects this has on the children and society.

The Verweij-Jonker Institute's report recommended that the 'requirement of complaint' be dropped and replaced by a judicial hearing for children between the ages of 12-16. *Terre Des Hommes* believes that the *Ministry of Justice* should quickly adopt these recommendations as law. Moreover, the *Ministry of Justice* must insist that the police give priority to cases involving child sexual abuse and establish full time Vice-squads in every regional police department.

3. Prevention

The authorities must strictly conform to the established policy for dealing with UAM's who are at-risk to disappear from refugee-centres. At-risk UAM's should receive an earlier initial registration-interview with the Opbouw, an earlier second hearing with the IND and immediate formal guardianship from the Opbouw. Presently, however, this procedure is not strictly followed, and too often, the fate of UAM's depends solely on the initiative of individual social workers, who don't always follow the above procedures. *The Ministry of Justice must work to prevent UAM's from disappearing and ensure that they are given early interviews and hearings, so that valuable information is not lost. Information and knowledge are vital in the fight against child-sex trafficking.*

The time has come for a national campaign against child prostitution in the Netherlands. Providing information is perhaps the most important form of prevention. By publicising the plight of child-prostitutes, and by publicly recognising that a serious problem exists, the taboos surrounding child-prostitution disappear, the public knows which authorities to approach with information about child-prostitution cases and children are saved from further abuse and degradation.

Specific courses for CCP social workers about child sexual abuse are needed if they are to effectively recognise and rectify cases of sexual abuse. Moreover, CCP social workers must devote extra time to abused children and their families. One visit per month to the family home is not enough: Bonds of trust must be established, and proper supervision of the family situation must occur; but to do this, the social workers must be allowed to invest greater time and effort. The budget cuts and personnel shortages that the social services suffer from today will be paid for in the future, when sexually abused children grow up be unstable adults who can't function in society without the government's financial and medical help. *Terre des Hommes believes that the Council of Child Protection's social workers must be given special courses about the sexual exploitation of children. Moreover, by lowering their caseloads, social workers can devote more time to each child.*

- *There must be a reporting-code established for social workers which offers clear, step by step procedures for them to follow after a report of sexual abuse has been filed. This reporting-code will, above all, ensure that social workers act quickly and efficiently when a report of sexual abuse has been filed.*

- *The NISSO investigation concluded that in all the large Dutch cities, young girls are being forced into prostitution by the 'teen-romance' method. Prevention programs must be set up in these cities. Utrecht's highly effective 'Beauty and the Beast' and 'Pretty Woman' programs must be implemented in other Dutch cities.*

4. Relief

Because UAM refugee-centres are overcrowded and understaffed, there is not enough personal contact between social workers and at-risk UAM's. The young Chinese and West-African girls need to establish trusting relationships with social workers before they dare to speak the truth or ask for help. UAM refugee-centres should become smaller and less anonymous, especially those where at-risk young girls are kept.



If this is not possible, than in every UAM refugee-centre, special social workers should be assigned to at-risk Chinese and West-African girls. In this way, valuable information about UAM's who were smuggled to the Netherlands to work as prostitutes can be obtained. *Terre des Hommes strongly recommends that CCP social workers be assigned to work with and monitor at-risk Chinese and West-African girls.*

Today, there is no specialised help for children who have been removed from prostitution by the Dutch authorities. Rather, these young, sexually abused boys and girls are locked up in juvenile detention centres, where they are treated like criminals, not victims. This situation is unjust and must be changed immediately. *Terre des Hommes believes that special relief-centres must be set up specifically for girls and boys who are either in danger of becoming prostitutes or who have worked as prostitutes.*