



Global Monitoring



Report on the
status of action against commercial
sexual exploitation of children

NETHERLANDS



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Glossary of terms and acronyms

AIDS: Acquired Immune Deficiency Syndrome

ANVR: Dutch Association of Travel Agencies

Code of Conduct: A code for travel and tourism companies, providing guidance on the protection of children from sexual exploitation

CIS: Commonwealth of Independent States

COSPOL: Comprehensive Operational Strategic Planning for the Police

CRC: Convention on the Rights of the Child

CSE: Commercial sexual exploitation

CSEC: The commercial sexual exploitation of children consists of criminal practices that demean, degrade and threaten the physical and psychosocial integrity of children. There are three primary and interrelated forms of commercial sexual exploitation of children: prostitution, pornography and trafficking for sexual purposes. Commercial sexual exploitation of children comprises sexual abuse by the adult and remuneration in cash or in kind to the child or a third person or persons.

CST: Child sex tourism, or the commercial sexual exploitation of children by men or women who travel from one place to another, usually from a richer country to one that is less developed, and there engage in sexual acts with children, defined as anyone under the age of 18.

ECPAT: End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes

EU: European Union

GGD: Municipal Health Service (Geneeskundige en Gezondheidsdienst)

Grooming: Preparing a child for sexual abuse and exploitation

HIV: Human immunodeficiency virus

ICT: Information and Communication Technologies

ICTSD: International Centre for Trade and Sustainable Development

ILO: International Labour Organization

ILO/IPEC: International Labour Organization/International Programme on the

Elimination of Child Labour

IND: Immigration and Naturalization Service (Immigratie en Naturalisatie Dienst)

INGO: International non-governmental organization

INHOPE: International Association of Internet Hotlines

IOM: International Organization for Migration

IRC: Internet Relay Chat

ISP: Internet service provider

IT: Information technology

KLPD: National Police Agency (Korps Landelijke Politiediensten)

KMar: Royal Constabulary (Koninklijke Marechaussee)

MoU: Memorandum of Understanding

NGO: Non-governmental organization

NAPS: National Action Plan dealing with Sexual Abuse of Children

NPA: National plan of action

NRM: National Rapporteur on Trafficking in Human Beings

OSCE: Organization on Security and Cooperation in Europe

PCTF: Police Chiefs Task Force

QCS: quality of care standards

SIOD: Social Intelligence and Investigation Service

STIs: Sexually transmitted infections

STV: Foundation against Trafficking in Women

UAM: Unaccompanied minors

UN: United Nations

UNDP: United Nations Development Programme

UNGASS: United Nations General Assembly Special Session on Children

UNHCR: United Nations High Commissioner for Refugees

UNICEF: United Nations Children's Fund

UNOHCHR: United Nations Office of the High Commissioner for Human Rights

WHO: World Health Organization

WTO: World Tourism Organization

Foreword

Ten years have passed since the First World Congress against Commercial Sexual Exploitation of Children (CSEC) was held in 1996 in Stockholm, Sweden. The Stockholm Congress was a landmark event, providing testimony that convinced the world that sexual violations against children exist in all nations, irrespective of cultural differences or geographic location. It marked the first public recognition by governments of the existence of CSEC and resulted in a commitment to a global Declaration and Agenda for Action, which was formally adopted by 122 governments, as a guide to the specific measures that must be taken for counteraction.

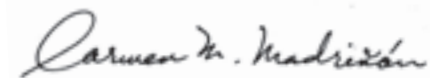
Since 1996, many actors around the world have focused their efforts around this common Agenda for Action and more government and non-government entities have linked, to ensure positive change for children and to protect their right to live free from sexual exploitation. This broad societal alliance (bolstered by a Second World Congress held in Yokohama in 2001, during which the number of countries adopting the Agenda rose to 159 - a figure which has since risen to 161) has made progress in improving protection for children from commercial sexual exploitation. However, the increasing sophistication of resources available to those who seek to exploit children have grown in equal measure. Responding to these challenges requires far more coordinated and targeted work to be undertaken to avoid retrogression.

Experience demonstrates that the level of responsibility and role that a government takes to set and uphold standards of protection, like the lead taken for protecting children's rights, determines the nature, quantity and quality of what the country achieves for its children. Governments can and have accelerated progress for implementation of the Agenda for Action, often opening new and important channels for such work. Nevertheless, their actions have not been uniform and, as these country profiles attest, far more urgent work must be done to protect children from such heinous violations, as these are still perpetrated with impunity in many countries.

This report aims to provide a baseline of information on actions taken and remaining gaps for addressing CSEC in each country, based on the framework of the Agenda for Action, to enable more systematic assessment of progress on implementation of this commitment. It also seeks to contribute to other international mechanisms that exist to protect children's rights; the *Convention on the Rights of the Child (CRC)* and the *Optional Protocol on the sale of children, child prostitution and child pornography* so as to strengthen the implementation and action against commercial sexual exploitation of children at all levels.

Another important objective of these reports is to stimulate the exchange of experience and knowledge among countries and different actors to create a dialogue that can further work against CSEC. While much has been achieved over the last 10 years, many gaps still remain. The implementation of the Agenda for Action is urgently required, for as the reports clearly illustrate, there is a compelling need for global action to protect children from these inhuman violations.

This project is the result of a broad and global collaboration. ECPAT International (EI) would like to thank all those who participated in the work and contributed their inputs, in particular the ECPAT member groups in the countries examined, local experts who provided valuable information and insights, other organisations that shared their experience and information, the dedicated staff and volunteers in the Secretariat of EI and the generous donors who backed the project (more extensive acknowledgements can be found in the Regional Report). This work would not have been realised without their support and solidarity.



Carmen Madriñán
Executive Director, ECPAT International

Methodology

The Agenda for Action against Commercial Sexual Exploitation of Children provides a detailed framework and categories of actions to be taken by governments in partnership with civil society organizations and other relevant actors for combating commercial sexual crimes against children. Broadly, these actions are focused on: 1) Coordination and Cooperation; 2) Prevention; 3) Protection; 4) Recovery, Rehabilitation and Reintegration; and 5) Child Participation. The Agenda for Action is thus the formal and guiding structure used by governments that have adopted it and committed to work against CSEC. As such, the Agenda for Action is also the main organising framework for reporting on the status of implementation of the Agenda as seen in the World Congress of 2001 and in the Mid-Term Review meetings held between 2004 and 2005. It has been used in the same way to structure and guide the research, analysis and preparation of information presented in these reports on the status of implementation of the Agenda in the individual countries.

Preparatory work for this report involved a review of the literature available on sexual exploitation for each of the countries where ECPAT works. A number of tools were prepared, such as a detailed glossary of CSEC terms, explanatory literature on more difficult themes and concepts and a guide to relevant CSEC-related research tools, to assist researchers in their work and to ensure consistency in the gathering, interpreting and analysing of information from different sources and parts of the world.

Early desktop research revealed a lack of information in the areas of Recovery, Rehabilitation and Reintegration; and Child Participation. After extensive efforts to collect information relevant to these areas for each of the countries covered, it was decided that as this information was not consistently available, the reports would focus only on those areas of

the Agenda for Action where verifiable information could be obtained. Thus, the report covers: Coordination and Cooperation; Prevention; and Protection, and where information on the other two areas was available, it has been included under the specific country or in the regional overview.

Research of secondary sources, including CRC country reports, alternative CRC reports, the reports of the Special Rapporteurs, submissions for the recent UN Study on Violence against Children, as well as research and field studies of ECPAT, governmental and non-governmental organizations, and UN agencies, provided the initial information for each report. This information was compiled, reviewed and used to produce first draft reports. In-house and consultant specialists undertook a similar process of review to generate information on specialised areas of the reports, such as the legal sections. Nevertheless, researchers often encountered a lack of information. While sources also included unpublished reports and field and case reports of ECPAT and other partners, many countries lacked up-to-date data and information on areas relevant to this report.

Despite these limitations, sufficient information was gathered to provide a broad overview of the situation in each country. Subsequently, first drafts were prepared and shared with ECPAT groups, which then supplemented the information with other local sources and analysis (taking care to identify them and source appropriately). Upon receipt of these inputs, a series of questions were generated by the ECPAT International team for deeper discussion through teleconferences, which involved ECPAT groups and specialists invited by them. The information from these discussions was used to finalise inputs to each of the reports. These consultations proved to be invaluable for analysis of the country situation.

They also served as a measure for triangulating and validating information as different actors offered their perspective and analysis based on their direct work.

As previously noted, the information of each country report is organised to correspond to the structure of the Agenda for Action. Thus all reports feature: (i) an overview of the main CSEC manifestations affecting the country; (ii) analysis of the country's National Plan of Action (NPA) against CSEC and its implementation (or the absence of an NPA); (iii) overview and analysis of coordination and cooperation efforts during the period under review; (iv) overview and analysis of prevention efforts; (v) overview and analysis of protection efforts, which includes detailed information on national legislation related to CSEC (see www.ecpat.net for further details); and (vi) priority actions required.



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According to several reports, the impact of trafficking in children in the Netherlands is serious enough to demand that substantial resources be devoted to tackling it, even if the precise extent of the problem is unknown.¹ Young people from eastern Europe are particularly vulnerable, but victims come from more than 30 different countries all over the world. A particular focus of the research carried out so far on the issue is the problem of underage female asylum seekers who disappear from asylums and unaccompanied minor (UAM) centres; a number of girls, often from West Africa, have disappeared from such centres after a few days' stay, and subsequently been forced into prostitution. Chinese girls are another vulnerable group in this regard.²

Among the children exploited in prostitution in the Netherlands, an average of 30 per cent are of Dutch origin, while another 30 per cent have Moroccan, Turkish, Surinamese or Antilles ethnic backgrounds - although 60 per cent of them are actually Dutch nationals. The rest come mainly from countries in Africa and eastern Europe;³ it is suggested that girls from these regions are exploited in urban flats by Dutch and African men, including tourists.⁴ The prostitution of African girls seems to have decreased since the introduction of new legislation obliging citizens to carry proof of identity at all times; fearing increased checks, a large number of Nigerians in particular, have left for other countries (such as England, Italy and Spain).⁵

Women are also perpetrators

A boy from Ghana, illegally staying in the Netherlands, is picked up by a Dutch woman who offers him food and lodging in return for sex. Although the boy may consider it a favourable exchange, he is also vulnerable; if the woman decides that she has had enough of him, she can throw him out of the house. In that case, it is more than likely that he will end up in a similar relationship with another woman,⁶ as one of his few assets is his sexuality. (Case history from a relief organisation)

Most children are exploited in the illegal prostitution sector, as pimps are aware that the prostitution of children is a criminal act and that the police supervise the activity closely. At the same time, care organisations and the police come across cases of girls being put on display in the windows of sex shops when they turn 18. Before this, many of the girls might have already been 'prepared' for prostitution, via gang rapes, forced sex, and having sex with friends of the pimp. The existence of this 'preparatory' treatment that minor girls are subjected to is extremely difficult to prove, not least because money does not always change hands.⁷

Children and young people are thus rarely exploited as street sex workers or in red light districts, as checks on such areas are usually stringent. Their sexual exploitation occurs predominantly within illegal escort services, in hotels, in parked cars, in private houses, and in illegal private clubs (mostly in towns but also in the countryside). Some of these clubs are situated within the jurisdiction of local authorities that exert weaker controls.⁸ According to interviewees from the Trafficking in Human Beings Information Unit (IEM), exploiters are using the Internet and mobile phones to gain access to children and young people for prostitution.⁹

So-called 'opportunistic prostitution' has also been identified in recent research. This refers to a number of children who are not forced into prostitution by third parties but who seem to offer sex to clients in return for money or other forms of compensation, as a means of earning a living.¹⁰ The roles played by the media, the educational system and current social values, including that of the relationship between men and women, should be taken into consideration when addressing this phenomenon.

Little is known about the sexual exploitation of boys, but there are reports that young eastern European male prostitutes include minors. In addition, care organisations working with drug addicts indicate the involvement of boys aged between 15 and 18.¹¹ Boys seem to enter prostitution at a slightly younger age than girls, i.e. between 9 and 15 years old.¹² The prostitution of boys tends to be less visible nowadays due to the increasing use of the Internet, chatrooms, mobile phones and advertisements to establish contact.¹³

The use of information technology (IT) applications - such as chatrooms and web cams - to find and solicit children for sex is reported to be on the rise. Web cams are also used to make sex videos involving children, later distributed via the Internet.¹⁴ Minors themselves are found guilty of possessing and distributing child pornography, and videos of underage girls are sometimes distributed by ex-boyfriends.¹⁵ In the last few years, the Dutch Hotline

for Child Pornography on the Internet (Meldpunt Kinderporno op Internet) received soaring reports of child pornography and images of child sexual abuse from websites hosted abroad.¹⁶ The Hotline and the National Police Agency (KLPD) are also coming across ever more extreme child pornography materials, such as images involving babies.¹⁷

Dutch nationals are recurrently involved in the sexual exploitation of children in destinations popular with Dutch tourists. Interestingly, the country can be considered both a sending and a destination country in terms of child sex tourism, as this kind of exploitation also occurs within the Netherlands.¹⁸

Dutch nationals exploiting children in notorious destinations

Following allegations of sexual exploitation of children by Dutch tourists, research conducted by Terre des Hommes and the Child Protection Alliance (CPA) in The Gambia, led to the arrest of a Dutch national in 2003 and the investigation of a guest house that was a venue for organised child sex tourism.¹⁹ In 2005, another Dutch national was sentenced to ten years' imprisonment by Cambodia's Court of Appeal.²⁰ The man in question had exploited several 13 year-old boys, and the sentence was notable for having overturned the decision of a municipal Court to dismiss the case. Also in 2005, a group of five men was convicted by the Dutch Court for engaging in a criminal organisation, as they had organised trips to Tunisia to abuse children sexually. More recently a Dutch national was arrested in Morocco for sexual crimes against an underage boy in Guéliz; he was found guilty by the Moroccan Court and on appeal, convicted to four years' imprisonment in March 2006.²¹

The Netherlands adopted the *Stockholm Declaration and Agenda for Action* in 1996 and reaffirmed its in Yokohama in 2001.

NATIONAL PLAN OF ACTION (NPA)

The *National Action Plan Dealing with Sexual Abuse of Children* (NAPS) was developed in 2000 and implemented until 2002, but had no specific focus on commercial sexual exploitation of children (CSEC). Elements related to CSEC are now addressed in a number of national plans, such as the *National Action Plan against Trafficking in Human Beings* and the *National Action Plan against Domestic Violence*. An NPA specifically on CSEC should be developed so that the issue is tackled in a comprehensive manner in policy making (it is currently dealt with under the broader framework of child abuse and trafficking).

NAPS was adopted by the Lower House in 2000.²² The Plan's implementation was supervised by the NAPS Project Team, led by the Ministry of Justice and comprising representatives of various ministries, the police, the Association of Netherlands Municipalities, aid agencies and special interest groups, including NGOs.²³ Although not specifically focused on CSEC, the NAPS team addressed various aspects of the problem, and was successful in linking the work of stakeholders.²⁴ A budget was allocated for implementing activities,²⁵ which included the development of teaching modules for professionals on the early identification of sexual abuse, the submission of concrete legislative proposals and the publication of a handbook describing successful projects to combat the prostitution of children.²⁶ NAPS was completed at the end of 2002 and a final report was submitted to the Lower House. According to ECPAT Netherlands, although the planned structured evaluation was not conducted²⁷, the Plan's implementation seems to have been satisfactorily carried out.

The sexual abuse of children is now dealt with in the *National Action Plan against Domestic Violence*, which does not specifically address commercial sexual exploitation of children or trafficking in minors.²⁸

In 2004, the *Plan of Action to Regulate and Protect the Prostitution Sector* was developed under the Ministry of Justice, featuring special provisions on minors, such as awareness campaigns for girls and boys at risk (e.g. minor asylum seekers), the setting up of a National Information Centre on Youth and Prostitution, as well as training for professionals working with children and young people to recognise indicators of sexual exploitation. The Plan is ongoing and features a clear set of goals for every year. It also identifies the organisations and Government departments responsible for the various tasks envisaged. An evaluation is planned for 2006.

Also in 2004, the Government announced the *National Action Plan against Trafficking in Human Beings: additional government measures on combating trafficking in human beings in the Netherlands*. The Plan was a response to recommendations made by the National Rapporteur on Trafficking in Human Beings (NRM), and to the fact that the Ministers of Justice, Foreign Affairs, the Interior and Kingdom Relations had identified the investigation and prosecution of trafficking in human beings as priority issues. The Plan is underway and has a clear set of goals for each year; it also identifies the organisations and government departments responsible for the various tasks envisaged.²⁹ In order to better address the needs of children and young people (in particular unaccompanied asylum seeking minors and minor victims of 'lover boys', i.e. boys who date young girls to lure

them into prostitution), in February 2006, the Ministry of Justice published an addendum containing measures related to the identification, repatriation and safety of victims, training stakeholders and setting up a national information centre on youth and prostitution. Also, a new Instruction/Directive from the National Office of the Public Prosecution Service on investigating trafficking in human beings was issued for the public prosecutors' service and the police, addressing child trafficking and prostitution of minors (ECPAT Netherlands advised the Ministry in preparing the addendum on special measures for children).

Additionally, as a follow up to the 2002 UN General Assembly Special Session on Children (UNGASS), a *National Action Plan for Children* was introduced in 2004. However, its provisions in relation to CSEC are vague and constitute a declaration of principles rather than a plan of action.

COORDINATION AND COOPERATION

Local and National Level

Despite the Government's declaration that combating trafficking in minors is a priority, capacities, knowledge and cooperation among law enforcement and care organisations dealing with the problem are insufficient. Such cooperation between stakeholders is critical as many organisations currently work on the issue without adequate insights into each other's work.³⁰ A number of institutions and functions recently created should prove instrumental in addressing the need for improved coordination against CSEC in general - e.g. the National Information Centre on Youth and Prostitution, the National Expertise Centre on Human Trafficking and Migrant Smuggling and the Youth Commissioner.

Examples of such efforts include the Platform on Youth and Prostitution, established in 2002 to facilitate the exchange of information between organisations working with minors.³¹ In 2004, as a direct result of the *Plan of Action to Regulate and Protect the Prostitution Sector*, the National Information Centre on Youth and Prostitution (Informatiepunt Jeugdprostitutie) was created. The Centre plays a key role in collecting and disseminating knowledge on CSEC,³² such as related research, good practices and policy development.³³

Furthermore, a Youth Commissioner was established in 2004 to improve coordination in relation to child rights policies and to assess the situation in the Netherlands, advising

the Government accordingly. Efforts have been made to involve youth in policy making through the establishment of a National Youth Council in 2002 in the Netherlands and a Youth Parliament in Aruba (ex-Dutch Antilles) in 2003.³⁴

A draft bill for the establishment of an ombudsman for children has also been presented to parliament, unfortunately without a sufficient follow up to date. This independent mechanism, with a mandate to evaluate progress in implementing the *Convention on the Rights of the Child (CRC)*, and also empowered to receive and address individual complaints about child rights violations in the Netherlands and Aruba, would be a great step forward in enhancing coordination against CSEC in the Netherlands.³⁵

An independent National Rapporteur on Trafficking in Human Beings was appointed in 2000, whose function it is to collect information and recommend appropriate action, presented to the Government on an annual basis.³⁶ The National Rapporteur has worked closely with ECPAT Netherlands and has been active in tackling CSEC issues.

Another important coordination initiative has been the creation of a multi-stakeholder platform working on child safety on the Internet, comprising Internet service providers (ISPs), chat service providers, portals, ECPAT Netherlands, Meldpunt Kinderporno and the Ministry of Economic Affairs. Their work has included the publication of guidelines for chat service providers in 2005.³⁷

Regional and International Level

Enhancing cooperation at regional and international level is crucial, particularly to combat child trafficking and child pornography more effectively. Only occasionally have some efforts been observed in this regard. Especially recommended would be more active Government participation in the development and implementation of international and European agreements on combating trafficking in children, child pornography and child sex tourism.³⁸ More active cooperation in bilateral and multilateral police investigations, including in cooperation with Europol, is also recommended.

The regional programme on trafficking in children for sexual purposes, conducted by the ECPAT Europe Law Enforcement Group and implemented in the Netherlands by ECPAT Netherlands, has played a significant role in regional coordination against child trafficking. A research study was published in 2004, and ECPAT Netherlands later became

a partner in the Organization for Security and Cooperation in Europe (OSCE) Alliance on Trafficking in Human Beings. These initiatives were followed by the two-year 'Joint East-West Multi-Stakeholder Training Programme on Trafficking in Children for Sexual Purposes', which involves 19 partners (most of them from the European ECPAT network), as well as ten external experts. Trainer manuals for law enforcement and caregivers have been produced, and training sessions have been held in ten central and eastern European countries, in partnership with the western European groups.³⁹

The Comprehensive Operational Strategic Planning for the Police (COSPOL)

In order to strengthen multinational police cooperation at European level as well as the operational capacity and impact of the Police Chiefs Task Force (PCTF), the Netherlands Presidency developed the *Comprehensive Operational Strategic Planning for the Police* (COSPOL). Collaboration between the PCTF and Europol is vital for combating CSEC, and has been strengthened by the operational support located in offices in the Europol building and through improved exchange of information via Europol. Cybercrime and child pornography have received special attention; in this regard, the project seeks to detect, disrupt and dismantle networks, structures and new methods used by child sex exploiters on the Internet. It also identifies victims.⁴⁰

PREVENTION

Various initiatives to prevent CSEC have been developed in the Netherlands, mainly in the form of information campaigns. Children have been targeted through campaigns in schools, particularly in relation to the "lover boy" phenomenon (where a boy slowly makes a girl fall in love with him and after a while lures her into prostitution). However, more effective prevention efforts demand the involvement of a variety of stakeholders other than just those within the educational system - such as social workers, youth workers, religious organisations and the media. Tailored information must also be provided to vulnerable groups that run additional risks of exploitation: unaccompanied minor asylum seekers, child immigrants, children whose parents are residing illegally in the Netherlands, and young people who are in the country legally but have no means of finding work.⁴¹

Female unaccompanied minors are among the most vulnerable groups regarding commercial sexual exploitation (CSE), and two awareness raising programmes targeted them at the beginning of 2004: one conducted by the advocacy organisation SAMAH in Amsterdam,

and the other by Scharlaken Koord, an organisation providing social services to sex workers, also in Amsterdam.⁴² Another high-risk group, girls in crisis care, received attention from MEISA in Amsterdam. Still, these constitute isolated examples of prevention directed to at-risk children.

‘Lang Leve de Liefde’ (Long Live Love) is a programme designed for 12-16 year olds in secondary schools, and focuses on how to prevent sexual abuse and exploitation. It was implemented in 2005 by the SoaAids Foundation, in cooperation with the Municipal Health Service (GGD).⁴³

The Dutch Hotline for Child Pornography on the Internet (Meldpunt Kinderporno op Internet)⁴⁴ was founded in 1995 by the Dutch Association of Internet Providers (NLIP) and individual Internet users. It works closely with the National Police Agency (KLPD) and foreign hotlines, and members of the International Association of Internet Hotlines (INHOPE), to act on reports and complaints received. Meldpunt co-founded the INHOPE network in 1999.⁴⁵ Meldpunt also joined the multi-stakeholder platform working on a safer Internet for children to undertake education initiatives targeting parents, teachers and children.⁴⁶ With ECPAT Netherlands, Meldpunt conducted the Internet safety campaigns SurfSafe and make-IT-safe, and launched the website www.surfsafe.nl.⁴⁷

Steep increase in reporting child pornography

In 2005, the Meldpunt hotline received 8,185 reports of child pornography (as compared to 6,332 in 2004), which led to 4,765 charges being filed with the KLPD and other foreign hotlines. Among the reports, 88 of them concerned child pornography hosted in the Netherlands, and 60 of these are now under investigation; the total number of reports thus increased by more than 30 per cent in one year.⁴⁸ Most of the complaints were related to images of sexual abuse of children on websites hosted abroad, namely in the United States, Korea and Russia. There has also been an enormous increase (67 per cent) of complaints regarding spam with child pornographic content.⁴⁹

The prevention of child sex tourism has been undertaken mainly by ECPAT Netherlands and the two companies that signed the *Code of Conduct to Protect Children from Sexual Exploitation in Travel and Tourism* (TUI Netherlands and Oad Reizen), through a variety of activities to make the general public more sensitive (for example through participation in the Dutch Holiday Fair for the past ten years) and lobbying for wider adoption and

implementation of the *Code of Conduct*, both within the country and in selected tourism destinations – including collaboration with local ECPAT partners such as CPA The Gambia, Respect Austria and ECPIK Kenya. Capacity building sessions for tourism professionals are regularly conducted, and in 2005 lectures were given at 20 tourism schools. ECPAT Netherlands also works closely with the Dutch Association Travel Agencies (ANVR). Additionally, a few Dutch airlines and the Schipol Airport have made outbound travellers more sensitive to the issue through advertisements in in-flight magazines, screening the ECPAT in-flight video and posting an illuminated sign at the Airport. Although a portion of the private sector is well engaged in activities against child sex tourism, more active participation on the part of trade organisations is still needed.

Under the ‘Multi-Stakeholder Training Programme on Trafficking in Children for Sexual Purposes’, the ECPAT Europe Law Enforcement Group, coordinated by ECPAT Netherlands, developed a manual to institute multi-disciplinary training on trafficking. It is hoped that structured training will soon be established in cooperation with relevant stakeholders, such as police academies and training institutes for social and health care workers.

Finally, in-depth research on trafficking and the sexual exploitation of minors was conducted in 2005 by ECPAT Netherlands, in cooperation with UNICEF Netherlands and PLAN Netherlands.⁵⁰ Its publication received extensive media coverage and attention from Dutch parliamentarians, and the findings were taken into account in the draft of additional measures to the *National Action Plan against Trafficking in Human Beings*.

PROTECTION

The Netherlands ratified the *Convention on the Rights of the Child* in 1995 and its *Optional Protocol on the sale of children, child prostitution and child pornography (Optional Protocol)* in 2005. Also in 2005 it ratified the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol)*. The Netherlands ratified *ILO Convention No. 182* in 2002. At regional level, the Netherlands signed the *Convention on Cybercrime* in 2001, but has not ratified it to date.⁵¹ The Council of Europe’s *Convention on Action against Trafficking in Human Beings* was signed in 2005, but has not been ratified.⁵²

Legislation

Significant changes in Dutch legislation regarding sexual offences were introduced in October 2002. Extraterritorial legislation was then made more effective in child sex tourism cases through the abolition of the double criminality principle in relation to the sexual exploitation of children. Another important change was the abolition of the requirement of complaint for the prosecution of offences of sexual abuse of children between 12 and 16 years of age.⁵³ Before this change was implemented, the criminal justice authorities could not prosecute such offences without a complaint having first been made.⁵⁴ At the same time, the impact that the lifting of the general ban on brothels may have on the exploitation of children in prostitution must be closely monitored. Legalisation of brothels and prostitution creates social licence for the growth of commercial sex, alongside which comes the growth of its illegal and more extreme manifestations. A nation's choice to move in this direction carries great risks and added responsibilities for the protection of children.

Prostitution of Children

With its extensive provisions on the prostitution of children, Dutch law generally meets the international standards.

The age of sexual consent in the Netherlands is 16, however not all sexual relations with children under that age will be considered as abuse. Generally speaking, sex with a person over the age of 16 will be considered an offence if it takes place under duress, or if the offender is the child's parent, teacher, doctor, etc., or if the minor is involved in prostitution.⁵⁵

Sexual intercourse comprising or including sexual penetration with a child under the age of 12 is a crime.⁵⁶ Offenders are liable to a maximum term of imprisonment of 12 years regardless of the victim's consent or the offender's knowledge of the victim's age.⁵⁷ According to the jurisprudence, "penetration" includes every form of penetration (for example, "french kissing" or other acts preceding penetration). If there is no penetration, "indecent acts" may also be considered assault under Article 246 of the *Penal Code*, which states that "a person who by an act of violence or another act or by threat of violence or threat of another act compels another person to perform or to submit to indecent acts is guilty of indecent assault and is liable to a term of imprisonment of not more than eight years or a fine". When such acts comprise or include sexual penetration of the body,

they constitute rape and are punishable with a maximum of 12 years' imprisonment or a fine of the fifth category (45,000 Euros).⁵⁸ The age of the victim is not mentioned as an aggravating factor.

Pursuant to the 2002 Act *Lifting the Restriction on Brothels*, the way has been cleared for running prostitution as a legal business. However, the prostitution of minors was made explicitly illegal, both for those who exploit the minors, and for the clients of children exploited in prostitution.⁵⁹

The Dutch *Penal Code* punishes anyone who intentionally induces a minor under the age of 18, whom that person knows or may reasonably be expected to know to be a minor, to commit an indecent act with him/her or to submit to such an act committed by him/her 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. Punishment is a term of imprisonment of four years maximum or a fine of the fourth category (11,250 Euros).⁶⁰

The *Penal Code* also punishes the clients of children between the ages of 16 and 18 who are exploited in prostitution. It provides that any person who performs indecent acts with a person who has reached the age of 16 but who is not yet 18, and who is available for performing sexual acts for financial gain, is liable to a term of imprisonment of not more than four years or a fine of the fourth category (11,250 Euros).⁶¹

Attending "peepshows" involving children under the age of 18 is also an offence. The Code provides that a person who deliberately attends a performance of indecent acts by a minor child whose minority he/she is aware of, or should reasonably be aware of, or attends a display of images showing such acts at a location specially designed for that, is liable to a term of imprisonment of not more than four years or a fine of the fourth category (11,250 Euros).⁶²

The new article on human trafficking, Article 273a of the *Penal Code*, also includes provisions that apply to the prostitution of children, under paragraph 1, parts 5 and 8. According to this Article, the exploitation of a minor in prostitution and pornography is a trafficking offence in any case.⁶³ Article 273a incriminates anyone who induces a child under the age of 18 to make him/herself available for performing sexual acts with or for a third party for remuneration, or who takes any action towards such child, which he/she knows or may reasonably be expected to know that will result in that child making him/herself available for performing these acts. The *Penal Code* also makes it an offence for

anyone to profit wilfully from the sexual acts of a child under the age of 18 with or for a third party, for remuneration. The applicable penalties are imprisonment for a term not exceeding 6 years and a fine of maximum 45,000 Euros. If the act is committed against a child under 16 years of age, the offence shall be punished with imprisonment not exceeding eight years and a fine.⁶⁴

Trafficking in Children for Sexual Purposes

The Dutch trafficking definition includes all the acts that must be criminalised under the *Trafficking Protocol*. However, increased penalties should ideally apply when a child victim is under 18 years of age, and not under 16 years only. Furthermore, while the *Penal Code* mentions that exploitation comprises “at least” the exploitation of prostitution and other forms of sexual exploitation, it fails to list specifics and define what activities are prohibited.

The *Penal Code* covers trafficking in children by criminalising the recruitment, transportation, transfer, harbouring or subsequent receipt of a person under the age of 18 for the purpose of exploitation. Exploitation comprises “at least the exploitation of another person in prostitution” as well as other forms of sexual exploitation”.⁶⁵ This offence is punishable with imprisonment for up to six years and/or a fine. When the victim is under 16 years of age, penalties are increased to imprisonment for a maximum of eight years and/or a fine. All forms of profit resulting from exploitation are criminally punishable. Article 273a stipulates that not only the traffickers, but also the exploiters for whom people are trafficked in the first place, should be punished.⁶⁶

Child Pornography

Despite the positive legal review that took place in 2002, Dutch law on child pornography still needs strengthening to meet international standards. In particular, it lacks a clear definition of child pornography - even though specific directives have been made to public prosecutors and the police have clearly stated what should be understood by the term “images or data carriers” and “sexual acts” - which is always recommended to ensure adequate protection for children. Dutch law refers to “images or data carriers containing images of sexual acts”, and this definition in itself is not broad enough to encompass materials such as printed materials, videotapes and audiotapes, as contemplated by the *Protocol*. Also, “images of sexual acts” may not cover representations of the sexual parts of a child, as required by the *Protocol*. Finally, the

law protects only those children who “manifestly have not reached the age of 18” (i.e. who look younger than 18 years old). To meet international standards, the law should protect all children under 18 and not only those who manifestly are. At the same time, Dutch law goes a step further than the *Optional Protocol* by criminalising the mere possession of child pornography.

The *Penal Code* punishes with a term of imprisonment of up to four years or a fine of the fifth category (45,000 Euros) any person who either disseminates, publicly displays, manufactures, imports, transits, exports or has in his/her possession an image or a data carrier containing an image of a sexual act in which a person, who manifestly has not reached the age of 18, is involved or appears to be involved.⁶⁷ In addition, any person “who has made a profession or habit of committing the above offences shall be liable to a term of imprisonment not exceeding six years or a fifth-category fine” (45,000 Euros). In order to strengthen child protection, the paragraph in this article that decriminalised the stocking of this type of image for “scientific, educational or therapeutic purposes”, has been repealed.

The *Penal Code* further provides that anyone who knows or has serious reasons to suspect that an image or object is “offensive to decency” and who publicly displays or offers such an image or object, or sends that image or object to another person without that person’s request is liable to imprisonment for a maximum of two months and a fine of the third category (€4,500).⁶⁸ Anyone who supplies, offers or shows a minor that he/she knows or should reasonably suspect to be younger than 16, an image, an object or a data carrier, the display of which is to be regarded as injurious to persons under the age of 16, is liable to imprisonment for a maximum of one year or a fine of the fourth category (11,250 Euros).⁶⁹

Extraterritorial Legislation

The provisions of Dutch criminal law also apply to Dutch nationals and nationals of other countries resident in the Netherlands who commit sexual offences with minors abroad. Suspects face prosecution even if they took up residence in the Netherlands after the offence was committed.⁷⁰ Due to recent amendments, the principle of double criminality no longer applies.

Child Protection Units

In May 2005 the national police set up the National Expertise Centre on Human Trafficking and Migrant Smuggling,⁷¹ where information and best practices against human trafficking and migrant smuggling are collected and made available to investigation services. The Centre brings together law enforcement agencies such as the KLPD, the Criminal Investigation Unit, Royal Constabulary (KMar), Immigration and Naturalization Service (IND) and the Social Intelligence and Investigation Service (SIOD), and is housed in the North and East Netherlands branch of the Criminal Investigation Unit in Zwolle. The Centre plays an important role in monitoring human trafficking and trafficking in children in particular, also addressing the need for improved cooperation against related crimes.⁷²

Furthermore, special officers on youth issues are trained to deal with children and young people who suffer sexual abuse and exploitation.

Child-friendly procedures have been established, and training on how to interview and assist child witnesses or victims of crimes are held regularly. At the same time, as in many other countries, such procedures are usually applied when small children are concerned, and not so much in relation to those aged between 15 and 18, who are considered a social nuisance or “badly-behaved” youths. It is thus important that this age group receives the same special attention as that given to younger children.

Support Services for Children

Only one relief centre in the Netherlands, Asja in Leeuwarden, is specifically intended for young victims of exploitation in prostitution.⁷³ But the centre offers only 12 places, to girls aged between 16 and 23, under certain conditions. Younger children can receive assistance through the child protection system, which does not have sufficient facilities or staff trained to rehabilitate and reintegrate CSEC victims. The obvious need for similar centres has been pointed out by many organisations, such as the Foundation against Trafficking in Women (STV), which says that it has difficulty finding recovery facilities for underage victims of human trafficking for sexual purposes. Girls often end up in inappropriate institutions, such as women’s shelters. The fact that girls have been exploited through prostitution often gives them a singular and isolated position in normal relief centres,⁷⁴ which lack expertise on youth prostitution. This expertise is also lacking in ambulatory care services.

The Youth Care Office is the gateway to social services, and their staff determine the kind of assistance that is required and find ways of providing it. STV also functions as a referral centre for trafficking victims. The national referral system for CSEC should however be strengthened and better structured. The National Information Centre on Youth and Prostitution is active in creating awareness of the problem, and could play a role in providing the necessary training.

In an effort to improve this situation, a help page on sexual violence www.seksueelgeweld.nl has been set up to accompany victims of sexual violence and their close circle of friends. This help page lists phone numbers and addresses of many organisations that can be contacted in situations of sexual violence.⁷⁵ On their website www.jeugdprostitutie.nu, the National Information Centre on Youth and Prostitution also provides information on services related to the sexual exploitation of minors. "Pretty Woman" is another project,

run in cooperation with the Youth Care Office in Utrecht that aims to assist girls who may be lured into prostitution by their "lover boy" and those already exploited in prostitution (or who have been exploited in the past).

Pretty Woman offers individual and group assistance, and also provides information to schools, community centers, referrers, etc.⁷⁶ Furthermore, the Youth Care Office regularly assists minor victims of prostitution, but has no special care facilities for this purpose.⁷⁷ For underage boys exploited in prostitution, there are simply no specialised relief possibilities available, and boys often end up in shelters for the homeless.⁷⁸

A *Youth Care Act* has been in place since 2005 to give youth and their parents the to get adequate assistance from the state, when determined by the Youth Care Office, which can also be demanded in Court if necessary.

Training Law Enforcement Personnel


In 2004, the Committee on the Rights of the Child recommended strengthening the capacity of the police in the Netherlands and Aruba to receive and investigate complaints of trafficking and sexual exploitation in a child-sensitive manner, inter alia, by increasing human and financial resources and where necessary providing training.⁷⁹ No sustainable efforts in this regard have been identified though. ECPAT Netherlands has pointed out that capacity building of law enforcers should also entail increased human resources and training on how to identify and deal with potential victims with a view to prevention.

In 2005, a workshop on children's issues was held by ECPAT Netherlands during a police expert training seminar on trafficking in human beings at the Dutch Police Academy. In 2006, ECPAT was invited to join similar training sessions in order to determine the gaps in addressing trafficking in minors in such training.



PRIORITY ACTIONS REQUIRED

- A national plan of action against commercial sexual exploitation of children must be developed to fulfil the commitments made at the Stockholm and Yokohama Congresses and reinforced at the Ljubljana review in 2005.⁸⁰
- The creation of a Ministry of Family and Youth Affairs is highly recommended to ensure that adequate youth protection policies are formulated and implemented. Structural support and adequate financial and human resources are needed to strengthen the work of institutions facilitating cooperation at the national level - including the establishment of a national focal point on CSEC.
- Establishing an ombudsman for children is recommended to enhance coordination and cooperation efforts against CSEC in the country.
- Regional cooperation also needs to be strengthened, especially the Government's participation in the development and implementation of international and European agreements to combat trafficking and the sexual exploitation of children.⁸¹
- For CSEC prevention to be effective, a larger array of stakeholders must become active and involved, with specific attention being paid to at-risk groups. Structured and continuous awareness raising among children on how to use Internet communication safely as well as in relation to the 'lover boy' phenomenon is also needed. Ideally, preventing sexual exploitation should be incorporated in the school curriculum, with sex education and assertiveness training, beginning at primary school. The National Information Centre on Youth and Prostitution should play an important role in this regard.⁸²

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- The sexual exploitation of children should be addressed in the curricula of various training courses, such as those for social workers, educators, health professionals and law enforcers. The training pack for multi-stakeholder training, developed by the ECPAT Europe Law Enforcement Group, could be used for this purpose.
 - Child sex tourism can only be properly tackled if there is more active involvement on the part of trade organisations and the Government to promote corporate social responsibility in outbound tourism.
 - Increased penalties in relation to child trafficking offences must apply when a child victim is under 18 years of age (and not under 16 years only). Furthermore, the trafficking law could be made clearer in relation to which “exploitation” activities are criminalised.
 - Dutch law must be reviewed to include a clear definition of child pornography covering all children under 18.
 - The lifting of the general ban on brothels creates licence for the expansion of commercial sex alongside which comes the growth of its more extreme and illegal manifestations. Strategies to avert and counter this need to be defined and implemented by the relevant Dutch authorities.
 - There is an urgent need for more facilities and support services addressing the specific needs of child victims of commercial sexual exploitation. The National Information Centre on Youth and Prostitution could play an important role in awareness raising at all levels and in providing specific training to shelters, municipalities, youth care offices and all those providing assistance to victims.
 - The capacities of law enforcers and the judiciary must be enhanced to enforce the recently improved legislation on the sexual exploitation of children,⁸³ and also to enable the police to identify potential victims with a view to preventing their exploitation.

Endnotes

- ¹ van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into Trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.23.
- ² Noten, Theo. *Trafficking in Children for Sexual Purposes: Update Country Report - The Netherlands*. January 2004. Accessed on 10 May 2006 from: <http://www.ecpat.nl/ariadne/loader.php/nl/ecpat/Rapporten/Traffick2/NETHERLANDS.pdf>
- ³ van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into Trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005.
- ⁴ Ibid. p.40.
- ⁵ Ibid. p.36.
- ⁶ Ibid. p.25.
- ⁷ Ibid. p.35.
- ⁸ Ibid. p.39.
- ⁹ Ibid. p.39.
- ¹⁰ Ibid.
- ¹¹ Ibid. p.38.
- ¹² Ibid. p.30.
- ¹³ Ibid. p.41.
- ¹⁴ Ibid. p.53-54.
- ¹⁵ Ibid.
- ¹⁶ Internet Hotline Against Child Pornography Foundation. *Annual Report 2004*. Amsterdam. March 2005.
- ¹⁷ van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into Trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.53-54.
- ¹⁸ Ibid. p.40.
- ¹⁹ Terre des Hommes. *Terre des Hommes and Child Protection Alliance Investigation Leads to Arrest of Dutch Sex Tourist*. Banjul, The Gambia. 21 October 2003.
- ²⁰ The Nation. *Dutchman Jailed for Child Sex*. 22 June 2005.
- ²¹ Wade, Adam. *Marrakech est-Elle Encore Vierge ?* 18 April 2006. Accessed on 1 May 2006 from: <http://www.fmdt.ma/details.php?id=2362&page=2>.
- ²² Kinderrechtencollectief. *Growing up in the Low Countries - Children's Rights in the Netherlands*. The second report of the Dutch NGO Coalition for Children's Rights on the implementation of the Convention on the Rights of the Child in the Netherlands. May 2003. p.14.
- ²³ Ibid.
- ²⁴ Ibid.
- ²⁵ Ministry of Justice. *Dutch National Action Plan "Dealing with Sexual Abuse of Children" (NAPS)*.
- ²⁶ Kinderrechtencollectief. *Growing up in the Low Countries - Children's Rights in the Netherlands*. The second report of the Dutch NGO Coalition for Children's Rights on the implementation of the Convention on the Rights of the Child in the Netherlands. May 2003. p.14.

- 27 Ibid.
- 28 Ibid.
- 29 van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.23.
- 30 Ibid. p.94.
- 31 Noten, Theo. *Trafficking in Children for Sexual Purposes: Update Country Report - The Netherlands*. January 2004. Accessed on 10 May 2006 from: <http://www.ecpat.nl/ariadne/loader.php/nl/ecpat/Rapporten/Traffick2/NETHERLANDS.pdf>.
- 32 Defence for Children International Section The Netherlands. *Report of Activities. January 2002 - December 2004*. Accessed on 4 April 2006 from: http://www.defenceforchildren.nl/ariadne/loader.php/en/dci/eng/Activity/Report_2002-2003-2004.doc.
- 33 Accessed on 24 April 24 2006 from: <http://www.jeugdprostitutie.nu/engels.html>.
- 34 CRC Committee. *Observations of the Committee on the Rights of the Child: the Kingdom of the Netherlands*. 30 January 2004.
- 35 Ibid.
- 36 Ministry of Justice. Accessed on 22 April 2006 from: <http://www.justitie.nl>.
- 37 ECPAT Netherlands. *ECPAT Netherlands Core Activities to Protect Children from Sexual Exploitation*. 2005.
- 38 van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.97.
- 39 ECPAT International. *Annual Report July 2004 - June 2005*. February 2006.
- 40 Council of the European Union. *Report on the Operational Meeting of the Police Chiefs Task Force*. Bruxelles. 24 March 2005. Accessed on 24 April 2006 from: www.europapoort.eerstekamer.nl.
- 41 van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.78.
- 42 Noten, Theo. *Trafficking in Children for Sexual Purposes: Update Country Report - The Netherlands*. January 2004. Accessed on 10 May 2006 from: <http://www.ecpat.nl/ariadne/loader.php/nl/ecpat/Rapporten/Traffick2/NETHERLANDS.pdf>.
- 43 GGD Amsterdam. *Overzichtsgid s- Preventieprojecten Loverboyproblematiek en Seksueel Misbruik. 2005-2006. Steunpunt Seksueel Geweld*. Accessed on 4 April 2006 from: <http://www.ggd.amsterdam.nl/default.asp?id=1068>.
- 44 www.meldpunt.org
- 45 Meldpunt Kinderporno op Internet. Accessed on 4 April 2006 from: <http://www.meldpunt.org/EN/inhope.htm>.
- 46 Internet Hotline Against Child Pornography Foundation. *Annual Report 2004*. Amsterdam. March 2005.
- 47 Ibid.
- 48 Ibid.
- 49 Ibid.
- 50 van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005.
- 51 Council of Europe. *Convention on Cybercrime*. Accessed on 4 April 2006 from: www.conventions.coe.int.
- 52 Council of Europe. *Convention on Action against Trafficking in Human Beings*. Accessed on 4 April 2006 from: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=8&DF=3/30/2006&CL=FRE>.
- 53 *Bulletin of Acts and Decrees 470*. Theo Noten. *Trafficking in Children for Sexual Purposes: Update Country Report - The Netherlands*. January 2004. Accessed on 10 May 2006 from: <http://www.ecpat.nl/ariadne/loader.php/nl/ecpat/Rapporten/Traffick2/NETHERLANDS.pdf>.

- 54 Art. 245, 247, 248 of the *Criminal Code* and art. 167a of the *Code of Criminal Proceedings*.
- 55 The Office of the United Nations High Commissioner for Human Rights (OHCHR). *United Nations Study on Violence against Children: Response to Questionnaire Received From the Government of the Kingdom of the Netherlands*. p.6. Accessed on 9 May 2006 from: <http://www.ohchr.org/english/bodies/CRC/docs/study/responses/Netherlands.pdf>.
- 56 Art. 244 of the *Penal Code*.
- 57 The Office of the United Nations High Commissioner for Human Rights (OHCHR). *United Nations Study on Violence Against Children: Response to Questionnaire Received From the Government of the Kingdom of the Netherlands*. p.6. Accessed on 9 May 2006 from: <http://www.ohchr.org/english/bodies/CRC/docs/study/responses/Netherlands.pdf>.
- 58 Art. 242 of the *Penal Code*.
- 59 Noten, Theo. *Trafficking in Children for Sexual Purposes: Update Country Report - The Netherlands*. January 2004. Accessed on 10 May 2006 from: <http://www.ecpat.nl/ariadne/loader.php/nl/ecpat/Rapporten/Traffick2/NETHERLANDS.pdf>.
- 60 Art. 248a of the *Penal Code*.
- 61 Art. 248b of the *Penal Code*.
- 62 Art. 248c of the *Penal Code*.
- 63 van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005.
- 64 Ibid. p.17-18.
- 65 Article 273a. paragraph 2 of the *Penal Code*.
- 66 Art. 273a. paragraph 1, parts 6-9 of the *Penal Code*. van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into Trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.16.
- 67 Art. 240b of the *Penal Code*.
- 68 Art. 240 of the *Penal Code*.
- 69 Art. 240a of the *Penal Code*.
- 70 The Office of the United Nations High Commissioner for Human Rights (OHCHR). *UN Study on Violence against Children: Response to Questionnaire Received from the Government of the Kingdom of the Netherlands*. p.9. Accessed on 9 May 2006 from: <http://www.ohchr.org/english/bodies/CRC/docs/study/responses/Netherlands.pdf>
- 71 Openbaar Ministerie. Accessed on 15 May 2006 from <http://www.om.nl>
- 72 van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.94.
- 73 In May 2005, Asja also started a project by which girls in care are helped to start living more independently.
- 74 Steunpunt Seksueel Geweld GGD Amsterdam (2005). *Naar een Aanpak van Loverboyproblematiek: Visie en Ervaringen van Amsterdamse Deskundigen*. Amsterdam: GGD Amsterdam.
- 75 Hulppagina Seksueel Geweld. Accessed on 15 May 2006 from: http://www.seksueelgeweld.nl/linkwebsite/linkwebsiteDetails.php?linkwebsite_id=25
- 76 Transact. *Jeugdprostitutie.nu*. Pretty Woman. Accessed on 4 April 2006 from: <http://www.jeugdprostitutie.nu/cgi-bin/organisatie.cgi?id=385>.
- 77 PvdA Noord-Holland. Plan Aanpak Loverboys. April 2005. Accessed on 15 May 2006 from: www.pvda-noord-holland.nl
- 78 van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into Trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.79.
- 79 CRC. *Concluding Observations: the Kingdom of the Netherlands*. CRC/C/15/Add.227. 26 February 2004.
- 80 Ibid.

⁸¹ Ibid.

⁸² van den Borne, Anke and Kloosterboer, Karin. *Investigating Exploitation: Research into Trafficking in Children in the Netherlands*. ECPAT Netherlands in cooperation with DCI NL, UNICEF NL and Plan NL. Amsterdam. 2005. p.78.

⁸³ Kinderrechtencollectief. *Growing up in the Low Countries – Children's Rights in the Netherlands*. The second report of the Dutch NGO Coalition for Children's Rights on the implementation of the Convention on the Rights of the Child in the Netherlands. May 2003. p.16.



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