

THE NETHERLANDS (Tier 1)

The Netherlands is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Within the Netherlands, victims are often trafficked by so called “lover boys”—men who seduce young women and girls and coerce them into prostitution. Women and girls are trafficked to the Netherlands from Nigeria, Bulgaria, China, Sierra Leone, and Romania, as well as other countries in Eastern Europe, for sexual exploitation and, to a lesser extent, forced labor. Men are trafficked to the Netherlands from India, China, Bangladesh, and Turkey for forced labor and sexual exploitation. According to the Dutch National Rapporteur for Trafficking in Persons, the highest risk sectors for labor trafficking are domestic employment, temporary employment agencies, agriculture and horticulture, restaurants, hotels, and construction.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. The government continued to address trafficking through vigorous law enforcement and expanded victim protection. Prostitution, which is a contributing factor to the phenomenon of human trafficking, remains legal in the Netherlands within a government-regulated sector; however, the government undertook countermeasures to identify and prevent trafficking within the prostitution sector, and sustained a prevention initiative to raise trafficking awareness among clients of the commercial sex trade, which serves to reduce demand. In addition, the Amsterdam city government initiated plans to clean up the city’s Red Light District.

Recommendations for the Netherlands: Continue anti-trafficking awareness initiatives aimed at educating clients of the commercial sex trade about the causes and consequences of trafficking; evaluate why many reported trafficking victims decline to assist in the prosecution of their traffickers, and whether additional government measures would encourage more victims to do so; continue efforts to proactively identify trafficking victims in the legalized prostitution sector; and continue to review sufficiency of sentences in trafficking cases.

Prosecution

The Government of the Netherlands continued to show substantial law enforcement efforts to combat trafficking. Since January 2005, the Netherlands has prohibited all forms of trafficking through Criminal Code Article 273, which prescribes penalties for any form of trafficking of six to 15 years’ imprisonment and fines of up to \$67,500. These penalties are sufficiently stringent and commensurate with those prescribed for rape. In 2006, the last year for which statistics are available, police investigated and referred 201 sex trafficking cases for prosecution, an increase from 138 investigations in 2005. The public prosecutor prosecuted 216 sex trafficking cases, an increase from 138 in 2005, and obtained 90 convictions of trafficking offenders in 2006. The average prison sentence imposed was approximately 27 months’ imprisonment, and five-and-a-half years’ imprisonment in cases involving sexual violence. The College of Attorneys-General is investigating whether judges are systematically giving appropriate sentences in trafficking cases. In October 2007, Dutch authorities, in cooperation with law enforcement authorities in six other countries, dismantled a large criminal ring suspected of trafficking underage Nigerian asylum seekers into the Netherlands for sexual exploitation throughout Europe. Ten of the 19 suspects arrested are on trial. The government prosecuted four alleged labor trafficking cases in 2006; all resulted in acquittals in 2007, though two of these are being appealed by the government. In 2008, one labor trafficking case led to a conviction with a three-year prison term. Nine labor trafficking investigations are ongoing. All of the Netherlands’ 25 regional police forces have units with special expertise in investigating human trafficking.

Protection

The government demonstrated increased efforts to protect trafficking victims. In 2007, the government registered 716 victims, up from 579 victims in 2006. Of the 716 victims, 49 were male, up from 30 in 2006, and 382 of the victims were exploited for commercial sexual exploitation. Dutch authorities provided a temporary residence mechanism to allow trafficking victims and witnesses to stay in the Netherlands during the investigation and prosecution of their traffickers; this included a reflection period of three months for victims to consider pressing charges. During this period, the government provides victims with legal, financial, and psychological assistance, including shelter (in facilities that also serve victims of domestic violence), medical care, social security benefits, and education financing. In October 2007, the Justice Ministry further eased requirements for trafficking victims to

obtain temporary and permanent residence permits. The government opened two shelters for male victims in 2007. In December 2007, the government raised the budget for protection of trafficking victims and plans to expand shelter capacity and create additional separate shelters for men. In May 2007, the city of Amsterdam opened a special trafficking coordination center to facilitate NGO-police communication and shelter up to 10 women or girls. According to border police, since January 2006, approximately 140 underage Nigerian victims were trafficked from Dutch asylum centers and forced into prostitution elsewhere in Europe. Since 2007, the government has placed single, underage asylum seekers at secret locations under police supervision and provided intensive counseling to prevent them from being trafficked. Despite robust protection measures, many registered trafficking victims did not press charges due to fear of retaliation by their traffickers. Victims are not penalized for unlawful acts committed as a direct result of being trafficked. The Dutch Foreign Ministry provides roughly \$3.75 million per year to fund international anti-trafficking and victim protection programs, particularly in principal victim source countries such as Romania, Bulgaria, and Nigeria.

Prevention

The Netherlands demonstrated strong trafficking awareness-raising efforts during the year. In January 2008, the government renewed its multimedia campaign targeted at sex trade “clients,” women in prostitution, and others encouraging them to report signs of trafficking to an anonymous tip line. Prostitution remains legal in the Netherlands; however, the government sponsored an initiative to combat trafficking by placing anti-trafficking public service announcements on a website frequented by men seeking women in prostitution. Beginning in 2008, the Social Ministry’s Labor Inspectorate will screen brothels to check for signs of exploitation in addition to the regular screening conducted by specially trained police units. In 2007, the Justice Ministry expanded an agreement with the Dutch newspaper association committing newspapers to require escort services to include their business license or Value Added Tax numbers in ads for sexual services. In December 2007, Amsterdam Mayor Cohen presented a plan to “get rid of the underlying criminality” of the red light district that would restrict brothels to a smaller area, exclude pimps from the district, and tighten permit requirements for brothel and escort service operators, to include criminal background investigations. A high level task force on combating trafficking chaired by the attorney general responsible for trafficking prosecution policy was inaugurated in 2008. The Dutch military provides training to all military personnel on the prevention of trafficking and sexual exploitation and additional training on recognizing trafficking victims for Dutch troops being deployed abroad for duty as international peacekeepers. Dutch military personnel serving abroad are prohibited from patronizing sex trade establishments. Dutch military police have a protocol to identify and detain passengers at Dutch airports suspected of child sex tourism. In 2008, the government committed approximately \$780,000 over three years to an ECPAT project to implement a code of conduct for tourism operators in destination countries to prevent child sex tourism. The government also provides funds to ECPAT to show in-flight videos on flights from Amsterdam to popular holiday destinations warning travelers that child sex tourism is prosecutable in the destination country as well as in the Netherlands. The Dutch Caribbean Autonomous Regions Anecdotal reporting suggests that the Netherlands Antilles and Aruba, semi-autonomous regions within the Kingdom of the Netherlands, are transit and destination regions for trafficking of men, women, and possibly children for sexual exploitation and domestic servitude, as well as forced labor in the construction and agriculture sectors. Curacao, Aruba, and Saint Maarten are destination islands for women trafficked for the sex trade from Peru, Brazil, Colombia, the Dominican Republic, and Haiti, according to local observers. At least 500 foreign women reportedly are in prostitution throughout the five islands of the Antilles, some of whom have been trafficked. While the governments of the Netherlands Antilles and Aruba admit that illegal immigration is a serious issue and are concerned about human trafficking, government officials generally do not recognize the extent of trafficking in the Dutch Caribbean.

Recommendations for Dutch Caribbean Authorities: Ensure that there is a legal framework in place to prohibit and punish all forms of human trafficking; collaborate with the Netherlands to more effectively detect trafficking and investigate and prosecute those responsible; enhance efforts to identify, protect, and assist victims of trafficking; and increase measures to prevent human trafficking. There have been no reported investigations or prosecutions of human trafficking cases in the Dutch Caribbean Autonomous Regions. Visas for Aruba and the Netherlands Antilles are issued by Dutch embassies following review by Aruban or Netherlands Antilles’ authorities. Allegations and proven instances of corruption in the realm of immigration and work permits exist; however, corrupt officials in the Netherlands Antilles are prosecuted by an independent Public Prosecutor’s Office. Authorities are working to increase the sensitivity of police officers to recognize possible victims of trafficking among

illegal immigrants. Netherlands Antilles and Aruban officials have established formal contacts with the Dutch government's human trafficking coordination center. The Dutch Ministry of Justice made funds available for the Netherlands Antilles to participate in IOM's anti-trafficking public awareness campaign during the reporting period.