



## ECPAT Netherlands

The (sexual) exploitation of children:  
three challenges to Dutch society  
and ways forward

OSCE Alliance meeting Vienna 27 May 2008



## **THREE CHALLENGES**

- The disappearance with unknown destination of unaccompanied asylum seeking minors
- The problems around prosecution and conviction of traffickers in human beings and especially children
- What to do with foreign children legally residing in the country, found pick pocketing or working long hours making music



## I. The disappearance with unknown destination of unaccompanied asylum seeking minors ( figures Ministry of Justice)

<b>2005</b>	<b>Number</b>	<b>240</b>	<b>Male</b>	<b>188</b>	<b>Female</b>	<b>52</b>
	Nationalities:			29		17
	Country of origin (>10)		India	96	Liberia	11
			China	25		
<b>2006</b>	<b>Number</b>	<b>181</b>	<b>Male</b>	<b>125</b>	<b>Female</b>	<b>56</b>
	Nationalities:			23		13
	Country of origin (>10)		India	46	Nigeria	31
			China	16		
<b>2007</b>	<b>Number</b>	<b>122</b>	<b>Male</b>	<b>78</b>	<b>Female</b>	<b>44</b>
	Country of origin (>10)		India	21	Nigeria	10
	Small living units		India	6	Nigeria	10
			China	4	China	2
			Nigeria	4		



24 hours chaperoned guardianship is a way forward:  
child protection is a primary consideration for the Dutch state

### challenges

- provide protection without detention
- provide them with the care and counselling victims need to strengthen them and prevent further exploitation

Intervention actions by Swift Action Teams a way forward?  
better try to understand how the individual child ended up in the trafficking scheme and to identify the exploiters

Need for cooperation between organisations in the Netherlands and Nigeria



## **II. Prosecution and conviction of traffickers and how to protect the victims.**

1. Illegal residents exploited in restaurants and in small factories.
2. Dutch nationals lured into prostitution by their lovers – boy friends where they are being exploited (about 25% of the cases reported tot Comensha/La Strada Netherlands in 2007).



## **1. Illegal residents exploited in restaurants and in small factories.**

Challenge: In the trafficking article the definition of exploitation in other sectors than prostitution left to jurisprudence.

Ways forward:

- define exploitation in slavery like conditions
- provide the judiciary with understanding of the effects of the exploitation in slavery like conditions.

Challenge: to prevent a victim of trafficking to be re-trafficked and be exploited again.

Way forward

grant a person, identified by police and prosecution as trafficking victim, the choice for a permanent residence permit



## **2. The sexual exploitation of Dutch girls lured into prostitution by their boyfriends leads to few convictions**

- Victims are somehow blamed for having chosen the 'wrong' lover: low sentences if at all
- Few victims report and in court cases victims refused to testify

Challenge: for professionals to bring the number of cases of exploitation down and number of convictions up.

The way forward:

Law enforcement and care providers work together to identify potential victims and perpetrators:

- Tell perpetrator he is suspect and under close surveillance
- Help girl strengthen self esteem to disassociate from exploiter



### **III What to do with foreign children legally residing in the country who are found pick pocketing or working long hours making music when they should be in school.**

Children victims of trafficking and parents or other family members prosecuted for trafficking

Or should the children victims of abuse and neglect and be taken away from the parents and put in foster care or under guardianship of the state.

Or should it be both



## 1. Boys under 12 years found pick pocketing

Forcing children into criminal activities and profiting from it is trafficking

- Law enforcement did not investigate
- Child protection system took care of the children
- EU citizens from Romania, NL ministry of justice arranged that Romanian Child care services took care of the children.

Challenge: The Netherlands and other countries can be sure that these cases occur more and more

The way forward:

- Develop a procedure at the national level
- Train law enforcement and child protection professionals
- Set up bilateral or multilateral cooperation between countries to monitor
- Involve GO and NGO: a guardianship organisation like the Dutch Nidos



## **2. Children playing music in the streets, while they should be in school**

### The challenge:

- Treat parents profiting from the exploitation of their child as traffickers
- Ensure that child protection rules apply in the whole country.
- Looking away and tolerating 'traditional' practises violating children rights like the right to education and protection from exploitation is discrimination.

### The way forward

- Create work opportunities for the parents preferably in their own country
- Children are obliged to go to school that provides quality education
- Rich countries in the region should help countries in and outside the region that are in need.