

Trafficking in human beings

Supplementary figures

Second report of the
Dutch National Rapporteur

A.G. Korvinus (*Dutch National Rapporteur on Trafficking in Human Beings*)

E.M.H. van Dijk
D.A.C. Koster
M. Smit



BUREAU NRM
THE HAGUE
2003

Table of Contents

List of abbreviations	v
1 Introduction	1
2 Victim records kept by the Dutch Foundation against Trafficking in Women	3
2.1 Introduction	3
2.2 Countries/regions of origin	3
2.3 Age and sex	6
2.4 The reporters	6
3 The B-9 regulation	9
3.1 Introduction	9
3.2 Description of the B-9 regulation	9
3.3 Research method	10
3.4 Applications for and grants of a B-9 permit	11
3.5 (Background) characteristics of people with (an application for) a B-9 permit	12
4 Police investigation into trafficking in human beings	21
4.1 Introduction	21
4.2 Research method	21
4.3 Police investigations into trafficking in human beings in 1997-2001	22
4.4 Suspects of trafficking in human beings	25
4.5 Modus operandi of traffickers in human beings	32
4.5.1 Recruitment and countries of origin	32
4.5.2 Travel route and travel and residence documents	35
4.5.3 Exploitation in prostitution	37
4.6 Prostitution sectors involved	40
4.7 Victims of trafficking in human beings	41
4.8 Proceeds of trafficking in human beings	42
4.9 Criminal activities other than trafficking in human beings	45

5 Prosecution	47
5.1 Introduction	47
5.2 Research method	47
5.3 Trafficking in human beings cases registered with the Public Prosecution Service	47
5.4 The suspects	49
5.5 Handling by the Public Prosecution Service	52
5.6 Judgement by the court	54
5.7 Appeal	56
6 Other figures	57
7 Summary and conclusions	61
7.1 Introduction	61
7.2 Victims	61
7.3 Perpetrators	64
7.4 Modus operandi	65
7.5 Police investigation	67
7.6 Prosecution	68
7.7 After the lifting of the general ban on brothels	68
Bibliography	69
Annexes	
Annex 1 Notes on tables, statistics and terminology	71
Notes on the tables presented	71
Notes on the statistics used	71
Notes on terminology used	72
Annex 2 Supplementary tables	73
Supplementary table to Chapter 3	73
Supplementary tables to Chapter 4	75

List of abbreviations

BNRM	Bureau Nationaal Rapporteur Mensenhandel (Bureau of the Dutch National Rapporteur on Trafficking in Human Beings)
B-9 permit	Temporary residence permit based on the B-9 regulation
CFI	Criminal Financial Investigation (Strafrechtelijk Financieel Onderzoek; SFO)
CIE	Criminele Inlichtingen Eenheid (Criminal Intelligence Unit)
COMPAS	Communicatiesysteem Openbaar Ministerie – Parket Administratiesysteem (Communication system Public Prosecution Service – Public Prosecution Office administration system)
EU	European Union
HKS	Herkenningssysteem (Identification Service System)
IND	Immigratie- en Naturalisatiedienst (Immigration and Naturalisation Service)
INDIAC	Informatie- en Analysecentrum van de Immigratie- en Naturalisatiedienst (Information and Analysis Centre of the Immigration and Naturalisation Service)
KLDP	Korps Landelijke Politiediensten (National Police Services Agency)
KMAR	Koninklijke Marechaussee (Dutch Military Police)
N	Number
N/A	Not Applicable
NL	Nederland (the Netherlands)
NRI	Nationale Recherche Informatie (National Criminal Intelligence Service)
NRM	Nationaal Rapporteur Mensenhandel (Dutch National Rapporteur on THB)
OSCE	Organization for Security and Co-operation in Europe
PPM/dNP	Project Prostitutie en Mensenhandel/de Nederlandse Politie (Prostitution and THB Project/the Dutch Police)
PPS	Public Prosecution Service
Sd	Standard deviation
SFO	Strafrechtelijk financieel onderzoek (Criminal Financial Investigation; CFI)
SHOP	Stichting Hulpverlening en Opvang Prostituees (Foundation for Support and Reception of Prostitutes)
SiBa	Statistische Informatievoorziening en Beleidsanalyse (Statistical Information Supply and Policy Analysis)
STV	Stichting Tegen Vrouwenhandel (Dutch Foundation against Trafficking in Women)
THB	Trafficking in Human Beings

VAS	Vreemdelingen Administratie Systeem (Aliens Administration System)
Vc	Vreemdelingencirculaire (Immigration Law Circular)
WODC	Wetenschappelijk Onderzoek- en Documentatiecentrum

I Introduction

This is the English translation of a somewhat shortened and revised version of the second report of the Dutch National Rapporteur on Trafficking in Human Beings (NRM). This second report contains supplementary numerical information. It must be seen and read in conjunction with the first report that contains all sorts of background information and is of a more reflective nature.

This report presents updated figures together with already published numerical data, in order to show possible trends. The report includes a lot of tables and makes use of statistics. For notes on the tables and statistics, as well as notes on the terminology used please refer to Annex 1.

In the area of THB there are many developments that are all worth mentioning, such as the change in the law which is being worked on at the moment in the Netherlands, in connection with the broadening of the definition of trafficking in human beings (THB),¹ the Dutch chairmanship of the Organization for Security and Co-operation in Europe (OSCE) and the plan to then put THB prominently on the international agenda, as well as the consequences of the upcoming enlargement of the European Union (EU). These developments will be discussed in the third report of the NRM, which is planned for the end of 2003.

For this report, many people and bodies have made information available. The Bureau of the Dutch National Rapporteur on THB (BNRM) is very grateful to them for this. A separate word of thanks goes out – in the order of the chapter layout – to the Information and Analysis Centre of the IND (INDIAC) for making relevant databases available, to Mrs. M. Verhoeven for her contribution to the police investigation and to Mr. P.P.J. Groen of the Statistical Information Supply and Policy Analysis (SiBa) department of the Scientific Research and Documentation Centre (WODC), who carried out the analyses of the Public Prosecution Service (PPS) database for this report.

Chapter 2 presents data on victims of THB reported to the Dutch Foundation against Trafficking in Women (STV) in 2001.

Chapter 3 contains information on B-9 applications² and the decision taken on these.

Chapter 4 focuses on investigation by the Dutch police in the field of THB.

Chapter 5 contains data on THB cases registered with the PPS, their handling by the PPS and judgement by the court.

¹ This, in accordance with the UN protocol on THB signed by the Netherlands, in order to criminalise forms of exploitation other than just in the sex industry as THB.

² The B-9 regulation offers aliens who are possibly victims of THB and aliens who are witnesses of THB the opportunity to temporarily stay legally in the Netherlands.

Chapter 6 contains a brief review of the figures regarding prostitution and THB, originating from research carried out by BNRM and elsewhere.

The final Chapter 7 gives a summary of the data presented in the preceding chapters, looked at in relationship to one another and with a commentary. No far-reaching conclusions and recommendations are however given: the conclusions and recommendations formulated in the first report still apply in full, the cabinet viewpoint on these has only recently been published and – at the time this second report was written – still has to be discussed in the Lower House. The next, third, report will, however, again contain extensive conclusions and recommendations. Finally, it is also important to mention that this third report will include figures regarding 2002 that are comparable with those in the present report. It will then be clearer whether changes are taking place since the lifting of the general ban on brothels and, if so, what these are.

2 Victim records kept by the Dutch Foundation against Trafficking in Women

2.1 Introduction

The STV records reports on (possible) victims of THB.¹ Reports come for example from the police, reception facilities, individuals, the Dutch Refugee Council (Vluchtelingenwerk Nederland) and asylum-seeker centres, as well as from (youth) victim support organisations. There are also anonymous reports (STV, 2001; 2002). For a number of reasons the records do not give a realistic picture of the character and scale of THB in the Netherlands. The STV is dependent on third parties for reports (STV, 2002). Not all the victims, however, come to the knowledge of these third parties. In addition, it appears that not all the victims for whom that *does* apply are reported to the STV. Furthermore, the fact is that in 2001 the STV was less accessible because of a lack of resources and due to undermanning, which led to a reduction in the number of cases reported. A further complication is that to date the STV has been working with a (non-computerised) record system, which does not distinguish between requests for advice and consultation on the one hand and actual direct involvement with victims on the other.² Although on the basis of identity and other indicators, double-counting is as far as possible avoided, this cannot entirely be excluded. This means that the victims recorded by the STV not only represent an unknown selection as regards character and scale of the total number of victims of THB in the Netherlands, but also of the number of victims that come into contact with the police and victim support organisations. The STV, for that matter, comments on this itself that the victims that are reported to it usually do know one or more women who are also (possible) victims of THB, but who have not been reported to the STV (STV 2001; 2002) and that the number of victims reported must at least be doubled to get a realistic picture.

2.2 Countries/regions of origin

The (possible) victims of THB recorded by the STV, that are or were working in prostitution in the Netherlands, come from all over the world. The STV records make

¹ Because of its history the STV focuses in particular on female victims of THB, the expertise embodied within the STV also lies mainly in this area and in its publications the Foundation talks almost exclusively about women and uses the term 'trafficking in women' (and not 'trafficking in human beings'). If, however, male victims are reported to it, they are also recorded (verbal information from STV).

² Work is at present being carried out on computerising the record system, for which the STV received a subsidy in the autumn of 2001.

a distinction by country of origin. Grouping by region (in a single case by country) gives the summary shown in Table 2.1.

Table 2.1 Origin of (possible) victims of THB reported to STV (1995 to 2001 inclusive)³

Region/ country	1995		1996		1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Central and Eastern Europe	125	78%	77	64%	117	65%	131	57%	123	43%	134	39%	142	50%	849	53%
Africa	2	1%	13	11%	21	12%	45	20%	79	28%	101	30%	45	16%	306	19%
Asia	5	3%	14	12%	14	8%	15	7%	26	9%	26	8%	11	4%	111	7%
Latin America + Caribbean	19	12%	5	4%	10	6%	24	11%	15	5%	7	2%	3	1%	83	5%
Netherlands (NL)	4	3%	7	6%	8	4%	13	6%	13	5%	25	7%	11	4%	81	5%
Middle East	2	1%	-	-	-	-	-	-	3	1%	2	1%	-	-	7	0%
Western Europe (excl. NL)	2	1%	3	2%	1	1%	-	-	6	2%	1	0%	2	1%	15	1%
Unknown	2	1%	2	2%	9	5%	-	-	22	8%	45	13%	70	25%	150	9%
Total	161	100%	121	100%	180	100%	228	100%	287	100%	341	100%	284	100%	1602	100%

Source: STV (2001; 2002)

The reduced contactability of the STV in 2001 can be seen in the low number of victims reported to the STV in that year. For the first time in years there has in fact been a fall, while other information sources and indicators show no signs of a reduction in the number of victims of THB in the Netherlands.⁴ In that year the large number of reports where the victim's country of origin is not known is also striking. There are 70 of them, or a quarter of the total.⁵ The comments on the STV records

³ Over the years 1992 to 1994 a total of 324 (possible) victims of THB were notified to the STV. Their number rose from 70 (in 1992) to 166 (in 1994). Data on the countries of origin of the victims notified to the STV over this period are not included in the present report, but can be found in the first report (NRM, 2002) and of course in the original source (STV, 2001).

⁴ Adjusted for the limited contactability, the number of reports in 2001 would, according to the STV, be comparable with the number of reports in 2000. The provisional figures for 2002 indicate a growth (written information from the STV).

⁵ The STV states that both individuals and victims themselves, but also professional groups, in some cases report THB without giving personal details. This does not, however, explain why the number of reports of this type increased in 2001.

mentioned in the introduction that relate to their reliability and representativeness thus apply to an even greater extent for the records for 2001.⁶

The table shows that the number of victims reported differs by region or country of origin. Over the whole period, Central and Eastern Europe is the region from where most victims come. The main countries of origin in this region are Bulgaria, the Czech Republic, Poland, the Russian Federation, Ukraine, Lithuania and Romania. Over the years, however, the pattern has changed. A fall has been observed in the percentage of Central and Eastern European victims since 1997, up to 2001. The absolute number of reports concerning victims from this region, however, did not change appreciably over the same period. The percentage fall is largely explained by the increase in total number of reports of victims, partly due to the rise in the number of reports concerning African, mainly Nigerian, victims. This number rose up to 2001, particularly after 1996, both in absolute numbers and percentage terms. Over the same period (1995 to 2001) the number of reports concerning Dutch victims and victims from Asia also increased – the latter mainly due to an increase in reports concerning victims from China – but their (percentage) share remained around the same.

The number of reports relating to victims of THB from Latin America (including the Caribbean) increased steadily over the period from 1995 to 2001 inclusive – with the exception of 1998 and to a more limited extent 1999. Very small numbers of reports concern victims from the Middle East and Western Europe.

Perhaps partly due to the large number of unknown countries of origin, 2001 differs in many respects from the above-mentioned trends. Both the number and also the percentage of reports relating to victims from Central and Eastern Europe increased in that year, while the number of reports relating to African victims fell by more than half in 2001 compared with the year before. Their proportion also fell in percentage terms, even though the percentage is calculated with respect to just the 165 reports for which the victims' countries of origin were known.

The number of reports relating to Dutch victims and victims from Asia also fell in 2001.

Whether as regards victims' countries of origin the year 2001 heralded all sorts of trend breaks, or has given a distorted picture due to the comparatively small number of reports, is expected to become clear in the following annual reviews of the STV.

⁶ Because 2001 differs in various respects and the question is very much whether these differences reflect the actual developments, that year is largely discussed separately in this paragraph.

2.3 Age and sex

No annual reviews have been published of the age distribution of victims reported to the STV. Table 2.2 therefore only shows the age distribution of the victims reported in 2001.

Table 2.2 Age distribution of victims reported to the STV in 2001

Age category	N	% of total N	% of 165 reports with known age
10 to 14 years	2	1%	1%
14 to 18 years	25	9%	15%
18 to 24 years	86	30%	52%
24 to 30 years	39	14%	24%
30 to 40 years	12	4%	7%
40 years and over	1	0%	1%
Unknown	119	42%	N/A
Total	284	100%	100%

Source: STV (2002)

The large number of unknown ages in this table is striking: for 42% of the reports the age of the (possible) victim is not known. The victims whose age is known are in 27 cases minors (that is 16% of the 165 reports where the age is known). The great majority of the victims fall in the age category from 18 to 30 years (76% of the 165). The STV does not report on the sex of the victims notified, but only a single case a year concerns men or boys (verbal and written information from the STV).

2.4 The reporters

Table 2.3 gives the list of numbers of reports by different categories of reporters in 2001.

Table 2.3 Reporters of victims of THB in 2001

Reporter	N	%
Police	135	48%
Anonymous	48	17%
Reception facility	23	8%
Individuals	18	6%
Dutch Refugee Council/asylum centres	17	6%
Youth victim support	12	4%
Legal assistance	11	4%
Victim support organisation	8	3%
Victim him/herself	6	2%
Health care/field work	3	1%
Other	3	1%
Total	284	100%

Source: STV (2002)

The police are responsible for almost half of the total number of reports. Also quite a few reports are made anonymously, in the sense that the reporter does not want to give either his/her name or his/her (professional) background. These reporters, like the victims themselves, are often reluctant to call in the authorities, out of fear of deportation or imprisonment (STV, 2002). Reports are also frequently received from reception facilities. Other reporters are (by decreasing frequency): individuals (prostitutes, brothel-keepers, clients, friends and partners), Dutch Refugee Council/asylum centres (staff of reporting centres, reception centres and asylum-seeker centres), organisations providing youth victim support⁷ and legal assistance. The other (categories of) reporters included in the list (such as victim support organisations, victims themselves, health care institutions and field work⁸) occasionally report victims to the STV.

⁷ It is rather confusing in this respect that the STV has classed organisations for Youth care and guardianship under reception facilities.

⁸ These are organisations that provide prostitutes with medical care and information at the workplace or during special surgeries.

3 The B-9 regulation

3.1 Introduction

THB is not an offence that can only be prosecuted on the basis of a complaint. Reporting the offence is therefore not an absolute condition for proceeding with prosecution. Nevertheless, it is in practice very important for the investigation and prosecution of THB that both victims and witnesses report THB and that those reporting an offence remain available to the police and the PPS during investigation and prosecution. Furthermore, it is important that victims and witnesses of THB are offered reception and support. The so-called B-9 regulation (section B-9 of the Immigration Law Circular)¹ is designed to open the way for this. Paragraph 3.2 briefly discusses the main lines of this regulation. The BNRM investigated how many (possible) victims and witnesses of THB over the period from 1996 to June 2002 inclusive made an appeal for the B-9 regulation according to the records of the Immigration and Naturalisation Service (IND) and were granted a temporary residence permit on these grounds. The results of this investigation are described in the present chapter.

3.2 Description of the B-9 regulation

The B-9 regulation offers aliens who are (possibly) victims of THB, and aliens who are witnesses of THB, the option to temporarily stay legally in the Netherlands. In order to give the victim the time to decide *whether* she wants to report an offence, the victim is granted a reflection period of a maximum of three months. During these three months the deportation of the victim from the Netherlands is temporarily suspended. This reflection period does not apply for witness-informants. If the alien decides not to report an offence, she must leave the Netherlands immediately. If the victim or the witness decides to report the offence, this report is regarded as an application to grant a residence permit. The residence permit is issued for the duration of the investigation and criminal proceedings and expires when the investigation or the prosecution is completed or stopped. The B-9 regulation also provides certain facilities for victims and witnesses of THB (also for victims who are still in the reflection period phase): reception and shelter, medical assistance, legal assistance and special provisions for maintenance.

In principle, when their temporary residence permit under the B-9 regulation (further referred to for convenience as the B-9 permit) expires, victims of THB can attempt to have this converted into a permanent residence permit. As grounds for this they may

¹ Vc 2000 (April 2001, supplement o), SDU Publishers.

give humanitarian reasons. BNRM has tried to investigate how many victims of THB follow this course, however it was not possible to discern this from the present records of the IND and the STV. According to reports this would only involve occasional cases.

3.3 Research method

The IND – being the authority to which applications for residence permits under the B-9 regulation are submitted – has, on the request of BNRM, supplied files containing all the contacts of people with the IND over the period from 1996 to June 2002 involving the B-9 regulation. The files therefore contain both all the applications for residence permits and all permits granted under the B-9 regulation. BNRM has aggregated and combined all the files on a person level². The result forms the basis for the analyses in the following paragraphs.

A few comments on these files are called for. Firstly: the IND does not record consistently and/or clearly whether applications for and grants of temporary residence permits are linked with the B-9 regulation. As a result the files may show that a person who applies for a B-9 permit is granted a temporary residence permit on completely different grounds (for example ‘living with partner’ or ‘working in EU’).³ The reverse also happens: people who do not apply for a B-9 permit may be granted one.⁴ In the analyses it has been assumed that people who are marked either in the application or in the grant as B-9 had made an appeal for the B-9 regulation. They are then counted in both categories (applications and grants). Because an appeal for the B-9 regulation is not recorded by the IND as standard and compulsorily, it is possible that not all victims that made an appeal for the B-9 regulation have been traced. Secondly: THB – by the definition of the offence – does not necessarily relate to aliens. Dutch people or foreigners, residing legally in the Netherlands, may also become victims of THB. The IND data presented in this paragraph only relate to victims and witnesses of THB residing illegally in the Netherlands, because only then legalisation of residence in the Netherlands is necessary for investigation and prosecution. Thirdly, the IND does not record whether a person is granted a B-9 permit as a victim or as a witness. Furthermore, a witness may also be a victim. Different sources (e.g. Van Dijk, 2002) show that victims of THB find it easier to report an offence as a witness than as a victim. Finally it should again be noted that the IND files analysed only contain data on people eligible for a temporary residence permit because they have reported THB. Victims who are still in the reflection period are not recorded by the IND.

² A person may, after all, be involved in several procedures (and for each procedure have several contacts) with the IND.

³ This is the case for 36 people (6% of the people for whom a B-9 permit was applied for).

⁴ This is the case for 38 people (8% of the people to whom a B-9 permit was granted).

3.4 Applications for and grants of a B-9 permit

Table 3.1 shows how many people submitted an application for a B-9 permit to the IND over the period from 1996 to June 2002 inclusive and how often this was granted. This relates only to ‘first’ applications and grants, so not to applications for and grants of prolongation of the B-9 permit. Table 3.1 also indicates how big the fall/rise is compared with the base year 1996 (with indices)⁵.

Table 3.1 Applications for and grants of B-9 permit, broken down by year

Year	Applications for B-9 temporary residence permit		Grants of B-9 temporary residence permit		% Granted
	N	Index (1996=100)	N	Index (1996=100)	%
1996	70	100	46	100	66%
1997	53	76	41	89	77%
1998	52	74	39	85	75%
1999	99	141	71	154	72%
2000	72	103	58	126	81%
2001	147	210	122	265	83%
2002 (to June inclusive)	114	163	85	185	75%
Total	607	N/A	462	N/A	76%

The number of applications for and grants of B-9 permits fluctuates each year, but has increased considerably in the last two years.⁶ In total, over the period from 1996 to June 2002 inclusive, 607 applications for a B-9 permit were submitted and 462 B-9 permits were granted. This means that in the investigation period for 145 applications (24%) no permit was granted. There are a number of reasons for this. For example, applications were withdrawn or expire. This happens for example if the investigation or the prosecution is not started or is stopped. It also happens that victims/witnesses who report an offence or make a statement – and appeal for the B-9 regulation – afterwards ‘disappear’ again. Where they go is usually not known. Possibly victims return to their country of origin or go back to work in prostitution – self employed or ‘employed’ by traffickers in human beings.

⁵ See Annex 1 for further explanation.

⁶ It is assumed that the numbers recorded in the first half of 2002 can be approximately doubled for the whole year.

For people who made a first application for a B-9 permit it was not always the first time that they came into contact with the IND. 346 people (57%) had already had previous contact with the IND, for example in connection with an asylum application or an arrest (possibly as an illegal alien, for example in case of a control in the prostitution circuit).⁷

Anyway, the number of B-9 applications is only a fraction of the total number of applications for temporary residence permits that the IND receives (and grants) each year. In 1999 the total number of applications for temporary residence permits was 20,557 and in 2000 13,271. The proportion of applications for B-9 permits out of these is 5 per mille for both years. The number of temporary residence permits granted in 1999 was 15,703 and in 2000 20,218. The proportion of B-9 permits granted out of these is respectively 5 and 3 per mille.

3.5 (Background) characteristics of people with (an application for) a B-9 permit

Sex

Of the victims/witnesses of THB for whom over the period from 1996 to June 2002 inclusive a B-9 permit was applied for and whose sex is known,⁸ 93% were women and 7% men.⁹ Not all these people were granted a B-9 permit. Among those to whom a B-9 permit was granted and whose sex is known,¹⁰ 96% are women and 4% men.¹¹ That means comparatively fewer B-9 permits were granted to men than to women.¹²

Age

In Table 3.2 the age of the victims/witnesses with an (application for a) B-9 permit is presented.

⁷ This was – on the request of BNRM – checked at random by the IND.

⁸ For 523 of the 607 people this characteristic was known.

⁹ N=486 and N=37 respectively.

¹⁰ For 385 of the 462 people this characteristic was known.

¹¹ N=369 and N=16 respectively.

¹² This difference is significant: $\text{Chi}^2=15.9$, $\text{df}=1$, $p<.01$.

Table 3.2 Age of people with (application for) a B-9 permit (1996 up to and including June 2002)

Age	Applications for B-9 temporary residence permit		Grants of B-9 temporary residence permit		% Granted
	N	%	N	%	
0 to 11	13	2%	5	1%	38%
11 to 18	59	10%	46	10%	78%
18 to 26	400	66%	309	67%	77%
26 to 31	88	15%	72	16%	82%
31 to 41	38	6%	26	6%	68%
41 and over	9	2%	4	1%	44%
Total	607	100%	462	100%	76%

Two thirds of all victims/witnesses of THB who applied for a B-9 permit, or to whom one was granted, fall in the age category from 18 to 26 years. Over 10% are minors. Among the minors who received a B-9 permit, there are also very young children, namely five aged from 0 to 10 years. Further investigation shows that this age category very probably includes children of victims or witnesses of THB. Particularly in the lowest and highest age categories ('0 to 10 years' and '41 and over') B-9 permits are granted comparatively less often than in the middle age categories (respectively 38% and 44% awards versus 68% to 82% in the age categories between 11 and 40 years).¹³

Table 3.3 breaks down the age of the victims/witnesses to whom a B-9 permit was granted by sex – where this is known.

Table 3.3 Age of people with B-9 permit, broken down by sex (1996 to June 2002 inclusive)

Age	Women		Men	
	N	%	N	%
0 to 11	3	1%	1	6%
11 to 18	37	10%	2	13%
18 to 26	246	67%	5	31%
26 to 31	59	16%	3	19%
31 to 41	22	6%	3	19%
41 and over	2	1%	2	13%
Total	369	100%	16	100%

¹³ This difference is significant: $\chi^2=15.5$, $df=5$, $p<.01$.

The age for the men varies significantly more than for women.¹⁴ Men are comparatively more strongly represented in the lowest and highest age categories and significantly less strongly in the age category from 18-25 years. This is partly explained by the fact that there are comparatively more children of victims among the men. When this is corrected,¹⁵ the difference does, however, remain significant.¹⁶ A plausible explanation for this is also that among the men there are comparatively more actual witnesses of THB. In various surveys the number of adult male victims of THB is in fact estimated to be low (Van Gelder, 1998; see also NRM, 2002).

Nationality

Table 3.4 presents the nationality of victims and witnesses of THB. This table only includes the commonest nationalities. A table showing all the nationalities is included in Annex 2 (Table 1).

Table 3.4 Nationality of people with (application for) B-9 permit (1996 to June 2002 inclusive)

Nationality	Applications for B-9 permit		Grants of B-9 permit		% Granted
	N	%	N	%	
Bulgarian	95	16%	93	20%	98%
Ukrainian	59	10%	42	9%	71%
Nigerian	51	8%	39	8%	76%
Russian	47	8%	40	9%	85%
Romanian	44	7%	33	7%	75%
Czech	38	6%	29	6%	76%
Polish	29	5%	21	5%	72%
Lithuanian	27	4%	17	4%	63%
Moldavian	13	2%	12	3%	92%
Slovakian	13	2%	12	3%	92%
Other	161	27%	100	22%	62%
Unknown	30	5%	24	5%	80%
Total	607	100%	462	100%	76%

¹⁴ $\chi^2=31.9$, $df=5$, $p<.01$.

¹⁵ Children (people of 10 years or younger) are kept outside the analysis.

¹⁶ $\chi^2=29.5$, $df=4$, $p<.01$.

One sixth of the victims/witnesses of THB, for whom a B-9 permit has been applied for, are of Bulgarian nationality. Furthermore, a comparatively large number of victims/witnesses are of a nationality of other countries from Central and Eastern Europe or of Nigerian nationality. Although the top 10 of the commonest nationalities for both people to whom a B-9 permit was granted and to whom a B-9 permit was not granted is the same, there are however significant differences between the victims/witnesses of different nationalities where this relates to the percentage of applications that results in a permit being granted.¹⁷ Of the nationalities mentioned in Table 3.4 the percentage of people whose applications are honoured is the highest for Bulgaria (94%) Moldavia (92%) and Slovakia (92%) and the lowest for Lithuanians (63%).¹⁸

Table 3.5 breaks down the nationalities of the victims/witnesses with a B-9 permit (application) by region of origin. Central and Eastern Europe is broken down here into Central Europe (Poland, the Czech Republic, Slovakia, Hungary), Eastern Europe (the former Soviet Union), the Baltic states (Estonia, Latvia, Lithuania) and the Balkans (countries from the former Yugoslavia, Romania, Bulgaria, Albania, Moldavia). The Netherlands has special relations on the one hand with Surinam, Indonesia and the Dutch Antilles, because they are former colonies, and on the other hand with Turkey and Morocco, because these are the countries where in the past many guest workers were recruited. Only a few victims/witnesses with B-9 permits originate from these five countries.¹⁹ Table 3.5 therefore classifies victims/witnesses of Surinam or Antillian nationality in the category 'Latin America and Caribbean', victims/witnesses of Turkish nationality in the category Eastern Europe, victims/witnesses of Moroccan nationality in the category 'Africa' and victims/witnesses of Indonesian nationality in the category 'Asia'.

Table 3.5 Region of origin of people with (application for) B-9 permit (1996 to June 2002 inclusive)²⁰

Region of origin	Applications for B-9 permit		Grants of B-9 permit	
	N	%	N	%
Western Europe	19	3%	10	2%
Central Europe	85	14%	66	14%
Eastern Europe	118	19%	90	19%
Baltic states	41	7%	28	6%

¹⁷ $\chi^2=126.3$, $df=59$, $p<.01$.

¹⁸ For the other countries this percentage is between 71% and 81%.

¹⁹ 1, 0, 0, 1 and 4 people respectively.

²⁰ Because the sex of 77 people is unknown, the 'total' column does not add up to the total of the 'women' and 'men' columns.

Region of origin	Applications for B-9 permit		Grants of B-9 permit	
Balkans	177	29%	153	33%
Africa	88	15%	68	15%
Latin America and Caribbean	14	2%	10	2%
Asia	20	3%	13	3%
Unknown	45	7%	24	5%
Total	607	100%	462	100%

Victims/witnesses who make use of the B-9 regulation come comparatively frequently from the Balkans. Eastern and Central Europe and Africa also score high. The percentage of applications honoured differs significantly by region.²¹ A B-9 permit is granted comparatively most often (83%) to people from the Balkans and comparatively least often to people from Asia and Western Europe (60% and 53% respectively).²²

As previously stated these data include a selection, namely of victims and witnesses, who report an offence or make a statement. The origin of this group therefore does not have to reflect the origin of all victims of THB. To gain more understanding of the similarities and differences, a check was made as to what extent the areas of origin as presented in Table 3.5 correspond with the areas of origin of victims that are recorded by the STV. The result is shown in Table 3.6.²³ This table compares the areas of origin for the year 2001, being the most recent 'full' record year. The Netherlands is not taken into account as a country of origin, because Dutch victims of THB may be reported to the STV, but do not need a residence permit and do not therefore come into contact with the IND. The analyses only include the victims(/witnesses) whose country of origin is known. As a result, of the STV figures 70 people (25%) are left out of account, and 3 (2%) of the IND figures.

²¹ $\chi^2=15.1$, $df=7$, $p<.05$.

²² For the other regions these percentages lie between 68% and 78%.

²³ Central Europe, Eastern Europe, the Baltic states and the Balkans are combined here into Central and Eastern Europe, because the STV makes no distinction between these areas in its publications.

Table 3.6 Origin of people with application for B-9 permit and recorded with STV in 2001

Origin	Applications for B-9 permit		Recorded with STV	
	N	%	N ²⁴	%
Central and Eastern Europe	115	80%	142	70%
Africa	21	15%	45	22%
Asia	6	4%	11	5%
Western Europe	1	1%	2	1%
Latin America	1	1%	3	2%
Total	144	100%	203	100%

The distribution of victims of THB by area of origin is more or less the same for 2001 for the IND and STV records.²⁵ The most important area of origin in both sets of records is Central and Eastern Europe. Within this area both in the STV and the IND figures Bulgaria, the Russian Federation and Ukraine are the three commonest countries of origin. In second place is Africa, with Nigeria as the most common country of origin in both sets of records.

Table 3.7 breaks down the areas of origin of the victims/witnesses to whom a B-9 permit is granted, by the year the permit was granted.

Table 3.7 Region of origin of people with B-9 permit, broken down by year

Region of origin	1996	1997	1998	1999	2000	2001	2002 up to June inclusive	Total	
	N	N	N	N	N	N	N	N	%
Western Europe	1	-	-	7	-	1	1	10	2%
Central Europe	8	8	8	18	7	14	3	66	14%
Eastern Europe	6	13	5	13	8	35	10	90	19%
Baltic states	5	5	4	3	5	3	3	28	6%
Balkans	5	6	13	12	20	49	48	153	33%
Africa	-	4	2	13	17	14	18	68	15%
Latin America and Caribbean	-	2	4	4	-	-	-	10	2%

²⁴ Including reports where the country of origin is the Netherlands or unknown, this column totals 284.

²⁵ The differences in Table 3.5 are therefore not significant.

Region of origin	1996	1997	1998	1999	2000	2001	2002 up to June inclusive	Total	
Asia	4	-	1	1	-	5	2	13	3%
Unknown	17	3	2	-	1	1	-	24	5%
Total	46	41	39	71	58	122	85	462	100%

Per year the number of B-9 permits granted per region of origin fluctuates considerably and significantly.²⁶ Striking in particular is the increase in victims/witnesses from the Balkans in the last two years. Furthermore, the reduction in victims/witnesses from Central and Eastern Europe in the last year of the investigation is striking, even if these annual figures are doubled (the data for 2002 do in fact relate to the period from January to June inclusive).

In Table 3.8 the region of origin of the victims/witnesses with a B-9 permit is broken down by sex – where this characteristic is known.

Table 3.8 Region of origin of people with a B-9 permit, broken down by sex (1996 to June 2002 inclusive)

Region of origin	Women		Men	
	N	%	N	%
Western Europe	4	1%	6	40%
Central Europe	49	15%	3	20%
Eastern Europe	75	22%	1	7%
Baltic states	26	8%	-	-
Balkans	111	33%	1	7%
Africa	51	15%	3	20%
Latin America and Caribbean	10	3%	-	-
Asia	11	3%	1	7%
Total	337	100%	15	100%

²⁶ $\chi^2=146.5$, $df=42$, $p<.01$.

Men with a B-9 permit significantly more often have the nationality of a country from Western Europe than women,²⁷ even if children are left out of account.²⁸

²⁷ $\text{Chi}^2=85.6$, $\text{df}=8$, $p<.01$.

²⁸ $\text{Chi}^2=91.0$, $\text{df}=8$, $p<.01$.

4 Police investigation into trafficking in human beings

4.1 Introduction

For an adequate approach to THB, knowledge regarding perpetrators, victims and modus operandi (the method of operation of the perpetrators) is vital. For this reason the National Criminal Intelligence Service (NRI) of the National Police Services Agency (KLPD), on behalf of the Board of Police Commissioners, has carried out a research into THB in the Netherlands. The results are published in the report '*Mensenhandel in Nederland 1997-2000*' (*THB in the Netherlands 1997-2000*) (Van Dijk, 2002). The NRM collected police data regarding THB for the year 2001. The results of this follow-up research are presented in this chapter. The results from the NRI research are also included in this. Firstly, because the numerical data from the NRI research have been analysed again together with the data for 2001, so that any developments and trends over time can be identified. Secondly, by repeating relevant information and conclusions regarding THB from that report in this chapter.

4.2 Research method

The research method used for the reference year 2001 is a virtually exact copy of the research method as used in the NRI investigation for the reference year 2000.

Research design

In June 2002 all the police authorities who (can) carry out investigations into THB were approached. They were asked to report to the researchers all the investigations into THB completed in 2001 and sent in to the PPS (that is, one or more suspects were 'sent in' to the PPS)¹. From the completed investigations thus collected, a few essential key data regarding the THB on which the investigation focussed were then collected by means of telephone interviews with the team leaders of these investigations. This method was chosen in order to collect information quickly and efficiently. In the interviews the same questionnaire was used as the NRI used for the reference year 2000, supplemented with a few questions, prompted by developments and relevance.²

¹ In fact *cases* (against one suspect) are sent in to the PPS. For the sake of readability, however, we also talk of suspects 'sent in'.

² A question was added on the border crossing into the Netherlands for victims recruited abroad. In addition, a check was made for suspects not arrested and/or not 'sent in' as to verify the reason for not arresting them and/or not sending them in.

For the NRI research both completed and discontinued investigations into THB over the period 1997-2000 and those still underway were surveyed. For 2001 it was decided only to survey and analyse investigations that had been completed and sent in to the PPS. This means that investigations into THB for which the victims have not reported the offence can be included in the analyses.³ This approach was also prompted by the intention of the NRM to also collect these police data for following years. By using the submission date as the end date of the investigation, it is clear which investigation must be reported to the researchers in which year.⁴ The choice does mean that when interpreting the results one must keep in mind that the start year of the investigations may differ.

Generalisability of the information

The investigations analysed do concern all the investigations into THB completed and sent in, but must be regarded as an unknown random sample of the total number of THB offences in the Netherlands. After all, more offences are committed than come to the knowledge of the police and not all investigations are brought to a positive end (or sent in to the PPS). In other words: the investigations only represent part of the reality. It is not known how great or representative this part is.

4.3 Police investigations into trafficking in human beings in 1997-2001

Number and type of completed investigations

Table 4.1 gives a summary of the investigations completed by the police in the period 1997-2001 and sent in to the PPS, broken down by the year in which the investigation was completed. An indication is always given of how big the fall/rise is with respect to the base year 1997 (with indices). This table also breaks down the results by the type of THB: cross-border or within the Netherlands. In the case of cross-border THB victims are recruited abroad. In the case of THB within the Netherlands victims are recruited in the Netherlands. One of the cases investigated involved a combination of both. This involved an investigation by a police region bordering Belgium, where recruitment was carried out mainly in the Netherlands, but occasionally also in Belgium. This investigation was classified as THB within the Netherlands.

³ There are no cases where no offence is reported for the investigation period 1997-2000. Practice does, however, show that cases where no offence is reported are rarely completed and sent in (Van Dijk, 2002).

⁴ The adjustment of the criterion had no noticeable consequences on the combination of the results for 2001 with the NRI results of Van Dijk (2002).

Table 4.1 Completed investigations into THB, broken down by year and type of THB

Year	Cross-border THB		THB within the Netherlands		Total	
	N	Index (1997=100)	N	Index (1997=100)	N	Index (1997=100)
1997	6	100	2	100	8	100
1998	12	200	2	100	14	175
1999	10	167	6	300	16	200
2000	17	283	8	400	25	313
2001	36	600	12	600	48	600
Total	81	N/A	30	N/A	111	N/A

The number of investigations into THB completed by the police increased considerably, particularly in 2001. In that year 48 investigations were completed and sent in to the PPS. This increase had already started in 2000, when the number of investigations completed was already higher than in previous years. Of the completed investigations in 1997-2001 27% (30) related to THB within the Netherlands and 73% (81) to cross-border THB. These percentages differ from year to year.⁵ In 1998 the proportion of investigations into THB within the Netherlands was the lowest (14%) and in 1999 the highest (38%).

Immediate cause for the investigation

For the period 1997-1999 and 2001, the immediate cause for the investigations into THB was studied.⁶ The result – also per year – is shown in Table 4.2. The ‘initial’ cause for the investigation was looked for. For example, in virtually all the investigations completed victim(s) reported an offence at a given time. In the table below, however, reporting an offence is only given as a cause if the victims themselves – possibly with the help of third parties – went to the police to report an offence. If, on the other hand, regular controls by the police in the prostitution sector lead to the discovery of possible victims of THB, who later report an offence, the cause given is a prostitution control. Furthermore, investigations are started on the basis of information from the National Criminal Intelligence Service (CIE), tips and (residual) information from other investigations. The latter is for example the case if an investigation already started is taken over by another police region or if in an investigation (other) suspects emerge who justify an independent investigation.

⁵ The percentage of investigations into THB within the Netherlands (with respect to all investigations) per year is respectively 25% (1997), 14% (1998), 38% (1999), 32% (2000) and 25% (2001).

⁶ For 2000 these data were not collected. The question was added back into the questionnaire for 2001 after its relevance was ascertained.

Table 4.2 Immediate cause for the investigation, broken down by year*

Immediate cause	1997		1998		1999		2001		Total	
	N	%	N	%	N	%	N	%	N	%
Reporting an offence	4	57%	8	57%	8	50%	13	36%	33	45%
Prostitution control	2	29%	1	7%	7	44%	6	17%	16	22%
Other investigation	1	14%	1	7%	-	-	6	17%	8	11%
CIE/tips	-	-	2	14%	1	6%	4	11%	7	10%
Other	-	-	2	14%	-	-	7	19%	9	12%
Total	7	100%	14	100%	16	100%	36	100%	73	100%

* These data were not collected for 2000

A 'spontaneous' report was the cause for the investigation in almost half of the cases. Furthermore, controls in the prostitution sector lead to investigations comparatively often. The 'other' category often relates to incidents in a prostitution environment that necessitates police intervention (for example fights or assault).

Duration of police investigation

The number of months that the investigations into THB analysed took was checked. The result is shown in Table 4.3, broken down by the year in which the investigation ended.

Table 4.3 Duration of investigation (in months), broken down by year⁷

Duration of investigation	1997	1998	1999	2000	2001	Total	
	%	%	%	%	%	N	%
1-3	38%	50%	21%	28%	28%	33	31%
3-7	38%	21%	29%	32%	38%	36	33%
7-13	8%	21%	36%	20%	23%	26	24%
13-18	-	7%	7%	8%	9%	8	7%
18 or more	-	-	7%	12%	2%	5	5%
Total	100%	100%	100%	100%	100%	108	100%

A third of the investigations are completed within 2 months. This percentage rises after 6 months to 64%. The longest investigation took 29 months. On average an

⁷ Totals per column: N= 8 (1997), 14 (1998), 14 (1999), 25 (2000), 47 (2001) and 108 (total).

investigation into THB takes 6 months.⁸ The average duration of the investigation did not change significantly over time.⁹ The time that a police investigation into THB takes depends on a number of factors. For example in the investigation by Van Dijk (2002) a strong relationship was found with the number of suspects on which the investigation focuses: the more suspects, the longer the investigation takes. On the other hand, investigations into cross-border THB did not take significantly longer than investigations into THB within the Netherlands. This is, because the ‘foreign’ part of the criminal group is rarely investigated and traced.

4.4 Suspects of trafficking in human beings

Table 4.4 presents the number of suspects of THB distinguished and arrested as well as the number of suspects that were ‘sent in’ to the PPS, broken down by the year in which the investigation was completed. For the suspects distinguished an indication is also given of how big the fall/increase has been over the years (with indices). An indication is also given of what percentage of the suspects *distinguished* were arrested and ‘sent in’ in the relevant year.

Table 4.4 Suspects of THB, per year

Year	Suspects distinguished		Suspects arrested		Suspects ‘sent in’	
	N	Index (1997=100)	N	%*	N	%*
1997	53	100	33	62%	29	55%
1998	93	176	83	89%	76	82%
1999	82	155	73	89%	69	84%
2000	160	302	140	88%	129	81%
2001	224	419	179	80%	142	63%
Total	612	N/A	508	83%	445	73%

* Percentage of the number of suspects distinguished in the relevant year

Over the period 1997 to 2001 inclusive the police distinguished a total of 612 suspects of THB.¹⁰ Of these 508 (83%) were arrested and 445 (73%) ‘sent in’ to the PPS. For 2001 the reason why suspects distinguished were not arrested and/or ‘sent in’ to the PPS

⁸ Standard deviation = 5.64; N=108.

⁹ Average period per year (in months): 1997: 3.6; 1998: 4.6; 1999: 7.3; 2000: 7.3; 2001: 5.8; total: 6.0.

¹⁰ Of the total number of suspects 40% were distinguished as the main suspect and 60% as accomplice suspect.

was investigated. This shows that 20% of these suspects could not be found, and had probably gone abroad. For some of these suspects an international tracing warrant had been issued. For 72% of the 'lost' suspects police charges were dropped, because of the marginal role that the suspect played or because of lack of evidence. Almost half of these suspects themselves worked as prostitutes. Also a number of these suspects were residing illegally in the Netherlands. They were deported. 8% of the 'lost' suspects were 'transferred' to another police investigation¹¹ or would possibly be arrested and/or 'sent in' at a later date.¹² The number of suspects increased considerably particularly in the last two years investigated.

Table 4.5 presents the average number of suspects per investigation for the years investigated. A corresponding table with standard deviations is included in Annex 2 (Table 2).

Table 4.5 Average number of suspects per investigation, per year

Year	Suspects distinguished	Suspects arrested	Suspects 'sent in'
	N (on average)	N (on average)	N (on average)
1997	6.6	4.1	3.6
1998	6.6	5.9	5.4
1999	5.1	4.6	4.3
2000	6.4	5.6	5.2
2001	4.7	3.7	3.0
Total	5.5	4.6	4

The average number of suspects distinguished, arrested and 'sent in' per investigation fell in the last year. The comparatively low average number of suspects per investigation – while, as discussed later in this paragraph, THB is often carried out by perpetrators who belong to extensive criminal networks – is partly explained by the fact that the number of suspects distinguished in an investigation partly depends on the extent to which the police take the trouble to trace the whole criminal (suspects) group. In most investigations, however, priority is given to tracing and prosecuting suspects residing and/or operating *in the Netherlands* (Van Dijk, 2002). Suspects who are not or rarely in the Netherlands (usually recruiters and intermediaries), are as a result left out of account in many investigations. This paragraph reports further on suspects *arrested*.

¹¹ For example an investigation in another region or a police investigation started separately (focused on THB or another offence).

¹² N=64 (for the other 18 suspects in 2001 it was not possible to find out why they were not arrested/'sent in').

Sex

A quarter of the suspects arrested (26%) are female.¹³ The number of women among the suspects has increased comparatively in the last two years.¹⁴ Of the female suspects some were themselves victims of THB (Van Dijk, 2002).

Origin

Table 4.6 shows the countries of origin of the suspects arrested. This table only includes the commonest countries of origin. A table giving all the countries of origin of the suspects is included in Annex 2 (Table 3). In addition to the nationality and the country of birth, Table 4.6 also shows the 'origin' of the suspects. For this last characteristic the background characteristics 'nationality' and 'country of birth' are combined as follows: if the nationality is non-Dutch or the country of birth is not the Netherlands, the suspect is classified as non-Netherlands country of origin. For that matter, the origin of the suspects thus obtained virtually corresponds to the countries of birth table.

Table 4.6 Countries of origin of suspects of THB (1997 to 2001 inclusive)

Country	Nationality		Country of Birth		Origin	
	N	%	N	%	N	%
Netherlands	185	42%	119	26%	116	26%
(Former) Yugoslavia	54	12%	59	13%	58	13%
Nigeria	30	7%	35	8%	37	8%
Albania	24	5%	25	6%	27	6%
Bulgaria	18	4%	18	4%	18	4%
Turkey	16	4%	32	7%	33	7%
Germany	14	3%	13	3%	14	3%
Morocco	14	3%	19	4%	20	4%
Czech Republic	11	2%	12	3%	11	2%
Romania	9	2%	10	2%	10	2%
Ukraine	8	2%	9	2%	9	2%
Ghana	2	0%	9	2%	9	2%
Dutch Antilles	-	-	9	2%	9	2%
Other/unknown	123	24%	139	27%	137	27%
Total	508	100%	508	100%	508	100%

¹³ N=451 (for 57 suspects the sex could not be found).

¹⁴ The percentage of women among the suspects from 1997-2001 is respectively 32%, 16%, 18%, 29% and 29%.

Almost half of the suspects are of Dutch nationality. Some of them were, however, born outside the Netherlands. Furthermore, a comparatively large number of suspects come from (former) Yugoslavia and, to a lesser extent, Nigeria, Turkey, Albania and Bulgaria. Further analyses show that suspects of cross-border THB come comparatively just as often from the Netherlands as suspects of THB within the Netherlands.¹⁵ Suspects with a foreign background from the last group do, however, come more frequently from Morocco, while suspects from the first group come more often from former Yugoslavia, Nigeria and a variety of other countries. Table 4.7 breaks down the nationality of the suspects by the year in which the investigation was completed.

Table 4.7 Nationality of suspects of THB, per year

Nationality	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Netherlands	10	30%	17	23%	23	34%	50	51%	85	50%	185	42%
(Former) Yugoslavia	1	3%	15	20%	16	24%	7	7%	15	9%	54	12%
Nigeria	-	-	-	-	7	10%	11	11%	12	7%	30	7%
Albania	-	-	7	9%	3	4%	1	1%	13	8%	24	5%
Bulgaria	-	-	11	15%	3	4%	-	-	4	2%	18	4%
Turkey	5	15%	6	8%	2	3%	2	2%	1	1%	16	4%
Germany	2	6%	5	7%	-	-	1	1%	6	4%	14	3%
Morocco	-	-	2	3%	-	-	10	10%	2	1%	14	3%
Czech Republic	-	-	3	4%	2	3%	2	2%	4	2%	11	2%
Romania	3	9%	1	1%	2	3%	1	1%	2	1%	9	2%
Ukraine	1	3%	-	-	-	-	3	3%	4	2%	8	2%
Other/unknown	11	33%	16	19%	15	21%	52	37%	31	17%	125	25%
Total	33	100%	83	100%	73	100%	140	100%	179	100%	508	100%

In the last year studied the number of suspects of Dutch nationality increased, also comparatively. Furthermore, the nationality of the suspects varies from year to year, whereby there seems to be no question of a clear trend.

Residence status

For suspects of non-Dutch nationality for the years 2000 and 2001, their residence status was checked. This shows that 57% of the suspects reside legally in the Netherlands on the basis of a residence permit (usually based on living with a partner,

¹⁵ Looking at the 'origin' of the suspects.

sometimes based on an asylum application)¹⁶ and 10% reside legally in the Netherlands on the basis of a visa or because they are travelling in the so-called ‘free period’.¹⁷ 18 33% of the suspects of non-Dutch nationality reside illegally in the Netherlands. Among these illegals there are also suspects from countries with no visa obligation. Their residence has, however, become illegal because they have exceeded the ‘free period’. In 2001 the number of suspects with a residence permit fell from 66% to 36% and the number of suspects residing illegally in the Netherlands rose from 10% to 42%.

Visa obligation

A check was made as to what extent suspects of non-Dutch nationality come from countries for which there is no (longer a) visa obligation (for example member states and some of the applicant states of the EU. For this a check was made for each investigation as to how many suspects on the start date of the investigation were of a nationality of a country with or without a visa obligation. The link to the start date of the investigation is particularly important for countries for which the visa obligation was lifted during the investigation period (1997-2001), namely Estonia, Latvia and Lithuania (1-7-1999), Bulgaria (10-4-2001) and Romania (1-1-2002). The result of this exercise is shown in Table 4.8.

Table 4.8 Suspects of THB, broken down by visa obligation and year

Visa obligation	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Country without visa obligation	8	35%	12	21%	5	11%	9	18%	23	28%	57	22%
Country with visa obligation	15	65%	46	79%	40	89%	40	82%	62	72%	203	78%
Total	23	100%	58	100%	45	100%	49	100%	85	100%	260	100%

¹⁶ 23% of these suspects are asylum-seekers. 77% have a residence permit on other grounds, for which a precise further breakdown based on the data collected is not possible. It is, however, clear that in virtually all further cases this involves a residence permit based on living with a partner.

¹⁷ The latter group then comes from countries with no visa obligation (for example the European Union or a few applicant-member states of the European Union). They can stay in the Netherlands for 3 to 6 months, depending on the country of origin, without a visa. Nevertheless, the free period expires on committing a criminal act. The perpetrator is then residing in the Netherlands illegally.

¹⁸ N=105 (this could not be determined for all suspects of non-Dutch nationality).

The percentage of suspects arrested that – based on their nationality – had no visa obligation at the time that the investigation started, is 22%.¹⁹ This percentage varies from year to year, but seems to have increased slightly in the last investigation year. Further analyses show this can be attributed to a comparatively greater influx of suspects from countries in Central and Eastern Europe with no visa obligation in that year. The percentage of suspects from these countries was in the years 1998 to 2000 inclusive in fact 7% to 8% and in 2001 17%. These results may also be affected by factors other than whether or not there is a visa obligation. In addition, no account is taken of the fact that a number of suspects hold a residence permit. If this last group is left out of account²⁰ – this may only be done for the years 2000 and 2001, because these data are missing for previous years – then it appears that 19 suspects (43%) upon their arrest came from a country with no visa obligation and 25 suspects (57%) from a country with a visa obligation.²¹ From the results taken together it is not then possible to directly deduce a disproportionate absence or considerable increase in the number of suspects from countries with no visa obligation.

Operators of sex establishments

Of the 508 suspects arrested 50 (10%) are operators of – mainly – clubs and brothels. This number did in fact increase per investigation year from five operators in 1997 to 22 operators in 2001, but the percentage of operators out of the total number of suspects in the relevant years fluctuates somewhat.²² Many of the operators arrested (38, 76%) were ‘sent in’ to the PPS.

Type of partnership

With regard to THB three forms of criminal organisation can be distinguished (Van Dijk, 2002).

Firstly, the *soloist*: one person has one or more girls working for him or her. This is for example often the case for ‘loverboy’ businesses and other forms of THB within the Netherlands, even where victims are also brought in from abroad. Although many ‘pimps’ do know each other and also consult one another, these are ‘one-man businesses’. The pimp is sometimes assisted by a ‘helper’ who has a very marginal role, for example keeping an eye on the victim when the pimp is not present.

Secondly, the *isolated criminal group*. This is a group of at least two members, each having a serious part in the THB,²³ and maximum 5 members, responsible for the whole THB process – from recruitment to putting victims into prostitution – and has

¹⁹ This is the total of suspects from Central and Eastern Europe with no visa obligation (12%) and suspects from other countries with no visa obligation (10%).

²⁰ After all, it is not known whether they obtained the residence permit before or after an (il)legal residence in the Netherlands.

²¹ The survey group is suspects of THB in 2000 and 2001, with a foreign nationality, not having a residence permit. This group consists of 44 persons.

²² The percentage of operators among the suspects is 15% (1997), 5% (1998), 11% (1999), 8% (2000) and 12% (2001) respectively.

²³ When one partner is a helper with a marginal role, the ‘partnership’ is categorised as a ‘soloist’.

no demonstrable contact with other groups or persons who are involved in THB. In the case of cross-border THB, the members of the group fetch the victims from abroad themselves – for example via a family member of the chief suspect or their partner, who lives abroad. The main suspects often run a brothel themselves. Thirdly, the *criminal networks*. At least six, but usually many more persons are involved. These groups often meet the description of criminal macro-networks, as set out in the investigation of Klerks (2000, p. 75): “In this undifferentiated criminal infrastructure in principle everyone is associated with everyone else via one or more intermediaries. There are also clear clusters based on geographic closeness, family links, friendships, commercial chains and interrelated activities”. In the case of THB clusters arise around the recruitment in specific countries, the transport to the Netherlands and the prostitution of victims in one of more countries/towns. Victims are bought and sold on and often recruited and/or ‘employed’ in several countries. Over the period 1997-2001 27 ‘soloists’ were traced, 22 ‘isolated groups’ and 65 – virtually always branches of – ‘criminal networks’. Table 4.9 shows per year the forms of organisation traced.

Table 4.9 Criminal organisations of THB, broken down by year

Organisation form	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Soloist	-	-	3	21%	5	31%	4	16%	12	25%	24	22%
Isolated group	5	63%	-	-	3	19%	6	24%	8	17%	22	20%
Network	3	38%	11	79%	8	50%	15	60%	28	58%	65	59%
Total	8	100%	14	100%	16	100%	25	100%	48	100%	111	100%

Three fifths of the investigations focused on (branches of) criminal networks, one fifth on isolated groups and a further one fifth on soloists. The type of partnership, on which the investigations focused, did change somewhat comparatively over the years, but in virtually every year the majority of the investigations focused on criminal networks. Further analyses show that in the total investigation period 77% of the suspects arrested belong to a network, 15% to an isolated group and 8% are soloists. This ratio was found particularly in the last investigation years (from 1999).²⁴ Of the soloists the majority (79%) are involved in THB within the Netherlands and of the isolated groups 41%. All the criminal networks are involved in cross-border THB.

²⁴ 48%, 52%, 0% (1997); 96%, 0%, 4% (1998); 75%, 16%, 8% (1999); 76%, 16%, 7% (2000) and 75%, 13%, 11% (2001) respectively.

Organised crime?

THB, certainly cross-border THB, requires a certain form of organisation. The question is, however, to what extent the criminal groups committing THB in the present research, can be classed as 'organised crime'. Van Dijk (2002) verified this by checking out the THB cases she studied against the definitions of and criteria for organised crime used by Fijnaut (1996), the Council of Europe²⁵ and Klerks (2000). According to these criteria the percentage of investigations that can be regarded as investigation into organised crime differ considerably.

Van Dijk found that criminal groups involved in THB operate fairly traditionally. They try more to evade the upper world, than to infiltrate it or go after economic or political power. Also, when carrying out the offence they show themselves to be conservative 'entrepreneurs'. Few new tricks, techniques or strategies, but rather walking known paths that have proved successful. Also – inherent in the offence – traffickers in human beings have a large operating area, from a geographic point of view. They often belong to extensive and widely branched networks. Many criminal groups are characterised by violence, usually against victims, but also against other group members and competitors. The most serious defensive contra-strategy that the criminal groups use consists of threatening victims who want to report an offence. Other commonly used measures to prevent or counteract being traced include using false and/or alternating identities for perpetrators and victims and frequently moving victims through the Netherlands and Europe.

4.5 Modus operandi of traffickers in human beings

4.5.1 Recruitment and countries of origin

The THB process begins with the recruitment of victims, in the Netherlands or abroad. Table 4.10 shows the countries where the victims in the investigations analysed were recruited. This table only shows the countries where was recruited comparatively frequently. A full list of all the recruitment countries is included in Annex 2 (Table 4). Because traffickers in human beings may recruit in several countries, the table does not add up to 100%.

²⁵ Adopted at a meeting of the Council of Europe in December 1994. For a description of the criteria is referred to Van Dijk (2002).

Table 4.10 Recruitment countries, broken down by year²⁶

Recruitment countries	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Netherlands	2	25%	3	21%	6	38%	8	32%	12	25%	31	28%
Nigeria	-	-	-	-	1	6%	6	24%	6	13%	13	12%
Czech Republic	-	-	4	29%	3	19%	3	12%	2	4%	12	11%
Ukraine	2	25%	1	7%	-	-	2	8%	6	13%	11	10%
Bulgaria	-	-	2	14%	2	13%	-	-	6	13%	10	9%
Russian Federation	-	-	2	14%	-	-	-	-	6	13%	10	9%
Poland	1	13%	3	21%	1	6%	3	12%	1	2%	9	8%
Moldavia	-	-	-	-	-	-	-	-	7	15%	7	6%
Romania	-	-	2	14%	1	6%	2	8%	2	4%	7	6%

In almost a third of the investigations the cases involve recruitment in the Netherlands. Comparatively often also is recruited in Nigeria, the Czech Republic, Ukraine, Bulgaria and the Russian Federation. Comparatively the number of investigations in which victims were recruited in Moldavia, Bulgaria and the Russian Federation increased last year. Victims are often recruited in a number of countries. For this reason Table 4.11 classes the countries of origin of the foreign victims by region of origin. As recruitment is often carried out in Central and Eastern Europe, this region is broken down into Central Europe (Poland, the Czech Republic, Slovakia, Hungary), Eastern Europe (the former Soviet Union), the Baltic states (Estonia, Latvia, Lithuania) and the Balkans (countries from former Yugoslavia, Romania, Bulgaria, Albania). As traffickers in human beings may recruit in several regions, the table does not add up to 100%.

Table 4.11 Regions of recruitment, broken down by year²⁷

Region of recruitment	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Western Europe	1	13%	-	-	-	-	-	-	1	2%	2	2%
Central Europe	1	13%	7	50%	4	25%	7	28%	9	19%	28	25%

²⁶ Totals per column: N=8 (1997), 14 (1998), 16 (1999), 25 (2000), 48 (2001) and 111 (total).

²⁷ Totals per column: N= 8 (1997), 14 (1998), 16 (1999), 25 (2000), 48 (2001) and 111 (total).

Region of recruitment	1997		1998		1999		2000		2001		Total	
Eastern Europe	2	25%	3	21%	-	-	3	12%	13	27%	21	19%
Baltic states	1	13%	-	-	-	-	4	16%	8	17%	13	12%
Balkans	-	-	4	29%	3	19%	3	12%	8	17%	18	16%
Africa	1	13%	2	14%	2	13%	7	28%	7	15%	19	17%
Latin America*	-	-	1	7%	2	13%	-	-	1	2%	4	4%
Asia	-	-	-	-	-	-	2	8%	2	4%	4	4%

* Including Caribbean

Victims are recruited comparatively often in Central Europe, closely followed by Eastern Europe and the Balkans. In addition Africa 'scores' high: in one sixth of the investigations (also) there is recruited. The percentage of victims per region of recruitment fluctuates from year to year. The regions of origin among these victims virtually correspond with the regions of origin as recorded by the STV and the regions of origin of victims and witnesses of THB who make use of the B-9 regulation (see Table 3.6).²⁸

Recruitment in countries with no visa obligation?

It is conceivable that the choice of recruitment countries is related to the fact of whether victims from a country are obliged to have a visa or not. A check was therefore made as to what extent – when is recruited abroad – recruitment is carried out in countries with and with no visa obligation. For this the visa status of the recruitment countries at the start of the investigation was assumed. The result is shown in Table 4.12. This table distinguishes between investigations for which recruitment is carried out in countries with a visa obligation, countries with no visa obligation and both. Table 4.12 also breaks down the data by year.

²⁸ The differences are not significant.

Table 4.12 Recruitment in countries with(out) a visa obligation, broken down by year

Recruitment countries	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Without visa obligation	2	33%	5	42%	3	30%	3	18%	6	17%	19	23%
With visa obligation	3	50%	4	33%	4	40%	6	35%	14	39%	31	38%
With and without visa obligation	1	17%	3	25%	3	30%	8	47%	16	44%	31	38%
Total	6	100%	12	100%	10	100%	17	100%	36	100%	82	100%

In over a fifth of all the cases investigated, in which victims are recruited abroad, recruitment is only carried out in countries without a visa obligation and in two fifths in both countries with and without a visa obligation. Also in two fifths of the investigations recruitment is only carried out in countries with a visa obligation. The percentage of investigations in which recruitment is only or also carried out in countries without a visa obligation remained virtually constant in recent years, namely around 60%.²⁹

These data say nothing directly about the number of victims that are recruited in countries with and without a visa obligation; in the one case more victims are recruited/bought than in other cases. For some countries of origin the visa obligation was abolished during the investigation period. In the present research 28 investigations are surveyed where victims were recruited in (among other things) one of these countries. Fourteen of these investigations (50%) were started before the visa obligation was abolished and also 14 investigations (50%) after the visa obligation was abolished. It therefore seems that whether or not a visa obligation exists does not play a direct part in the choice of recruitment in a particular country.

4.5.2 Travel route and travel and residence documents

Travel route and border crossing

Travel routes to the Netherlands, in the case of cross-border THB, vary considerably, on the one hand due to the differences in countries of origin, but also because criminal groups are always trying out new travel routes (Van Dijk, 2002). From the continents of Africa, America and Asia victims always come by plane, but not always flying directly to the Netherlands. From Central and Eastern Europe the journey is usually entirely over land. Table 4.13 shows per year where the border with the Netherlands

²⁹ 50% (1997), 67% (1998), 60% (1999), 65% (2000) and 62% (2001) respectively.

was crossed.³⁰ Because the border crossing within one investigation may be made in several ways, the table does not add up to 100%.

Table 4.13 Border crossing, broken down by year³¹

Border	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Country: Germany	5	83%	7	58%	4	40%	11	65%	23	64%	50	62%
Country: Belgium	1	17%	3	25%	4	40%	7	41%	10	28%	25	31%
Schiphol Airport	1	17%	2	17%	5	50%	2	1%	7	19%	17	21%

In two thirds of the investigations it emerged that victims are (also) brought to the Netherlands over land via Germany, in one third (also) over land via Belgium. Almost one fifth of the investigations show that victims (also) enter the Netherlands via Schiphol.

Travel documents

Table 4.14 shows for all the investigations involving cross-border THB to what extent the victims³² are in possession of a (valid, false or forged) passport. Because within one investigation different victims may carry different identity documents, the table does not add up to 100%.

Table 4.14 Passport of victims, broken down by year³³

Passport	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Genuine/valid	4	50%	8	64%	9	56%	12	69%	22	56%	46	59%
Forged/false	7	83%	6	55%	9	89%	11	63%	20	50%	47	60%
None	-	-	-	-	-	-	2	13%	6	17%	8	10%

³⁰ In the study by Van Dijk this question was left out in the last phase of the research. On the request of PPM/dNP the question was added back into the questionnaire. The data on the year 2000 therefore are not complete.

³¹ Totals per column: N=6 (1997), 12 (1998), 10 (1999), 17 (2000), 36 (2001) and 81 (total).

³² Or the trafficker in human beings and/or the operator of a sex establishment, for the victims.

³³ Totals per column: N=6 (1997), 11 (1998), 9 (1999), 16 (2000), 36 (2001) and 78 (total).

In almost two thirds of the investigations into cross-border THB, one or more victims emerge that have a forged or false passport. Van Dijk (2002) found that the falsification of passports is often carried out by separate criminal groups. For a false passport, according to the data available in the research, one has to pay out € 300 to € 500. African traffickers in human beings use a lot of valid passports that are used by a number of victims of similar appearance ('look-a-likes').³⁴

A check has been made as to whether victims recruited in countries with a visa obligation are in possession of a visa upon arrest/reporting and, if so, what. This shows that visas are forged or copied comparatively much less than passports (in 13% of the cases investigated). Usually a visa is applied for (in 53% of cases) or people travel without a visa (in 40% of cases).³⁵ It is only possible to break down these data by year to a limited extent, because in particular for many investigations completed in the years 1997 to 1999 these data are missing. For this reason these data are only given for the years 2000 and 2001: the percentage of investigations where people travel with a valid visa fell from 73% in 2000 to 35% in 2001. The percentage of investigations where people travelled without a visa from a country for which a visa was compulsory increased on the other hand from 18% in 2000 to 61% in 2001.³⁶ The percentage of investigations where a forged or false visa was used remained more or less the same.³⁷

4.5.3 Exploitation in prostitution

Traffickers in human beings use many means of coercion to bring or keep people in prostitution and/or to confiscate their earnings. It was examined how the victims are brought to prostitute themselves and/or how a situation may arise in which they (must) hand over all their money. The result is shown in Table 4.15. This table breaks down the means of coercion used by the year in which the investigation was completed. Because traffickers in human beings may use several means of coercion, the table does not add up to 100%.

³⁴ Investigations in which the latter was the case, are included in the 'forged/false passports'.

³⁵ N=90. Because in an investigation different victims may carry a number of visas with them, the percentages do not add up to 100%.

³⁶ Corresponding numbers: valid visa (2000: 9; 2001: 8), forged/false visa (2000: 1; 2001: 3), no visa (2000: 2; 2001: 15).

³⁷ 9% in 2000 and 13% in 2001. N=23 (2000) and 45 (2001) respectively.

Table 4.15 Means of coercion, broken down by year³⁸

Means of coercion	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Taking away passports	6	86%	9	69%	9	56%	12	52%	25	52%	61	55%
Threat of violence (physical)	6	75%	11	85%	16	100%	19	79%	37	77%	89	80%
Threat of making prostitution work known	1	14%	2	15%	5	31%	6	25%	17	35%	31	28%
(Threat of) violence against victim's family	2	29%	4	31%	6	38%	11	48%	20	42%	43	39%
Violence (physical)	3	43%	9	69%	15	94%	18	75%	32	67%	77	69%
Fake love	2	25%	6	46%	7	44%	9	38%	14	29%	38	34%
Voodoo	-	-	-	-	2	13%	4	17%	4	8%	10	9%
(Fictitious) debt	6	75%	7	54%	10	63%	14	58%	23	48%	60	54%
Watching/ Locking up	5	71%	11	92%	13	87%	17	71%	32	67%	78	70%

Victims of THB are very often threatened with violence to force them to (continue to) work in prostitution for the trafficker in human beings and/or to hand over the money they have earned. According to many investigations the suspects also often actually use violence against the victims. In addition, victims are according to many investigations locked up or constantly watched. Taking away passports and imposing (fictitious) debts occurs mainly in the case of cross-border THB.³⁹ In the case of THB within the Netherlands, more often than for cross-border THB, victims are incited to prostitution with carefully planned, 'played out' love techniques.⁴⁰ Victims from Nigeria and Malawi also report voodoo practices. It is not possible to discern clear developments over time: the means of coercion used vary from year to year.

³⁸ Totals per column: N= 8 (1997), 14 (1998), 16 (1999), 25 (2000), 48 (2001) and 111 (total).

³⁹ 74% and 71% respectively in the case of cross-border THB versus 13% and 13% for THB within the Netherlands. The differences are significant (respectively $\chi^2=32,45$, $df=1$, $p<.00$; $\chi^2=29,10$, $df=1$, $p<.00$).

⁴⁰ 73% in the case of THB within the Netherlands versus 20% for cross-border THB. The difference is significant ($\chi^2=27,00$, $df=1$, $p<.00$).

Mobility

A characteristic of THB is that victims are set to work in different places within and outside the Netherlands. Firstly to meet the demand for ‘always new girls’ in the prostitution world. Secondly to prevent tracing by the police and to prevent victims making social contact (Van Dijk, 2002). Table 4.16 shows in which countries, outside the Netherlands and outside the country of origin, the victims have worked in prostitution. This table only mentions the commonest countries. The results are also given by investigation year.

Table 4.16 Destination countries, broken down by year⁴¹

Destination	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Not in prostitution elsewhere	6	75%	7	50%	10	63%	12	48%	22	47%	57	52%
Put in prostitution elsewhere:	2	25%	7	50%	6	38%	13	52%	25	53%	53	48%
<i>Germany</i>	2	25%	4	29%	3	19%	8	32%	11	23%	28	25%
<i>Belgium</i>	-	-	2	14%	3	19%	3	12%	8	17%	16	15%
<i>Italy</i>	-	-	-	-	3	19%	4	16%	7	15%	14	13%
<i>Spain</i>	-	-	1	7%	1	6%	5	20%	6	13%	13	12%
<i>France</i>	-	-	-	-	-	-	4	16%	2	4%	6	5%

In half of the investigations it emerges that victims have also been put into prostitution elsewhere in Europe or outside it. In addition, the victims are sold (on), sometimes even several times (Van Dijk, 2002). This percentage remained fairly stable in recent years. Victims who are put into prostitution outside the Netherlands and outside the country of origin end up most often (also) in Germany. Other countries that ‘score’ comparatively high are Belgium, Italy and Spain. The top 4 most common destination countries outside the Netherlands, remained the same from 1999.

Victims of cross-border THB are more often brought into prostitution outside the Netherlands (and the country of origin) than victims of THB within the Netherlands: 58% against 23%. In the case of THB within the Netherlands this virtually always involves prostitution in the neighbouring countries Germany and Belgium, while

⁴¹ Total numbers per column: N= 8 (1997), 14 (1998), 16 (1999), 25 (2000), 47 (2001) and 110 (total).

victims of cross-border THB are (also) put to work in countries other than these – both within and outside the EU.

Two thirds of all investigations (67%) concern cases where victims – where known – are (also) employed in different towns in the Netherlands.⁴²

4.6 Prostitution sectors involved

In a THB case different prostitution sectors may be involved, such as window prostitution, clubs/brothels/private houses, the escort sector and street prostitution. Table 4.17 shows which prostitution sectors were involved in the THB cases investigated, broken down by the year in which the investigation was completed. Because an investigation may relate to several sectors, the percentages do not add up to 100%.

Table 4.17 Prostitution sectors involved, broken down by year⁴³

Prostitution sector	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Window prostitution	3	38%	9	64%	13	81%	15	60%	22	46%	62	56%
Clubs/brothels	7	88%	6	43%	6	38%	11	44%	28	58%	58	52%
Escort	1	13%	3	21%	2	13%	1	4%	10	21%	17	15%
Street prostitution	-	-	2	14%	2	13%	5	20%	7	15%	16	14%

In well over half of the investigations it emerges that victims are (also) employed in window prostitution, and in well over half (also) in clubs/brothels. Comparatively fewer investigations focused on the escort sector and/or street prostitution. In 2001 the number of investigations focused on the escort sector did however increase comparatively, after a low point in 2000.

Van Dijk (2002) studied for the period 1997-1999 to what extent the prostitution sector was involved in THB, that means to what extent operators of sex establishments were guilty of criminal acts relating to THB or knew of these. According to a quarter of the investigations operators were aware of the exploitation situation in which the victims found themselves, but were not actively involved in this. Also in a quarter of the investigations the operators were regarded as traffickers in human beings, that means that they played an active part in (parts of) the THB

⁴² This is not always known by the police people interviewed. In view of the enormous mobility in the sector, this is probably an underestimate.

⁴³ Total numbers per column: N= 8 (1997), 14 (1998), 16 (1999), 25 (2000), 48 (2001) and 111 (total).

process, such as the recruitment and trade of victims or placing/holding victims in prostitution by force. For 2000 and 2001 this fact was not investigated. For 2002 questions about this will come up again in the questionnaire.

4.7 Victims of trafficking in human beings

Number and type of victims

In the investigations completed in the period 1997 to 2001 inclusive in total 471 victims made a statement. Table 4.18 presents the number of victims that made a statement, and for whom this led to an investigation sent in to the PPS. These data are also broken down by year and type of THB (cross-border and within the Netherlands).

Table 4.18 Statements of victims of THB, broken down by year and type of THB

Year	Cross-border THB		THB within the Netherlands		Total	
	N	Average ⁴⁴	N	Average ⁴⁵	N	Average ⁴⁶
1997	19	3.2	8	4.0	27	3.4
1998	96	8	2	1.0	98	7.0
1999	59	5.9	10	1.7	69	4.3
2000	72	4.5	19	2.4	91	3.8
2001	156	4.3	30	2.5	186	3.9
Total	402	5	69	2.3	471	4.3

The number of statements in investigations completed increased particularly in the last investigation year, like the number of investigations completed in that year. The average number of statements per investigation hardly changed, with the exception of a peak in 1998. This peak is caused by one investigation with many reports of offences.

Table 4.19 presents the number of and percentage of investigations involving one or more underage victims, broken down by the year in which the investigations were completed and by type of THB.

⁴⁴ Standard deviation and N respectively 2.23; 6 (1997); 11.43; 12 (1998); 3.63; 10 (1999); 4.90; 16 (2000); 3.79; 36 (2001) and 5.74, 80 (total).

⁴⁵ Standard deviation and N respectively 2.83; 2 (1997); 0.00; 2 (1998); 0.82; 6 (1999); 2.50; 8 (2000); 1.57; 12 (2001) and 1.80, 30 (total).

⁴⁶ Standard deviation and N respectively 2.20; 8 (1997); 10.82; 14 (1998); 3.55; 16 (1999); 4.31; 24 (2000) and .45; 48 (2001).

Table 4.19 Investigations with underage victims, broken down by year and type THB

Year	Cross-border THB		THB within the Netherlands		Total	
	N	%*	N	%*	N	%**
1997	1	17%	2	100%	3	38%
1998	4	33%	-	0%	4	29%
1999	5	50%	2	33%	7	44%
2000	8	47%	5	63%	13	52%
2001	11	31%	7	58%	18	38%
Total	29	36%	16	53%	45	41%

* Percentage of the total number of investigations into the relevant type of THB in the relevant year

** Percentage of the total number of investigations in the relevant year

In total two fifths of the investigations (41%) (partly) related to underage victims. This percentage fluctuates per year. How many underage victims are involved in these investigations was not researched. Van Dijk (2002) did do this for the period 1997-1999. This was 26, that is 17% of the total number of victims that reported THB in this period and for which the investigation was completed and sent in. The number of underage victims seems to be significantly greater in the case of THB within the Netherlands than in the case of cross-border THB.

In the whole research period only one investigation into THB involved male victims. This case is described in by Van Dijk (2002).

4.8 Proceeds of trafficking in human beings

During or after an investigation into THB a decision may be made to try to confiscate the gain acquired illegally by the perpetrators. To do this – as established in the ‘Plukze Act’⁴⁷ – a criminal financial investigation (CFI) is carried out. Table 4.20 shows how often in the investigations into THB a CFI was opened and how often this has led to a confiscation order. Data regarding the confiscation orders instituted have, however, only been collected for 2000 and 2001. In 4 of the 111 cases investigated, consideration was still being given to whether a CFI would be opened. These cases are not included in Table 4.20.

⁴⁷ Art. 36e Penal Code, considerably amended on 1 March 1993.

Table 4.20 Financial investigation and confiscation, broken down by year

Year	Criminal financial investigation		Confiscation order instituted	
	N	%*	N	%**
1997	1	13%	N/A	N/A
1998	4	31%	N/A	N/A
1999	4	31%	N/A	N/A
2000	8	32%	5	63%
2001	15	32%	14	93%
Total	32	30%	19	83%

* Percentage of the total number of investigations in the relevant year

** Percentage of the number of CFIs in the relevant year(s). The total percentage of the confiscation orders is calculated over the 23 CFIs in 2000 and 2001

In one third of the investigations into THB a CFI was opened. This percentage remained virtually constant in the last investigation years. The percentage of investigations for which the CFI results in a confiscation order was higher in 2001 than in 2000, namely 93% (against 63% in 2000). In its first report BNRM checked on how many of the cases registered with the PPS (-suspects) in the period 1995 to the first half of 2000, in which a summons was issued, led to a confiscation order. This was found to apply in 18% of cases. It is stated that this does not at first sight seem very often, but that information from PPS data shows that this happened in the same period regarding infringement of the Opium Act in no more than 11% of cases.

The illegally acquired gain in the 24 cases in the period 1997-2001 for which this is known,⁴⁸ taking everything together, rounds up to almost € 5,000,000. On average, this rounds up to € 200,000 per case and € 150,000 per suspect. The average illegally acquired gain per suspect varies considerably per investigation year and was the highest in 2001 at € 210,000 in round figures.⁴⁹

Because the illegally acquired gain is not calculated in every case, the police officials interviewed were asked to estimate how much the suspects have earned in total from THB. This was done in the light of possessions found and distinguished, lifestyle of the suspect(s), number of victims that they ran and the period that the victims were exploited in prostitution. In this way the proceeds were estimated for virtually all the cases investigated. The result is shown in Table 4.21.⁵⁰

⁴⁸ This was not known for 8 of the 32 cases.

⁴⁹ On average illegally acquired gain per suspect per year: 1997: € 18,862; 1998: € 166,688; 1999: € 79,545; 2000: € 104,953; 2001: € 210,999.

⁵⁰ In some cases income was also generated from criminal activities other than THB. When that is the case, an attempt was made to separate the proceeds of THB from other sources. The proceeds mentioned in the table then only relate to THB.

Table 4.21 Proceeds of THB per investigation, broken down by year

Proceeds (in €)	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Less than 45,000	4	67%	4	40%	6	46%	9	39%	21	55%	44	49%
45,000 to 225,000	1	17%	4	40%	3	23%	7	30%	9	24%	24	27%
More than 225,000	1	17%	2	20%	4	31%	7	30%	8	21%	22	24%
Total	6	100%	10	100%	13	100%	23	100%	38	100%	90	100%

Half of the investigations involve cases where more than € 45,000 is earned by THB. This fluctuates little per year.

Van Dijk (2002) estimated the total proceeds of THB, by starting from the number of months that the estimated 3,500 victims of THB (see paragraph 4.7) worked in prostitution in 2000, at € 118,000,000. Another possibility is to estimate the annual proceeds of THB by multiplying the number of estimated victims in that year by the average gross annual earnings of a prostitute in the Netherlands.⁵¹ Calculated in this way, in 2000 THB yielded a rounded gross amount of € 85,000,000. On the one hand, payments to operators of sex establishments and victims still have to be deducted from this (after all, in one third of cases according to Van Dijk something is paid to the victims out of the money they have earned) and not all victims work a whole year in prostitution. On the other hand, victims of THB probably earn more than the 'average' prostitute, because they are often forced to work many long days. The amount mentioned must therefore be seen as a rough indication of the amount that is earned from THB.

Damage claim victims

A check was made as to how many victims have tried via civil law proceedings or via a 'civil joinder in the criminal proceedings' to get back (some of) the money they have earned. This is found to be the case – as far as is known – in 16 cases (14%). Of these, 10 cases were completed in the last year of the research.⁵² The percentage of victims that submit a claim remains roughly the same in 2001 as in previous years.⁵³ The extent of the amounts demanded and awarded is usually not known to the police.

⁵¹ € 24,000.00 (Altink, 2000; Van Dijk, 2002).

⁵² Numbers per year: 1997: 1; 1998: 0; 1999: 3; 2000: 2 and 2001: 10.

⁵³ Percentages per year: 1997: 4%; 1998: -; 1999: 4%; 2000: 2% and 2001: 5%.

4.9 Criminal activities other than trafficking in human beings

A check was made as to whether the suspects in the studied investigations also carry out other criminal activities. The result is shown in Table 4.22. This table does not take into account activities committed to support THB, such as committing violence, rape, unlawful detention, falsification of or fraud with travel and residence documents. Because traffickers in human beings may carry out several criminal activities, the table does not add up to 100%.

Table 4.22 Criminal activities in addition to THB, broken down by year⁵⁴

Activities	1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
No other activities	6	75%	9	64%	10	63%	16	64%	21	44%	62	56%
Other activities:	2	25%	5	36%	6	38%	9	36%	27	56%	49	44%
<i>Crimes against property</i>	2	25%	2	14%	4	25%	2	8%	17	35%	27	24%
<i>Narcotics</i>	-	-	4	29%	2	13%	7	28%	13	27%	26	23%
<i>Weapons related crimes</i>	-	-	2	14%	1	6%	3	12%	6	13%	12	11%
<i>Migrant smuggling</i>	-	-	-	-	1	6%	1	4%	5	10%	7	6%
<i>Financial crime</i>	-	-	2	14%	-	-	1	4%	3	6%	6	5%

In around half of the THB cases investigated, the suspects are also suspected of offences other than THB. This percentage is higher in the last year of the research (2001) than in previous years. High scoring secondary criminal activities are crimes against property and narcotics related crimes. A number of suspects are also involved in weapons related crimes. These are comparatively often suspects of (former) Yugoslav nationality (Van Dijk, 2002). In 2001 the number of investigations in which THB was combined with crimes against property increased considerably compared with 2000.

⁵⁴ Totals per column: N= 8 (1997), 14 (1998), 16 (1999), 25 (2000), 48 (2001) and 111 (total).

5 Prosecution

5.1 Introduction

This chapter contains information on THB cases registered with the PPS.

5.2 Research method

To get an idea of the (progress of) criminal proceeding of THB cases, analyses were carried out on the national database of PPS data.¹ With the help of PPS data it is possible to get an idea of the progress of cases in the first instance. There are no data on a possible appeal phase. PPS data contain details of cases and offences. Unlike in the preceding chapter on police investigation, a (criminal) case is understood here to mean the *case against one suspect*. Furthermore, it involves exclusively the offences for which principle charges are brought: offences for which alternative charges are brought are not included in PPS data. It also emerges that where principle charges are brought for several offences, only the first offence is recorded in PPS data.

5.3 Trafficking in human beings cases registered with the Public Prosecution Service

Over the period from 1995 to 2001 inclusive 892 criminal cases were registered with the PPS involving (only or partly) a suspicion of THB.²

Table 5.1 indicates how many cases this involves per year and how many of these cases (partly) relate to underage victims.

¹ The analyses were, on the request of BNRM, made by the Statistics and Policy Analysis department (Siba) of the Scientific Research and Documentation Centre (WODC) of the Ministry of Justice. Reference date 1 June 2002.

² This includes cases dropped at a later stage of the proceedings by the PPS and cases in which ultimately no suspicion of THB is included in the charges.

Table 5.1 Number of registered cases³ and cases that (partly) involve underage victims, per year

Year	Registered cases		Cases that (partly) involve underage victims ⁴	
	N	%	N	%
1995	152		16	10%
1996	117		21	18%
1997	116		15	13%
1998	134		17	13%
1999	103		28	27%
2000	138		36	26%
2001	132		27	20%
Total	892		160	18%

The number of registered cases varies per year.⁵ The increase highlighted in the first report in the number of cases that (partly) involve underage victims does not continue in 2001.

As indicated at the start of this paragraph, the studied cases involve suspicion of only or partly THB. Table 5.2 gives an idea of the (combination of) offences of which the people in question were suspected.⁶

³ These are – as in the first report – all cases, including cases transferred (to another district). These are in total nine, varying in number per year from none to four (in 1997).

⁴ These are in 2000 respectively four and two more than indicated in the first report for that year. These relate to cases received afterwards. The information on these cases is incorporated in the above and following tables.

⁵ Provisional data for 2002 (source: printout of the National Office of the PPS, reference date 1 November 2002) make it clear that for that year a considerable growth in the total number of cases registered with the PPS relating to suspicion of THB can be expected.

⁶ For this, the same categories are used as in the first report, namely: 1) *Only (a form of) THB* (art. 250ter or 250a Penal Code); 2) *THB in combination with participation in a criminal organisation* (art. 140 Penal Code); 3) *THB in combination with certain forms of violence*. Counted here are forms of both physical and mental violence, such as intentional unlawful detention, taking of hostages, kidnapping and abduction, rape, mistreatment, manslaughter and murder; 4) *THB combined with forms of fraud and racketing*, such as false passport, document forgery and bigamy; 5) *THB combined with offences specifically against children* (with the exception of THB with minors as victims), such as intercourse with children under 16 years of age, using or offering young people for pornography and inciting minors to vice. Looked at in retrospect categories 3 and 5 are unfortunately not clearly enough distinguished: some of the offences of a sexual nature against children are included in category 3, others in category 5; 6) *THB combined with offences that involve immigration law aspects*, such as migrant smuggling; 7) *THB combined with one other type of offence*, not belonging to one of the above-mentioned categories, such as violation of the opium act, theft and illegal entry into a dwelling; and 8) *THB combined with*

Table 5.2 Overview of suspicions, per year

Suspicion	1995		1996		1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Only THB	40	26%	42	36%	64	55%	36	27%	38	37%	47	34%	47	36%	314	35%
THB + criminal organisation	37	24%	11	9%	3	3%	12	9%	11	11%	8	6%	9	7%	91	10%
THB + violence	33	22%	28	24%	19	16%	27	20%	16	16%	14	10%	20	15%	157	18%
THB + fraud	1	1%	3	3%	4	3%	4	3%	3	3%	3	2%	7	5%	25	2%
THB + offence against child	4	3%	-	-	1	1%	2	1%	4	4%	2	1%	2	2%	15	2%
THB + immigration law offence	1	1%	2	2%	-	-	4	3%	1	1%	5	4%	14	11%	27	3%
THB + one other type of offence	5	3%	5	4%	3	3%	1	1%	2	2%	6	4%	8	6%	30	3%
THB + several other types of offences	31	20%	26	22%	22	19%	48	36%	28	27%	53	38%	25	19%	233	26%
Total	152	100%	117	100%	116	100%	134	100%	103	100%	138	100%	132	100%	892	100%

Well over a third of the cases involved suspicion of only THB (the first row in the table). 38% of cases involved suspicion of THB in combination with one other type of offence (rows 2 to 7 together). This was comparatively often a form of violence or membership of a criminal organisation. 26% of cases involved suspicion of THB in combination with several other types of offences (row 8 in the table). 2001, compared with the preceding years, showed an increase in suspicion of THB in combination with Immigration Law offences, and a reduction in THB in combination with several other types of offences.

5.4 The suspects

The suspects of THB are usually men, namely in 81% of cases. Per year the proportion of female suspects varied from 13% (in 1996) to 26% (in 2000).⁷

several other types of offences. This may be a combination of THB with several of the above-mentioned offences, and/or with several other crimes.

⁷ The percentages amounted in the successive years 1995 to 2001 to 18%, 13%, 17%, 18%, 16%, 26% and 21% respectively. There can then be no question of a clear increase or reduction in the proportion of women among the suspects over the years, but there was a peak in 2000.

The age of the suspects at the time of their first act of THB of which they were suspected,⁸ was in over 81% of the cases somewhere between 18 and 40 years⁹ and was on average around 30 years. From 1995 to 2001 inclusive there were 32 underage suspects. They account for 4% of the total number of suspects. In 2001 the (average) age of the suspects was a bit higher than in the years before this. The proportion of young suspects (aged up to 25 years) was in that year 24% compared with 37%, 40% and 35% in the years 1998 to 2000 inclusive.

The country of birth of the suspects was often not the Netherlands. The percentages of suspects born in the Netherlands varied from 22% (in 1998) to 40% (in 1999).¹⁰ Countries of birth that frequently occurred among the suspects are shown in Table 5.3. Also shown per year of registration with the PPS is the ranking of the first five positions.¹¹

Table 5.3 Ranking of frequently occurring countries of birth of suspects, per year of registration

Country	1995	1996	1997	1998	1999	2000	2001	Total	
	Rank	Rank	Rank	Rank	Rank	Rank	Rank	N	Rank
Netherlands	1	1	1	1	1	1	1	278	1
Yugoslavia	2	2		2	2	3'	2	108	2
Turkey	3	5	2	3		3'	4	66	4
Morocco	4	3	3		3	2'		68	3
Hungary	5							14	
Soviet Union		4	5				5	33	
Poland			4					13	
Albania				4				18	
Nigeria				5	4	2'		39	5
Bulgaria					5		3	24	

The list shows, in addition to a constant first place for the Netherlands as country of birth and a reasonably stable 'position' of Yugoslavia, Turkey and Morocco, certain more time-related developments. Examples of these are the – comparatively – less

⁸ This differentiation is made because the same person may be suspected of several THB offences.

⁹ 32% fell in the age category 18 to 25 years, 24% in the category 26 to 30 years and 25% in the category 31 to 40 years.

¹⁰ In the successive years respectively 37.5%, 34%, 34.5%, 22%, 40%, 28% and 31% of the suspects were born in the Netherlands.

¹¹ An accent indicates that this involves a shared position.

often occurrence of Hungary as country of birth after 1995 and the – seemingly temporary – ‘rise’ of Nigeria as a country of origin of suspects since 1998; in 2001 Nigeria no longer occupies a prominent place among the countries of birth. When interpreting this table one must consider that a country of origin may score high at one time because several people operating separately from one another, have been arrested, but also because one large network with a lot of suspects from the same country of origin has been rounded up.

Table 5.4 offers a rather different view of the backgrounds of the suspects, in which their countries of birth are classified by region and are then shown by year of registration. The same breakdown was chosen as in the previous report, namely: a) the Netherlands b) Central and Eastern Europe¹² c) Turkey and Morocco¹³ d) Africa¹⁴ e) Surinam, the Dutch Antilles and Indonesia¹⁵ f) Europe other¹⁶ g) Central and South America¹⁷ h) Asia¹⁸ i) the Middle East¹⁹ j) the United States and k) unknown/other²⁰.

Table 5.4 Region of origin of suspects, per year of registration

Region of origin	1995		1996		1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Netherlands	57	38%	40	34%	40	34%	30	22%	41	40%	39	28%	31	23%	278	31%
Central and Eastern Europe	39	26%	37	32%	27	23%	52	39%	29	28%	24	18%	59	45%	267	30%
Turkey and Morocco	27	18%	20	17%	16	14%	21	16%	11	11%	26	19%	13	10%	134	15%
Africa	1	1%	8	7%	9	8%	11	8%	13	13%	30	22%	12	9%	84	9%
Surinam, Dutch Antilles and Indonesia	10	7%	5	4%	4	3%	6	4%	5	5%	13	10%	8	6%	51	6%
Europe other	2	1%	4	4%	8	7%	3	2%	4	4%	4	2%	1	1%	26	3%

¹² These are: Albania, the former Deutsche Demokratische Republik (DDR), Bulgaria, Estonia, Hungary, Yugoslavia, Latvia, Lithuania, Poland, Romania, the former Soviet Union and former Czechoslovakia.

¹³ A separate category is made here because the Netherlands recruited many guest workers in these countries in the past.

¹⁴ These are: Angola, Egypt, Ghana, Gold Coast, Guinea, the Cape Verde Islands, Liberia, Niger, Nigeria, Portuguese West Africa, Rwanda, Sudan and Tunisia.

¹⁵ This ‘covers’ the (former) overseas territories from which suspects come.

¹⁶ These are: Belgium, Germany, France, Greece, Ireland, Italy, Austria, Portugal and Spain.

¹⁷ These are: Argentina, Brazil, Colombia and the Dominican Republic.

¹⁸ These are: the Philippines, Pakistan, Thailand and Vietnam.

¹⁹ These are: Iraq, Iran, Jordan, Lebanon, Palestine and Syria.

²⁰ This also includes the category ‘international area’.

Region of origin	1995		1996		1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Central and South America	4	2%	-	-	7	6%	3	2%	-	-	-	-	1	1%	15	2%
Asia	5	3%	2	2%	3	3%	1	1%	-	-	-	-	1	1%	12	1%
Middle East	1	1%	-	-	1	1%	2	1%	-	-	1	1%	6	4%	11	1%
United States	1	1%	-	-	-	-	-	-	-	-	-	-	-	-	1	0%
Other/unknown	5	3%	1	1%	1	1%	5	4%	-	-	1	1%	-	-	13	1%
Total	152	100%	117	100%	116	100%	134	100%	103	100%	138	100%	132	100%	892	100%

Around 30% of the suspects were born in the Netherlands, also around 30% came originally from Central or Eastern Europe, 15% from Turkey or Morocco and 9% from Africa. In total 13% of the suspects came from the other regions of origin together (rows 5 to 11 in the table). The slow rise highlighted in the previous report in the proportion of suspects from Africa seen up to 2000 has not continued in 2001. The proportion of suspects from Central and Eastern Europe on the other hand increased considerably in 2001 and amounts to almost double the number of suspects born in the Netherlands.

5.5 Handling by the Public Prosecution Service

Table 5.5 gives a summary, per year of registration, of the number of cases in which the suspect is remanded in custody.

Table 5.5 Remand in custody, per year of registration

Remand in custody	1995		1996		1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Yes	120	79%	79	68%	82	71%	111	83%	84	82%	109	79%	96	73%	681	76%
No	30	20%	37	31%	34	28%	23	17%	19	18%	29	21%	36	27%	208	23%
Unknown	2	1%	1	1%	-	-	-	-	-	-	-	-	-	-	3	0%
Total	152	100%	117	100%	116	100%	134	100%	103	100%	138	100%	132	100%	892	100%

In over three quarters of the cases (varying per year from 68% to 83%) the suspect was detained when the case was brought to court.

Table 5.6 shows how the PPS handles cases. In the above this involved the 892 criminal cases registered over the period 1995 to 2001 inclusive. Table 5.6 involves the 857 cases handled by the PPS over the period 1995 to 2001 inclusive.²¹

Table 5.6 Handling by the PPS, per year of handling

Handling	1995		1996		1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Summons for THB	69	73%	101	74%	81	67%	57	54%	84	60%	77	78%	103	63%	572	67%
Unconditional discharge	15	16%	29	21%	28	23%	44	42%	45	32%	17	17%	46	28%	224	26%
Summons because of other offences	8	8%	5	4%	4	3%	3	3%	4	3%	3	3%	12	7%	39	5%
Transfer ²²	1	1%	-	-	4	3%	-	-	2	1%	1	1%	1	1%	9	1%
Conditional discharge	-	-	1	1%	2	2%	-	-	2	1%	-	-	1	1%	6	1%
Joinder	1	1%	-	-	2	2%	1	1%	2	1%	-	-	-	-	6	1%
Out-of-court settlement	-	-	-	-	-	-	-	-	-	-	1	1%	-	-	1	0%
Total	94	100%	136	100%	121	100%	105	100%	139	100%	99	100%	163	100%	857	100%

In cases that (partly) relate to suspicion of THB summons is by far the most frequent method of handling the case. In over a quarter of cases the case was unconditionally discharged²³ and in 5% of cases a summons was served for other offences.²⁴ The other forms of settlement (transfer, conditional discharge and bargain) are only used sporadically.

²¹ This is then contrary to the first report in which the year of registration, even where this involved handling and judgement, always served as the starting point. The difference (between the number of cases registered with the PPS and the number of cases dealt with by the PPS) is due to the fact that the PPS has not yet taken a follow-up decision in all cases. By way of explanation: some of the cases registered at the end of 2001 will not be dealt with by the PPS until 2002.

²² To another district or abroad.

²³ Important grounds for discharge are: 'no legal evidence', 'wrongly reported as suspect', 'small share in the offence' and 'old offence'.

²⁴ The latter of course only occurs in case of suspicion of THB in combination with other types of offences.

5.6 Judgement by the court

Over the same period 1995 to 2001 inclusive²⁵ the court dealt with a total of 516 THB cases (in the first instance).²⁶ Table 5.7 gives a summary of the judgements, per year of judgement.

Table 5.7 Judgement in the first instance, per year of judgement

Judgement	1995		1996		1997		1998		1999		2000		2001		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Sentence imposed	44	95%	94	93%	64	88%	56	89%	52	82%	71	84%	75	87%	456	88%
Acquittal	2	4%	4	4%	5	7%	3	5%	6	9%	11	13%	7	8%	38	7%
PPS not admissible	-	-	2	2%	2	3%	2	3%	3	5%	1	1%	3	3%	13	3%
Joined to court sitting	-	-	1	1%	-	-	2	3%	2	3%	1	1%	1	1%	7	1%
Acquittal on a point of law or exemption	-	-	-	-	2	3%	-	-	-	-	-	-	-	-	2	0%
Total	46	100%	101	100%	73	100%	63	100%	63	100%	84	100%	86	100%	516	100%

In a large majority of the summoned cases (88%) a sentence was imposed. In 7% of cases acquittal followed. These percentages do not differ from one another much per year, though there were comparatively more acquittals in 2000.

The judgement is also interesting, seen by the combination of offences in the charge. Table 5.8 gives an overview of the judgements from the years 1995 to 2001 inclusive.

²⁵ Mention is purposely made of 'the same period' and not of 'the same cases'. Because time passes between registration and handling by the PPS and also between handling by the PPS and the judgement of the court, this does not always involve the same cases.

²⁶ These are not then precisely the same cases as those registered in the same period by the PPS, or dealt with by the PPS. In particular some of the cases dealt with further in the past will have been brought to court in preceding years by the PPS. And some of the cases handled in 2001 by the PPS, will only come to court in 2002 (at the earliest).

Table 5.8 *Judgement per combination of offences (1995-2001)*

Offence (combination)	Sentence imposed		Acquittal		PPS not admissible		Joined to court sitting		Acquittal on a point of law or exemption		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Only THB	141	81%	19	11%	8	4%	4	2%	2	1%	174	100%
THB + criminal Organisation	49	83%	7	12%	3	5%	-	-	-	-	59	100%
THB + violence	92	91%	8	8%	1	1%	-	-	-	-	101	100%
THB + fraud	18	100%	-	-	-	-	-	-	-	-	18	100%
THB + offence against children	10	100%	-	-	-	-	-	-	-	-	10	100%
THB + immigration law offence	6	100%	-	-	-	-	-	-	-	-	6	100%
THB + one other type of offence	18	95%	-	-	-	-	1	5%	-	-	19	100%
THB + several other types of offences	122	95%	4	3%	1	1%	2	2%	-	-	129	100%
Total	456	88%	38	7%	13	2%	7	1%	2	0%	516	100%

Table 5.9 shows by combination of offences what (main) sentences were imposed.

Table 5.9 *(Main) sentences imposed per combination of offences (1995-2001)*

Offence (combination)	Uncondi- tional imprison- ment		Community service		Uncondi- tional fine		Only conditional imprison- ment		No main sentence ²⁷		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Only THB	104	74%	22	16%	4	3%	6	4%	4	3%	141	100%
THB + criminal Organisation	47	96%	2	4%	-	-	-	-	-	-	49	100%
THB + violence	83	90%	5	5%	2	2%	2	2%	-	-	92	100%
THB + fraud	10	56%	5	28%	-	-	2	11%	1	6%	18	100%

²⁷ In cases in the category 'no main sentence' an additional penalty may be imposed (for example confiscation), or a measure (for example detention order).

Offence (combination)	Unconditional imprisonment		Community service		Unconditional fine		Only conditional imprisonment		No main sentence ²⁷		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
THB + offence against children	6	60%	3	30%	1	10%	-	-	-	-	10	100%
THB + immigration law offence	5	83%	1	17%	-	-	-	-	-	-	6	100%
THB + one other type of offence	13	72%	5	28%	-	-	-	-	-	-	18	100%
THB + several other types of offences	115	94%	6	5%	1	1%	-	-	-	-	122	100%
Total	383	84%	49	10%	8	2%	10	2%	5	1%	456	100%

In 84% of cases in which sentences were imposed, this was imprisonment (in 3% of cases in combination with an unconditional fine) and in 10% of cases this was community service. Unconditional fines, only conditional sentence or only additional sentences²⁸ (or measures) were only occasionally imposed.

The (unconditional) imprisonment has an average duration of 26 months²⁹. This average is the lowest for charges of suspicion of only THB (17.2 months³⁰) and the highest for charges of suspicion of THB in combination with several types of offences (34 months³¹).

5.7 Appeal

An appeal was brought against 234 of the total of 516 court judgements (45%). That was done 122 times by the suspect (in almost all cases after sentence was imposed), 23 times by the PPS (mainly in case of acquittal) and 89 times by both parties (in all cases after sentence was imposed).

²⁸ The indication 'additional sentence' is rather misleading. In accordance with art. 9, para.5 Penal Code the court may, however, in cases in which the law permits a sentence to be imposed, pass only an 'additional' sentence.

²⁹ Standard deviation 20.8 months.

³⁰ Standard deviation 11.6 months.

³¹ Standard deviation 20.8 months.

6 Other figures

This chapter outlines different figures relating to THB, as they emerge in various publications. This outline also includes figures relating to prostitution, because according to the regulations now applicable in the Netherlands, THB is still placed in the context of exploitation only in the sex industry. The purpose of this outline is to offer a brief, efficient overview of available indicators relating to prostitution and THB.

Table 6.1 only presents figures that relate to the (whole) of the Netherlands. Figures that relate to abroad are not included in the table. Figures in relation to municipalities, regions, etc. are also left out of account.

The figures presented in Table 6.1 relate to the year under which they are placed. If data are known or calculated over a period of several years, then the table-cells for these years are combined. If a report states that this is an annually recurring number, then the number is placed under the year of publication of the report.

The figures in most cases can be commented on in one way or the other. For example, in the publications in which the figures are presented, factors are mentioned that affect the reliability and/or level of the figures. Also, an explanation is often given of the way in which, or the method by which the figures have been collected or calculated. It has nevertheless been decided in this chapter not to give an explanation of the figures. The reader is referred to the sources mentioned to check how precisely a figure came about and what the reliability of the data presented is.

Table 6.1 Indicators of prostitution and THB in the Netherlands

Data prostitution & THB	Source	1996	1997	1998	1999	2000	2001
Prostitution							
Number of prostitutes*	Van der Helm & Van Mens, 1999				20,000-25,000		
	Visser e.a., 2000					6,000 per day	
Number of foreign prostitutes* ⁱⁱⁱ	Van der Helm & Van Mens, 1999				68% min.		
Number of underage prostitutes*	Venicz & Vanwesenbeeck, 1998			1000-2000 (girls) min.			
	Van Gelder, 1998			3000 (boys)			
	Van Horn e.a., 2001					1500 (boys)	
Number of boys/men in prostitution*	Van Gelder, 1998			3000 (minors)			
	Van der Helm & Van Mens, 1999				1015		
	Van Horn e.a., 2001					1500 (minors)	
Number of trans-genders in prostitution*	Van der Helm & Van Mens, 1999				1003		
Number of brothels*	Smallenbroek & Smits, 2001						550
	Visser e.a., 2000				600-700		
Number of window brothels ^{iv} *	Smallenbroek & Smits, 2001						630
Number of windows	Visser e.a., 2000				2040		
Number of escort agencies*	Smallenbroek & Smits, 2001						260
Number of street prostitutes	Visser e.a., 2000				320 per day		

Data prostitution & THB	Source	1996	1997	1998	1999	2000	2001
THB							
Number of victims of THB reported to STV	STV		180	228	287	341	284
Number of victims of THB in contact with victim support	NRM, 2002					608	
Number of victims/ witnesses of THB in B9	BNRM/IND	46	41	39	71	58	122
Number of victims of THB*	Altink, 1996	2000-3000					
	IRT NON, 1997		2000 from Central and Eastern Europe				
	Van Dijk, 2002					3,500 min.	
Number of underage victims of THB*	NRM, 2002*			600-1150			
Number of underage victims of THB in contact with victim support	NRM, 2002					129	
Number of reports of THB	Nat. Crime Chart KLPD ^v	64	51	38	41	28	51
	BNRM ⁱ		27	98	69	91	186
Number of current investigations into THB	Van de Ven & Neeve, 1998		66				
	Luykx & Van Soest, 1999		93		59		
	PPM/dNP ^{vi}				106	144	
	Van Dijk, 2002		12	24	26	43	

Data prostitution & THB	Source	1996	1997	1998	1999	2000	2001
Number of completed investigations into THB	BNRM ^(sent in to PPS)		8	14	16	25	48
Number of suspects of THB	Nat. Crime Chart KLPD ^v	107	87	81	95	61	85
	BNRM ⁱ (reported)		53	93	82	160	224
	BNRM ⁱ (sent in to PPS)		29	76	69	129	142
Number of cases (~suspects) of THB	BNRM	117	116	134	103	138	132
Number of sentences imposed for THB	BNRM	94	64	56	52	71	75

* *Estimated*

ⁱ *In investigations completed and sent in to the PPS*

ⁱⁱ *In clubs and in window and street prostitution*

ⁱⁱⁱ *Not necessarily working illegally in prostitution*

^{iv} *A window brothel may have several windows in operation*

^v *Information from the National Crime Chart is partly taken from Boerman e.a. (2002) and partly from verbal information from the KLPD, NRI service*

^{vi} *As far as is known the results were not published in the form of a report. The data presented here come from a few separate summaries that the Bureau NRM obtained via the PPM/dNP*

Abbreviations used in Table 6.1:

max. = maximum

min. = minimum

Nat. = National

7 Summary and conclusions

7.1 Introduction

This report charts figures relating to trafficking in human beings (THB). For this, the Bureau of the Dutch National Rapporteur on THB (BNRM) has firstly carried out its own research work¹ and secondly collected figures, as they emerge in publications. In this chapter the results are presented briefly and in relation to one another. The emphasis is placed here on the results for 2001, being the most recent complete reporting year, and on developments over time. This report must be seen and read in conjunction with the first report that contains all sorts of background information and is of a more reflective nature. The conclusions and recommendations formulated in the first report still apply without restriction; the cabinet viewpoint on them has only recently been published and they still had to be discussed in the Lower House, at the time of writing this second report. This report therefore only discusses to a limited degree the results obtained. Also, no further and far reaching conclusions are drawn and/or recommendations formulated. In the next, third, report conclusions and recommendations will, however, again be formulated.

Before going into the results, it is also important to state that the charting of the scale and character of THB, in quantitative terms, is a difficult task. After all, an (unknown) proportion of THB escapes the eye of the various bodies involved, directly or indirectly, with THB. By finding out and presenting the data that are available, an indication can, however, be obtained of the character and scale of the phenomenon of THB.

7.2 Victims

Number of victims

In 2001 the Dutch Foundation against Trafficking in Women (STV) registered 284 victims of THB. The number of victims reported to the STV does, however, as regards character and scale form an unknown selection of the total number of victims of THB in the Netherlands, but also of the number of victims that come into contact with the

¹ This concerns an analysis of the investigations into THB that the police completed in the period 1997-2001 (hereinafter called the police research), an analysis of data regarding the victims/witnesses that report an offence and make an appeal to the B-9 regulation (hereinafter called B-9 research) and an analysis carried out by the Statistical Information Supply and Policy Analysis department (SiBa) of the Scientific Research and Documentation Centre (WODC) of a national database of cases registered with the Public Prosecution Service (PPS) (hereinafter called the PPS research).

police and (victim support) organisations. The latter is caused on the one hand, because not all victims known to 'third parties' are reported to the STV. On the other hand, because in the course of 2001 the STV was less easily contactable. Other sources then indicate higher numbers of victims of THB. For example the BNRM found that in 2000 608 victims came into contact with victim support organisations (NRM, 2002). Victims may have been counted several times here, after all they may be in contact with several victim support organisations, but this distortion is probably (partly) offset again because not all victim support organisations in the Netherlands have provided data for this investigation. On the basis of the records mentioned and others, different researchers have attempted to estimate the total number of victims in the Netherlands. The most recent estimate comes from Van Dijk (2002), who calculated that the number of victims in the Netherlands in 2000 would be at least 3,500. This would mean that at least one fifth of all prostitutes according to legal criteria are victims of THB. Earlier estimates related to 1996 and 1997. These estimates range from 2000 victims of THB in total to also 2000 only from Central and Eastern Europe.

Underage victims

There are various estimates and figures available for the number of minors in prostitution and the number of victims of THB among them. The most recent estimate – for 1997 – is that there are 600 to 1150 underage victims of THB in the Netherlands (40% to 77% of the total number of underage prostitutes) (Venicz & Vanwesenbeeck in First report of the Dutch National Rapporteur on THB (NRM) (2002)). BNRM found that in 2000 (at least) 129 underage victims of THB were in contact with victim support organisations (NRM, 2002). In 2001 the Immigration and Naturalisation Service (IND) registered 72 applications from minors applying for a residence permit under the B-9 regulation.² These minors, however, also include children of victims and witnesses. In 2001 27 (10%) underage victims were reported to the STV. In 2001 41% of the police investigations completed and sent in, related to underage victims. This also applied for 20% of the cases registered with the Public Prosecution Service (PPS) (-suspects). This at first sight remarkable difference between the police and the PPS data is probably caused because a) not all underage victims have also reported an offence, b) not all suspects identified in an investigation, that (partly) related to underage victims, also themselves might be suspected of trafficking in minors and c) the selection within the PPS database was carried out by selection of the paragraphs of articles 250ter and 250a Penal Code that relate to underage victims, while cases that (partly) relate to underage victims may also be registered under the general penal code article, or under other paragraphs.

Male victims

The number of men/boys among prostitutes is comparatively low (according to estimates 5% to 25% of the total number of prostitutes in the Netherlands) (Van der

² See for an explanation of this regulation paragraph 3.2 and paragraph 7.5.

Helm & Van Mens (1999); Venicz & Vanwesenbeeck (2000)). Also men/boys, as is generally assumed (e.g. in Van Gelder, 1998), are much less often victims of THB than women/girls. Of the investigations into THB completed by the police over the period 1997-2001 one investigation (1%) also related to boys. Of the people who in 2001 made an appeal for the B-9 regulation in fact 7% were of the male sex, but these may (in part) also be witnesses of THB. The STV only very occasionally receives reports of men/boys that are exploited in prostitution.

Origin of victims or recruitment countries

Victims of THB are recruited in the Netherlands and/or abroad. In the first case this is called THB within the Netherlands, in the second case cross-border THB. Of the investigations that the police completed in 2001, 25% related to THB within the Netherlands and 75% to cross-border THB. The majority of the foreign victims (70% to 80%) – in both 2001 and previous years – came from Central and Eastern Europe. In second place comes Africa, where 15% to 22% of the victims come from. Asia, Latin America and Western Europe score comparatively low. In all the records/researches Bulgaria, the Czech Republic, Poland, the Russian Federation, Ukraine and Romania emerge as major countries of origin in Central and Eastern Europe in 2001. The STV also mentions Lithuania, in the B-9 research Slovakia also scores comparatively high and in the police research Moldavia jumps out as a ‘rising country of origin’. For a number of these countries in 2001 there was no visa obligation (Bulgaria, the Czech Republic, Poland, Romania, Lithuania, Slovakia), for others there was (the Russian Federation, Ukraine, Moldavia). Whether or not a visa obligation exists does not seem to play a great part in the decision to recruit in a particular country.

Reports by victims

Prosecution of THB may also be carried out without reporting an offence. However, a report is in practice often considered to be vital. Of the number of victims of THB who report an offence, different records are available. None of these data do however give an accurate or complete picture of the actual situation. Nevertheless, the results are briefly set out here. Firstly the police Identification Service System (HKS, obtained via the National Crime Chart). This records 51 reports of THB in 2001. Secondly, the records of the IND of victims and witnesses that reported an offence and wanted to use the B-9 regulation. There were 147 in 2001. Thirdly, the reports of THB by victims, that in 2001 led to the cases (-suspects) sent in to the PPS. These were 186. This latter number is the highest, while this is a selection of victims that come into contact with the police, who decide to report an offence, for which the report leads to a police investigation and this investigation is also again completed and sent in to the PPS. When the number of 186 reports in 2001 is combined with the estimate of 3,500 victims in 2000 (Van Dijk, 2002), then it is found that 5% of the victims of THB would report an offence. This corresponds reasonably well with estimates of police officials and victim support organisations regarding the percentage of THB victims found that

report an offence. They assume a readiness among these victims to report an offence of 5% to 10%.³

7.3 Perpetrators

Perpetrators or suspects

In 2001 the police identified 224 suspects of THB, of which 179 (80%) were arrested and 142 (63%) were 'sent in' to the PPS. The number of suspects rose considerably in the last two years, but similar to the number of investigations that the police completed. The average number of suspects per investigation remained more or less the same over the period 1997-2000 and even fell in 2001. Also a check was made with the PPS on how many cases (-suspects) were registered in 2001. There are 132 of these. The difference with the number of suspects 'sent in' from the police research is so small, that no research consequences – in terms of unreliability – have to be associated with this. According to the police research, of the suspects arrested in 2001, 29% are women. The proportion of women among the suspects increased comparatively over the last two years. Of the suspects registered with the PPS in 2001, 21% are women. Furthermore, of all the suspects arrested in 2001, 12% operate a sex establishment. Of the operators of sex establishments arrested, 76% were 'sent in' to the PPS.

Origin of suspects

According to the police research, almost half of the suspects arrested in 2001 are of Dutch nationality. Some of these were however born outside the Netherlands. A high proportion of suspects in 2001 came from (former) Yugoslavia, Albania, Nigeria and, to a lesser degree, Ghana. Suspects of THB within the Netherlands come comparatively more often from Morocco than suspects of cross-border THB. In the PPS research – in addition to (former) Yugoslavia – Bulgaria, Turkey and the (former) Soviet Union emerge as the main countries of origin of suspects in 2001. In 2001, according to the police research, the percentage of foreign suspects residing illegally in the Netherlands rose compared with foreign suspects legally residing (that is with a residence permit or in some other legal way) in the Netherlands (from 10% to 42%). Though, foreign suspects without a residence permit do not come significantly more often from countries without than from countries with a visa obligation. To what extent the lifting of the visa obligation for applicant-member states of the EU can be seen in the origin of suspects of THB, will be further examined in the next report of the NRM.

³ Sources include various police officials involved in the fight of THB (among others from PPM/dNP) and the Foundation for Support and Reception of Prostitutes (Stichting Hulpverlening en Opvang Prostituees – SHOP).

Co-operation

The majority of the suspects arrested in 2001 (75%) belong to a criminal network. These criminal networks are usually extensive and widely branched, and bring their victims into prostitution in several countries in the European Union (EU). In 2001 28 (58%) of police investigations focused on (branches of) 'criminal networks'. In that same year 12 (25%) 'soloists' were traced and 8 (17%) 'isolated criminal groups' (see for the definitions paragraph 4.4).

7.4 Modus operandi

In this paragraph a few data relating to the modus operandi of traffickers in human beings are summarised. Only data from the police research are presented here. Much more about the way in which traffickers in human beings operate can of course be said on the basis of other sources. This was partly done in the *First report of the Dutch National Rapporteur on THB* (NRM, 2002) and the NRI report *THB in the Netherlands 1997-2000* (Van Dijk, 2002). The data presented below form a supplement or update to the data already presented on the mechanisms of THB.

Travel route and travel and residence documents

The journey usually takes place by land, via Germany. This only seems logical in view of the fact that most victims come from Central and Eastern Europe (see paragraph 7.2). Very regularly victims in the Netherlands were in possession of a forged or false passport. It is not clear whether the same passport is also used for the journey to the Netherlands. As far as is known, visas are forged or counterfeited much less often than passports. Usually a visa is applied for, or the person travels without a visa.

Exploitation in prostitution

Traffickers in human beings use many means of coercion to bring or hold people in prostitution and/or to confiscate their earnings. Victims are very often threatened with violence, or violence is actually used. Furthermore, victims are often locked up, kept under constant surveillance or their freedom is otherwise restricted. The taking away of passports and the imposition of (fictitious) debts mainly occurs in the case of cross-border THB. In the case of THB within the Netherlands victims are, more often than for cross-border THB, enticed into prostitution with carefully planned, 'played out' lover-boy techniques (the loverboy method). Victims from Nigeria and Malawi report voodoo-practices.

Mobility

In 2001 half of the police investigations involved cases where victims were brought into prostitution not only in the Netherlands, but also elsewhere in Europe, relatively often in Germany, Belgium, Italy and Spain. In two thirds of the investigations (67%) it emerges that victims are (also) 'employed' in various towns in the Netherlands.

Proceeds of THB

The average illegally acquired gain per suspect was the highest in 2001, namely roughly € 210,000. In an investigation the illegally acquired gain is, however, only calculated if the total amount of illegally earned money is considered substantial. The amount mentioned is as a result not necessarily representative of the earnings of the average trafficker in human beings. For this reason police officials in the police research were also asked to estimate how much the suspects distinguished in an investigation earned with the THB investigated. From this it emerges that in half of the investigations into THB completed in 2001, more than € 45,000 is estimated to be earned. In total, in 2000 THB in the Netherlands brought in an estimated gross amount of roughly € 85,000,000 (see paragraph 4.8 for the calculation). In 14% of the investigations victims have, as far as the police know – via civil law proceedings or via a ‘joinder of injured party for material and immaterial damage’ in the criminal proceedings – attempted to get back some of the money they have earned, or to obtain compensation for damage suffered.

Characteristics of organised crime

In 7% of cases (-suspects) registered by the PPS in 2001, in addition to THB, charges were also brought of belonging to a criminal organisation (art. 140 Penal Code). This indicates a lower limit and does not mean that in other cases there is no question of criminal organisations. For various reasons this charge is not in fact always brought. Research by Van Dijk (2002) has shown that criminal groups and networks meet a number of, but not all the characteristics of organised crime. It was for example found that they try to evade the upper world rather than try to infiltrate or aim for economic or political power. The area of operation, from a geographic point of view, is however generally large. Many suspects and criminal groups are characterised by violence, both towards victims and relations of victims (often family) and towards competing traffickers in human beings. Measures often used to prevent or counteract tracing include threatening victims who want to report an offence, the use of false and/or alternating identities for perpetrators and victims, and the frequent moving of victims through the Netherlands and Europe.

Criminal activities other than THB

In 2001 over half of the investigations involved cases where the suspects also committed offences other than THB (or THB-related offences)⁴. Crimes against properties and narcotics related crimes score high. Some way behind follow weapons related crimes and migrant smuggling.

That same year in well over two thirds of the cases (-suspects) registered with the PPS there was a suspicion of THB in combination with one of more other types of offences (particularly violence or belonging to a criminal organisation). This percentage is higher than in the police research, because THB-related offences are regarded as a separate offence in the PPS research.

⁴ For example committing violence, rape, unlawful detention and falsification or fraud with travel and residence documents.

7.5 Police investigation

Police investigation into THB

The number of investigations into THB completed by the police rose considerably, particularly in 2001. In that year 48 investigations were completed and 142 suspects 'sent in' to the PPS. The immediate cause for the investigations was in one third of the cases a 'spontaneous' report. In equal second place are controls in the prostitution environment and information from other investigations. On average, an investigation into THB in 2001 took 6 months.

Prostitution sectors involved

In over half of the investigations it emerges that victims are (also) employed in window prostitution, and in well over half (also) in clubs/brothels. Comparatively far fewer investigations were carried out that involved prostitution in the escort sector or street prostitution. In 2001 the number of investigations involving the escort sector did, however, increase comparatively greatly, after a low point in 2000.

Criminal financial investigation

In one third of the investigations a criminal financial investigation was opened. The number of criminal financial investigations that led to a confiscation order in 2001 was higher than in 2000, namely 93% (against 63% in 2000). BNRM checked in its first report in how many cases a confiscation order was instituted out of the cases (-suspects) registered over the period from 1995 to the first half of 2000 inclusive with the PPS, where a summons was issued. This was found to apply in 18% of cases. It is stated that this does not appear often at first sight, but information from PPS data shows that this happened in no more than 11% of cases in the same period with regard to infringement of the Opium Act.

The B-9 regulation

Foreign victims of THB residing illegally in the Netherlands who report an offence – and so co-operate in the tracing and prosecution of the suspects – are offered reception and a temporary residence status under the B-9 regulation. The number of victims who obtain a residence status on this basis, is recorded by the IND. For witnesses of THB a similar regulation applies. Witnesses may themselves be (have been) victims of THB, but do not have to be. Because the IND makes no distinction in its records between victims and witnesses of THB, the records of the IND cannot just be regarded as victim records. In 2001 for 147 victims/witnesses of THB a residence permit was applied for on the basis of the B-9 regulation (a B-9 permit). The number of applications rose considerably in that year compared with previous years and this increase will very probably continue in 2002. In 2001 122 B-9 permits were granted. This means that in 2001 upon 25 applications (17%) no B-9 permit was awarded. There may be a number of reasons for this. For example, applications are withdrawn or expire. This happens, for example, if the investigation and/or the prosecution is not started or is stopped. It also happens that victims/witnesses who report an offence or make a statement – and make an appeal for the B-9 regulation – 'disappear' before the

B-9-status is granted. Possibly victims return to their country of origin or go back to work in prostitution, self employed or 'employed' by traffickers in human beings.

7.6 Prosecution

In 2001 – as previously stated in this chapter – 132 cases (~suspects) relating to THB were registered with the PPS. In 63% of these cases a summons was issued because of suspicion of THB and in 7% for acts other than THB. 29% of the cases were (un)conditionally discharged.

In 2001 86 cases relating to THB were settled by the court. In 87% of these cases a sentence was imposed. This was in most cases imprisonment.

7.7 After the lifting of the general ban on brothels

As of 1 October 2000, with the lifting of the general ban on brothels, the way was opened for the running of prostitution as a legal business. Municipalities lay down conditions by means of a licensing system under which the running of prostitution can be permitted within their municipal borders. Supervisors (so far usually the police) check whether the conditions are met. In many regions, these checks are combined with controls for illegal immigrants. In these controls they are also on the look out for indications of THB. If prostitution businesses do not meet the conditions laid down, administrative measures can be taken, such as imposing a fine or temporary or otherwise closure of the premises. By regulating the prostitution sector in this way, via an administrative path an attempt is made to make it as unattractive as possible for the sex establishment operator to employ victims of THB or to work with minors. This is in addition to the criminal law opportunities that have been present for many decades already. The figures presented in this report partly relate to the period after the lifting of the general ban on brothels. However, the new approach to prostitution policy has not yet got off the ground in all municipalities (see also Daalder, 2002). Furthermore, in particular larger municipalities with a comparatively extensive prostitution industry did in fact run ahead of the lifting of the ban and already combined a tolerance situation with a type of licensing system. As a result, the present data for the year 2001 cannot simply be interpreted as 'effects of the lifting of the general ban on brothels'. To draw conclusions on this, research with a broader set up is required. This has meanwhile been carried out by the Scientific Research and Documentation Centre (WODC) of the Ministry of Justice (Daalder, 2002). The results of this research and possible changes observed after the lifting of the general ban on brothels will be discussed in the next, third, report of the NRM.

Bibliography¹

Altink, S.M. (1996). *Handel en wandel. Malafide migratiebemiddeling van vrouwen* In: Justitiële Verkenningen, jrg. 22, nr 1.

Altink, S.M. (2000). *Opheffing bordeelverbod. Een onderneming voor prostituees* Amsterdam: De Rode Draad.

Boerman, F.A. e.a. (2002). *Landelijke criminaliteitskaart 1999; Aangifte- en verdachtenanalyse op basis van HKS-gegevens* Zoetermeer: KLPD.

Daalder, A.L. (2002). *Het bordeelverbod opgeheven: prostitutie in 2000-2001* Den Haag: WODC.

Dijk, E.M.H. van (2002). *Mensenhandel in Nederland 1997-2000* Zoetermeer: KLPD/NRI.

Dijk, E.M.H. van & Savornin Lohman, P.M. de (2000). *Externe Evaluatie Stichting Tegen Vrouwenhandel* Amsterdam: DSP.

Fijnaut, C.J.C.F. e.a. (1996). *Inzake opsporing; enquête opsporingsmethoden; bijlage VII; Eindrapport onderzoeksgroep Fijnaut* Den Haag: SDU.

Gelder, P. van (1998). *Kwetsbaar, kleurig en schaduwrijk. Jongens in de prostitutie: een verschijnsel in meervoud* Amsterdam: Thela Thesis.

Helm, Th. van der & Mens, L. van (1998/1999). *Mobility in prostitution in the Netherlands 1998-1999* Amsterdam: EUROPAP.

Horn, J.E. van, Bullens, R.A.R., Doreleijers, Th.A.H. & Jägers, M. (2002). *Aard en omvang seksueel misbruik en prostitutie minderjarige allochtone jongens – een verkennend onderzoek* Amsterdam: Fora, VU Amsterdam.

IRT-NON en Internationaal Politie Instituut Twente (1997). *Mensenhandel vanuit Centraal- en Oost Europa* Enschede: IRT-NON.

Klerks, P.P.H.M. (2000). *Groot in de hasj. Theorie en praktijk van de georganiseerde criminaliteit* Antwerpen: Kluwer Rechtswetenschappen.

¹ This bibliography contains an overview of the publications studied for writing the Dutch version of this report. Although the English translation is a somewhat abridged version, for the readers information the bibliography is included in its entirety.

Luykx, F. & Soest, S. van (1999). *Inventarisatie prostitutie en mensenhandel in Nederland, 1999* Zoetermeer: Werkgroep prostitutie en mensenhandel/CRI.

Nationaal Rapporteur Mensenhandel (2002): *Mensenhandel – Eerste rapportage van de Nationaal Rapporteur* Den Haag: Bureau NRM.

Riet, F.J. van 't (2000). *Bronnenboek 2000. Inventarisatie van gegevensbronnen met betrekking tot criminaliteit* Den Haag: Ministerie van Justitie.

Smallenbroek, A.J.H. & Smits, E.C.M. (2001). *Gemeentelijk prostitutiebeleid na opheffing van het algemeen bordeelverbod* Den Haag: VNG/SGBO.

Stichting Tegen Vrouwenhandel (2001). *Jaarverslag 2000* Utrecht: STV.

Stichting Tegen Vrouwenhandel (2002). *Jaarverslag 2001* Utrecht: STV.

Ven, N. van de & Neeffe, M. (1998). *Inventarisatie stand van zaken prostitutie en mensenhandel in Nederland (versie 2)* Zoetermeer: KLPD.

Venicz, L. & Vanwesenbeeck, I. (1998). *Aard en omvang van (gedwongen) prostitutie onder minderjarige (allochtone) meisjes* Utrecht: NISSO.

Visser, J.H., Oomens, H.C.D.M. & Boerman, F.A. (2000). *Prostitutie in Nederland in 1999* Amsterdam: Mr. A. de Graaf Stichting.

Annex I Notes on tables, statistics and terminology

Notes on the tables presented

This report includes many tables. Below are some comments that are important for the interpretation of these tables.

Due to rounding, the tables do not always add up to exactly 100%. For the sake of readability the tables do, however, always indicate 100%.

When numbers are set out in a column of a table, in the heading of the relevant column the letter N is used, an abbreviation for 'number'.

In the tables a dash (-) shows that the number is zero, and a dash (-) also indicates that the corresponding percentage is 0%. If the number is higher than zero, but the percentage when rounded comes to 0%, 0% is shown.

Notes on the statistics used

Standard deviation

This report sometimes indicates what the average is, for example the average number of suspects in investigations into THB. In addition, the number (N, see above) and the so-called standard deviation are also always given. The standard deviation indicates the extent to which the numbers on which the average is calculated, differ. The higher the standard deviation, the more this is the case. This is not the place to discuss statistical methods at length. However, a small example for clarification: in a class ten people all get a 6 for a test. The average report figure is then a 6, the standard deviation is low. After all, everyone scores the same. In another class five people get a 2 for the test and five people a 10. Here too the average is a 6. The standard deviation is, however, high here, because the people get a very wide range of scores.

Index

In some tables an index is given. The index shows how much the number of – for example suspects – has changed in a particular year compared with a base year. Which year is taken as a base year is indicated in the heading of the table. This year is set at 100. An index of higher than 100 indicates a rise with respect to the base year and an index of lower than 100 a fall. For example: an index of 200 indicates that the number has doubled with respect to the base year.

Significance

In this report results for different groups are sometimes compared with one another. If this is the case a check is usually made as to whether the difference found is 'significant' or not. This is then indicated in the text, with in a footnote the corresponding values χ^2 , df and p. This means that a check has been made as to how big the chance is that the difference found is based on coincidence. Let us give a

fictitious example here too. Say that there are three people who drink cola each day and three people who never drink cola. One person in the first group dies of a heart attack, no one in the second group. Is drinking cola related to having a heart attack? This is difficult to say with so few people. There is a high chance that the result found is based on coincidence and that drinking cola has nothing to do with heart attacks. A test would then show that the difference is not significant. Now there are 180 people of which 90 people drink cola and 90 do not, and 30 cola drinkers from the first group die of a heart attack. The man in the street would say: 'that cannot be down to chance'. A statistical test would show 'this difference is significant'.

In this report it is assumed that the chance of coincidence may not be greater than 5% – a percentage often used in circles of researchers. Exactly how big this chance is, can be seen from the p value indicated in the footnote. For example: $p < .01$ means that the chance of a coincidence is less than 1%. The values χ^2 and df (this stands for the number of degrees of freedom) are values that are necessary to determine whether differences are significant and are not discussed further here.

Notes on terminology used

Victims of THB

Both women and girls, and men and boys, may become victims of THB. Because most victims of THB according to the present Dutch definition, that is (still) related to exploitation in the sex industry, are women and girls, and to avoid complicated he/she schemes, in this report female victims are always referred to.

Cases recorded with the Public Prosecution Service

The PPS records (criminal) cases, which are *cases against one suspect*. Because in theory several cases relating to one suspect may be registered with the PPS, the number of cases does not equate exactly with the number of suspects. Because the numbers will not, however, differ much in practice, for the sake of readability, this report also talks about cases registered with the PPS (-suspects).

Central and Eastern Europe

This report sometimes talks of Central and Eastern Europe, as complementary to Western Europe, and sometimes of the regions Central and Eastern Europe, which in the first case means the countries Poland, the Czech Republic, Slovakia, Hungary and in the second case countries from the former Soviet Union and the Russian Federation. If the latter is the case, then this is always explicitly explained in the text. In other cases one can then assume the first alternative.

Annex 2 Supplementary tables

Supplementary table to Chapter 3:

Table 1 Nationality victims/witnesses with (application for) B-9 permit (1996 up to and including June 2002)

Nationality	Applications for B-9 permit		Grants of B-9 permit	
	N	%	N	%
Bulgarian	95	16%	93	20%
Ukrainian	59	10%	42	9%
Russian	47	8%	40	9%
Nigerian	51	8%	39	8%
Romanian	44	7%	33	7%
Czech	38	6%	29	6%
Polish	29	5%	21	5%
Lithuanian	27	4%	17	4%
Moldavian	13	2%	12	3%
Slovakian	13	2%	12	3%
Albanian	7	1%	5	2%
Cameroon	8	1%	6	1%
Latvian	8	1%	6	1%
Chinese	13	2%	5	1%
Estonian	6	1%	5	1%
Sierra Leone	7	1%	5	1%
Belarussian	5	1%	4	1%
Dominican	4	1%	4	1%
German	8	1%	4	1%
Hungarian	5	1%	4	1%
Yugoslav	12	2%	4	1%
Moroccan	4	1%	4	1%
Thai	3	1%	4	1%
Angolese	3	1%	3	1%
Belgian	5	1%	3	1%
Ghanaian	3	1%	3	1%
Guinean	3	1%	3	1%
Bosnian	4	1%	2	0%
Colombian	3	1%	2	0%

Nationality	Applications for B-9 permit		Grants of B-9 permit	
Croatian	2	0%	2	0%
Malawian	2	0%	2	0%
Ugandan	2	0%	2	0%
Venezuelan	3	1%	2	0%
Brazilian	1	0%	1	0%
Finish	1	0%	1	0%
Greek	2	0%	1	0%
Italian	3	1%	1	0%
Ivorian	1	0%	1	0%
Kyrgyzian	1	0%	1	0%
Liberian	3	1%	1	0%
Uzbekian	1	0%	1	0%
Sudanese	3	1%	1	0%
Soviet Union	2	0%	1	0%
Sri Lankan	1	0%	1	0%
Surinamian	3	1%	1	0%
Turkish	3	1%	1	0%
Namibian	1	0%	1	0%
Afghan	1	0%	-	-
Armenian	1	0%	-	-
Indonesian	1	0%	-	-
Jamaican	2	0%	-	-
Congo Kinshasan	1	0%	-	-
Austrian	1	0%	-	-
Spanish	2	0%	-	-
Togolese	2	0%	-	-
Trinidadan	1	0%	-	-
Zairian	2	0%	-	-
Zambian	1	0%	-	-
Unknown	30	5%	24	5%
Total	607	100%	462	100%

Supplementary tables to Chapter 4:*Table 2 Standard deviations belonging to Table 4.5*

Year	Suspects distinguished	Suspects arrested	Suspects 'sent in'
	Sd	Sd	Sd
1997	4.1	2.1	3.3
1998	9.9	8.5	8.6
1999	4.3	4	3.8
2000	8.7	7.4	7.5
2001	4.3	4.1	2.9
Total	6.4	5.6	5.3

Table 3 Nationality and country of birth of suspects of THB (1997 to 2001 inclusive)

Country	Nationality		Country of birth	
	N	%	N	%
Netherlands	185	42%	119	26%
(Former) Yugoslavia	54	12%	59	13%
Nigeria	30	7%	35	8%
Albania	24	5%	25	6%
Bulgaria	18	4%	18	4%
Turkey	16	4%	32	7%
Germany	14	3%	13	3%
Morocco	14	3%	19	4%
Czech Republic	11	2%	12	3%
Romania	9	2%	10	2%
Ukraine	8	2%	9	2%
Slovakia	5	1%	5	1%
Estonia	5	1%	5	1%
Italy	5	1%	5	1%
Poland	5	1%	4	1%
Soviet Union	4	1%	5	1%
Dominican Republic	3	1%	3	1%
Lebanon	3	1%	3	1%

Country	Nationality		Country of birth	
	N	%	N	%
Moldavia	3	1%	3	1%
Sudan	3	1%	5	1%
Thailand	2	0%	2	0%
Tunisia	2	0%	2	0%
Belgium	2	0%	4	1%
Colombia	2	0%	4	1%
Ghana	2	0%	9	2%
Greece	2	0%	2	0%
Hungary	2	0%	2	0%
Israel	2	0%	2	0%
Stateless	2	0%	-	-
Algeria	-	-	1	0%
Angola	1	0%	1	0%
Azerbaijan	1	0%	1	0%
Brazil	1	0%	1	0%
Liberia	1	0%	1	0%
Lithuania	1	0%	4	1%
Indonesia	1	0%	6	1%
Spain	1	0%	2	0%
Syria	1	0%	1	0%
Egypt	-	-	2	0%
Great Britain	-	-	1	0%
Iraq	-	-	1	0%
Dutch Antilles	-	-	9	2%
Surinam	-	-	5	1%
Unknown	63	13%	56	11%
Total	508	100%	508	100%

Table 4 Recruitment countries total and in the last investigation year (2001)

Recruitment countries	Total		2001	
	N	%	N	%
Netherlands	31	28%	12	25%
Nigeria	13	12%	6	13%
Czech Republic	12	11%	2	4%
Ukraine	11	10%	6	13%
Bulgaria	10	9%	6	13%
Russian Federation	10	9%	6	13%
Poland	9	8%	1	2%
Moldavia	7	6%	7	15%
Romania	7	6%	2	4%
Hungary	6	5%	4	8%
Lithuania	6	5%	3	6%
Slovakia	6	5%	2	4%
Latvia	5	5%	4	8%
Ghana	4	4%	3	6%
White Russia	4	4%	4	8%
Albania	3	3%	1	2%
Estonia	3	3%	2	4%
Malawi	3	3%	-	-
Sierra Leone	3	3%	-	-
Dominican Republic	2	2%	-	-
Indonesia	2	2%	1	2%
Italy	2	2%	1	2%
(Former) Yugoslavia	2	2%	1	2%
Thailand	2	2%	1	2%
Belgium	1	1%	1	2%
Colombia	1	1%	-	-
Morocco	1	1%	-	-
Azerbaijan	1	1%	1	2%
Brazil	1	1%	1	2%

Colophon

Reference:

Dutch National Rapporteur on THB (2003). *THB – Supplementary figures. Second report of the Dutch National Rapporteur* The Hague: Bureau NRM.

May 2003

Bureau of the Dutch National Rapporteur on THB

P.O. Box 20301
NL-2500 EH The Hague
The Netherlands

Tel.: +31 (0)70 370 4514

Fax: +31 (0)70 370 4537

Production and printing:  Wolf Legal Productions (WLP), Nijmegen/Tilburg
© Bureau NRM 2003