

# The trafficking and sexual exploitation of native Hungarian speaking women in the Netherlands.

*A case study into the nature of forced prostitution and the  
modus operandi of organised crime groups involved in human  
trafficking in Europe.*

A dissertation presented

by

**Jorn Johannes Marinus VAN RIJ**

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Supervisor: Dr. Erzsébet Sándor Szalayné

Co-Supervisor: Dr. Ágoston Mohay

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## **BALLADE DE LA GROSSE MARGOT**

*François Villon (1463)*

2. Mais adoncques, il y a grand déhait,  
Quant sans argent s'en vient coucher Margot;  
Voir ne la puis, mon coeur à mort la hait.  
Sa robe prends, demi-ceint et surcot,  
Si lui jure qu'il tendra pour l'escot.  
Par les côtés se prend, cet Antéchrist,  
Crie et jure, par la mort Jésus-Christ  
Que non fera. Lors empoigne un éclat ;  
Dessus son nez lui en fais un écrit,  
En ce bordeau où tenons notre état.

## **BALLADE OF FAT MARGOT**

2. But sometimes don't we have a flaming row  
when little Margot turns in penniless!  
I simply hate her, cannot stand the cow.  
I grab her coat, her petticoat and dress  
and vow I'll trade them in for more - or less.  
Arms folded, "Here's the Anti-Christ," cries she  
and swears by Jesus' death this will not be.  
At this I land her one to make her pray  
some more, and on her nose some two or three -  
at our little brothel, trading every day.

## Summary

Human trafficking, especially with the aim of sexual exploitation of women, has been at the centre of political debate for decades now. This has resulted in new legislation and approaches and perspectives on how to react to this type of transnational organised crime, out of an European as well as from a national level. Exact numbers of victimisation are unclear as they are based only on the cases detected by or reported to the authorities. For the Netherlands this data is recorded by different organisations i.e. the national rapporteurs office. On the basis of the Dutch data an annually top three representation of native Hungarian speaking women, out of both Hungary and Romania who have fallen victim to human trafficking and sexual exploitation, can be recognized. Beside these numbers, little is known on the circumstances surrounding the trafficking and sexual exploitation of these women. The available recorded data derives from police investigations or arises either out of research done on the topic by scholars and scientists or are being shaped by investigative journalists. The research, due to a too small a or biased sample, is commonly not representative. Therefore little validated information is available on the women's background and to be more specific, the women's perceptions and experiences.

This research sought to fill this void in such a way that the known scientific pitfalls surrounding research on the topic of the sexual exploitation of women, were being avoided. A multidisciplinary approach has been applied combining, placing and reviewing legal constructs within the social empirical. This research provides insight in the way the trafficking and sexual exploitation of native Hungarian speaking women is organised and to describe the way this is applied by malicious criminals in Hungary as a source and transit country and the Netherlands as a transit and source country and by doing so abusing Dutch prostitution policy. In order to do so both Dutch and European legal policy on human trafficking and prostitution were reviewed. The results were set against general prostitution policy after which the primary data was compared. This data was gathered from victims in the Netherlands with the help of interviews and in Hungary with the help of structured questionnaires. Next to the victims, perpetrators were interviewed on their work, views and network relations.

Furthermore, situations were observed and men who buy sex were questioned with the help of questionnaires on their knowledge of and attitude towards sexual exploitation. Finally the people, with the help of a questionnaire, were questioned on their attitudes and perceptions of prostitution in general. The data gathered was analysed and partly confirmed other primary data on the modus operandi applied in the Netherlands by transnational operating organised crime groups, which was gathered out of expert interviews with key officials. Next to this it also provided insight on the start of the exploitation of the women, the methods applied by perpetrators, the methods used and trafficking routes followed by organised crime network structures and it provided in-depth background information on the women and the situation they found themselves in. It also addressed the women's (social) orientation, social and work standards and discussed conditions for victimisation.

The results prove that legal means are insufficient and sometimes could even prove to be contra-productive as they neglect human right orientated goals or even help create the possibility of future infringements. In order to effectively combat human trafficking and sexual exploitation a more preventive approach which tackles all causes for the existence of perpetration and victimisation within human trafficking and sexual exploitation is recommended. This however is not easily met as it requires fundamental changes in legitimate stakeholders attitude and their ability to achieve a compromise on prostitution policy before an effective legal system, by adapting an international orientation and establishing cooperation, to fight and prevent these serious crimes can be successfully initiated.

Keywords: Human trafficking, sexual exploitation, prostitution, organised crime

## Összefoglaló

Az emberkereskedelem, különös tekintettel a szexuális kizsákmányolási célzatú változatára, évtizedek óta közpolitikai diskurzus tárgya. Ennek következtében mind európai, mind állami szinten új jogszabályi válaszok jelentek meg, valamint új megközelítések és nézőpontok merültek fel a transznacionális szervezett bűnözés e súlyos formájának leküzdése érdekében. A viktimizáció tekintetében nincsenek egzakt számadatok, mivel a statisztikák csak a hatóságoknak bejelentetett esetekről szólnak. Hollandiában a vonatkozó adatokat több különböző szervezet gyűjti. A holland adatok alapján a magyar nyelven beszélő (Magyarországról és Romániából származó) nők, akik emberkereskedelem és szexuális kizsákmányolás áldozatai lettek, a származásra tekintettel készített éves kimutatásokban általában az első három hely valamelyikén szerepelnek. Ezen adatokat leszámítva keveset tudunk e nők kereskedelmének és kizsákmányolásának körülményeiről. A rendelkezésre álló adatok rendőrségi nyomozásokból, tudományos kutatásokból vagy pedig oknyomozó újságírók vizsgálódásaiból származnak. A kutatások általában nem reprezentatívak, mivel a vizsgált minta túl kicsi, vagy nem semleges. Éppen ezért kevés megbízható információ érhető el az érintett nők háttéréről és kiváltképpen személyes nézőpontjáról és tapasztalatairól. Jelen kutatás ezt a hiányosságot kívánja pótolni, miközben igyekszik elkerülni a nők szexuális kizsákmányolása kutatásának ismert tudományos buktatóit. A kutatás során multidiszciplináris szempontrendszert alkalmaztam, ötvözve a jogi és az empirikus társadalomtudományi megközelítést.

Az értekezés feltárja, hogy hogyan szerveződik a magyar anyanyelvű nők emberkereskedelme és szexuális kizsákmányolása, bemutatva, hogy miként használják bűnözői csoportok Magyarországot forrás- és tranzitországgként, Hollandiát pedig tranzit- és célországgként, és hogyan élnek vissza ezáltal a prostitúció holland szabályozásával. Az emberkereskedelem elleni küzdelem holland és európai útjait egyaránt vizsgálat tárgyává tettem. A kutatási eredményeket, adatokat összehasonlítottam a prostitúcióról rendelkezésre álló általános adatokkal. Az adatokat az említett bűncselekménytípusok áldozataitól gyűjtöttem Hollandiában (interjúk útján) és Magyarországon (strukturált kérdőívek segítségével). Az áldozatok mellett elkövetőkkel is interjúkat

készítettem tevékenységükről és kapcsolatrendszerükről. Emellett élethelyzeteket is megfigyeltem, és kérdőívek segítségével adatokat gyűjtöttem a prostitúciót igénybevevőktől a szexuális kizsákmányolásra vonatkozó információikról és hozzáállásukról. Végezetül adatgyűjtést végeztem a lakosság körében (szintén kérdőívek által) a prostitúcióval kapcsolatos általános vélekedés és megítélést illetően. A gyűjtött adatokat elemeztem, vizsgálataim eredményeit részben alátámasztottam a Hollandiában tevékenykedő transznacionális szervezett bűnözői csoportok modus operandijára vonatkozó további elsődleges adatokkal, amelyeket kulcspozíciót betöltő hatósági szereplőkkel készített szakértői interjúk által gyűjtöttem.

Kutatásaim arra is fényt derítettek, hogy hogyan kezdődik a nők szexuális kizsákmányolása, milyen módszereket alkalmaznak az elkövetők, milyen útvonalakat használnak embercsempészetre a szervezett bűnözői hálózatok, és részletes háttérinformációval szolgál az áldozattá vált nőkről és helyzetükről. Foglalkozom értekezésemben az érintett nők társadalmi helyzetével, szociális és munkaügyi helyzetével, viktimizációjuk sajátosságaival. A kutatási eredmények igazolják, hogy a tisztán jogi eszközök nem elegendőek, mi több, adott esetben még kontraproduktívnak is bizonyulhatnak, mivel figyelmen kívül hagynak emberi jogi meghatározottságú célokat, vagy paradox módon hozzájárulhatnak jövőbeni jogsértések lehetőségének megteremtéséhez.

Annak érdekében, hogy hatékonyan fel lehessen lépni az emberkereskedelem és a szexuális kizsákmányolás ellen, egy hangsúlyosan preventív megközelítésre van szükség, amely figyelembe veszi az elkövetés és az áldozattá válás okainak sokaságát e területen. Ez azonban nem egyszerű feladat: alapvető változásokra van szükség az érintett szereplők (állami és európai döntéshozók és végrehajtók) hozzáállásában, és kompromisszumokra a prostitúció szabályozása terén ahhoz, hogy egy hatékony (nemzetközi együttműködéssel és fellépéssel alátámasztott) jogi szabályrendszer jöhessen létre e súlyos bűncselekmények megelőzése érdekében.

*Kulcsszavak: emberkereskedelem, szexuális kizsákmányolás, prostitúció, szervezett bűnözés*

## Acknowledgements

A while ago while watching a documentary of an explorer who set his goal to cross the Mongolian steps from Russia to China, I kept asking myself why anybody would want to undertake such a journey. The thing what took me by surprise the me most was one of the comments the explorer made on his arrival in China. He mentioned that during all of his travels, while enduring solitude and encountering extreme harsh ship, he had never, not even once, felt alone. This, given the fact he sometimes would wander around for weeks in end without meeting anybody to talk to, started me thinking that doing a PhD in all, is quite the opposite of this man's experience. While working on a PhD, which not uncommonly, consumes all available time, you frequently feel completely isolated while in fact you are almost continuously surrounded by others. The presence of people however is unnoticeable as the focus on the work is so intense, it increases the feeling of solitude. It were so to speak, as if you are viewing a blank canvas on which you, as the artist, are the only one who can already see the contours and colours which need to be painted on. This while everybody else just sees the blank canvas. The work, completing the painting so others can see what you have been seeing for all those years, consumes you, as the artist, almost completely. Add this to the mental challenges of researching sexual exploitation, and the process becomes sometimes overwhelmingly tiresome and difficult to deal with. All the information you see and hear, sometimes the most degrading things, without you being able to act upon as you simply cannot, takes a lot of you. A little while ago I was able to speak with a police officer which asked me what I would do in the case that I as a researcher, would witness inhuman abuse and misery. Would I contact the police, either anonymously or not, or would I remain on the side-line and just make notes of the facts for scientific purposes? This resulted in the situation that for the first time of my life I could relate to what I suppose it would feel like to be a cameraman on a nature documentary. Being the cameraman you are given the opportunity of filming the birth of an animal, to watch it grow and by doing create some sort of bond. While at the same time you will also see the dangers of an imminent attack by predators and when this occurs you are compelled to continue working and



you (have to) watch the horrors as the life of that being you have followed for months or years is being ended in a horrific manner. How many of those cameramen would in fact have intervened or have wanted to intervene? The same goes for doing research on a topic like sexual exploitation. You always have to bear in mind what you are all doing it all for. For my own situation I started out from the idea, I wanted to push and challenge myself while I ended up willing and trying to make a change for the best and be supportive to the victims and the authorities to help them fight these crimes and prevent victimisation. The journey to completing this work was hard, to say the least. I found doing a PhD part time, next to holding a fulltime position as a lecturer arduous, especially as during this period I encountered some of my personal highs in getting married and the birth of my two sons but was also shadowed by the loss of all four of my grandparents. Luckily enough I received great ongoing and unconditional support during the entire process of the research and dissemination by my wife and two sons in who I see nothing but innocence, eagerness and endurance and for keeping up with a stubborn sometimes autistic like husband and father, I thank them. Furthermore I would like to give special thanks to professor dr. Roger Matthews (University of Kent) for his guidance, patience and support over the period of 2008-2012. Next I would like show my gratitude to dr. Erzsébet Sándor Szalayné (Deputy Ombudsman for Ethnic Minorities in Hungary, University of Pécs and the National University of Public Service Budapest) for taking over the role of supervisor when circumstances occurred which made guidance by Roger difficult. I also would like to give special thanks to dr. Ágoston Mohay, my co-supervisor, for his support and because of his commitment, the success of our joint projects and general academic cooperation. Beside this supervisory team, I would like to thank all friends, colleagues, students and INHolland alumni who supported me and or have been of help to my research. Finally I would like to show my gratitude to all respondents, especially the women, who I have been able to interview and I sincerely wish them God's blessing and the strength to achieve an exploitative free future.

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# 1. Introduction

## 1.1. *The story of Megy*<sup>1</sup>

The first time I met Megy it was a cold January day in 2012. I saw her advertisement on kinky.nl and it drew my attention because of her Hungarian sounding name. After a short phone call in broken English and a little bit of German, she gave me the name of a street in Rotterdam and the message that when I had arrived in the street I needed to ring her for the number of the house. As the street was a major thoroughfare in the Southern part of Rotterdam it wasn't that hard for a native to find it. After twenty minutes or so I called her for the second time and she gave me the exact address. The number was 111. It was a typical building for that part of town, a so-called 'portiekflat' which has two doors on the ground floor a central stairway leading up to the first floor with four houses of which two usually lead directly to the third floor. I went up to the first floor and rang the doorbell. Megy, a young girl, her advertisement stated twenty-three, with blond dyed hair and wearing nothing more than her underwear opened the door. She went up the stairs, as the flat was situated on the third floor, and I silently followed her up the stairs and into a room. The room had nothing more than a double mattress on the floor, a chair in the corner and a mirror and clock with Arabic writing on it on the wall. I asked her if she was still okay with answering some questions, as already mentioned during the introduction over the phone. She nodded her head and without saying anything, she went out of the room. Not soon after Megy returned with another girl, I think she was around thirty years of age and who, quite rude and in Dutch with a strong Eastern European accent, asked me what my intentions were. I explained her I wanted to ask Megy some questions regarding her profession. The other girl and Megy left the room and I heard the other girl talking on the phone. After a minute or so the other girl came back into the room and she asked me if I was working for the police or the municipality. When I explained I was working as an independent researcher and all information would be anonymous she agreed to a conversation and told

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<sup>1</sup> The names of the women referred to in this research have not been altered. The names are either their own or, the fictive chosen or appointed work names in those cases other names were not given by the women.

me I could have twenty minutes with Megy. She emphasised, again quite rude, this was a courtesy and I could not have intercourse of any sort with Megy otherwise I would have to pay her the normal 20 minutes rate of sixty euros. The girl left the room and as soon as she had left Megy came back in. This time with an extra undress over her underwear. We talked quite freely about her stay in Rotterdam, the house, her work and her experiences with punters. As I expected she came from Hungary, from Szeged to be specific and she started her work as a prostitute in Budapest just over a year ago. A friend she had known for years introduced her to some people and told her she could easily make money with her looks. Sooner than expected there was a firm knock on the door and the other girl yelled through the closed door that time was up. If I wanted to continue I could do so but then I would have to pay. I declined and after thanking Megy and the other girl for their time, Megy quickly showed me out. A week later I contacted Megy again and referred to our previous talk and asked her kindly if she was willing and able to answer some more questions. She informed me she was busy for the day but if I would call back in half an hour she would have some time and we could discuss the possibilities. When I tried calling her after half an hour, the phone was turned off and this remained the same for the rest of the day. The next day I gave her a ring once more and this time a man answered the phone. I explained who I was and why I called and mentioned I had previously spoken with Megy. After some persuasive gestures, he finally agreed to another talk with Megy and we made an appointment for the next day. When I arrived at the address Megy opened the door, this time fully dressed, and after we went up, we sat down in some sort of central living area of the flat which wasn't that much bigger than the room I was in the last time I was there. The man I had spoken with on the phone and yet again another girl were already sitting in the room. As I sat down almost immediately a conversation begun as they were interested in who I was and why I was interested in Megy. After I told them something about myself I found out, the man's name was Ylli and he was born in Albania but that he have been living in Rotterdam for over twenty years now. He also explained he was the caretaker and driver for Megy and four other girls who were all working out of this specific flat. He also informed me that the other girl I met the first time whose name was Maria and just like Megy a Hungarian native, was his locum

tenens. Maria, so Ylli told me, also started work as a prostitute and has been in the Netherlands for over eight years now. After 45 minutes Ylli and the other girl, who did not introduce herself and without saying a word during the entire conversation, excused themselves and left the room for me to talk to Megy. After speaking for over an hour and a half with Megy I got to know she was actually twenty one and a single teen mother of a girl which was now six years old. She didn't finish any form of education and her parents were very poor. She helped her parents around the house and did some cleaning work for other neighbours to earn money. One day she went out with friends and she noticed that one specific friend who she has known from the age of three, suddenly had a lot of money to spend, much more than usual and for what is common. Megy talked with her friend about it and her friend told Megy she had been to Budapest for a few weeks and she had earned it while working in a club as a waitress and some sort of entertainer. She asked Megy to join her as she was leaving for Budapest next month for a six week stretch and she could use the companionship of a friend from Szeged. Megy decided to join her and not soon after she was working as a waitress in a (night)club. After a few days the floor manager came to her and asked her if she wanted to make some extra money. This meant she also had to sleep with some VIP guest if they wanted her to. She felt suppressed and also forced by the owner and without putting up to much of a struggle, she complied to his wishes and that night she had her first client. Even though she hated it, she got well rewarded for it. After the six weeks she went back to Szeged for a week or two. When after these two weeks, the owner and floor manager of the club came to pick up Megy and her friend, they took them directly to another man who 'offered' them a similar position, with better wages, abroad. Both girls with some hesitation agreed and they left with the man. They first went to Vienna where she and her friend worked for two months in a club similar to that in Budapest. Megy then went back to her family for a week or two. After two weeks she was picked up in Budapest by another man who drove her and her friend to Munich where she stayed for another two months. One day Megy and her friend suddenly and without the possibility of a discussion of any sort, were spilt up and Megy was taken to work in a brothel in Dortmund. After working there for six months in poor conditions she was given a week to go back home to Szeged. As her

daughter was not doing well she wanted to stay in Szeged for a longer period of time but the man who was her caretaker by that time did not allow her to stay any longer and picked her up with the use of force. She was beaten and taken to the Netherlands. She first went to the Hague where she worked out of a small flat with two other girls and sometimes she had to substitute for another girl and she had to stand behind a window at the Doubletstraat. After four months she was brought to the house at number 111 in Rotterdam. This was in December of 2011 and this was when she met Ylli and Maria.

Megy is on call twenty-four hours a day for both in- and outcall services. She charges 60 euros per half hour and 100 euros per hour for incall and 150 euros per hour for escort. She has to pay for room and board as well as for the services for Ylli and Maria which in total accounts for almost 70% of her hourly rate. She usually has between five and twelve clients per day. After this second meeting with Megy I felt burdened as I saw a young, pretty and seemingly cheerful girl who was trapped in a hopeless situation. The more information I got from Megy regarding her background and situation, the more I got the idea that Megy has fallen victim to an 'ingenious' way of sexual exploitation. She, just like many others, voluntarily started working in prostitution and she ended up in such a position of economic dependence, misplaced trust, the illusion of autonomy and fear, it was impossible for her to exit. I met up with Megy two more times in the following weeks and both times she was able to speak quite freely. In the end I even got to have a longer talk with Ylli about his occupation, perceptions on life and his feelings towards the girls. This talk probably upset me the most as it confirmed, for me at least, the situation Megy was in. His perception on women in general was to as negative and he viewed them as mere merchandise. More like cattle than a human being. I have no evidence of physical abuse but by observing the interactions between Ylli and the girls you could speak of a dominant position by and a constant fear towards Ylli and continues distrust amongst the girls, especially towards Maria. In general the interactions between them seemed normal and there was even room for a joke or two but in whole there was evidence of an unhealthy situation due to continues tensions which arose out of the situation as explained above. Six weeks after our last talk in the end of February, Megy's advertisement was



removed from the website, her number disconnected and the flat unoccupied. Up until the moment of writing, I have been unable to track the whereabouts of Megy and I presume she has been taken abroad to continue her work as a prostitute.

## *1.2 The phenomenon which is human trafficking*

The issue of human trafficking, especially that of women for the purpose of sexual exploitation has risen up the political agenda and is increasingly becoming more critical for countries to act upon.<sup>2</sup> This concept, however, cannot be understood outside of the social, economic, historical and political conditions which are:

- Increasing globalisation and inequality within and between advanced industrial societies and those countries where poverty is epidemic;
- War and conflict in various regions of the world;
- The global subjugation of women;
- The growth of telecommunications and expansion of information technology;
- The trans nationalisation of the sex industry;
- The reconfiguration of Europe.<sup>3</sup>

While researching the phenomenon of human trafficking, one comes across many synonyms of which modern slavery<sup>4</sup> is the one most adapted.

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<sup>2</sup> UNODC (2010) 'The Globalization of Crime. A transnational organized crime assessment' New York: United Nations Publication

<sup>3</sup> Melrose, M. & Barrett, D. (2006) 'The Flesh trade in Europe: Trafficking in Women and Children for the Purpose of Commercial Sexual Exploitation' in: Police Practice and Research: An International Journal 7(02) p. 115

<sup>4</sup> See amongst others:

- Fehér, L. (2000) 'International efforts against trafficking in human beings' in: Acta juridica Hungarica, 41(3)
- Scarpa, S. (2008) 'Trafficking in human beings: Modern Slavery' Oxford Scholarship online, 1(09)
- Duyne, P.C. van & Spencer, J. (2011) 'The traded human body: The ultimate commercial option?' in: Duyne, P.C. van, Spencer, J. (eds.) 'Flesh and money: Trafficking in human beings' Nijmegen: Wolf Legal Publishers
- Bekteshi, V., Gjermani, E. & Hook, M. van (2012) 'Modern day slavery: sex trafficking in Albania' in: International journal of social policy, 32(7/8), p. 480-494
- Sandy, L. (2013) 'Commentary: Thaddeus Blanchette and the Ana Paula da Silva's Myth of Maria' in: Dialect Anthropol, accessed via Springerlink.com
- Kate, W. ten (2013) 'Mensenhandel: Moderne slavernij' Deventer: Kluwer

In many occasions the term white slavery is also being used, while this concept is outdated as this idea is shaped upon the trafficking and sexual exploitation of predominantly Belgium, German and British women around the end of the 19<sup>th</sup> century.<sup>5</sup> While these women initially migrated to work as maids abroad, many were dragged into a life of sexual exploitation. This problem stood at the basis for the 1904 International Agreement for the suppression of the 'White Slave Traffic'<sup>6</sup>, which was the first international agreement, to conceive the problem of exploitative prostitution as a matter of international law.<sup>7</sup> Six years later, in 1910, the scope was broadened to include the traffic in women within national boundaries.<sup>8</sup> In 1949 the first United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others which dealt with trafficking was formulated and superseded previous international agreements on white slavery.<sup>9</sup> From this moment on the idea of white slavery is outdated and the concept of modern slavery was adopted. This idea of modern slavery, for a great deal at least, is based upon a lot of vague and hardly verifiable stories told by its (presumed) victims and which are commonly written down by (respected) journalists, non-scientific writers or the more dangerous "chick lit" authors who tend to make stories up.<sup>10</sup> These stories differ little from each other and their aim is nothing more than to inform the reader and by using a shock effect, bring awareness to the subject.<sup>11</sup> Unfortunately these stories do

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<sup>5</sup> - Meij, P.P.J. van der & Leun, J.P. van der (2010) 'Beleid, barrières en begrenzingen. Een domeinoverschrijdende aanpak van het fenomeen mensenhandel' in: Schoep, G.K., Cleiren, C.P.M., Leun, J.P. van der & Schuyt, P.M. (ed.) 'Vervlechting van domeinen' Deventer: Kluwer

- Oude Breuil, B.C., Siegel, D., Reenen, P. van, Beijer, A. & Roos, L. (2011) 'Human trafficking revisited: legal, enforcement and ethnographic narratives on sex trafficking to Western Europe' in: Trends Organised Crime (14)

<sup>6</sup> Smit, M. & Boot, M. (2007) 'Het begrip mensenhandel in de Nederlandse context' in: Justitiële Verkenningen 33(7)

<sup>7</sup> Fehér, L. (2000) 'International efforts against trafficking in human beings' in: Acta juridica Hungarica, 41(3), p. 184

<sup>8</sup> Wijers, M. & Chew, L.L. (1999) 'trafficking in Women Forced Labour and Slavery-like Practices in Marriage Domestic Labour and Prostitution' Utrecht: STV

<sup>9</sup> Chuang, J.A. (2010) 'Rescuing trafficking from ideological capture: Prostitution reform and anti-trafficking law and policy' in: University of Pennsylvania Law Review 158

<sup>10</sup> - Snajdr, E. (2013) 'Beneath the master narrative: human trafficking, myths of sexual slavery and ethnographic realities' in: Dialect Anthropol, accessed via Springerlink.com

- Lindquist, J. (2013) 'Beyond anti-anti-trafficking' in: Dialect Anthropol, accessed via Springerlink.com

<sup>11</sup> - Altink, S. (1993) 'Dossier vrouwenhandel', Amsterdam: SUA

nothing more than give a melodramatic description<sup>12</sup> based upon the writers own interpretation of the relevant facts and therefor gives no real insight in the victims perceptions nor in the operations and modus operandi of the people involved. Luckily enough there are also examples of stories written down by police officials based upon official statements.<sup>13</sup> This data is thoroughly researched and we can assume this information and experiences of the officials correspond with the truth. While reading the different stories I discovered that the story of Megy and those of other women interviewed for this research, are not that uncommon and they show a lot of similarity with each other, which can be used to validate the obtained data. As it seems there are a lot of women present in the Netherlands who are living and working in sex-work professions, under similar circumstances and with experiences similar to those of Megy.

Even though the widely cited, exact and definitive numbers as given by NGO's, national rapporteurs on trafficking and UNESCO are criticised<sup>14</sup> we can nevertheless assume that the trafficking of human beings as a type of transnational organised crime is a serious problem and has wider administrative, research and investigative interests.<sup>15</sup> Current estimates regarding its extent run from 400.000 victims annually<sup>16</sup> up to over twenty million victims over the period of 2002-2011.<sup>17</sup> Of this twenty plus million victims, 22% or 4.5 million are identified as victims of forced sexual exploitation.<sup>18</sup> The United Nations office on drugs and crime reports there are 29000 verifiable cases of human trafficking over the period of 2007-2010 and in up to 60% of these cases the trafficking involved mature women<sup>19</sup> and it is

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- Zee, R. van der (2012) 'Bitter Avontuur' Breda: De Geus

<sup>12</sup> Sandy, L. (2013) 'Commentary: Thaddeus Blanchette and the Ana Paula da Silva's Myth of Maria' in: *Dialect Anthropol*, accessed via Springerlink.com

<sup>13</sup> Werson, H. (2012) 'De fatale fuik' Amsterdam: Carrera

<sup>14</sup> Snajdr, E. (2013) 'Beneath the master narrative: human trafficking, myths of sexual slavery and ethnographic realities' in: *Dialect Anthropol*, accessed via Springerlink.com

<sup>15</sup> Gutiérrez Chong, N. & Clark, J.B. (2014) 'Introduction: Trafficking in Persons' in: *Journal of Intercultural Studies* (35)2 p. 125

<sup>16</sup> US Department of State (2001) 'Trafficking in persons report' (TIP) accessed via ([www.state.gov/j/tip/rls/tiprpt/2001/index.htm](http://www.state.gov/j/tip/rls/tiprpt/2001/index.htm)) 14/08/2013 p. 4

<sup>17</sup> International Labour Organisation (ILO) (2012). 'Global Employment Trends: preventing a deeper jobs crisis' Geneva: International Labour Office

<sup>18</sup> Ibid

<sup>19</sup> UNODC (2012) 'Global Report on Trafficking in Persons' New York: United Nations publication p. 25

assumed that the majority of these women is trafficked for sexual exploitation and that therefore this specific traffickers goal, which is only one of many, is politically seen as most relevant.<sup>20</sup> The USA TIP report however, from 2006 onward, has been unable to make any estimates on reliable data in regards to women who have fallen victim to human trafficking and sexual exploitation<sup>21</sup> even though other estimates show prove of at least 800.000 victims.<sup>22</sup> Eurostat, the European Commission's statistical research unit confirms the difficulties in researching human trafficking and victimisation and perpetration but nevertheless identified 5.535 victims in 2010. This identification is based upon reported data as provided by member states within the European Union, NGO's, immigration authorities, border guards and other relevant sources.<sup>23</sup> It is to be expected this is just the tip of the iceberg and the cases which remain hidden, the so-called dark number, could easily triple, quadruple or even fivefold this number.

Human trafficking and women's rights have been on the international agenda ever since the beginning of the 20<sup>th</sup> century but after interest standstill due to the two great wars, interest was renewed in the early 60's-70's of the previous century and from that moment on it has been high on the political agenda and subject of continues debate. One of the key discussions focusses on formulating a workable and generally accepted definition of the trafficking of human beings (in most literature abbreviated as THB). In 2001 the definition for THB was formulated in the (Palermo) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and states: *'Transnational Human Trafficking is the recruitment, moving or reception, of a person under coercive or deceptive conditions for the purpose of exploitation'*.<sup>24</sup>

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<sup>20</sup> Alvarez, M.B. & Alessi, E.J. (2012) 'Human Trafficking is More Than Sex Trafficking and Prostitution: Implications for Social Work' in: *Affilia* (27)142

<sup>21</sup> - Snajdr, E. (2013) 'Beneath the master narrative: human trafficking, myths of sexual slavery and ethnographic realities' in: *Dialect Anthropol*, accessed via Springerlink.com

- US Department of State (2013) 'Trafficking in persons report' (TIP) accessed via ([www.state.gov/j/tip/rls/tiprpt/2013/index.htm](http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm)) 14/08/2013

<sup>22</sup> US Department of State (2007) 'Trafficking in persons report' (TIP) accessed via ([www.state.gov/j/tip/rls/tiprpt/2007/index.htm](http://www.state.gov/j/tip/rls/tiprpt/2007/index.htm)) 06/01/2014

<sup>23</sup> Eurostat (2013) 'Trafficking in human beings'. Luxembourg: Publications Office of the European Union

<sup>24</sup> Rijken, C. (2009) 'A human rights based approach to trafficking in human beings' In: *Security and Human Rights*, 3

This now widely accepted definition of human trafficking has been supplemented by the elements of act, means and purpose which are as follows:

- recruitment, transportation, transferring, harbouring or receipt of a person (act);
- means of threat, use of force, coercion, abduction, fraud, deception (means);
- purpose or act of exploitation, including sexual exploitation, forced slavery and slavery like practices (purpose).<sup>25</sup>

This addition, just like the definition provided in the Palermo protocol, uses the term exploitation which in itself is seen as an unclear concept. Exploitation, as defined in article 1 of the council framework decision of 19 July 2002 on Combating Trafficking in Human Beings is, *'at a minimum, exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs'* and this equals article 3.5a of the UN protocol to Prevent, Suppress and Punish trafficking in persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime except for including a general purpose of exploitation and except for the trafficking in human beings for the purpose of the removal of organs. This narrowed down definition leaves room for further discussion, especially within the conceptualisation of sexual exploitation. In 1991, Susan Edwards defined sexual exploitation as: *'a practise by which person(s) achieve sexual gratification or financial gain or advancement through the abuse of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy and physical and mental well-being'*.<sup>26</sup> This more in-depth feministic definition makes it possible to directly link sexual exploitation with a breach of fundamental human rights<sup>27</sup> knowingly, art. 3 ECHR, the prohibition on torture,

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<sup>25</sup> Werson, H. & Goutbeek, F. (2005) 'Protocol for Identification and Assistance to Trafficked Persons and Training Kit' Anti-Slavery International

<sup>26</sup> Barry, K. (2013) 'Abolishing prostitution: A feminist human rights treaty' accessed via (<http://www.womensmediacenter.com/feature/entry/abolishing-prostitution-a-feminist-human-rights-treaty>) 14/08/2013

<sup>27</sup> Rijken, C. & Volder, E. de (2010) 'The European Union's struggle to realize a human rights-based approach to trafficking in human beings: A call on the EU to take THB-sensitive action in relevant areas of law' in:

inhuman or degrading treatment, art. 4 ECHR, the prohibition of slavery, servitude, forced or compulsory labour and art. 8 ECHR, the right to respect for private life.<sup>28</sup> Basically relevant are same three key component as discussed before, knowingly: The act (what is done), the means (how it is done) and the exploitative purpose (why it is done).<sup>29</sup>

The current European standard and definition on the trafficking of human beings has been set out in Directive 2011/36/EU article 2 §1 and states:

*'The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation'.*

Paragraphs two and three of article 2 of Directive 2011/36/EU, define the two key elements of vulnerability and exploitation as follows; *'Vulnerability is a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved'* (§2) and *'exploitation is prostitution or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities or the removal of organs'* (§3).

Due to the gross breach of human dignity and the physical and mental integrity of its victims human trafficking is seen as a violation of article 4 of the European Convention of Human Rights (ECHR).<sup>30</sup>

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<sup>28</sup> Stoyanova, V. (2011) 'Complementary Protection for Victims of Human Trafficking under the European Convention of human Rights' in: Goettingen Journal of International Law (3)2

<sup>29</sup> Aranowitz, A., Theuermann, G. & Tyurykanova, E. (2010) 'Analysing the business model of trafficking in human being to better prevent the crime'. Ueberreuter: OSCE p. 17

<sup>30</sup> Bik, R. (2013) 'Referentiekader Mensenhandel' Den Haag: Politie

## 1.3 Combating human trafficking

### 1.3.1. Europe

The European commission feels the need to take a leading role in combating human trafficking, as there is a lack of harmonisation of legal frameworks to combat human trafficking.<sup>31</sup> The Stockholm program (2010C/115/01) entitled: *The Eradication of Trafficking in Human Beings 2012-2016* is one of steps taken to ensure its leadership and guidance. For this an EU anti-trafficking coordinator has been appointed in the person of Myria Vassiliadou who's task it is to coordinate the implementation of the strategy laid out in the Stockholm program.<sup>32</sup>

The council of Europe in turn has been active in adopting various anti-trafficking initiatives since the 1980's. Amongst them are the 1991 seminar on *Action Against Trafficking in Women, considered as a violation of human rights and human dignity*, the 2005 convention on *Action against Trafficking in Human Beings* (CETS NO. 197) which aims to Prevent trafficking, Protect the Human Rights of victims of trafficking and Prosecute the traffickers and is applicable to all forms of trafficking whoever the victim and whatever the sort/type of exploitation<sup>33</sup>, *recommendation NO. R (2000) 11 of the Committee of Ministers to member states on action against trafficking in human beings for the purpose of sexual exploitation*, the LARA project (2002-2003) and last but not least the 2011 (36/EU) Directive on preventing and combating trafficking in human beings and protecting its victims (which replaces Council Framework Decision 2002/629/JHA and which therefore is not mentioned in previous non-exhaustive list but affirms in art. 3 that trafficking in human beings comprises serious violations of fundamental human rights and human dignity of victims). Besides these initiatives the council also tries to raise awareness on the problem of human trafficking as such and on the recognition of victimisation. They urge for victim support in all effects and try to initiate a system of

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<sup>31</sup> Hancilova, B. & Massey, C. (2009) 'Legislation and the Situation Concerning Trafficking in Human Beings for the Purpose of Sexual Exploitation in EU Member States' Vienna: ICMPD

<sup>32</sup> European Commission (2012) 'The EU strategy towards the Eradication of trafficking in Human Beings 2012-2016' Brussels: COM

<sup>33</sup> See on the three P's: Mattar, M.Y. (2008) 'Comparative models of reporting mechanisms on the status of trafficking in human beings' in: *Vanderbilt journal of transnational law*, 41(1355)

prevention by using the concept of responsabilisation<sup>34</sup> which means that this strategy of crime control aims to shift primary responsibility for crime prevention and public security away from the state and towards businesses, organisations, civil society, individuals, families and communities.<sup>35</sup> The main issue however is the implementation by member states.<sup>36</sup> In order to achieve these goals the European Commission's Decision of march 2003 set up a consultative group, known as the 'Experts Group on Trafficking in Human Beings' (2003/209/EC).

Beside these initiatives, the Parliamentary Assembly of the Council of Europe has adopted the following trafficking and forced prostitution relevant texts:

- Recommendation 1325 (1997) on traffic in women and forced prostitution in Council of Europe member States;
- Recommendation 1526 (2001): A campaign against trafficking in minors to put a stop to the east European route;
- Recommendation 1610 (2003): Migration connected with trafficking and prostitution.

Both the anti-trafficking coordinator and the commission have access to a Group of Experts on Action against the Trafficking of Human Beings (GRETA) which exists out of independent experts and members of the Committee of the Parties. GRETA will monitor, evaluate and may give recommendations to member states who lack effort in the implementation of anti-trafficking legislation.<sup>37</sup>

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<sup>34</sup> Factsheet Council of Europe  
([http://www.coe.int/t/dghl/monitoring/trafficking/Source/Factsheet\\_convention\\_en\\_oct09.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Source/Factsheet_convention_en_oct09.pdf))  
13/03/2014

<sup>35</sup> Muncie, J. (2008) 'Responzabilization' in: McLaughlin, E. & Muncie, J. 'The Sage Dictionary of Criminology'  
London: Sage p. 357

<sup>36</sup> - Mendes Bota, J. (2014) 'Prostitution, trafficking and modern day slavery in Europe'. Parliamentary Assembly  
Doc. 13446, 20-03-2014  
-GRETA (2011) 'First General Report on GRETA's activities: covering the period from February 2009 to July  
2011' (1) Strasbourg: Council of Europe  
([http://www.coe.int/t/dghl/monitoring/trafficking/docs/Gen\\_Report/GRETA\\_2011\\_11\\_GenRpt\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Gen_Report/GRETA_2011_11_GenRpt_en.pdf))  
13/04/2014

<sup>37</sup> Factsheet Council of Europe



### 1.3.2 Issues, perspectives and research questions

The publication of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) research on ‘analysing the Business model of trafficking in human beings to better prevent the crime’<sup>38</sup> gives recommendations on future targeted research. They state: ‘*A deep understanding of how trafficking enterprises work- their members, roles, modus operandi and the market they exploit their victims- will allow governments to take measures to prevent and successfully intervene in trafficking operations. To this end, it is the key recommendation that governments should support targeted research on the ‘crime side of trafficking’.*’<sup>39</sup> Besides this recommendation the authors state that on a criminological level more theoretical and practical research is needed.<sup>40</sup> This research should be directed towards the testing of criminological theories like rational choice, anomie, subcultures and neutralisation on the nature of the crimes as well as describing other parties involved in the aiding and abetting of human trafficking and explaining the existence of the crime itself on a local, national and international level. Considering what Antonio Maria Costa, the executive Director of the United Nations Office on Drugs and Crime said on trafficking being one of the world’s most sophisticated and profitable businesses due to the corruption, coercion and white collar collaborators which lower the risk as at the same time new and effective logistics increases opportunity and profit. It is also shocking to see the enormous distances and periods of time trafficked persons and products travel before they reach their destination.<sup>41</sup> Therefore a criminological approach could indeed provide new insides and a way of rethinking combating human trafficking.

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([http://www.coe.int/t/dghl/monitoring/trafficking/Source/Factsheet\\_convention\\_en\\_oct09.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Source/Factsheet_convention_en_oct09.pdf))  
13/03/2014

<sup>38</sup> Aranowitz, A., Theuermann, G. & Tyurykanova, E. (2010) ‘Analysing the business model of trafficking in human being to better prevent the crime’. Ueberreuter: OSCE

<sup>39</sup> Ibid p. 12

<sup>40</sup> See also recommendations made by:

- Oude Breuil, B.C (2008) ‘precious children in a heartless world? The complexities of child trafficking in Marseille’ in: children and Society 22(3)
- Segrave, M., Milivojevic, S., & Pickering, S. (2009) ‘Sex trafficking: international context and response’ Devon: Willan Publishing

<sup>41</sup> UNODC (2010) ‘The Globalization of Crime. A transnational organized crime assessment’ New York: United Nations Publication in: Ministerie van Defensie (2013). ‘Beleidsdoorlichting: de inzet van de Koninklijke marechaussee voor mensenhandel en mensensmokkel’ Den Haag; Ministerie van Defensie

This study fills the gaps as mentioned before concerning a lack of ethnographic research and provides answers in regards to the question of who the victims actually are and more specific what their characteristics consist out of. What parties and organisations are involved in the process of the trafficking of persons and what the modus operandi they apply during this process. By doing so this research gives a description of the nature of the trafficking of native Hungarian speaking women to the Netherlands with the goal to sexually exploit them as well as to explain the organisation of the crime and criminal networks by using a network oriented approach. The ultimate goal set out is to provide hand on empirical and applicable information for those institutions in charge of combating human trafficking and sexual exploitation of women.<sup>42</sup> In order to do so, the following research questions were used:

Main:

- What is the Modus Operandi of Organised Crime Groups which are involved in the trafficking and sexual exploitation of native Hungarian speaking women in the Netherlands and to what extent does legislation on both national and European level influence the Modus Operandi of these Organised Crime Groups?<sup>43</sup>

<sup>42</sup> See: Askola, H. (2007) 'Legal Responses to Trafficking in Women for Sexual Exploitation in the European Union' Oxford: Hart Publishers

<sup>43</sup> The research group reverences to women out of the pre-World War 1 Hungarian borders which were changed after the war and resulted in mass populations of Hungarian minorities in what are now 'new' countries. This area exists out of (Atlas of Hungary, 2000):



Sub:

- What is the nature of forced prostitution involving native Hungarian speaking women in the Netherlands?
- What role does transnational Organised Crime have in the trafficking and sexual exploitation of native Hungarian speaking women across the European Union?
- What are the measurable effects of implementing National (anti-trafficking and prostitution) legislation and European anti-trafficking programs and international (legal) cooperation towards the trafficking and sexual exploitation of native Hungarian speaking women?
- Which innovative multidisciplinary actions and cooperative strategies are related to and therefore capable of influencing the Modus Operandi of transnational operating Organised Crime Groups?

The expectations as existed prior to the research were formulated as the following hypotheses:

- Most of the women involved in the sex-work spectrum, especially those in the more deprived areas like prostitution have fallen victim to human trafficking and sexual exploitation.
- The organisations behind the trafficking are using a business model based upon a network approach.
- Current legislation is ineffective to successfully combat the trafficking and sexual exploitation of women.
- The women fallen victim have insufficient (in)formal support to escape the exploitive situation and in the current situation they lack adequate protection against their perpetrators and social condemnation.
- Nations as well as the European Union will eventually fall short in combating human trafficking due to the fact the interests of states are always carefully balanced against the human rights of citizens which is contra-productive to combating organised crime.<sup>44</sup>

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<sup>44</sup> Askola, H. (2007) 'Legal Responses to Trafficking in Women for Sexual Exploitation in the European Union' Oxford: Hart Publishers p. 7-8

## 1.4. Structure

This chapter gave an introduction to the subject of human trafficking and provided understanding of the existing, legislative, difficulties towards the process of combating the crimes related to the topic. The next chapter will give an justification for the design and construction of the research, including the considerations and their motivations. Chapter three will go into trafficking and sexual exploitation by forced prostitution in the Netherlands and by doing so address the issue of narratives, explain Dutch prostitution policy and Dutch legislation on the topic as well as (legal)difficulties the different parties which are engaged in combating human trafficking encounter. Chapter four will give an overview of the primary data in relation to the organisation of human trafficking and forced prostitution. The fifth chapter will address necessary recommendations in order to effectively fight human trafficking and chapter six eventually will give a conclusion and by doing so provide an answer to the research question(s).

## 2. The methodology of this study

### 2.1 Introduction

In February of 2011 Roger Matthews (University of Kent) and myself invited several European scholars to visit Rotterdam for a peer review meeting. The idea was to broaden our joint research interest on the phenomenon of prostitution on which we both have been doing research in the past, yet on separate topics. We wanted to set up a multidisciplinary team of researchers to research the modus operandi of organised crime groups who were engaged in the trafficking and sexual exploitation of women. After a fruitful one-day meeting, a search for European funding started. As the results for funds remained insufficient the group decided to stay in contact but for now continue with their own work, while all would keep an eye out for research possibilities. As the topic and the points discussed intrigued me and flawlessly supplemented my existing research I decided to adapt my own research and start work on the research possibilities as discussed. To keep the research feasible a primary focus on the Netherlands, and the Dutch efforts on combating this type of organised crime, was adopted. This research is the result of this work and draws upon both earlier research done on the concept of Not In MY Backyard (NIMBY) and the motivations for women to start work as a prostitute and their possibilities to exit prostitution when desired as well as the questions raised and methodology discussed during the February meeting regarding the modus operandi and structures surrounding the phenomenon. Eventually this research ended up with a more 'hands-on' and a beyond the thought of 'so what criminology'<sup>45</sup> approach with a for the population and situation made feasible interpretation and implementation. In other words a more criminological and a less multidisciplinary approach with an emphasis on legislation and legislative powers.

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<sup>45</sup> Matthews, R. (2009) 'Beyond so what? Rediscovering realism' in: *Theoretical Criminology* (13)

## 2.2. Methodology

This research which, as mentioned before, is more criminological rather than mere juridical, draws upon a wide range of research methods out of the field of the social sciences. While researching the phenomenon of human trafficking combined with the sexual exploitation of women by forced prostitution the researcher finds himself confronted with having to operate in a grey sub-system of society which in nature would rather not reveal itself and therefore holds a lot of secrets and ambiguities. Despite wider interest still little scientific ethnographic research has been done on the topic and the research that has been done often has a (too) limited sample to be valid and reliable. This research aims to give more insight in the parties involved, the stories behind the persons and by doing so prove the value of doing ethnographic criminological fieldwork.<sup>46</sup> Usually the more common and

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<sup>46</sup> For Dutch ethnographic contributions see:

- Siegel, D. & Bovenkerk, F. (2000) 'Crime and manipulation of identity amongst Russian-speaking immigrants in the Netherlands' in: *Contemporary Criminal Justice* 16(4)
- Siegel, D. & Yesilgoz, Y. (2003) 'Natashas and Turkish men: new trends in women trafficking and prostitution' in: Siegel, D., Bunt, H. van de & Zaitch, D. (eds) 'Global Organised Crime. Trends and developments' Dordrecht: Kluwer
- Siegel, D. (2005) 'Recent trends in women trafficking and voluntary prostitution: Russian-speaking sex workers in the Netherlands' in: *Transnational Crime* 4(1)
- Dekker, H., Tap, R. & Homburg, G. (2006) 'Het bordeelverbod opgeheven, de sociale positie van prostituees' Amsterdam: Regioplan Beleidsonderzoek
- Biesma, S., Stoep, R. van der, Naayer, R. & Bielemans, B. (2006) 'Verboden bordelen. Evaluatie opheffing bordeelverbod' Groningen: Intraval
- Janssen, M. (2007) 'Reizende sekswerkers: Latijns-Amerikaanse vrouwen in de Europese prostitutie' Amsterdam: Het spinhuis
- Siegel, D. & Blank, S. de (2008) 'Vrouwen die in vrouwen handelen. De rol van vrouwen in criminele netwerken' in: *Tijdschrift voor criminologie* 50(1)

For other contributions see:

- Agustín, L. (2007) 'Sex at the margins: migration, labour markets and the rescue industry' London: Zed Books
- Oude Breuil, B.C (2008) 'precious children in a heartless world? The complexities of child trafficking in Marseille' in: *children and Society* 22(3)
- Brunovskis, A. & Surtees, R. (2008) 'Agency or illness- the conceptualisation of trafficking: victim's choices and behaviours in the assistance system' in: *Gender technology development journal* 12(1)
- Davies, J. (2009) 'My name is not Natasha. How Albanian Women in France use trafficking to overcome social exclusion' Amsterdam: Amsterdam University Press
- Roguski, M. (2013) 'Occupational health and safety of migrant sex workers in New-Zealand' Wellington: Kaitiaki Research and Evaluation
- Wagenaar, H. Altink, S. & Amesberger, H. (2013) 'Final Report of the International Comparative Study of

theoretical orientated research focusses on the issue of explaining the who and why by using the limited available ethnographic work done by others or by using practical examples from the news or court cases. This is undesirable as prostitution, especially when trafficking and sexual exploitation is involved, is highly flexible, diversified and both the nature and extend of the crime committed within this context tend to change almost daily.<sup>47</sup> Because of this it is near to impossible to avail oneself of existing knowledge and experiences which makes measuring the volume, scope and patterns of trafficking a difficult and time consuming process.<sup>48</sup> In turn, due to this fact, this chapter consist out of an in-depth description on how this research was designed as well as a justification for the choices made in order to provide examples on how validated data can be recovered. The research itself uses both quantitative and qualitative methods of data collection and analysis. This triangulation of methods is a necessity considering the clandestine nature of the research topic and the persons involved . According to Tyldum<sup>49</sup> research involving victims of trafficking can be performed on three stages. The first is orientated towards the persons at risk, the second stage focusses on the current victims and the third stage looks at former victims of trafficking. Tyldum states that only the third group would make for a desirable sample even though this group also has its practical objections and representational errors. This group however is still a better option than the other two groups because of sampling difficulties and the intrusive elements of the research.<sup>50</sup> I would like to discuss this assumption as this research identifies criminal structures by researching the second group the one involving current victims.

### 2.2.1 *A quantitative start*

Previous to the meeting in 2011, in the months of January to July 2009, 218 Bachelor of Law students from INHolland University of Applied Sciences, for their course on criminological research methods conducted 5000 face to

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Prostitution Policy: Austria and the Netherlands' The Hague: Platform31

<sup>47</sup> Tyldum, G. (2010) 'Limitations in Research on Human Trafficking' in: International Migration 48(5)

<sup>48</sup> Lindstrom, N. (2004) 'Regional Seks trafficking in the Balkans. Transnational Networks in an Enlarged Europe' in: Problems of Post-Communism (51)3

<sup>49</sup> Tyldum, G. (2010) 'Limitations in Research on Human Trafficking' in: International Migration 48(5)

<sup>50</sup> Ibid

face questionnaires amongst people living in Rotterdam based upon a non-probability stratified sample of the different boroughs. Eventually 2419 questionnaires were returned as being valid. The questionnaires (see appendix A) which were set up by dr. Gabry Vanderveen (University of Leiden) and myself, looked into the perceptions of NIMBY towards a regulated prostitution area in relation to other more or less unwanted phenomena as an homeless shelter, a methadone distribution point, a motorway and a large school. Over 92% of the respondents were most negative about having a red light district or other type of regulated prostitution area in their own neighbourhood and 99% of the respondents answered negatively when asked if they would mind having one in their own street. At the same time almost 86% of the respondents declared to have a positive attitude towards the concept of prostitution in Dutch society.<sup>51</sup> This outcome is more or less surprising as it gives insight into the perceptions of the public on the social phenomenon of prostitution which for the population of Rotterdam seems to be positive while at the same time the people do feel the need for a certain physical and social distance between them and the phenomenon or the persons involved within prostitution. This comes down to a situation where prostitution is perceived as okay, like it has been since 1997 when 74% of the Dutch considered prostitution as (sex-) work<sup>52</sup>, as long as people do not suffer from it or not personally have to witness the suffering it causes to others. In general this is one of the worst outcomes in perceptions possible as it provides a justifiable existence for the phenomenon whether or not shaped out of or placed within a legal system as simultaneously there is a total indifference to what happens 'over there and with them'. This indifference by the public is one of the key elements while addressing the concept of forced prostitution and will therefore be elaborated on in the following chapters.

With the outcomes as mentioned above in mind, the research was designed with a multidisciplinary scope, a criminological basis and ethnographic approach. Conceptualising difficulties on the field of trafficking

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<sup>51</sup> This is not an unique situation as the situation in Hungary shows a lot of similarity in regards to the existence of prostitution within society. See: Balogi, A., Sebhelyi, V., Sik, E. & Szegö, D. (2006) 'Report on the demand side of sexual services in Hungary' Budapest: ICCR-Budapest Foundation

<sup>52</sup> Brants, C. (1998) 'The fine art of regulated tolerance: prostitution in Amsterdam' in: *Journal of Law and Society* (25) p. 628



and prostitution were avoided by using the European definition and Dutch legislation on both topics.

### 2.2.2 Sampling

For this research an ethnographic bottom-up approach has been applied to correctly address the issues regarding human trafficking and forced prostitution from an empirical victims perspective. This meant that entry needed to be established through and with the help of the persons directly involved. As it is mere to impossible to contact traffickers directly I have opted for a current victim approach as mentioned before.<sup>53</sup> The research therefore started by examining the working areas of the women, as prostitution in the Netherlands is very much identifiable and recognisable in designated areas. The population of Hungarian women was selected as main research group as Hungarian women are one of the most frequently reported nationalities to have fallen victim of trafficking and sexual exploitation in recent years.<sup>54</sup> They have the illustrious honour of being in the top three of victims of trafficking and sexual exploitation in the Netherlands for a few years in a row now, even though recently they were bumped from the second spot (behind by far from the indigenous Dutch victims) by the Bulgarian nationals.<sup>55</sup> Even more recently more and more Hungarian women (N=89 in 2013 till June) have registered themselves with Comensha as a victim of trafficking as well did women from Romania (N=85 till June 2013).<sup>56</sup> It is expected to become even worse as more women from Eastern-Europe will continue entering the Dutch labour/prostitution market.<sup>57</sup> With that knowledge this research could be applicable for future victims out of those groups as well. For representative purposes larger Dutch cities which hold one or more red light districts, were selected. The assumption was that these window areas, which are relatively cheap and profitable, harbour a lot of trafficking victims. The selected cities were

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<sup>53</sup> Tyldum, G. (2010) 'Limitations in Research on Human Trafficking' in: International Migration 48(5)

<sup>54</sup> CoMensha La Strada international (2013) 'Jaaroverzicht 2012' accessed via (<http://www.mensenhandel.nl/jaaroverzicht2012/#/1/zoomed>) 14/08/2013

<sup>55</sup> Ibid

<sup>56</sup> Comensha La Strada Nederland (2013) 'Maandrapportage juni 2013' accessed via

(<http://www.mensenhandel.nl/cms/docs/maandrapportagejuli2013.pdf>) 05/09/2013 p. 10

<sup>57</sup> Wijk, A. van , Nieuwenhuis, A., Tuyn, D. van, Ham, T. van, Kuppens, J. & Ferwerda, H. (2010) 'Kwetsbaar beroep. Een onderzoek naar de prostitutiebranche in Amsterdam' Amsterdam: Beke

Amsterdam (Old church area), The Hague (Hunse-, Geleen- and Doubletstraat, Groningen (Nieuwstad) and Utrecht (Zandpad). It is well known these cities are composed out of a multicultural population and therefore could provide sufficient social capital<sup>58</sup> which exists out of: *'The possibilities that individuals have to mobilise resources out of social networks to which they belong'*<sup>59</sup> and the amplitude of the city itself provides anonymity and sufficient possibilities for cheap accommodation and living, so costs can be kept low and in the case of human trafficking and the exploitation of its victims, profits high. This list of cities was supplemented with the city of Rotterdam, which despite the absence of a red light district has a very active prostitution scene. Rotterdam, a few years back, issued at or near 100 licenses for brothels to conduct business on a legal basis. Led by the mayor and city council this number is currently being reduced down to 25 by natural decay which means no new licenses are being issued and if a brothel closes down the permit is automatically expired without change of renewal. The ideology behind this method is that both prostitutes and facilitators will choose a different profession or relocate and leave the municipality when no legal options to conduct business remain, this is commonly known as the waterbed or wrinkle effect. This idea has first been implemented in the red light district of Amsterdam in 2009. Lodewijk Asscher, who currently holds the post of minister of social affairs and vice-prime minister while in the time being member of the council of Amsterdam has fought hard for the option to close down those windows which have been harbouring victims of trafficking and windows of whom the facilitator/owner did not pass the administrative BIBOB legislation test which translated stands for promoting integrity reviews by public administration and which is being used to combat organised crime by testing and reviewing submitted permit applications. The municipality of Amsterdam, in order to successfully achieve its goals of diminishing the available spaces and criminal activity behind the red light district, uses a system of buying it and buying it off. Even though a lot of windows were closed, a lot of alternatives i.e. massage parlours emerged in the

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<sup>58</sup> Mai, N. (2010) 'Migrant Workers in the UK Sex Industry. Final Policy-Relevant Report' London: ESRC/London Metropolitan University

<sup>59</sup> Burgers, J., Komter, A. & Engbersen, G. (2000) 'Het cement van de samenleving' Amsterdam: Amsterdam University Press p. 48

streets of Amsterdam i.e. there were 9 in 2002 and 336 in 2012.<sup>60</sup> Usually paid for by the municipality as in many cases it involved the same persons who would exploit the windows which also got compensation by the municipality for closing them down.<sup>61</sup> It is to be expected that a similar scenario could occur in Rotterdam as the municipality led by the mayor Aboutaleb, continues its course and continues ignoring the transition effects as pointed out by Van Wijk et.al.<sup>62</sup>

Despite the absence of a red light district and the on-going limitation of brothels etc., Rotterdam has a very active online prostitution scene which is used by women to place advertisements for men to view and which they can use to contact them. In practice this usually means that the women who offer themselves are working without a license and operate out of a private flat or only conduct out-call (escort) services.<sup>63</sup> It is assumed that this method of work makes the women more vulnerable to exploitation and abuse by both pimps and punters<sup>64</sup>, as regulation and control is difficult and limited.

In March of 2013 the Regional Information and Expertise Centre (RIEC) conducted an explorative study on the status and extent of internet advertisements by prostitutes and facilitators in the region of Rotterdam-Rijnmond. They analysed different websites on which sex ads can be placed.<sup>65</sup> The researchers looked at the websites Kinky.nl, Sexjobs.nl and Speurders.nl. They found 338 women working as a licensed prostitute and 369 women who were offering their services through the internet but did not have a license to work as a prostitute. The researchers give warning that the number of the

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<sup>60</sup> <http://www.hetccv-trends.nl/veiligheidsontwikkelingen/illegale-prostitutie#trends> (22/08/2013)

<sup>61</sup> Volkskrant online 23/05/12

<sup>62</sup> Wijk, A. van, Nieuwenhuis, A., Tuyn, D. van, Ham, T. van, Kuppens, J. & Ferwerda, H. (2010) 'Kwetsbaar beroep. Een onderzoek naar de prostitutiebranche in Amsterdam' Amsterdam: Beke p. 214

<sup>63</sup> Goderie, M. & Boutellier, H. (2006) 'Prostitutie in Rotterdam' Utrecht: Verwey Jonkers Instituut

<sup>64</sup> Farley, M. & Butler, E. (2012). 'Prostitution and Trafficking-quick facts' accessed via <http://www.prostitutionresearch.com/Prostitution%20Quick%20Facts%2012-21-12.pdf>

<sup>65</sup> See for similar research in Utrecht: Mein, A. Verwijs, R., Drost, L. & Goderie, M. (2011) 'Verborgen prostitutie in Utrecht. Kenmerken en hulpverleningsbehoefte van 'verborgen prostituees'' Utrecht: Verwey Jonker Instituut

latter group is presumably much higher as there is a presumable (relatively high) dark number.<sup>66</sup>

Even though this ad-hoc research by the RIEC is methodological quite weak, due to the choice of cross-sectional sampling and the absence of the option of verifying the data by contacting the women, it nevertheless gives a glimpse of the issues as they exist within a system of online supply of sexual services.<sup>67</sup> Over half of the women try to evade costs and the paperwork which is needed to legalise the means of income by prostitution. The sampling as used by the RIEC researchers was comparable with that of this specific study. The difference being that for this research, internet was seen as a way, the means so to speak, to select the contacts and respondents while for the RIEC the internet review was the main topic for the research itself. For this research the internet was used to take a sample out of the numerous women who advertise their services via different online channels. The first selection made was that of a specific region or city, in this case Rotterdam. Other cities out of the sample have been looked at to compare numbers of and women advertising while the women themselves were selected on basis of working in a red light district and therefore approached as such. Secondly a selection was made on age and gender. This research looks only at trafficked women who are forced into prostitution and the specific age range of 18 till 30 was selected as this age group is most likely to exist out of women who presumably would have fallen victim to trafficking.<sup>68</sup> This saying, the situation of women travelling directly to the Netherlands and of the situation that women could have been working as a prostitute previously before travelling over to the Netherlands, was taken into account. Next to this age criterion a selection was made on services offered. Women who are forced to work in prostitution usually do not have the luxury to be picky and therefore have to accept and offer all forms of sexual services and accept all clients. Due to this large target group of possible clients, the costs can be kept low which is necessary as they will have to

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<sup>66</sup> Regionaal Informatie en Expertise Centrum (RIEC) (2013) 'Onderzoek naar aanbieders van commerciële seksuele dienstverlening op internet' (non published confidential research)

<sup>67</sup> Staring, R.H.J.M. (2012). 'Human trafficking in the Netherlands: trends and recent developments' in: International review of law, computers & technology, 26(1)

<sup>68</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2009) 'Mensenhandel. Zevende rapportage van de Nationaal Rapporteur' Den Haag: BNRM p. 37

compete with other women. By lowering the price and offering other (more extreme) services like anal sex or sex without a condom, they can attract more clients. This is necessary for them to meet the minimum expected daily amount of money as demanded by the pimps casu quo traffickers. After the selections were entered in and the results of the search made visible, the texts of the different ads were compared on word usage and mistakes made in spelling and general use of language. Finally the pictures of the women were examined to see if the girl was Caucasian and if she broadly matched the general physical outward appearance as what to be expected of someone from the European region to which Hungary belongs. On a more longitudinal basis the internet advertisements of the women were monitored to learn more on the travel of the women within the Netherlands.

As a final and extra check, the selected women were searched for on the website Hookers.nl. This website offers punters, who online call themselves travellers, the possibility to review, and grade the women they visited as well as leave comments. These comments usually contain relevant details on the girls like confirmation of age and appearance but also ethnicity/nationality as this is frequently discussed by prostitute and client. This review and grading of women can best be certified as a cattle fair, but for research purposes it provides useful additional information and therefore proven essential as sample confirmation method.

After this the women were contacted as described in the example of Megy when it concerned prostitution out of a private setting, not being a brothel. Brothels were contacted but whitening void as of the 24 contacted brothels apparently none had any native Hungarian women working for them. Two informed me they have had Hungarian women working for them in the past but these employments had ended a few years back and since then they had only indigenous women working with them. Women working in the red light districts were approached directly after a certain period in which trust was gained and some sort of familiarity was established. This would usually take several weeks and required multiple visits. This way of operating has proven its worth and successfully limited the number of non-response. In comparison:

the online sample had a 85% non-response against a 25% of refusals in the red-light districts and therefor is significantly lower.

### 2.2.3 *A qualitative follow up*

An extensive literature review, based upon the conditions as set out by Hart<sup>69</sup>, has been conducted to analyse all available secondary data, ideas and research on the topics of prostitution, forced prostitution and organised crime in relation to human rights. This literature review was supplemented with regular meetings and visits to conferences both as listener but in some occasions also as a speaker. Besides these visits, the retrieval of primary data was initiated by using the method of ethnographic observations in different red light districts in the Netherlands. The aim of these observations was twofold. First they were necessary to get an idea of the reality as it exists in the specific red light districts and to assess the characteristic of the situation of legalised prostitution in the Netherlands. Second, to get in contact with relevant persons i.e. prostitutes, pimps and punters who can function as gatekeepers. These first observations were conducted on a non-structured, direct and concealed basis with help of the method of time sampling. Out of a safety perspective all observations were carried out by the author while being accompanied by another person. The observations were conducted in the cities of Amsterdam, The Hague, Groningen and Utrecht. The observations were structured in such a manner they took place at different days during the week as well as in the weekends and always on different times of the day. All of this to get an understanding of the working conditions, the amount of women present at a certain period in time, the type and amount of clientele etc. As I got more familiar with the situation and the social sub-system in which the concept of prostitution existed, the observations became more open and were used to get in contact with gatekeepers in the person of prostitutes who have been working there for a longer period of time and who are present on a regular basis. Beside these women, volunteers of the salvation army who frequently talk to the women but also bring them drinks and nibbles, were also contacted and deployed as gatekeepers. Eventually I tried to gain trust with some

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<sup>69</sup> Hart, C. (2007) 'Doing a Literature Review' London: Sage

prostitutes who would fit the profile of the research group<sup>70</sup> and of whom I thought they could function as gatekeepers. By investing time by talking with the women on all sorts of things, instead of just talking to them on behalf of the research, and because I could occasionally bring them some snacks and drinks myself, these women started trusting me and eventually opened up to me. Eventually they have proven to be of great value as both respondents and gatekeepers. Unfortunately this method was unsuccessful in Utrecht due to the geographical layout of the prostitution area called Zandpad.<sup>71</sup> Zandpad is a two way street with motorised traffic and with small houseboats on the water side. These boats are spilt up in different rooms with windows similar to those of a red light district. The difference is that most of the pimps are on the other side of the road opposite to the women and this makes it so the women are always observed and cannot do anything without permission. In other 'normal' red light districts the pimps are commonly not so visibly present and this leaves room for a short talk without being disturbed. Unlike some authors argue, Zandpad is not a regulated street prostitution zone but a window soliciting zone. The difference between the two is that the prostitutes working on a regulated street prostitution zone are usually addicted women. The only active regulated on-street prostitution zone is located in Groningen<sup>72</sup> as Rotterdam and Arnhem closed down and Heerlen and Nijmegen have started a policy of dying away in 2010 which has proven to be effective.

In Utrecht, any attempt to start a conversation with a working girl that lasts over two minutes, is being interrupted as you will find yourself accompanied by a man who pretends to come and help the girl against the harassment caused by you. Actually, they just want to know what you are up to and if you are not buying you are pressured to leave quickly. To visualise the

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<sup>70</sup> Huisman, W. & Kleefmans, E. (2014) 'The challenges of fighting sex trafficking in the legalized prostitution market of the Netherlands' in: *Crime, Law and Social Change* accessed via Springerlink.com

<sup>71</sup> The Utrecht Zandpad was closed down by order of the mayor, Aleid Wolfsen, on August 1<sup>st</sup> 2013. This decision was based on frequent signals of the existence of exploitation of trafficked women amongst the 200 prostitutes working there. Following the so-called SNEEP case all areas with window soliciting which harboured victims from the SNEEP case have been placed under enhanced surveillance. (interview with Andrea van Dijk (2013) Accessed via [sargasso.nl/sluiting-van-het-zandpad/](http://sargasso.nl/sluiting-van-het-zandpad/) on 17/08/2013).

<sup>72</sup> Staring, R.H.J.M. (2012). 'Human trafficking in the Netherlands: trends and recent developments' in: *International review of law, computers & technology*, 26(1)

situation, remember the scene in the movie taken as Liam Neeson addresses an on-street prostitute to provoke the pimp in order to place a listening device on his person.

The women were asked, on different occasions ranging from short five minute talks to in-depth interview settings lasting several hours on their work experiences, their personal feelings towards their work, clients and facilitators etc. as well as their entry into prostitution, taking into account the who, when, and why, their travel routes and methods, earnings and their possibilities on exiting prostitution (see appendix D). These indicators were used to determine if there was a situation of trafficking and sexual exploitation (see previous and next chapter) and by doing so helped tackling the points of discussion as raised by Tyldum<sup>73</sup> on the impossibilities of researching the nature and extend of forced prostitution.

All observations are processed with the use of field notes. In total the observations excluding the travel accounted for around 650 hours. This in the end was worth the investment because without the trust gained by being visible and recognisable it is impossible to get any information from the women let alone the pimps who 'support' and frequently would also exploit the women.

The observations, once they provided entry, were followed by a combination of semi-structured and in-depth interviews.<sup>74</sup> These interviews were set up with just the topics to keep the interviews as objective as possible.<sup>75</sup> Saturation was initially used as a criterion for validation but this prove to be insufficient as every story differs to such an extend that no correlation was significant recognisable.<sup>76</sup> Eventually set time frames were selected to conduct the interviews and all relevant interviews within that

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<sup>73</sup> Tyldum, G. (2010) 'Limitations in Research on Human Trafficking' in: *International Migration* 48(5) p. 9

<sup>74</sup> Bijleveld, C. (2007) 'Methoden en Technieken van Onderzoek in de Criminologie' Den Haag:BJU

<sup>75</sup> Arsovska, J. (2012) 'Researching Difficult Populations: Interviewing Techniques and Methodological Issues in Face-to-Face interviews in the Study of Organised Crime' in: Gideon, L. (eds.) *Handbook of Survey Methodology for the social Sciences* New York: Springer

<sup>76</sup> See also Askola, H. (2007) 'Legal Responses to Trafficking in Women for Sexual Exploitation in the European Union' Oxford: Hart Publishers p. 7



specific period of time were processed. After a fair amount of refusals due to a lack of trust or situations concerning pimps who prohibited the women to speak, a lot of the women were willing to cooperate when asked a second or third time usually in the absence of their pimp. This refusal conversion<sup>77</sup> is emphatically present when you can convince the respondents of your incentives. Eventually, over the period of January 2010 till February 2013, (N=)223 women working as prostitutes at several well know red lights districts in the cities of Amsterdam, The Hague, Utrecht and Groningen as well as women working in a private surrounding in the city and area of Rotterdam were interviewed. Of these women (of whom the majority were interviewed several times), N=136 held the Hungarian nationality and did actually come from Hungary, more specific Szeged and the surrounding villages, the Budapest region and the Balaton region, 63 of the women belonged to the Hungarian minority in Romania, and would usually originate from the regions of Szatmár Megye and Bihar. One girl belonged to the Hungarian minority in Slovakia. The other N=23 interviewed women came from Lithuania (N=2), Bulgaria (N=7), Romania (N=8), Poland (N=4), Greece (N=1) and Estonia (N=1). Even though these women did not meet the characteristics of the research group they were interviewed nevertheless as they could function as a control group and sometimes they were friends with women from the research group so in these occasions they functioned as gatekeepers as well. Almost 35% of the women interviewed belonged to a Roma minority out of one of the specific countries.

In addition to these interviews with the women working in prostitution, (N=) 23 pimps (Appendix E) were interviewed. This group had the following specifications (figure 1);

<b>N=</b>	2	2	3	2	3	4	4	3
<b>Ethnicity</b>	Albanian	Surinamese	Curacaos	Bulgarian	Hungarian	Romanian	Turkish	Moroccan
<b>Age</b>	33 & 34	37 & 39	21,24 &27	41 & 43	36, 38 & 44	29, 29, 34 & 54	25, 27, 39 & 43	23, 28 &31

<sup>77</sup> Bijleveld, C. (2007) 'Methoden en Technieken van Onderzoek in de Criminologie' Den Haag:BJU p. 213

Beside these men working as pimps, multiple experts working for the police, the public prosecutions’ office, judges, sex work aid organisations and scholars were asked on their knowledge, experiences and views on prostitution policy, forced prostitution and organised crime. Each interview addressed the following topics in regards to prostitution and the women working as a prostitute: (knowledge of) personal situation and background, (knowledge of) working position, (knowledge of) working conditions, the possibility to exit prostitution, nationality, travel i.e. the prostitution carrousel<sup>78</sup>, perceptions of safety and feelings of trust towards the police and aid workers.

Schematically the entire sample is as follows<sup>79</sup> (figure 2):

N=	Amsterdam	Groningen	Rotterdam	The Hague	Utrecht
Prostitutes Research group Hungary	23	18	37	47	11
Prostitutes Research Group Other	10	2	16	28	7
Prostitutes Control Group	4	3	3	11	2
Pimps	5	0	8	9	1

The interviews, on average, lasted about an hour and a half depending on the situation. In many occasions the interviews with the prostitutes needed a second or third session to retrieve all the in-depth information needed. The first sessions were used to get basic personal background information and to increase the women’s trust in me as an objective researcher, with no hidden

<sup>78</sup> This is an important element as it makes it difficult for law enforcement agencies and social work agencies to help the women and successfully combat the trafficking and sexual exploitation (Bokhorst et.al 2011:45).

<sup>79</sup> The Hague was, due to the proximity factor, visited more often and therefore it was easier to contact the women and gain their trust as regular visits took place. The same applies for Rotterdam in so far it relates to the proximity.

agenda, and to make the women feel (more) familiar with being interviewed. Increasing the self-esteem of the women and reinforcing the idea and feelings of being a person instead of a mere utility during the interviews seemed to be an important way to retrieve the more confidential and relevant information.

#### *2.2.4. A Quantitative elaboration*

The same time period in which the interviews with the women and their facilitators took place, punters who were present at the red light districts out of the sample, except for the city of Rotterdam, buying sex, were asked on their presence and them visiting prostitutes (see appendix B). They were asked, with the help of a structured questionnaire with mostly closed answer options, on their motivations for being a 'walker' and what their general feelings towards prostitution were, the perceptions they have towards the prostitutes and how they feel about them buying sexual services. Next to these feelings, questions addressing, their general knowledge of human trafficking and sexual exploitation through prostitution and their conciseness of buying sex as facilitation for prostitution and/or contributing to this type of criminal behaviour, were asked. Finally the men were questioned on, their reactions in the case they would come across an exploitative situation of one of the women and their willingness to report this to the authorities. In the end, the data of (N= 437) punters was analysed with the help of SPSS.

#### *2.2.5 Fieldwork Hungary*

Finally the research focussed on Hungary as a source country. For this approach a questionnaire was set up in English and during the telephonic interviews translated into Hungarian (see appendix C). This was necessary as even though a lot of women in their ad mentioned they spoke English or German, in practice any knowledge of these languages was limited or even absent. These questionnaires were conducted over the period of March 2013 till December 2013 by trained students from the University of Pécs and the INHolland University of Applied Sciences. These students were all native Hungarian speakers who after a training, were able to act as interviewers.

As prostitution is more or less still a taboo and thoughts surrounding the topic are usually based upon prejudice<sup>80</sup>, the research group was more difficult to locate and to get in contact with. In order to establish contact an internet search was conducted and websites like Videkilany.hu, Rosszlányok.hu and Szexmost.hu were applied in a similar way as had been done in order to contact the women working via the internet in Rotterdam. Women working in the cities of Budapest, Debrécsen, Győr, Pécs, Szeged and Nyíregyháza were selected and contacted. They were asked on their work, experiences, personal background and willingness and possibilities to work abroad. Because of the high number of non-response within a three day pilot, the sample criteria were adjusted and only the criterion of location was used to get valid and representative sample. Eventually, after still having to accept a non-response of nearly 65%, mostly by predominantly young women who would fit the target group perfectly, as women between the age of 18 and 25 years are most likely to fall victim of trafficking<sup>81</sup>, 93 questionnaires were returned as being valid. Beside the information gathered just as interesting were the notes made by the interviewers in the cases of non-response. These notes in itself gave insight into working conditions regarding caretakers as many young women felt the need to ask a man present with them, for permission to participate. Both the tone of voice and the way of responding gave reason for the interviewers, on several occasions, to make specific notes with references to this moment. In regards to the ads posted on the websites, these shown a lot of similarity to those seen in the Netherlands. Similarities in the use of sentences and recognisable mistakes in the use of language could be an indicator in Hungary as well, as it gives sign of some sort of an existing relation between the women advertising themselves or either it gives awareness of the presence of some sort of facilitator. Anyway, this raised the idea of the presence of some sort of (criminal) organisation behind the facilitation of the women.

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<sup>80</sup> Salt, J. & Hogarth, J. (2000) 'Migrant trafficking and human smuggling in Europe: a review of the evidence with case studies from Hungary, Poland and Ukraine' Geneva: International Organisation for Migration

<sup>81</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2009) 'Mensenhandel. Zevende rapportage van de Nationaal Rapporteur' Den Haag: BNRM

The sample for the Hungarian fieldwork was composed as follows (figure 3):

N=	Budapest	Debréce	Györ	Pécs	Szeged	Nyíregyháza
Prostitutes	39	22	9	11	6	6

### 2.3 Ethical approval

Ethical approval for the research was obtained by the INHolland University of Applied Sciences ad-hoc Research Ethics Committee chaired by prof. dr. D. Andriessen supplemented by the members prof. dr. B Levering and Prof. dr. S. Peij in 2011. The Committee assessed the research on the basis of the Social Research Association (SRA) Ethical Guidelines 2003.

To meet the standards within the research all data was collected anonymously and the necessary description keys are only at the disposal of the researcher himself. All respondents participated on a voluntary basis and the principle of informed consent was used. Due to the nature of the situation, interviews with women working as a prostitute as well as the interviews with pimps and the occasional punter were not recorded but rather organised with the help of notes made during the interviews. After each interview, the notes were placed in a work report within the hour and in transcript the same day. The final analyses was done with the help of Kwalitan.

Below an example of a work report (see for more details, appendix D) (figure 4):

<b>XXX weg 111, Rotterdam</b>	<b>Tuesday January 10 2012</b>	<b>13.20-13.35</b>
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Name	Alias	Gender	Age	Ethnicity	Born	Occupation	Area	Type	Contact
Megy	none	F	23	Hungarian	Szeged	Prostitute	Rotterdam	Private In & out call	Kinky.nl

Notes: ....

After finalising the work reports, the information was made anonymous by giving each applied method, person and characteristic a specific code i.e. an interview was coded B, the specific respondent was given a unique number i.e. 25, the nature of the respondent was recognisable by the colour i.e. a prostitute being orange and a pimp green. The location was made clear on the basis of a Latin number i.e. XII and the accommodation, when relevant, i.e. a brothel was given a letter from the Greek alphabet. This resulted in a file as shown in next fictional example (figure 5).

Date and time	Type	respondent	Nature	Location	M.O
17-03-2011 18.25-19.50	B	98		X	Φ
02-04-2011 10.00-10.55	B	101		VII	Π
06-04-2011 16.15-16.40	B	103		VII	n/a

### 2.4 Summary

This chapter addressed the methodology used to set up and execute the research. There has been chosen for the application of an ethnographic approach with a differentiated sample. This, in order to tackle as many fallacies as possible and to guarantee reliability, representativeness and generalizability. First, a questionnaire with both closed and open question addressing the perceptions of people living in Rotterdam, on the topic of prostitution was taken. After this scholars were questioned and observations at different Dutch prostitution areas, so-called red-light districts, took place. Following this method of information gathering and getting acquainted and familiar with the respondents out of the sample, both semi-structured and free attitude interviews were conducted with prostitutes, pimps and field experts. This to gain insight in the thoughts, perceptions and knowledge of the respondents in regards to their position, exploitation and human trafficking. Simultaneously, punters were questioned with the help of a structured questionnaire on their

knowledge and ways of respond in cases of human trafficking and forced prostitution. Last, women working as prostitutes in Hungary were contacted by telephone and asked on their work, position, and willingness and possibilities to work abroad. This was necessary to gain insight in the people involved, their roles and perceptions on the topic and situation, social support and facilitation and finally the methods of operating. All methods upheld and respected both scientific and human dignity.

### 3. Trafficking and sexual exploitation by forced prostitution

The first chapter gave an introduction on the conceptualisation of human trafficking from an international and European perspective by explaining the different definitions and the struggles surrounding them. This chapter will address the topic of human trafficking on a national level but will first look at the implementation of different guidelines addressing combating human trafficking and sexual exploitation by forced prostitution as has been at the debates centre of attention since 1904 and despite all efforts taken, 110 years on still proves to be just a great a danger for both victims and society.

#### 3.1 Narratives on trafficking and forced prostitution

One of the foremost issues regarding the conceptual discussion on human trafficking is what is described by Snajdr as a master narrative which he, in the line of the by him cited authors Lyotard (1984) and Bamberg (2003), sees as a pre-existing form of interpretation which is reproduced out of a sociocultural context and therefore normalised.<sup>82</sup> This can be supplemented by the idea suggesting that the fight against trafficking is driven by activists using mass media to construct a false truth on trafficking process, the traffickers and its victims.<sup>83</sup>

According to Oude Breuil et. al. there is more than one narrative as all of the actors represent the phenomenon of human trafficking for the sex industry in different ways.<sup>84</sup> This representation is based upon socio-political, cultural and historical contexts. In general there are three dimensions in which the narratives, based upon these contexts, are being produced. The first one is the legal narrative which focusses on international and national law and which is

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<sup>82</sup> Snajdr, E. (2013) 'Beneath the master narrative: human trafficking, myths of sexual slavery and ethnographic realities' in: *Dialect Anthropol*, accessed via Springerlink.com

<sup>83</sup> Tyldum, G. (2010) 'Limitations in Research on Human Trafficking' in: *International Migration* 48(5)

<sup>84</sup> Oude Breuil, B.C., Siegel, D., Reenen, P. van, Beijer, A. & Roos, L. (2011) 'Human trafficking revisited: legal, enforcement and ethnographic narratives on sex trafficking to Western Europe' in: *Trends Organised Crime* (14) p. 31 accessed via Springerlink.com



shaped by the polarisation between the abolitionist and the sex work debate on human trafficking and prostitution. The second, the enforcement narrative relates to the situation as it is being perceived by law enforcement. Within this narrative the following misconceptions exist; on the one hand the existence of stereotypes i.e. the situation a trafficking situation always exists out of a situation of clearly distinguishable victims and perpetrators while on the other the emphasis on repression which implies that detection and prosecution are the main goals within combating trafficking with an emphasis on the idea of traffickers being part of complexly organised networks.<sup>85</sup> Even though thought to be a narrative, it is not as will be elaborated on in the following chapter(s). The third narrative is ethnographic and based upon the fact so little research on the topic has been done but what has been done adds knowledge of the accurate situation to the discussion and alters perceptions on the first two by using the concept of the self-becoming prophecy<sup>86</sup> as an explanation for the wrongful assumptions out of the first two narratives mentioned. Bovenkerk et. al.<sup>87</sup> suggest that criminals are aware of the existence of these narratives and they know how to make good use of them i.e. as a scare-tactic<sup>88</sup> or by becoming a mythological being without actually having to act. Finally history itself has helped shape and (re-)enforce these narratives<sup>89</sup> as the focus with anti-trafficking campaigns have always been on female victims as sexual exploitation is commonly seen as the most degrading and intrusive type of trafficking conceivably possible.<sup>90</sup> This has led to situations in which international agreements failed as they were set out to fight forced

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<sup>85</sup> Oude Breuil, B.C., Siegel, D., Reenen, P. van, Beijer, A. & Roos, L. (2011) 'Human trafficking revisited: legal, enforcement and ethnographic narratives on sex trafficking to Western Europe' in: Trends Organised Crime (14) accessed via Springerlink.com

<sup>86</sup> Thomas, W.I. & Thomas, D.S. (1928) 'The child in America: behaviour problems and programs' New York: Knopf p.572

<sup>87</sup> Bovenkerk, F., Siegel, D. & Zaitch, D. (2003) 'Organised Crime and ethnic reputation manipulation' in: Crime, Law and Social Change (39)1

<sup>88</sup> Oude Breuil, B.C., Siegel, D., Reenen, P. van, Beijer, A. & Roos, L. (2011) 'Human trafficking revisited: legal, enforcement and ethnographic narratives on sex trafficking to Western Europe' in: Trends Organised Crime (14) p. 42 accessed via Springerlink.com

<sup>89</sup> Goderie, M. & Boutellier, H. (2011) 'Een gevalstudie van mensenhandel' in: Proces (2)

<sup>90</sup> Alvarez, M.B. & Alessi, E.J. (2012) 'Human Trafficking is More Than Sex Trafficking and Prostitution: Implications for Social Work' in: Affilia (27)142

prostitution and neglecting other forms of sexual exploitation like domestic servitude and arranged marriages.<sup>91</sup>

Many of the difficulties in researching human trafficking arise out of a. the sheer amount of available data and b. the major differences within this data on the topic of human trafficking and c. the continuing limitations of verifying the available data.<sup>92</sup> One of the points of interest is the discrepancy in estimates concerning trafficking victims and traffickers and the number of prosecutions. This has attributed to the hidden and criminal nature of trafficking<sup>93</sup>, definitional ambiguities<sup>94</sup>, poor methodology<sup>95</sup> and a total lack of understanding of the trafficking process.<sup>96</sup>

These issues create a soil for the concept of moral panic and the underlying vicious circle of short-term action-reaction policy.<sup>97</sup> This type of policy bears the danger to neglect both victims' and suspects' rights and treatment as it only focusses on increasing the perceptions of safety and the peoples' general consent. This abolitionist view<sup>98</sup> as implemented within the by the United States (US) applied policy on both immigration and prostitution is a good and clear example of this ideology.<sup>99</sup> Billions of dollars are spent on

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<sup>91</sup> Ray, N. (2006) 'Looking at trafficking through a new lens' in: *Cardozo Journal of Law and Gender* 12

<sup>92</sup> Musto, J. (2013) 'Domestic minor sex trafficking and the detention-to-protect pipeline' in: *Dialect Anthropol*, accessed via Springerlink.com

<sup>93</sup> Wylie, G. (2006) 'Doing the impossible? Collecting data on the extent of trafficking' in: Anker, C.L. van de & Doornik, J. (eds.) 'Trafficking and Women's Rights' New York: Palgrave Macmillan.

<sup>94</sup> Newman, E., & Cameron, S. (2008) 'Introduction: Understanding human trafficking' in: Cameron, S. & Newman, E. (eds.) 'Trafficking in humans: Social, cultural and political dimensions'. Tokyo: United Nations University Press

<sup>95</sup> Sanghera, J. (2012) 'Unpacking the trafficking discourse' in: Kempadoo, K., Sanghera, J. & Pattaniak, B. 'Trafficking and prostitution reconsidered: perspectives on migration, sex work, and human rights' Boulder: Paradigm Publishers

<sup>96</sup> See:

- Segrave, M., Milivojevic, S., & Pickering, S. (2009) 'Sex trafficking: international context and response' Devon: Willan Publishing

- Roguski, M. (2013) 'Occupational health and safety of migrant sex workers in New-Zealand' Wellington: Kaitiaki Research and Evaluation p. 19

<sup>97</sup> Sanghera 2005 p.185 as cited by Oude Breuil, B.C., Siegel, D., Reenen, P. van, Beijer, A. & Roos, L. (2011) 'Human trafficking revisited: legal, enforcement and ethnographic narratives on sex trafficking to Western Europe' in: *Trends Organised Crime* (14) p. 32 accessed via Springerlink.com

<sup>98</sup> Outshoorn, J. (2005) 'The political debates on prostitution and trafficking of women' in: *Social Politics International Studies in Gender, State and Society* 12(1)

<sup>99</sup> Bernstein, E. (2010) 'Militarized Humanitarianism Meets Carceral Feminism: The Politics of Seks, Rights and

border control and keeping unwanted strangers from entering American territory. However, the lucky few who are able to obtain illegal entry, with or without the aid of smugglers, are from that moment on vulnerable and easily exposed to exploitation as they have lost the interest of the government and are seen as nothing more than unwanted criminalised aliens without any rights to facilities etc.<sup>100</sup> The traditional three Ps: Prevention, Protection and Prosecution<sup>101</sup> which stand at the basis of the US Trafficking Victim's Protection Act and which have also been adopted within the European approach<sup>102</sup>, emphasises the idea of protection. However, when protection exists out of incarcerating an illegal minor alien who is forced to work as a prostitute, for her own well-being and protection<sup>103</sup> the initial goals should be questioned as this person is clearly a victim who is entitled to help and a treatment as such. In this example, to be more specific, the person is not only a victim of human trafficking but also a victim of a failing system.<sup>104</sup> In turn this type of social victimisation can heighten victim's reliance on sex-trade facilitators and traffickers as they can protect them from the system itself and avoid incarceration and all negatives linked to it.<sup>105</sup>

As Lindquist in his article on anti-anti trafficking points out, in order to effectively combat human trafficking, it is not nor should it be '*an intellectual position in the struggle between ivory towers*'<sup>106</sup>, i.e. the ongoing discussion of

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- Freedom in Contemporary Antitrafficking Campaigns' in: Journal of Women in Culture and Society (36) 1
- <sup>100</sup> Musto, J. (2013) 'Domestic minor sex trafficking and the detention-to-protect pipeline' in: Dialect Anthropol, accessed via Springerlink.com
- <sup>101</sup> Mattar, M.Y. (2008) 'Comparative models of reporting mechanisms on the status of trafficking in human beings' in: Vanderbilt journal of transnational law, 41(1355)
- <sup>102</sup> GRETA (2011) 'First General Report on GRETA's activities: covering the period from February 2009 to July 2011' Strasbourg: Council of Europe ([http://www.coe.int/t/dghl/monitoring/trafficking/docs/Gen\\_Report/GRETA\\_2011\\_11\\_GenRpt\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Gen_Report/GRETA_2011_11_GenRpt_en.pdf)) 13/04/2014
- <sup>103</sup> Musto, J. (2013) 'Domestic minor sex trafficking and the detention-to-protect pipeline' in: Dialect Anthropol, accessed via Springerlink.com
- <sup>104</sup> - Bernstein, E. (2010) 'Militarized Humanitarianism Meets Carceral Feminism: The Politics of Seks, Rights and Freedom in Contemporary Antitrafficking Campaigns' in: Journal of Women in Culture and Society (36) 1
- Mir, T. (2013) 'Trick or treat: why minors engaged in prostitution should be treated as victims, not criminals' in: Family Court Review 51 (163)
- <sup>105</sup> Musto, J. (2013) 'Domestic minor sex trafficking and the detention-to-protect pipeline' in: Dialect Anthropol, accessed via Springerlink.com
- <sup>106</sup> Lindquist, J. (2013) 'Beyond anti-anti-trafficking' in: Dialect Anthropol, p. 322 accessed via Springerlink.com

criminalising prostitution, punters etc., but rather an empirical view and hands on phenomenon that points towards the way we deal with trafficking addressing it as a real life phenomenon with related problems and processes. He sees the concept of anti-anti trafficking as a new approach, a way of rethinking anti-trafficking efforts. In this sense he paves the way for a new and more bottom-up approaches. If we want to succeed in this way of rethinking we should first lift the debate out of the theoretical and into the empirical. As shown by the available reliable data, many women are being trafficked and forced into a life of prostitution and everybody will agree this is highly negative and the goal therefore should be to abolish this abuse and human right infringements as effective and as quickly as possible but before this can be achieved it is important to gain knowledge in the position of the victims, the motivations of the perpetrators, the applied modus operandi and operations from a local, national and international perspective. This should never be based upon mere thoughts but should always be deducted out of and supported by ethnographic valid scientific research.

### *3.2 Prostitution policy*

#### **Switzerland opens drive in 'sex boxes' to make prostitution safer**

**They look like shelters for hikers in a national park, but these wooden sheds in Switzerland have a rather less innocent purpose – they provide a discreet location for men to have sex with prostitutes.**

The drive-in "sex boxes" as they are being called, will be officially opened on August 26, as part of a drive by authorities in Zurich to regulate prostitution, combat pimping and improve security for sex workers. The nine garage-style structures, located in a former industrial zone in the west of the city, have been organised with typically Swiss precision.

Drivers will have to follow a clearly marked route along which up to 40 prostitutes will be stationed.





Once they have chosen one of the women and negotiated a fee, they will drive into one of the wooden sheds, which are hung with posters advocating the use of condoms and warning of the risk of Aids. The sex boxes are equipped with alarms which the prostitutes can activate if they feel in danger from a client.

The site is only open to drivers of cars – pedestrians and men on motorbikes are not allowed – and will operate from early evening until 5am each day.

The sex boxes are one of several measures intended to reduce the large numbers of prostitutes plying their trade

in residential areas and in the city centre, including a ban on soliciting along the Sihlquai river embankment. Men who solicit street workers outside three new approved zones, including the cluster of sex boxes, will face fines of up to 450 francs (£310).

"We want to regulate prostitution because until now it was the law of the jungle," said Michael Herzig, from Zurich's social welfare department, when the initiative was announced.

"It was the pimps who decided the prices, for instance. We are trying to reach a situation which is better for the prostitutes themselves, for their health and security and also for people who live in Zurich."

The £1.4 million project was approved by voters in Zurich last year in a referendum. While prostitution is legal in Switzerland, sex workers have to pay a tax of five Swiss francs (£3.50) each night that they work. Zurich authorities said the number of prostitutes working in the city had increased markedly in recent years, with many of them coming from Eastern Europe, particularly Hungary.<sup>107</sup>

This article above visualises and is able to shape one of the within Europe applies types of prostitution policy and by doing so, is also able, to simultaneously explain the measures taken within this specific ideology to facilitate women to secure them of safety, security and healthcare. Just as interesting is the statement in the closing, referring to the rise of prostitutes working in the city and the fact these women are coming from the East and

<sup>107</sup> Nick Squires, The Telegraph 06/08/2013 accessed via <http://www.telegraph.co.uk/news/worldnews/europe/switzerland/10247035/Switzerland-opens-drive-in-sex-boxes-to-make-prostitution-safer.html>

especially from Hungary.<sup>108</sup> This shows a lot of similarity to what has occurred within the implementation of prostitution policy in the Netherlands. One of the questions arising out of this comparison is that of the possibility that policy on legalising prostitution motivates women, from Eastern Europe, to go abroad and become active in prostitution. Specific policy being a pull factor and economic deprivation being a push factor, so to speak.

### 3.2.1 *Policy out of the neo-abolitionist and anti-abolitionist thought*

Like the Swiss, the Netherlands as a country have opted for an approach of legalising prostitution based upon the liberal values/human rights-based approach which states that a legal framework of individual rights can protect women's autonomy and enables them to escape slavery and seek restitution<sup>109</sup> and the Netherlands, as will show, have been criticised for it.<sup>110</sup> In general the Dutch policy on prostitution exist out of legalising the work as a voluntary prostitute in 1999<sup>111</sup> and lifting the brothel ban in the period of 2000<sup>112</sup> which was an important step towards achieving sex workers rights.<sup>113</sup> The term sex worker is adapted in this ideology in order to clarify the existence of a distinction between voluntary prostitution and exploitation by forced prostitution. This distinction however is not easily made<sup>114</sup>, as shown during the recent Europol actions in Brussels of December of 2013.<sup>115</sup> Within this research voluntary prostitution is seen as a rational decision, based upon the possibility

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<sup>108</sup> Finger, S. (2013) 'Ungarische Sexarbeiterinnen in Zürich zwischen Marginalisierung und Selbstbestimmung' in: Filep, B. Váradi, M., Walter, M. & Wastl, R. 'Grenzüberschreitende Nachbarschaften. Festschrift für Doris Wastl-Walter. Klagenfurter Geographische Schriften, Heft 29' Klagenfurt: Institut für Geographie und Regionalforschung

<sup>109</sup> Bekteshi, V., Gjermani, E. & Hook, M. van (2012) 'Modern day slavery: sex trafficking in Albania' in: International journal of social policy, 32(7/8), p. 487

<sup>110</sup> Pierette Pape, Europeans Women's Lobby Européen des femmes 23/01/2014 accessed via <http://womenlobby.org/news/european-international-news/article/punish-sex-buyers-to-reduce-prostitution-EP-committee-says.html>

<sup>111</sup> Outshoorn, J. (2012) 'Policy Change in Prostitution in the Netherlands: from Legalisation to Strict Control' in: Sexuality Research and Social Policy (9)

<sup>112</sup> Daalder, A.L., (2007) 'Prostitutie in Nederland na opheffing van het bordeelverbod' Den Haag: WODC/BJU

<sup>113</sup> Outshoorn, J. (2012) 'Policy Change in Prostitution in the Netherlands: from Legalisation to Strict Control' in: Sexuality Research and Social Policy (9) p. 234

<sup>114</sup> Pickering, S. & Ham, J. (2014) 'Hot Pants at the Border, Sorting Sex Work from Trafficking' in: British Journal of Criminology (54)1

<sup>115</sup> <https://www.europol.europa.eu/content/anti-human-trafficking-operation-hits-brussels%E2%80%99-red-light-district-013/01/2013>

for women to engage in sex work usually out of an economic motivation. Exploitation of women by forcing them into prostitution is a criminal act as will be elaborated on later on in this chapter. Prior to the moment of legalising prostitution was a long period of prohibition which started in 1911 with the so-called Morality Laws which at the same time also criminalised abortion and homosexuality. Prostitution and whoever made an earning out of it, except for the prostitutes themselves, became criminalised. Even though this was the legal standpoint, these laws were never fully lived up to and buying sex was not seen as a problem as long as public order was not threatened. In the 1960's the breakdown of the pillarization of Dutch society led to a political loss of the parliamentary majority for the religious political parties in 1967 and made it possible for the opposition to oppose the Morality Laws. This led to a protest by the association of Dutch municipalities who identified the problem of trafficking and sexual exploitation under the Morality Laws and wanted a policy change for them to act upon and by doing so create the possibility for an integrated approach to fight both trafficking and sexual exploitation. These actions were based upon the liberal idea of individual and women rights which gave women the right to choose a profession, even in sex work, which she can enter or leave voluntarily. When eventually in 1994 there were no Christian Democratic parties represented in the Dutch government, which was led by the socialist Wim Kok and which was called the purple cabinet (as was the result of the mix of political party colours which made up the government), this social-liberal coalition draw up a new bill to lift the ban on brothels.<sup>116</sup>

The policy of legalisation allowed women to choose freely and voluntarily for sex work orientated professions like a prostitute, stripper, adult movie actor etc. herself (same goes for a man if he wants to work as a prostitute. As this research currently only looks at the positioning of women, all statements made and examples given will be applicable for this group of respondents and this will therefore be referenced to as such) to work as a prostitute within a legal framework. In practice it comes down to the fact, a person has to register as an independent working prostitute with the Chamber

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<sup>116</sup> Outshoorn, J. (2012) 'Policy Change in Prostitution in the Netherlands: from Legalisation to Strict Control' in: *Sexuality Research and Social Policy* (9) p. 234-235

of Commerce and next to this she will need to be licensed by the municipality which gives her permission to exercise her profession within the limits of the borough. The woman can choose to do so as a person, a sole proprietorship so to speak, or start working in a brothel which already holds a license issued by the municipality, which in turn, allows them to facilitate people to work as a prostitute.

Within this framework, labour is one of the in total five barriers. The others being entry, identity, housing and financial flows. These are the key elements within the by the Dutch authorities applied barrier model to fight human trafficking. Every barrier represents a moment of interaction between perpetrator and/or victim on the one hand and (unconscious) legal facilitators on the other and offers the possibility to frustrate the process of human trafficking and exploitation.<sup>117</sup> Working as a non-licensed prostitute from a flat, brothel or as an escort is illegal as is on-street prostitution outside of a designated area which is supervised and regulated. This is necessary as on-street prostitution is commonly exercised by the most vulnerable and marginalised women. Besides this it holds the most dangers for both women and clients.<sup>118</sup> These ways of soliciting oneself are investigated by the police and increasingly combated through administrative law while the one-street variety is prevented solely by means of police investigation and it has a penalising effect through costly fines for both punters and prostitutes. Prostitutes who are repeated offenders are seen as victims, as most of the time it concerns women with an addiction to hard drugs and the authorities will try to 'help' them by enforcing a penal measure which is not punishment but rather an option to help the, by circumstances into criminality forced victim. In this example the basis for the Dutch system is portrait as the status of women as a prostitute is legalised, healthcare and access to the legal system is widely available and the women are protected from abuse and exploitation. Although

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<sup>117</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel. Effectieve aanpak op gemeentelijk niveau. Lessen uit de praktijk' Den Haag: BNRM p. 165

<sup>118</sup> See

- Balogi, A., Sebhelyi, V., Sik, E. & Szegö, D. (2006) 'Report on the demand side of sexual services in Hungary' Budapest: ICCR-Budapest Foundation

- Matthews, R. (2008) 'Prostitution, Politics and Policy' Oxon: Routledge Cavendish



that ought to be case theoretically speaking.<sup>119</sup> As both previous and underlying research will show, theory and practice do not always go hand in hand. The reason for this being the discrepancy between legal constructs brought forth out of external interests and empirical practise.

Owners of brothels and massage parlours<sup>120</sup> will need to ensure themselves of the fact the persons working in their facility are doing so out of their own free will and if they are at least 21 years of age. For this the prostitute will need to hand over identification and other relevant documents. The prostitute who chooses to be self-employed can work out of a flat (with a permit) for in-call and out-call, work sole as an escort, or hire a window to work from. These are the limited legal options in regards to working as a prostitute and when a person works within this system it provides them with healthcare and safety but also offers the possibility of social inclusion and it confirms the legal status of the women's profession by having the prostitute pay taxes etc.

Because, of the need of registration of the women at the chamber of commerce, to register they will need to file a request for a work license which needs to be reviewed and to be renewed frequently. Because of this administrative hurdle, a lot of women (either forced or not) decide to conduct their sex work activities out of an illegal setting. This makes it almost impossible to calculate the exact number of women involved within prostitution.<sup>121</sup> Even less can be said about the number of foreign women who are involved in prostitution. It is estimated that over 60% of the prostitutes does not hold the Dutch nationality, which in turn does not mean they are conducting their work illegally<sup>122</sup> as many of these women are residents of member states of the

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<sup>119</sup> See

- Daalder, A.L., (2007) 'Prostitutie in Nederland na opheffing van het bordeelverbod' Den Haag: WODC/BJU
- Bunt, H.G. van de (2007) 'In het hart van de vergunde sector' in: Justitiële verkenningen, 33(7)
- Kate, W. ten (2013) 'Mensenhandel: Moderne slavernij' Deventer: Kluwer

<sup>120</sup> Kromhout, M., Wubs, H. & Beenackers, E. (2008) 'Illegaal verblijf in Nederland. Een literatuuronderzoek' Cahier 2008-3 Den Haag: WODC

<sup>121</sup> Staring, R.H.J.M. (2012). 'Human trafficking in the Netherlands: trends and recent developments' in: International review of law, computers & technology, 26(1) p. 62

<sup>122</sup> Staring, R. (2012) 'Crimmigrație en de morele economie van illegale vreemdelingen' in: Proces 91(6)

European Union who are therefore able to travel freely to the Netherlands, within the concept of free movement of persons.<sup>123</sup> Since Hungary entered the European Union in 2004 and Romania in 2007, Dutch cities witnessed a rise in migrants from these countries.<sup>124</sup> Most of them came to the Netherlands to work legally in construction or in the agricultural sector but the side effect was the overrepresentation of foreign women in the Dutch sex work sector. In example, Comensha or La Strada Netherlands, which is the central organisation for coordination of human trafficking victims, reports that the number of registered applications of trafficking victims in the year 2004 had risen 57% in comparison with 2003 and another rise of nearly 24% in 2007.<sup>125</sup> In comparison, years with no new Eastern European entries into the European Union and the Schengen area, numbers levelled or even went down<sup>126</sup> although over the previous years a rise was reported of 10% in 2010 and 25% in 2011.<sup>127</sup> Clear explanations on these rises however, are not detected but perhaps global economic conditions play an important role in explaining the rise.

Over half of the trafficked women are being trafficked for sexual exploitation<sup>128</sup> and there are no indicators that would suggest this would not apply in the case of native Hungarian speaking women in the Netherlands. The question arises if the, by a state implemented system and its prostitution policy, contributes to the trafficking of women with the goal of sexually exploiting them. If we must believe the German magazine Der Spiegel<sup>129</sup> a system of legalisation in itself will contribute to human trafficking and forced prostitution as this allows men and women with wrongful intentions to conduct their business within a legal framework. However, legalising and monitoring, also provides a better coverage of health promotion programs and safer

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<sup>123</sup> Directive 2004/38/EC

<sup>124</sup> Salt, J. & Hogarth, J. (2000) 'Migrant trafficking and human smuggling in Europe: a review of the evidence with case studies from Hungary, Poland and Ukraine' Geneva: International Organisation for Migration

<sup>125</sup> CoMensha (2008) 'Jaarverslag 2007' p. 6 accessed via (<http://www.mensenhandel.nl/cms/docs/jaarverslag2007.pdf>) 12/08/2013

<sup>126</sup> Comensha La Strada Nederland (2013) 'Maandrapportage juni 2013' accessed via (<http://www.mensenhandel.nl/cms/docs/maandrapportagejuli2013.pdf>) 05/09/2013

<sup>127</sup> <http://www.hetccv-trends.nl/veiligheidsontwikkelingen/illegale-prostitutie#trends> (22/08/2013)

<sup>128</sup> Eurostat (2013) 'Trafficking in human beings'. Luxembourg: Publications Office of the European Union

<sup>129</sup> Der Spiegel (2013) 'Bordell Deutschland. Wie der Staat Frauenhandel und Prostitution fördert' p. 22 23/05/2013

working conditions for sex workers.<sup>130</sup> The Netherlands is one of the countries which have opted for a system based upon regulation out of a healthcare perspective instead of a criminal law legislative de-regulation as is mentioned in *Der Spiegel*.<sup>131</sup> Within this ideology the Dutch government enforces the protection of individual freedom as the second most important aim right after combating trafficking and sexual exploitation.<sup>132</sup> By doing so shifting from a pure regulatory orientation onto a focus of human rights based de-regulation.<sup>133</sup> The Dutch system is highly criticised and apparently failing on all levels<sup>134</sup> as sex entrepreneurs are seemingly unwilling to work within the legal business as then they will have to pay taxes and uphold labour law working conditions for the women working for them.<sup>135</sup> Beside this the state itself would also act like a pimp as it lives of immoral earnings, by letting victims pay taxes over their extortion. Therefore the Dutch authorities would encourage people who want to be involved in this 'shady' business to become active.<sup>136</sup> The question arises if these anti-legalisation supporters are right in their considerations and if so why they do not opt in with a workable system which would fit the historical, social and political context of each country which adapted a policy towards the legalisation of prostitution? As these anti-legalisation supporters up until now did not, these questions remain unanswered and the anti-legislation lobby is most likely unable to provide a fitting alternative respecting Dutch attitude and views towards prostitution policy.

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<sup>130</sup> Harcourt, C., O'Connor, J., Egger, S., Fairley, C.K., Wand, H., Chen, M.Y., Marshall, L., Kaldor, J.M. & Donovan, B. (2010) 'The decriminalisation of prostitution is associated with better coverage of health promotion programs for sex workers' in: *Australian and New Zealand Journal of Public Health* 34 (5)

<sup>131</sup> *Der Spiegel* (2013) 'Bordell Deutschland. Wie der Staat Frauenhandel und Prostitution fördert' p. 22 23/05/2013

<sup>132</sup> Oude Breuil, B.C., Siegel, D., Reenen, P. van, Beijer, A. & Roos, L. (2011) 'Human trafficking revisited: legal, enforcement and ethnographic narratives on sex trafficking to Western Europe' in: *Trends Organised Crime* (14) accessed via Springerlink.com

<sup>133</sup> Hancilova, B. & Massey, C. (2009) 'Legislation and the Situation Concerning Trafficking in Human Beings for the Purpose of Sexual Exploitation in EU Member States' Vienna: ICMPD p. 286

<sup>134</sup> O'Brien, C. (2009) 'An analysis of global sex trafficking' in: *Indiana Journal of Political Science* Winter 2008-2009

<sup>135</sup> Matthews, R. (2008) 'Prostitution, Politics and Policy' Oxon: Routledge Cavendish

<sup>136</sup> *Ibid*

It is quite easy to oppose a system which attacks some of the fundamental society based Christian values.<sup>137</sup> This ideology is frequently portrayed within the work of know feminist journalists like Bindel who as reporter for the Guardian frequently works with Matthews on this topic and other scholars like in general Farley.<sup>138</sup> This opposition however simply prohibits and ignores the existence of the problem allowing it to grow like a cancer, so to speak, instead of abolishing it as stated by Barry.<sup>139</sup> Yes, the Netherlands have made some fundamental errors and yes there are still issues with human trafficking and forced prostitution but so have all other countries despite of the system which is currently in force. The numeric differences are most likely caused by the way authorities register perpetration and victimisation, rather than the policy which is in effect. Legalising prostitution basically also has its positive effects. The licensed part is well controlled to meet the set standard and human trafficking has went down.<sup>140</sup> Despite these positive effects lifting the brothel ban has been responsible for creating a monstrosity of a system<sup>141</sup> which in turn makes it uncontrollable from all angels and interests. Similar to Dutch soft drugs policy, in which the Netherlands took a leading position in innovative and bold political decisions which function as a pilot for other countries which in turn benefited of the legislative and political trial and error period and the best practices out of the Netherlands.<sup>142</sup> A pilot always consists out of a system of trial and error and assessing more recent legalisation policies i.e. that of New Zealand which legalises sex work under similar conditions as in the Netherlands but contrary to the Dutch, the government of New Zealand have been able to bring

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<sup>137</sup> Raymond, J.G. (2003) 'Ten reasons for not legalising prostitution and a legal response to the demand for prostitution' in: Farley, M. (eds.) 'Prostitution, Trafficking and Traumatic Stress' Binghamton: The Haworth Maltreatment and Trauma Press

<sup>138</sup> When referring to Farley the next citation is appropriate: "...as Farley has outlined a paternalistic view of sex work and has categorised sex work as a form of violence against women (Farley et al., 1998). She has also denigrated the occupational status of sex work by referring to female sex workers as 'prostituted women' (Farley, 2004). As these definitions do not accord with those used in the current review..." in: Roguski, M. (2013) 'Occupational health and safety of migrant sex workers in New-Zealand' Wellington: Kaitiaki Research and Evaluation p. 13

<sup>139</sup> Barry, K. (2013) 'Abolishing prostitution: A feminist human rights treaty' accessed via (<http://www.womensmediacenter.com/feature/entry/abolishing-prostitution-a-feminist-human-rights-treaty>) 14/08/2013

<sup>140</sup> Bunt, H.G. van de (2007) 'In het hart van de vergunde sector' in: Justitiële verkenningen, 33(7)

<sup>141</sup> Bunt, H.G. van de (2007) 'In het hart van de vergunde sector' in: Justitiële verkenningen, 33(7) p. 79

<sup>142</sup> Rij, J. van (2012) 'A Dutch Invitation: Hungarian Women Welcome?' in: JURA 2012(2)

awareness to the people on the dangers and negative aspects as they co-exist with prostitution and other forms of sex work. By doing so, they were able to limit forced prostitution to an absolute minimum.<sup>143</sup> This should be prove that legalisation is still a feasible policy option and in the basis could be a formula for success in combating human trafficking, and the sexual exploitation of women. At the same time this opposes the arguments given by Farley that punters who buy sex of women, groups promoting legalisation and governments that tolerate and facilitate prostitution form an alliance that would threaten all women. Legalisation of prostitution by the state in turn, in Farley's deliberation, will lead to banal verbal humiliation, dominating and degrading behaviour and even lethal assault.<sup>144</sup> Farley as the personification of the neo-abolitionist movement in her statement ignores the fact that men are also working as prostitutes and are being exploited and the fact there are women who make use of the services of male prostitutes. Her lack of cultural relativism<sup>145</sup> as also shown by i.e. the Swedish policy makers makes a normal (scientific) discussion on the topic of legalisation or the regulation of prostitution as normalised sex work, near to impossible.

It is currently trendy for authorities/governments to adapt the ideas out of the Swedish model<sup>146</sup> which is based on the ideology of the sexual difference model which recognises essential differences between the genders and argues that the law should be gender sensitive and support the equal valuing and cultural status of women.<sup>147</sup> Even in the Netherlands politicians are calling for a

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<sup>143</sup> Roguski, M. (2013) 'Occupational health and safety of migrant sex workers in New-Zealand' Wellington: Kaitiaki Research and Evaluation p. V

<sup>144</sup> Farley, M. (2006). 'Prostitution, trafficking, and cultural amnesia: What we must not know in order to keep the business of sexual exploitation running smoothly' in: *The Yale Journal of Law and Feminism* 18 p. 134-135

<sup>145</sup> Cliteur, P (1999) 'De filosofie van mensenrechten' Nijmegen: Ars Aequi Libri

<sup>146</sup> -Pierette Pape, Europeans Women's Lobby Européen des femmes 23/01/2014 accessed via (<http://womenlobby.org/news/european-international-news/article/punish-sex-buyers-to-reduce-prostitution-EP-committee-says.html>)  
- See non-binding resolution on combating Violence Against Women (2013/2004(INL) of 25/02/2014 by Mary Honeyball accessed via <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P7-TA-2014-0126#BKMD-30>

<sup>147</sup> Bekteshi, V., Gjermani, E. & Hook, M. van (2012) 'Modern day slavery: sex trafficking in Albania' in: *International journal of social policy*, 32(7/8), p. 487

shift towards the Nordic thought.<sup>148</sup> The question which arises is why? Let start by looking at the basis for the Swedish model which was set out in 1986 during the UNESCO conference in Madrid.<sup>149</sup> This was the first time a discussion was started which mentioned the criminalisation of buyers of sexual services rather than punishing the ones selling it.<sup>150</sup> It was seen that men who buy sex of women commit a violence act against them and therefore they should be punishable by law. This idea of repression disguised as feminist prevention served as compensation for a lack of gender equality in Sweden in that period of time.<sup>151</sup> Scholars, policy makers and all others who oppose to a system of legalisation portray this model as the solution as it would not only create a basis for equality between the sexes but it would also reduce human trafficking and sexual exploitation of its victims.<sup>152</sup> The latter however is not supported by any statistics as Sweden is one of the countries who have been unable to produce and supply recent and relevant and validated information<sup>153</sup> on the nature and extent of human trafficking and forced prostitution<sup>154</sup> to Eurostat and other data gathering institutions.<sup>155</sup> The Swedish model nowadays is less prominent as it has merged into a Scandinavian system as Iceland, Norway and Finland have opted for an adapted version of the Swedish model.<sup>156</sup> As the Swedish model have proven in its course to criminalise clients and has also

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<sup>148</sup> Conference 'Andere kijk op prostitutie' The Hague 23/09/2013

<sup>149</sup> Polisen (2000) 'Trafficking in women. Situation report no.3' accessed via ([http://polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking\\_1998\\_/Trafficking\\_report\\_3\\_20001231.pdf](http://polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking_1998_/Trafficking_report_3_20001231.pdf))

<sup>150</sup> Gould, A. (2001) 'The Criminalization of Buying Sex: the Politics of Prostitution in Sweden' in: *Journal of Social Policy* 30

<sup>151</sup> Skillbrei, M.L. & Holmström, C. (2011) 'Is there a Nordic Prostitution Regime?' in: *Crime and Justice*, 40(1)

<sup>152</sup> Bindel, J. & Kelly, L. (2003) 'A Critical Examination of Responses to Prostitution in Four Countries: Victoria, Australia, Ireland, The Netherlands and Sweden' London: Child on Women Abuse Studies Unit of London Metropolitan University

<sup>153</sup> Most of the information available is based upon police reports as analysed by the Swedish National Crime Prevention Council (BRÅ) and they have detected 35 human trafficking for sexual exploitation cases in 2011. See Polisen (2012) 'Trafficking in human beings for sexual and other purposes. Situation report 13' accessed via

([http://polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking\\_1998\\_/Trafficking\\_report\\_13\\_20130530.pdf](http://polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking_1998_/Trafficking_report_13_20130530.pdf)) 20/03/2014

<sup>154</sup> Respondent Patrik Cederlöf (23/09/2013)

<sup>155</sup> Skillbrei, M.L. & Holmström, C. (2013) 'Prostitution Policy in the Nordic Region. Ambiguous Sympathies' Surrey: Ashgate

<sup>156</sup> Skillbrei, M.L. & Holmström, C. (2011) 'Is there a Nordic Prostitution Regime?' in: *Crime and Justice*, 40(1)

increased the risk of victimisation of sex workers.<sup>157</sup> This model was set up to be not only effective in Sweden but also to be exported<sup>158</sup> which could be seen as successful strategy considering the current trends in prostitution policy in France and the United Kingdom<sup>159</sup>, next to the broad Scandinavian implementation of the Swedish model. To avoid similar situations of increased vulnerability and victimisation amongst sex-workers<sup>160</sup>, an option could be to legalise prostitution but to criminalise pimp, to place a ban on pimping so to speak. The criminalisation of pimp was lifted together with the implementation of the brothel ban in 2000. This idea was opted by a regional judge, Lemaire<sup>161</sup> who is allied to the Arnhem Court of Justice in the Netherlands and who out of his own experiences concludes this method could be effective.<sup>162</sup>

In the basis all currently adapted prostitution policies, regarding political and social considerations and applications, is gender based and set up with the intention and aim to abolish or limit sexual abuse and victimisation emanated from human trafficking.<sup>163</sup> The Utrecht Conference on Trafficking in Persons of 1994 called for a system of decriminalisation of prostitution in order to improve working conditions and health and safety aspects for the people involved in the sex industry. This conference and the thoughts it portrayed stood at the basis for the Dutch policy of legalising work as a sex worker and the lifting of the brothel ban. This concept in turn was based upon a healthcare orientated consideration within the ideology of total female emancipation, as women should be able to freely choose a profession in sex work and operate freely

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<sup>157</sup> Chuang, J.A. (2010) 'Rescuing trafficking from ideological capture: Prostitution reform and anti-trafficking law and policy' in: University of Pennsylvania Law Review 158

<sup>158</sup> Dodillet, S. & Östergren, P. (2011) 'The Swedish Sex Purchase Act: Claimed Success and Documented Effects' p. 1 accessed via (<http://www.chezstella.org/docs/etude-suede-2011.pdf>) 22/12/2013

<sup>159</sup> Skillbrei, M.L. & Holmström, C. (2013) 'The 'Nordic model' of prostitution law is a myth' accessed via (<http://theconversation.com/the-nordic-model-of-prostitution-law-is-a-myth-21351>) 16/12/2013

<sup>160</sup> Polisen (2012) 'Trafficking in human beings for sexual and other purposes. Situation report 13' accessed via ([http://polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking\\_1998\\_/Trafficking\\_report\\_13\\_20130530.pdf](http://polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking_1998_/Trafficking_report_13_20130530.pdf)) 20/03/2014

<sup>161</sup> Novum, Nu.nl 13/07/2013 accessed via

<http://www.nu.nl/binnenland/3402475/rechter-wil-herinvoering-pooierverbod.html>

<sup>162</sup> Respondent Peter Lemaire (23/09/2013)

<sup>163</sup> O'Brien, C. (2009) 'An analysis of global sex trafficking' in: Indiana Journal of Political Science Winter 2008-2009

within society, free of pimps, extortion etc. This orientation was based upon the by Mill set out liberal principles of '*over himself, over his own body and mind*'<sup>164</sup>, rather than the Swedish criminal law approach which was based upon the exploitation hypotheses which sees women solely as mere victims. This Exploitation hypothesis exist out of three pillars. The first pillar is radical separatist lesbian feminism which argues that all heterosexual sex is exploitation. the second derives from the ideology of Marx and therefore called Marxist feminism which states that all work is exploitation and the third pillar is religious evangelism that argues that all non-procreational sex is wrong<sup>165</sup> and by doing so harming victims of human trafficking.<sup>166</sup>

The contradictions between these two apparent opposite directions each representing a position in the on-going battle of second wave feminism which started in the late 1970's and now is renewed within the field of human trafficking.<sup>167</sup> On the one hand you have the neo-abolitionist who's followers uphold the idea of sex work never to be voluntary.<sup>168</sup> This is based upon the exploitation hypothesis and because of this notion neo-abolitionist perceive all forms of sex-work to be a form of patriarchal oppression and essentially, an act of violence towards women.<sup>169</sup> While on the other side you have the anti-abolitionist movement which constitutes out of sex workers' rights groups, who perceive sex work as a consensual choice.<sup>170</sup> The contradictions in both standpoints made it difficult to construct an all accepted view on trafficking and 'forced' sex work. As sex work in the eye of a neo-abolitionist can never be a free choice and therefore always is forced<sup>171</sup> and of which women need to be

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<sup>164</sup> Brooks-Gordon, B. (2010) 'Sex Work' in: Brookman, F, Maguire, M., Pierpont, H & Bennett, T. 'handbook on Crime' p. 555 Devon: Willan Publishing

<sup>165</sup> Brooks-Gordon, B. (2010) 'Sex Work' in: Brookman, F, Maguire, M., Pierpont, H & Bennett, T. 'handbook on Crime' p. 254 Devon: Willan Publishing

<sup>166</sup> Chelsen Vicari, Christian Post 16/01/2014 'How Churches are Harming Human Trafficking Victims' via <http://www.christianpost.com/news/how-churches-are-harming-human-trafficking-victims-112802/>

<sup>167</sup> Roguski, M. (2013) 'Occupational health and safety of migrant sex workers in New-Zealand' Wellington: Kaitiaki Research and Evaluation

<sup>168</sup> Chuang, J.A. (2006) 'The United States as global sheriff: Using unilateral sanctions to combat human trafficking' in: Michigan Journal of International Law 27

<sup>169</sup> Lee, M. (2011) 'Trafficking and global crime control' London: Sage Publications

<sup>170</sup> Chuang, J.A. (2006) 'The United States as global sheriff: Using unilateral sanctions to combat human trafficking' in: Michigan Journal of International Law 27

<sup>171</sup> Roguski, M. (2013) 'Occupational health and safety of migrant sex workers in New-Zealand' Wellington:



protected by the authorities. Across the ocean in the United States of America, the neo-abolitionist claimed a victory with the enactment of the Victim of Trafficking and Violence Protection Act (VTVPA) which provided a legislative ground to combat trafficking in persons prohibiting all forms of prostitution.<sup>172</sup> While countries like Canada, Australia and New Zealand were leaning more towards an anti-abolitionist direction. In the basis every discussion on modern day slavery, whether it involves sexual exploitation or not is not a battle against abstract economic forces of crime but a political and moral struggle over the kind of society we want to live in.<sup>173</sup>

Following table (figure 6) gives a schematically overview of all main (ideological) approaches to prostitution.

	PROHIBITIONIST	REGULATORY	ABOLITIONIST <sup>174</sup>
<b>Ideologies (prostitution)</b>	Tacit acceptance of it.	Acceptance of this social phenomenon as “necessary evil”.	Accepting it as personal behaviour.
	Poses a threat to public morals and order.	Poses a threat to public morals and order.	Poses a threat to public morals and order.
<b>Goals</b>	Prohibition of prostitution and its institutions.	Legalising prostitution in “houses” and “designed districts”.	Accepting and permitting prostitution under certain circumstances and on individual basis.
		Controlling illegal prostitution.	Banning organised prostitution.
		Banning international trade.	Banning international trade.

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<sup>172</sup> Mattar, M.Y. (2008) ‘Comparative models of reporting mechanisms on the status of trafficking in human beings’ in: Vanderbilt journal of transnational law, 41(1355)

<sup>173</sup> Neil Howard, The Guardian 07/11/2014 accessed via <http://www.theguardian.com/global-development--professionals-network/2013/nov/07/forced-labour-slavery-crime.html>

<sup>174</sup> *“It should be highlighted there exist two modes of the usage of the term ‘abolition’ within the sex work and prostitution discourse. One is based on the meaning of promoting ‘eradication’ of prostitution itself, representing a strong anti-prostitution policy, the other is, in the opposite way, expressing the need to ‘cancel’ any regulation, thus being a liberal policy.”*

Bianchi, G., Luksik, I., & Popper, M. (2007) ‘Between demand and supply’ Bratislava: Department of social and biological communication and centre of excellence/Slovak Academy of Science p. 24

<b>Venue of Prostitution</b>	Prohibition.	Acceptance of “houses” and “designed districts”.	Accepting prostitution as an individual behaviour.
<b>Police registration</b>	None.	Exists. <sup>175</sup>	There are none in theory.
<b>Medical Check-Up</b>	None.	Only for the prostitute and under supervision of specialist of the public morals department of the police.	None in theory
<b>The Prostitutes<sup>176</sup></b>	Seen as criminals.	Prostituting someone against their will is a crime and the exploitive illegal operating pimp a criminal.	Prostituting someone is a crime and the pimp a criminal.
<b>Clients</b>	Seen as criminals.	Seen as consumers/clients.	Seen as criminals.

These approaches can be further extended and shaped into specific types of policy and their implications which schematically looks like:<sup>177</sup> (figure 7)

<b>TERM</b>	<b>WHAT IS MEANT<sup>178</sup></b>	<b>WHAT IS MEANT<sup>179</sup></b>
<b>Abolition</b>	Prostitution should be banned and third parties criminalised with the prostitute herself not liable to state penalties.	‘Old Abolitionism’: Outdoor and indoor prostitution is not prohibited, the state tolerates prostitution of adults but criminalises profiting from another persons’ prostitution.
		‘New Abolitionism’: Outdoor and indoor prostitution are not prohibited, but the state explicitly prohibits the existence of brothels.

<sup>175</sup> This is the foremost reason why the Netherlands have a wealth of data available on the investigation and prosecution of human trafficking. In turn this has created a performance paradox in which the police can never meet the set standards.

<sup>176</sup> The situation regarding the prostitutes and the clients have been adapted by the author to meet the current standard of the implementation of policy.

<sup>177</sup> Hancilova, B. & Massey, C. (2009) ‘Legislation and the Situation Concerning Trafficking in Human Beings for the Purpose of Sexual Exploitation in EU Member States’ Vienna: ICMPD p. 286

<sup>178</sup> Outshoorn, J. (2004) ‘The Politics of Prostitution: Women’s Movements, Democratic States and the Globalisation of Sex Commerce’ Cambridge: Cambridge University Press p. 8

<sup>179</sup> Di Nicola, A. et. al. (2005) ‘Study on National Legislation on Prostitution and the trafficking in Women and Children’ p. VIII accessed via [http://transcrime.cs.unitn.it/tc/fso/pubblicazioni/AP/legislation\\_on\\_prostitution\\_english.pdf](http://transcrime.cs.unitn.it/tc/fso/pubblicazioni/AP/legislation_on_prostitution_english.pdf)

<b>Prohibitionism</b>	All prostitution is illegal and all parties are liable to penalties.	Outdoor and indoor prostitution are prohibited and parties involved in prostitution can be liable to penalties.
<b>Regulation</b>	Regulation denotes state intervention in the prostitution industry. This may take various forms –allowing brothels or red light zones, various health requirements for prostitutes and various registration requirements.	Outdoor and indoor prostitution are regulated by the State. They are not prohibited when exercised according to this regulation.

The two things these three totally different ideologies have in common are, at the one hand the fact they all aim to abolish the sexual exploitation of women and on the other, the period in time they were thought out and entered into force. Both the Dutch orientation based upon legalisation/regulation and the policy of prohibition in the United States of America, became in effect in 2000 while the Swedish adapted their system of abolition a year before in 1999. This equals the moment the UN protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime was issued and which eventually entered into force in 2003.

In turn this has led to several prostitution paradigms which are as follows<sup>180</sup> (figure 8):

PARADIGM	POSSIBLE CONNOTATIONS	
<b>Criminalisation</b>	Prohibition	Sex work is a social evil that should be subjected to penal measures for both the provider and buyer of sexual services
	Toleration	Sex work is a necessary evil. The legal framework is generally silent on the legality of prostitution itself and it refrains from specifically targeting the sex worker
<b>Decriminalisation</b>	Sex work is a personal choice, and thus a private matter between consenting adults. Consensual relationships between sex workers and pimps, brothel owners, clients and landlords and the acts arising out of	

<sup>180</sup> Hancilova, B. & Massey, C. (2009) 'Legislation and the Situation Concerning Trafficking in Human Beings for the Purpose of Sexual Exploitation in EU Member States' Vienna: ICMPD p. 286

	such relationships are viewed outside the purview of criminal law, while non-consensual acts (forced prostitution) are punishable
<b>Legislation/regulation</b>	Seeks to address prostitution outside the purview of criminal law by regulating prostitution through zoning, licensing and, in some cases, mandatory health checks
<b>Decriminalisation + Human rights approach</b>	As for 'decriminalisation' plus calls for the protection of the legal rights of sex workers

The limited amount of time between the implementation of the systems suggest there have been issues with human trafficking and sexual exploitation for a longer period of time, due to the on-going debate of conceptualising 'exploitation' and 'forced' labour.

Human trafficking as a worldwide phenomenon and as a type of serious transnational organised crime with serious social effects, it is almost impossible to understand why the different governments and other relevant parties have been opposing each other so long on different routes of fighting this social issues. Only recently, in 2010, the Council of the European Union has adapted their priorities and intend to focus on a more fundamental and hands on approach to act upon this type of serious organised crime which infringes upon fundamental human rights<sup>181</sup> as stated in Program 2010C/ 115/01 and Directive 2011/36/EU. This European turnaround opens the way for another discussion which eventually could lead to what is described by MacKinnon as adequate policy.<sup>182</sup> This policy exists out of three elements, the first being decriminalizing and supporting people in prostitution, the second being the criminalisation of buyers of sex from trafficking victims and finally, effectively criminalizing third-party profiteers.<sup>183</sup> This MacKinnon concept uses the shared protective feminist ideology of women's protection as a basis while it applies the anti-abolitionist thought of decriminalisation and legislation, as seen in the

<sup>181</sup> Rijken, C. (2009) 'A human rights based approach to trafficking in human beings' In: Security and Human Rights, 3

<sup>182</sup> MacKinnon, C.A., (2011) 'Trafficking, Prostitution and Inequality' in: Harvard Rights-Civil Liberties Law Review (46)

<sup>183</sup> MacKinnon, C.A., (2011) 'Trafficking, Prostitution and Inequality' in: Harvard Rights-Civil Liberties Law Review (46) p. 307

Netherlands, and combines it with the Nordic orientation based upon the neo-abolitionist thought.

### 3.2.2 Dutch policy actual changes

Dutch prostitution policy, similar to the identifiable movements within the EU<sup>184</sup>, is also under revision as in 2009 the proposal regulating prostitution and combat abuse within the sex industry (EK 32.211, A)<sup>185</sup> was submitted in parliament. This proposal aimed to combat any misdoings in prostitution and aims to limit local and regional differences. With the help of this proposal, all types of prostitution need to be transferred into a form of regulation in order to ease monitoring and enforcement out of both criminal and administrative law.

The goals set out in this proposal are as follows<sup>186</sup>:

- Human trafficking will be dealt with by an integrated approach.
- Signs of human trafficking will, without exception, be submitted to further investigation.
- When starting points for an investigation are discovered, the public prosecutors' office needs to be consulted on the possibility of a successful prosecution and given permission to start an investigation.
- A financial investigation is an integrated part of the investigation lead by the public prosecutors' office and executed by the police and a prosecution will include the aim to decrease the illegally obtained assets.
- Within this approach, international cooperation will be sought after.
- A victim centred orientated approach needs to be applied in which victim victims are treated properly and with attention to their specific situation. Victims are supported during the course of justice, for example, in obtaining compensation. Victims are protected from prosecution for

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<sup>184</sup> See

- Weitzer, R. (2013) 'Legalizing Prostitution: From Illicit Vice to Lawful Business' New York: New York University Press

- Mendes Bota, J. (2014) 'Prostitution, trafficking and modern day slavery in Europe'. Parliamentary Assembly Doc. 13446, 20-03-2014

<sup>185</sup> [https://www.eerstekamer.nl/behandeling/20110329/gewijzigd\\_voorstel\\_van\\_wet\\_6/f=/vip396xd6csy.pdf](https://www.eerstekamer.nl/behandeling/20110329/gewijzigd_voorstel_van_wet_6/f=/vip396xd6csy.pdf)

<sup>186</sup> BWBR0033564 07/01/2014 accessed via

[http://wetten.overheid.nl/BWBR0033564/geldigheidsdatum\\_07-01-2014/informatie](http://wetten.overheid.nl/BWBR0033564/geldigheidsdatum_07-01-2014/informatie) (13/01/2014)

crimes they have been compelled to commit as a victim of human trafficking and (the effects of) secondary victimisation.

The following important adjustments were suggested in the proposal<sup>187</sup>:

- Licensing:
  - According to the proposal it is illegal to practice a business without a license. Examples of businesses are brothels, escort agencies and sex theatres. The proposal includes all mandatory and possible grounds for refusal.
  - Businesses that fail to uphold the standard are banned.
  - The bill is the introduction of a national register of refused, suspended and revoked licenses for prostitution businesses.
  - The mayors of municipalities where licenses are distributed to businesses, are granted access to the registry.
  - A mayor can therefore quickly determine whether an operator has ever made an application in another municipality.
  - In addition to the mayors the regulators and BIBOB office are granted access to the registry.
  - The municipality has the option to uphold a set maximum number of licenses.
  - The proposal also makes it possible for the municipality to apply a zero option policy.
  - The conditions for upholding a zero option policy are; (i) the protection of public order, (ii) the living environment or (iii) the safety and health of prostitutes or clients.
- National register for escort services: A national register for licenses granted to escort businesses will be set up and this will include all licenses granted by municipalities to escort businesses.
- Minimum age: The minimum age to work as a prostitute will be increased from 18 to 21.
- Supervision: For monitoring the permit conditions the mayor shall appoint special officials. In doing so, if the proposal passes, at least an officials of the municipality needs to be included in each case.

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<sup>187</sup> <http://www.hetccv.nl/instrumenten/Prostitutiebeleid/index?filter=Achtergrondinformatie> (21/08/2013)

According to the proposal, the main reasons for the on-going abuses within the sex business are<sup>188</sup>:

- Regional disparities.
- (To) little supervision and control of non-licensed businesses, escort services and in call services by internet soliciting.
- Increased risk of exploitation and abuse.
- Customers who make use of the services of a prostitute of whom one has doubts whether she is working voluntarily. (see key findings appendix B).

In October of 2012 the Dutch senate declared some essential elements i.e. the obligation of registration and criminalising the buying of non-licensed services offered by women and businesses, controversially and decided to put the proposal on hold. Therefore the proposal cannot become in effect.<sup>189</sup> However, in January of 2014 the designation human trafficking<sup>190</sup> became in effect. With this designation the Dutch minister of Security and Justice (Ivo Opstelten) can avoid/neglect comments made by the senate. The designation include those elements out of the proposal which were already being implemented by local authorities i.e. municipalities. One of these elements, raising the minimum age for women to engage in sex work from 18 to 21 years was found less controversial by the senate and others and therefore already partially implemented by municipalities after the first announcement. The effects are easily recognised while going over the advertisements on the internet of women soliciting themselves and who already state the age is 22 or up. This is done to avoid suspicion and controls by the police or municipality officials under administrative law. Other preventive changes related to points addressed in the proposal and included in the designation are:

- The premise that trafficking needs to be addressed with an integrated approach is explicitly included in the designation.

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<sup>188</sup> <http://www.hetccv.nl/instrumenten/Prostitutiebeleid/index?filter=Achtergrondinformatie> (21/08/2013)

<sup>189</sup> Regionaal Informatie en Expertise Centrum (RIEC) (2013) 'Onderzoek naar aanbieders van commerciële seksuele dienstverlening op internet' (non published confidential research)

<sup>190</sup> BWBR0033564 07/01/2014 accessed via [http://wetten.overheid.nl/BWBR0033564/geldigheidsdatum\\_07-01-2014/informatie](http://wetten.overheid.nl/BWBR0033564/geldigheidsdatum_07-01-2014/informatie) (13/01/2014)

- The non-prosecution or non-punishment of victims of trafficking and the protection of victims and child victims in criminal investigations is explicitly referred to in the relevant paragraphs.<sup>191</sup>
- General and publicly accessible information about the structure of the integrated approach to human trafficking and regulations on management issues or the use of other than penal powers by the police or other partners are no longer included in the designation.

### 3.3 Anti-Trafficking legislation

With the designation ‘human trafficking’, Opstelten tries to combine anti-trafficking legislation with prostitution policy. This is not new as the Dutch were one of the first to develop a specific policy on combating human trafficking and these efforts always sought to set up a link with prostitution. The goals in combating human trafficking are to provide victims with better protection, to strengthen their position and offer more perspective.<sup>192</sup> In order to do so the Dutch have developed and adapted legislation and set up different methods and models to become more effective.

#### 3.3.1 *The current status of anti-trafficking legislation in the Netherlands*

Program 2010C/ 115/01 and the Directive 2011/36/EU urges member states to take necessary actions against human trafficking. The Netherlands again ahead of other countries have adapted their legislation and since the 1<sup>st</sup> of July 2009, article 273F of the criminal code (WvRS)<sup>193</sup> constitutes the basis for all crimes related to human trafficking. This article is as follows:

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<sup>191</sup> In accordance with directive 2011/36 / EC of the European Parliament and of the Council of 05/04/2011 on preventing and combating trafficking in human beings and protecting its victims (OJ L 101/1)

<sup>192</sup> Vianen, R. van, Burik, A. van, Janssen, L., Amersfoort, P., van, Wijers, M. & Goderie, M. (2006) ‘Monitor over de positie slachtoffers van mensenhandel in Nederland’ Den Haag: WODC

<sup>193</sup> Below is the non-official translation by the Dutch national rapporteur supplemented by the author after the law was amended in 2013/2014.



Article 273f WvSR

§1. Any person who:

1° by force, violence or other act, by the threat of violence or other act, by extortion, fraud, deception or the misuse of authority arising from the actual state of affairs, by the misuse of a vulnerable position or by giving or receiving remuneration or benefits in order to obtain the consent of a person who has control over this other person recruits, transports, moves, accommodates or shelters another person, including the transfer of shift of the control over the other, with the intention of exploiting this other person or removing his or her organs;

2° recruits, transports, moves, accommodates or shelters a person, including the transfer of shift of the control over the other, with the intention of exploiting that other person or removing his or her organs, when that person has not yet reached the age of eighteen years;

3° recruits, takes with him or abducts a person with the intention of inducing that person to make himself/herself available for performing sexual acts with or for a third party for remuneration in another country;

4° forces or induces another person by the means referred to under (a) to make himself/herself available for performing work or services or making his/her organs available or takes any action in the circumstances referred to under (a) which he knows or may reasonably be expected to know will result in that other person making himself/herself available for performing labour or services or making his/her organs available;

5° induces another person to make himself/herself available for performing sexual acts with or for a third party for remuneration or to make his/her organs available for remuneration or takes any action towards another person which he knows or may reasonably be expected to know that this will result in that other person making himself/herself available for performing these acts or making his/her organs available for remuneration, when that other person has not yet reached the age of eighteen years;

6° wilfully profits from the exploitation of another person;

7° wilfully profits from the removal of organs from another person, while he knows or may reasonably be expected to know that the organs of that person have been removed under the circumstances referred to under (a);

8 °wilfully profits from the sexual acts of another person with or for a third party for remuneration or the removal of that person's organs for remuneration, when this other person has not yet reached the age of eighteen years;

9° forces or induces another person by the means referred to under (a) to provide him with the proceeds of that person's sexual acts with or for a third party or of the removal of that person's organs; shall be guilty of trafficking in human beings and as such liable to a term of imprisonment not exceeding eight years and a fifth category fine (this is a maximum of € 76.000), or either of these penalties:

§2. Exploitation comprises at least the exploitation of another person in prostitution, other forms of sexual exploitation, forced or compulsory labour or services, including slavery, slavery like practices or servitude and the exploitation of criminal activities.

§3. The following offences shall be punishable with a term of imprisonment not exceeding twelve years and a fifth category fine, or either of these penalties:

- (a) offences as described in the first paragraph if they are committed by two or more persons acting in concert;
- (b) offences as described in the first paragraph if such offences are committed in respect of a person who is under the age of eighteen or a person who is abused out of a vulnerable position.
- (c) offences as described in the first paragraph are committed with the use of force and or violence either prior, during or after the act.

§4. If one of the offences described in the first paragraph results in serious physical injury or threatens the life of another person, it shall be punishable with a term of imprisonment not exceeding fifteen years and a fifth category fine, or either of these penalties.

§5. If one of the offences referred to in the first paragraph results in death, it shall be punishable with a term of imprisonment not exceeding eighteen years and a fifth category fine, or either of these penalties.

§6. A vulnerable position consists out of those situations in which a person has no other reasonable or acceptable alternative than to submit him or herself to be abused by others.

§7. Article 251 is applicable mutatis mutandis.

A fast read through article 273f is enough to distinguish a clear relation with the European definition on human trafficking as set out in directive 2011/36/EU. Warner ten Kate who is the Dutch national public prosecutor on human trafficking in his book 'Modern Slavery'<sup>194</sup> addresses article 273f, which is by far the longest of the Dutch criminal code, in depth and it takes him no less than 21 pages to do so. Henk Werson, one of the most prominent human trafficking experts of the Dutch national police, in his book 'The fatal trap'<sup>195</sup> devotes no less than 64 pages to explain article 273f with the help of practical examples. This brief elaboration just to indicate how difficult and abstract article 273f actually is and to amplify the need of required expertise and insight in the matter for those who have to deal with combating human trafficking in the Netherlands. The Dutch legislator has opted for an a single article in which many single actions have been criminalised. Article 273f distinguishes the nature of the exploitation and distinguishes adults from minors. As most of the

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<sup>194</sup> Kate, W. ten (2013) 'Mensenhandel: Moderne slavernij' Deventer: Kluwer

<sup>195</sup> Werson, H. (2012) 'De fatale fuik' Amsterdam: Carrera

terminology links directly to international treaties, an international orientation while assessing the article is necessary.<sup>196</sup>

At the same time, when article 273f, became into force, Dutch immigration law was reformed and by the Aliens Act Implementation Guidelines 2000, given the option of the B9 regulation. This regulation, which was active from 1988<sup>197</sup>, gave aliens who are victims or possible victims or witnesses of human trafficking the option to remain legally in the Netherlands during the period of investigation by the police and the prosecution and actual trial. This regulation is a hybrid as it provides both possibilities for the prosecution of human traffickers as victims will be given the option to stay in the country and by doing so at the disposal of the public prosecutions service while at the same time the victim is within this temporary residence has access to Dutch facilities and benefits.<sup>198</sup> This regulation provides the victim more autonomy, time and options in the decision making of reporting the crimes committed against them<sup>199</sup> and prohibits the police to resort in hard-line extortion by threatening the victim with eviction in case of an unwilling victim<sup>200</sup>. This in turn frequently leads to erroneous statements and are therefore contra productive and could even be seen as a source for secondary victimisation. With the implementation of the 'Modern Migration Policy' the B9 was renumbered to B8/3 and is now called the residence arrangement trafficking. The content of the article in the transfer to the arrangement remained the same.<sup>201</sup>

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<sup>196</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel. Jurisprudentie mensenhandelzaken 2009-2012. Een analyse' Den Haag: BNRM p. 19

<sup>197</sup> Smit, M. & Boot, M. (2007) 'Het begrip mensenhandel in de Nederlandse context' in: *Justitiële Verkenningen* 33(7)

<sup>198</sup> Dettmeijer-Vermeulen, C. (2012) 'Trafficking in human beings: Ten years of independent monitoring by the Dutch rapporteur of trafficking in human beings' in: *European Journal on Criminal Policy and Research* 18 p. 288

<sup>199</sup> Greenberg, M. & Ruback, R. (1992) 'After the Crime: Victim Decision making' New York: Plenum Press

<sup>200</sup> Pearson, E. (2002) 'Half-hearted protection: What does victim protection really mean for victims of trafficking in Europe?' in: *Gender & Development* (10)1

<sup>201</sup> Comensha La Strada Nederland (2013) 'Maandrapportage juni 2013' p. 2 accessed via (<http://www.mensenhandel.nl/cms/docs/maandrapportagejuli2013.pdf>) 05/09/2013

### 3.3.2 *The history behind article 273f*

The first Dutch article on combating human trafficking came into force in 1911. This article, 250ter (old) WvSR and in accordance with the 1904 Convention for the Suppression of the Trafficked Persons and the Exploitation of Prostitution of Others it only concerned the trafficking of women and the sexual exploitation by means of prostitution. With the international development and new treaties this article got elaborated over the years. In 1927 it was supplemented with the possibility and recognition of the possibility of the sexual exploiting of minor boys. Only more recently, in 1994 this was altered in the sex neutral term of human trafficking.<sup>202</sup>

With the lifting of the brothel ban, in 2000, article 250ter was replaced by article 250a WvSR. Art. 250a criminalised the receiving or making profit through human trafficking. This article was replaced by article 273a WvSR in 2005 which in turn created the possibility to penalise other non-sexual forms of exploitation i.e. domestic servitude and the involuntary removal of organs. This article was given a different position within the criminal code. Previous articles addressing human trafficking were part of the so-called sexual crimes while art. 273a became part of crimes against the personal freedom of persons.<sup>203</sup> Eventually in 2009 article 273a was renamed 273f WvSR, and this newly shaped article consisted out of the emerged old text from 250a and 273a into a new updated, and for its time, progressive article. The difference being that the custodial sentences related to the crime were increased significantly.<sup>204</sup>

### 3.4 *The Dutch national rapporteurs office*

In 1997 recommendation 1325 urged to start up for an European wide network of so-called National Rapporteurs on human trafficking.<sup>205</sup> In 2000 the Netherlands were the first country to inaugurate a national rapporteur on

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<sup>202</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel in en uit beeld. Cijfermatige rapportage 2007-2011' Den Haag: BNRM

<sup>203</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel in en uit beeld. Cijfermatige rapportage 2007-2011' Den Haag: BNRM p. 20

<sup>204</sup> Kate, W. ten (2013) 'Mensenhandel: Moderne slavernij' Deventer: Kluwer

<sup>205</sup> See also Mattar, M.Y. (2008) 'Comparative models of reporting mechanisms on the status of trafficking in human beings' in: Vanderbilt journal of transnational law, 41(1355),

human trafficking and this fell part to Anna Korvinus.<sup>206</sup> In 2006 Corinne Dettmeijer-Vermeulen replaced Anna Korvinus and by doing so became the second national Rapporteur. In 2009 the Dutch interpretation of human trafficking and work of the national rapporteurs office was broadened with crimes concerning child pornography and in 2012 sexual abuse against children has been added to the portfolio of the national rapporteur human trafficking. The rapporteurs office conducts research on the topic of human trafficking and collects data used for the periodically reports on the nature and extent of human trafficking in the Netherlands.

Beside these periodically reports, the current rapporteur is very active in raising awareness amongst the public, ensuring that information flows and information exchange takes place and she also establishes and maintains strategically international cooperation. One of the first issues the rapporteurs office in 2000 addressed was the issue of the so-called 'loverboys' and the by this group applied methodology of perpetration.<sup>207</sup> The methodology linked to the modus operandi of loverboys addresses the method of grooming which is usually employed by young (male) human traffickers who seduce vulnerable young girls and try to persuades them to work for him in prostitution.<sup>208</sup> There has been a lot of discussion on the concept of loverboys as the word would have a to positive annotation. Former Dutch minister of Justice Hirsch Ballin introduced the concept of a 'pooierboy' (pimp boyfriend) which almost immediately was criticised as this word would have to little in common with the methods applied by the perpetrators.<sup>209</sup> A better description with a less positive annotation is the acronym PUP which in Dutch stands for 'Prostituerende Uitbuitende Partner'<sup>210</sup> and translates in English to

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<sup>206</sup> Dettmeijer-Vermeulen, C. (2012) 'Trafficking in human beings: Ten years of independent monitoring by the Dutch rapporteur of trafficking in human beings' in: European Journal on Criminal Policy and Research 18

<sup>207</sup> Bovenkerk, F., San, M. van, Boone, M., Boekhout van Solinge, T. & Korf, D.J. (2004) "loverboys' of modern pooierschap in Amsterdam' Utrecht: Willem Pompe Instituut

<sup>208</sup> Dettmeijer-Vermeulen, C. (2012) 'Trafficking in human beings: Ten years of independent monitoring by the Dutch rapporteur of trafficking in human beings' in: European Journal on Criminal Policy and Research 18 p.286

<sup>209</sup> Lou Repetur 'Een loverboy is geen pooierboy'  
[http://www.prostitutie.nl/fileadmin/nl/6.\\_Studie/6.3\\_Documenten/6.3c\\_Jeugdprostitutie/pdf/ArtikelLoverboyisgeenpooierboy.pdf](http://www.prostitutie.nl/fileadmin/nl/6._Studie/6.3_Documenten/6.3c_Jeugdprostitutie/pdf/ArtikelLoverboyisgeenpooierboy.pdf)

<sup>210</sup> With thanks to my wife, Annemieke, who thought up the acronym.

'Prostituting Utilizing Partner'. These methods applied are a perfect example of how modern ingenuity has replaced pre-modern brutal violence and physical repression by applying more subtle and effective modes of domination represented by various social science techniques. The present contest for control over (trafficked and sexually exploited) women could be seen as representing a contrived contest between pre-modern methods of domination and the modern systems of discipline and control.<sup>211</sup> Nowadays this method is one of the most common to be applied on indigenous Dutch victims. Even though the process starts out with positive aspects like grooming and seducing, not soon after a period of alienating the victim of her family and friends starts which eventually is followed by extortion and violence when the women, usually minors, are reluctant to meet the wishes of their 'boyfriend'.<sup>212</sup> More recently the role of female victims who start out as being a victim of trafficking and sexual exploitation but who after a while become active in recruiting of other female victims themselves, was researched and described.<sup>213</sup> These women nowadays are known as lovergirs<sup>214</sup>, which again is a misplaced annotation to describe the operations of these women as in these cases the concept of love is absent completely. Better it would be to make use of the acronym PERF which stands for 'Prostituting Exploiting Recruiting Friend' and tackles all the aspect of the applied modus operandi. The women named Maria out of the story of Megy is an example of a woman who fits within this concept.

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<sup>211</sup> Davies, J. & Davies, B. (2008) 'How to Use a Trafficked Woman. The Alliance between Political and Criminal Trafficking Organisations' in: *Recherches sociologiques et anthropologiques* (39)1 p. 119

<sup>212</sup> (see the example of Jamila as given by Werson, H. (2012) 'De fatale fuik' Amsterdam: Carrera p. 264)

<sup>213</sup> Verwijs, R., Mein, A., Goderie, M., Harreveld, C. & Jansma, A. (2011) 'Loverboys en hun slachtoffers. Inzicht in aard en omvang problematieken in het aanbod aan hulpverlening en opvang' Utrecht: Verwey Jonker Instituut

<sup>214</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2009) 'Mensenhandel. Zevende rapportage van de Nationaal Rapporteur' Den Haag: BNRM p. 379

	Domestic small sexual exploitation	European sexual exploitation	Large scale other forms of exploitation
Perpetrators	Young, mostly male and predominantly coming from the Dutch, Turkish, Moroccan, Surinam and the former Dutch Antilles groups	Older than those out of the domestic small sexual exploitation group, coming from Mid- & Eastern Europe sometimes women accomplices	The oldest of the three frequently women are involved and they come from Asia and the Netherlands
Victims	Usually Dutch	Deriving from Mid- & Eastern Europe	Asian
Number of perpetrators and victims	Per situation one or two perpetrator and victims	Per situation two or three perpetrators and three to four victims	Frequently a large number of four or more perpetrators and a large variation in victims. Number run from three till a hundred
Victim/perpetrator relation	Often there is a(n) (apparent) love affair between the victim and perpetrator	Occasionally there is a(n) (apparent) love affair between the victim and perpetrator	Never a love affair. Always an dominant explorative situation

The table above (figure 9) shows a distinction made by the national rapporteurs office which consists out of three structures of human trafficking in relation to type, victim and perpetrator. This division, which also, partly at least, addresses the applied modus operandi, is based upon gathered data.<sup>215</sup>

As will be discussed in the following chapter, this distinction is not always applicable as organised criminal network relations merge from one in to another as shown in the example of Megy. Her story shows a pattern running from domestic exploitation to an European interpretation going back to a domestic structure while residing in the Netherlands.

<sup>215</sup> Dettmeijer-Vermeulen, C. (2009). 'Drie typen mensenhandel structuren: factsheet' Den Haag Nationaal rapporteur mensenhandel en seksueel geweld tegen kinderen.

### 3.5 *The criminal justice institutions*

Many of the measures taken and knowledge applied by the institutions active in fighting human trafficking are based upon international instruments and treaties.<sup>216</sup>

On an executive level both the police and the public prosecutions' office have, in accordance with international expectations and guidelines, adapted their modus operandi and have appointed experts on the topic of human trafficking. Human trafficking falls under the jurisdiction of the aliens police whose district chiefs get their directives from the lead investigator of the national police. The public prosecutions' office similar to the police have their specialised prosecutors appointed per district who in turn receive their directions from the so-called board of procurators general who function as the policy makers of the public prosecutions' office. Both the police and prosecutions' office have frequent contact on national, regional and district level. These meetings are supplemented by joined training days, courses and consultancy meetings. Since a couple of years the district courts have also started appointing and training judges on the field of human trafficking and special trafficking courts were established in order to abolish the existing difficulties regarding the nature of the crime which usually extends over a longer period of time, sometimes years. Because of this, different versions of statutory provisions are applicable.<sup>217</sup> The Dutch Military Police (KMar), who are in charge of all border security affairs, have recognized the added value they may have in the fight against human trafficking as they get more reports by victims every year<sup>218</sup>, provided that the existing capabilities and powers are going to be expanded<sup>219</sup> These penal institutions complete the spectrum of the organisation of the criminal justice system. Together with additional legislative

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<sup>216</sup> Dettmeijer-Vermeulen, C. (2012) 'Trafficking in human beings: Ten years of independent monitoring by the Dutch rapporteur of trafficking in human beings' in: *European Journal on Criminal Policy and Research* 18 p. 285

<sup>217</sup> Emster, F. van den (2012) 'Bevindingen onderzoek mogelijkheden oriëntatiepunten voor straftoemeting mensenhandel' Brief van de Raad voor de Rechtspraak aan Minister Opstelten 09/12/2013

<sup>218</sup> Comensha La Strada Nederland (2013) 'Maandrapportage juni 2013' p. 9 accessed via (<http://www.mensenhandel.nl/cms/docs/maandrapportagejuli2013.pdf>) 05/09/2013

<sup>219</sup> Ministerie van Defensie (2013). 'Beleidsdoorlichting: de inzet van de Koninklijke marechaussee voor mensenhandel en mensensmokkel' Den Haag; Ministerie van Defensie p. 47



options i.e. the extended possibilities to retrieve illegal gains, the Dutch systems nowadays covers the entire process which relates to human trafficking. This process as initially identified by the UN and consists out of the following acts as shaped in the following (figure 10).<sup>220</sup>

Recruitment	Transportation	Exploitation	Victim Disposal	Criminal Proceeds
<ul style="list-style-type: none"> <li>• <i>Fraudulent promises</i></li> <li>• <i>Kidnapping</i></li> </ul> Document forgery Illegal adoption (for purpose of exploiting child) Corruption of government officials	<ul style="list-style-type: none"> <li>• <i>Assault</i></li> <li>• <i>Illegal deprivation of liberty</i></li> <li>• <i>Rape</i></li> <li>• <i>Forced Prostitution</i></li> </ul> Corruption of government officials Document forgery Abuse of immigration laws	<ul style="list-style-type: none"> <li>• <i>Unlawful coercion</i></li> <li>• <i>Threat</i></li> <li>• <i>Extortion</i></li> <li>• <i>Sex or Labour exploitation</i></li> <li>• <i>Illegal deprivation of liberty</i></li> <li>• <i>Theft of documents</i></li> <li>• <i>Sexual Assault</i></li> <li>• <i>Aggravated Assault (cruel and degrading treatment)</i></li> <li>• <i>Forced participation in crimes (forced begging, transportation of drugs, organised theft)</i></li> <li>• <i>Rape</i></li> <li>• <i>Murder</i></li> <li>• <i>Removal of organs</i></li> </ul> Corruption of government officials	<ul style="list-style-type: none"> <li>• <i>Assault</i></li> <li>• <i>Abandonment</i></li> <li>• <i>Murder</i></li> <li>• <i>Victim sold to another</i></li> </ul>	Money Laundering Tax Evasion Corruption of government officials

<sup>220</sup> Aranowitz, A., Theuermann, G. & Tyurykanova, E. (2010) ‘Analysing the business model of trafficking in human being to better prevent the crime’. Ueberreuter: OSCE p. 19

### 3.5.1. *The dilemma of political influence*

Many Western countries nowadays can be typified as high crime societies.<sup>221</sup> The liberal / social coalition of the VVD (liberals) and the PVDA (socialists) which together constitute the Dutch government and which is known as Rutte II, state they think highly of fundamental rights. In practice the minister of Justice, Ivo Opstelten, gratefully (ab)uses the situation which, in the thoughts of Garland<sup>222</sup> can be defined as a policy based on a culture of control. Risk society<sup>223</sup> has created a society in which everybody needs to cover their risks. One of this risks is becoming a victim of a criminal act. Although these risks nowadays also need to be limited by the persons themselves, the government plays a crucial role in the general protection and prevention against crime. As the government is unable to prevent everything, always, fear amongst the people grows and these perceptions of fear amongst citizens are eagerly used by governments i.e. the Dutch which are focussed on repression and have Kantonian like retributivist tendencies.<sup>224</sup> This culture of fear<sup>225</sup> is being used by the minister to press, far-reaching and much debated and criticized, bills like: increasing court fees to limit people's access to the judiciary, give prisoners an anklet without consent by the judiciary, the criminalisation of being an illegal alien and placing solicitors and barristers under state control<sup>226</sup>. These plans are in opposition with the by the European Union recognized human rights which are enshrined in numerous treaties and confirmed in rulings by the European Court of Human Rights. Especially the last idea, of state control, could evoke an interesting discussion in regards to the actual debate on the use of the surveillance program 'PRISM'.<sup>227</sup>

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<sup>221</sup> Garland, D. (2000) 'The culture of high crime societies: Some preconditions of recent 'law and order' policies' in: *British Journal of Criminology* 40(3)

<sup>222</sup> Garland, D. (2001) 'The Culture of Control' Oxford: Oxford University Press

<sup>223</sup> Beck, U. (1992) 'Risk Society: Towards a new modernity' London: Sage

<sup>224</sup> Scheid, E. don (1983) 'Kant's Retributivism' in: *Ethics* 93(2)

<sup>225</sup> Furedi, F. (1997) 'Culture of Fear: Risk Taking and the Morality of Low Expectation' London: Continuum International Publishing Group

<sup>226</sup> Magda Berndsen & Gerard Schouw, *Volkskrant* 18/07/2013 accessed via (<http://www.volkskrant.nl/vk/nl/11698/Kabinet-Rutte-II/article/detail/3477937/2013/07/18/Ook-Rutte-II-gedraagt-zich-anti-rechtsstatelijk.dhtml>)

<sup>227</sup> Glen Greenwald & Ewen MacAskill, *The Guardian* 07/07/2013 accessed via (<http://www.theguardian.com/world/2013/jun/06/us-tech-giants-nsa-data>)

The Dutch government intended to criminalise the being of an illegal alien. Even though this idea was put on hold due to internal conflicts between the coalition partners of PVDA and VVD on the feasibility of this ideology, the field of criminal law and the field of migration law are becoming more and more intertwined on an executive level. Boundaries between the two fields disappear and more is left to the discretionary ability of the civil servant. This process is called crimmigration<sup>228</sup> and could have enormous effects on i.e. victims of human trafficking which in occasion seems to uphold the set outlining of being an illegal alien and are therefore considered to be a criminal themselves<sup>229</sup> which could exclude them from the possibility of the B8/3 arrangement. This will have far going consequences for the willingness of victims to file a report on the crimes committed against them and other forms of cooperation with the police. Because of this the police as a first line aid organisation burdened with the investigation of human trafficking and the protection of its victims has to cope with this issue. On the other hand in those situations criminals already have been arrested and evidence is sufficient, the length of the custodial sentences are increased as well as the possibility to retrieve criminal gain by both the victim and the government.

### 3.5.2 *The police & NGO's*

Due to necessary legislative limitations to secure peoples' freedom<sup>230</sup> the police at the basis is unable to combat human trafficking effectively. In order to do so they will need the help of other organisations and persons as they have other possibilities, methods and goals which can supplement those of the police. Nevertheless, the differences in the positioning, methods and goals such a cooperation on a local, national and international level is essential to achieve

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<sup>228</sup> - Stumpf, J.P. (2006) 'Crimmigration Crisis:Immigrants, Crime and Sovereign Power' in: American University Law Review vol. 56

- Leun, J. van der (2010) 'Crimmigration' Apeldoorn/Antwerpen: Maklu

- Staring, R. (2012) 'Crimmigration en de morele economie van illegale vreemdelingen' in: Proces 91(6)

<sup>229</sup> - Hathaway, J. (2008) 'The human rights Quagmire of 'Human Trafficking'' in: Virginia Journal of International Law (49)1

- Gallagher, A. T. (2009) 'Human Rights and Human Trafficking: Quagmire or Firm Ground? A response to James Hathaway' in: Virginia Journal of International Law (49)4

<sup>230</sup> .Rij. J. van & Mylonaki, E (2014) 'Terrorism and Legal Instrumentalism: A Criminological Approach' in: JURA 2014(1)

positive results<sup>231</sup> and by doing so completing the ideology behind the barrier model.

### 3.5.2.1 *The police*

The police frequently comes across incoherent stories and as describe by Werson<sup>232</sup> and confirmed in the different talks with police investigators, as this for them at least, is an indicator the person is probably an actual trafficking victim<sup>233</sup>. Those cases where a victim tells a clear, chronologic and coherent story, are those of women who try to abuse the B8/3 possibilities by pretending they have fallen victim to a trafficker. Even though for the police an indicator for many magistrates a sign of a weak witness. Supplemented by the situation of a returning victim, protecting of the trafficker(s) and unwillingness to testify this more than often proves to give problems with evidence and difficulty in the conviction and sentencing of the trafficker.

The investigation and prosecution of human trafficking is divided into three stages: signalling, the detection and prosecution and last the actual trial.<sup>234</sup> Signals can be detected by other institutions out of the barrier model of by the police itself. In those cases, the suspicions of or crimes themselves are reported. For this to be achieved, the police will need the trust of others and others willing to cooperate, which is not a sinecure in a shadow economy with low levels of transparency.<sup>235</sup>

The police works closely with the public prosecutions office which, in the person of a public prosecutions' officer, leads the investigation.<sup>236</sup> As mentioned previously, human trafficking as well as migration crimes are part of the department of the alien police. The department is in charge of conducting investigations on human trafficking, developing expertise, give support and advise on tackling prostitution related crimes, conducting

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<sup>231</sup> Wijk, A. van , Nieuwenhuis, A., Tuyn, D. van, Ham, T. van, Kuppens, J. & Ferwerda, H. (2010) 'Kwetsbaar beroep. Een onderzoek naar de prostitutiebranche in Amsterdam' Amsterdam: Beke

<sup>232</sup> Werson, H. (2012) 'De fatale fuik' Amsterdam: Carrera

<sup>233</sup> Respondent Peter Kool (01/08/2013)& Henk Werson (02/09/2013)

<sup>234</sup> Goderie, M. & Boutellier, H. (2011) 'Een gevalstudie van mensenhandel' in: *Proces* (2) p. 71

<sup>235</sup> Huisman, W. & Kleefmans, E. (2014) 'The challenges of fighting sex trafficking in the legalized prostitution market of the Netherlands' in: *Crime, Law and Social Change* accessed via Springerlink.com

<sup>236</sup> Corstens, G. (2011) 'Het Nederlandse strafprocesrecht' Deventer: Kluwer

prostitution checks and tackle loverboy issues.<sup>237</sup> As is to be expected, this department works closely with other departments as most criminal activities are interlinked and an exchange of information has more than once proven fruitful. The alien police receives its directive from the National Expert group Human Trafficking (EMM). This directive is stated in the reference human trafficking<sup>238</sup> which consists out of strategic goals which all have the same central aim knowingly guaranteeing the quality, continuity and comparability by the so-called stack method in combating human trafficking by the Dutch police.<sup>239</sup> One of the goals within the aim is the fact that signals concerning human trafficking always need to be investigated. In practice this is not always feasible due to different factors i.e. awareness of the seriousness, knowledge of nature of the crime, knowledge on backgrounds, victim behaviour expectations and the considerations made by involved persons and third parties.<sup>240</sup> In order to improve the quality of signalling and detection and protection the police has made the following policy and practical improvements. On an organisational level, experts have been appointed within the alien police units, a special national group of experts has been assembled and a code of conduct has been set up for officers working with investigating sex businesses. Secondly, on a supervisory level, the municipality takes the lead as they issue permits and licenses women who apply for a job as a prostitute and have a controlling task. Furthermore on-going cooperation with chain partners was and is being established. Supervision should take place in both licensed and non-licensed sex businesses. On an information level a central organ was established to obtain a complete picture on the crimes, the nature of the crimes, the perpetrators and relevant circumstances. On the basis of this information it is decided how to act and implement suitable interventions. In regards to the investigation, special multidisciplinary teams were assembled and these teams make use of the playground model to pair expertise and capabilities of police officers. Police officers are given special training to deal with relevant issues.<sup>241</sup> A victim approach is essential and special models have

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<sup>237</sup> Bik, R. (2013) 'Referentiekader Mensenhandel' Den Haag: Politie

<sup>238</sup> Ibid

<sup>239</sup> Ibid

<sup>240</sup> Goderie, M. & Boutellier, H. (2011) 'Een gevalstudie van mensenhandel' in: *Proces* (2) p. 72

<sup>241</sup> Kleijer-Kool, L. (2008) 'Handhavers van de vrede of heroveraars? Politiestijlen en conflictpotentieel in

been set up to interview victims<sup>242</sup> and in those cases a victim is unwilling to file a report or act as a witness, the police can decide to start an investigating without a submitted complaint on the basis of article 27 WvSV (penal law) which can also lead to the prosecution of suspects. In this case the cooperation with other relevant parties is essential and all criminal gain needs to be recovered in the thought of that crime must not pay.<sup>243</sup> The progress is monitored biennial and in the latest monitor from 2013, reviewing the period of 2011-2012, almost all regions scored positive. This outcome is going to be used as a base for future monitoring as the police as an organisation by the first of January of 2013 has merged into a national police force.<sup>244</sup> This national police force consists of ten police regions, all with its own expert who frequently meet, in the so-called LEM group, several times per year to discuss results and region specific issues and applied methods i.e. the method of reversed escort by which police officers contact women soliciting via the internet by pretending to be a client of the illegal working prostitute. These per January 1<sup>st</sup> 2013 established police regions within the national police are as follows<sup>245</sup> (figure 11):

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Nederlandse multiculturele achterstandswijken' Den Haag: BJU

<sup>242</sup> Werson, H. (2012) 'De fatale fuik' Amsterdam: Carrera

<sup>243</sup> - Hertog, A. den & Loeber, C. (2013) 'Korpsmonitor Prostitutie en Mensenhandel 2011-2012' (issued by the police before publication)

- Bik, R. (2013) 'Referentiekader Mensenhandel' Den Haag: Politie

<sup>244</sup> Hertog, A. den & Loeber, C. (2013) 'Korpsmonitor Prostitutie en Mensenhandel 2011-2012' (issued by the police before publication)

<sup>245</sup> Ministry of Security/Safety and Justice

1. Noord-Nederland
2. Oost-Nederland
3. Midden-Nederland
4. Noord-Holland
5. Amsterdam
6. Den Haag
7. Rotterdam
8. Zeeland-West-Brabant
9. Oost-Brabant
10. Limburg



### 3.5.2.2 Relevant NGO's

As mentioned previously, the police is not equipped and therefore unable to successfully prevent and combat all cases of human trafficking. In order to detect the victims and investigate a case to gather enough evidence, the help of other institutes and persons is required and even essential. In order to work as effectively as possible it is necessary to seek cooperation with Non-Governmental Organisations (NGO'S)<sup>246</sup> and as mentioned above with municipalities. Relevant NGO's who are (possible) partners with the police are (non-limitative):

Nationally;

- CoMensha (La Strada): Coordination centre human trafficking and the organisation for application, placement and registration of victims of human trafficking.<sup>247</sup>

<sup>246</sup> -Hathaway, J. (2008) 'The human rights Quagmire of 'Human Trafficking'' in: Virginia Journal of International Law (49)1

- Godsey, N. (2011) 'The next step: why non-governmental organizations must take a growing role in the new global anti-trafficking framework' in: Regent Journal of International Law (8)

<sup>247</sup> See [www.comensha.nl](http://www.comensha.nl) (23/08/2013)

- Humanitas: A main non-profit association which provides social services and community building with the aim to support people who, for a range of different reasons, temporarily cannot manage on their own.<sup>248</sup> Local departments work on their own topics. In Rotterdam you have Prostitutie Maatschappelijk Werk (PMW) which offers victims of human trafficking help and housing.<sup>249</sup>

#### Regionally:

- Geisha foundation: An association which arranges insurances, legal aid, negotiations, career planning and exiting prostitution and coaching and training.<sup>250</sup>
- Eyes Open foundation: This foundation based in Rotterdam gives advice, training and organises conferences on prostitution and loverboy policy and issues.<sup>251</sup>
- Shop foundation: This organisation based in The Hague is an expertise centre and provides help and services to prostitutes and victims of human trafficking.<sup>252</sup>
- Scarlet cord: Street work, prevention and aid around prostitution in Amsterdam.<sup>253</sup>

### 3.6 Summary

This chapter explained the difficulties regarding the knowledge on human trafficking and the practical issues as recognised which exist due to narratives on the topic of human trafficking but also on the topic of (forced) prostitution. In case of the first, the narratives are deductible to a lack of knowledge and limited (ethnographic) research. Prostitution policy is the most notably reason for dealing with the existence of narratives on topic of forced

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<sup>248</sup> See <http://www.humanitas.nl/over-humanitas/about-humanitas> (23/08/2013)

<sup>249</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel. Effectieve aanpak op gemeentelijk niveau. Lessen uit de praktijk' Den Haag: BNRM

<sup>250</sup> See <http://www.stichting-geisha.nl/index.php/over-geisha> (23/08/2013)

<sup>251</sup> See <http://www.stichtingopenogen.nl/website/> (23/08/2013)

<sup>252</sup> See <https://www.shop-denhaag.nl/> (23/08/2013)

<sup>253</sup> See <http://www.totheildesvolks.nl/scharlaken-koord/home.html> (23/08/2013)



prostitution. Dutch prostitution policy, which has an anti-abolitionist base and upholds the concept of decriminalising and legalising the sale of sex, out of a healthcare perspective was compared to the Swedish model forged on the ideas of the neo-abolitionist, by punishing buyers and perceive women as mere victims and the US policy of total prohibition and punishing everybody involved and helping victims by incarcerating them. All different but commenced at relatively the same time with the same goals. Beside Dutch prostitution policy, Dutch anti-trafficking policy was explained with the help of article 273F WvSR and the different and relevant institutions were addressed as well as the difficulties they encounter in the performance of their duties.

The next chapter will discuss the concept of organised crime and more specific the transnational organised criminal actions related to human trafficking and the sexual exploitation of women. The modus operandi will be discussed elaborated on, on the basis of this research primary data.

## 4. The who, why and how within human trafficking and exploitation by forced prostitution as organised crime

### 4.1 *The concept of Organised Crime*

In addition to the narratives discussed in the previous chapter, the concept of organised crime within the exploitation of women by forced prostitution also holds a narrative. This narrative is partly based on news coverage<sup>254</sup> and shaped by many authors who aim to discuss the role of organised crime in the sexual exploitation of women. These authors frequently conclude that the role of organised crime is highly overrated and perhaps even purposely exaggerated.<sup>255</sup> To assess this presumption and react on this narrative we first need to look at the concept of organised crime, as shaped within the legal contexts of the European Union and the Netherlands.

The concept of organised crime emerged first in the United States in the 1920s. Not soon after the term was used internationally and is used to describe serious crimes, which denotes a set of criminal actors as well as a set of criminal activities<sup>256</sup>, that are difficult to research and even harder to control. It is defined as: 'the ongoing activities of those collectively engaged in production, supply and financing for illegal markets in goods and services'.<sup>257</sup> Organised crime is not a homogenous type of crime conducted by a specific more or less stereotype criminal, but rather a term used to explain a diversity of criminal actions with a transnational character which are conducted in specific circumstances.<sup>258</sup> This involves the mutual provision of services and

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<sup>254</sup> Denton, E. (2010) 'International News Coverage of Human trafficking Arrests and Prosecutions: A content Analysis' in: *Women and Criminal Justice* (20)

<sup>255</sup> Sandy, L. (2013) 'Commentary: Thaddeus Blanchette and the Ana Paula da Silva's Myth of Maria' in: *Dialect Anthropol*, accessed via Springerlink.com

<sup>256</sup> Cohen, A. (1977) 'The concept of criminal organisation' in: *British Journal of Criminology* (17)

<sup>257</sup> Gill, P. (2008) 'Organized Crime' in: : McLaughlin, E. & Muncie, J. 'The Sage Dictionary of Criminology' London: Sage p.280

<sup>258</sup> Fijnaut, C. Bovenkerk, F., Bruinsma, G. & Bunt, H. van de (1998) 'Organised crime in The Netherlands' The Hague: Kluwer

entrepreneurial promotion between legal and illegal enterprises, both on a material and symbolic level.<sup>259</sup>

Article 2. of the United Nations Transnational Organised Crime Convention states:

- (a) 'Organised criminal group' shall mean a structured group of three or more persons, existing for a longer period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;
- (b) 'Serious crime' shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty;
- (c) 'Structured group' shall mean a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its memberships or a developed structure.

The topic of organised crime gives ground for discussion as is shown by examining the differences between the legal orientations of at the one hand the United Nations, which upholds the more 'classical' shaped 'act' approach and on the other the European Union, which in general uses an actor-centred logic with a focus on some specific key indicators as reinforced by the Serious Organised Crime Threat Assessment (SOCTA). These by the European Union wide applied key indicators are<sup>260</sup>:

- A situation of international cooperation between non-indigenous groups or between an indigenous and non-indigenous group, or as international operations carried out directly by an organised crime group.
- Group structures which involves co-offending etc.
- Use of Legitimate Business Structures.

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<sup>259</sup> Paoli, L. (2002) 'The paradoxes of organised crime', in: *Crime, Law & Social Change* (37)

<sup>260</sup> Edwards, A, & Levi, M (2008) 'Researching the organisation of serious crimes' in: *Criminology and Criminal Justice* 8 p. 379

- Specialisation; organised crime groups recruit people with specific criminal skills.
- Influence and corruption in order to lower risks and costs.
- Violence; both deployed as an internal and external control mechanism.
- Counter measures to avoid detection.

In general these key indicators match the eleven European Union criteria to define organised crime. These eleven criteria of which the first four are mandatory but which need to be supplemented by at least two criteria out of the remaining seven optional criteria in order to complete the conceptualisation of organised crime, are<sup>261</sup>:

- |           |   |   |
|-----------|---|---|
| Mandatory | { | <ol style="list-style-type: none"> <li>1. Collaboration of more than two people.</li> <li>2. Taking place over a prolonged or indefinite period of time.</li> <li>3. Suspected of the commission of serious criminal offences.</li> <li>4. Having as its central goal, the pursuit of profit and/or power.</li> </ol>   |
| Optional  | { | <ol style="list-style-type: none"> <li>5. Having a specialised division of labour.</li> <li>6. Utilizing a system of discipline and control</li> <li>7. Using violence and other means of intimidation</li> <li>8. Having a commercial or business like structure.</li> <li>9. Involved in money-laundering.</li> <li>10. Operating internationally, across National borders.</li> <li>11. Exerting influence over politics, judicial bodies, media and the economy.</li> </ol> |

Based upon these key indicators, Europol's Organised Crime Threat Assessment (OCTA)<sup>262</sup> is able to classify all criminal crime groups. Focus here lies on their origins and it narrows the groups down into three categories<sup>263</sup>:

<sup>261</sup> -Levi, M (2002) 'The organisation of serious crimes', in: M. Maguire, R. Morgan and R. Reiner 'The Oxford Handbook of Criminology' Oxford: Oxford University Press. pp. 882

-Newburn, T. (2007) 'Criminology' Devon: Willan publishing p. 406

<sup>262</sup> Europol (2008) 'EU Organised Crime Threat Assessment' p. 13 accessed via ([http://www.europol.europa.eu/publications/European\\_Organised\\_Crime\\_Threat\\_Assessment\\_\(OCTA\)/OC\\_TA2008.pdf](http://www.europol.europa.eu/publications/European_Organised_Crime_Threat_Assessment_(OCTA)/OC_TA2008.pdf)) 27/12/2013

<sup>263</sup> See also Kegö, W. & Molcean, A. (2011) 'Russian Speaking Organized Crime Groups in the EU' Stockholm: ISDP p. 22

- Traditionally indigenous organised crime groups or EU-based groups.
- Traditionally non-indigenous or non-EU-based groups.
- Intermediary situations including both second generation organised crime groups and groups combine aspects of both non-EU and EU-based groups.

Within these three categories, four types of organised crime groups can be distinguished.<sup>264</sup> These groups are:

- Principally territorially based, indigenous organised crime groups, with extensive transnational activities; especially with possibilities to shield their leadership and assets, even inside the European Union.
- Mainly ethnically homogenous groups with their leadership and main assets abroad.
- Dynamic networks of perpetrators, whose organizational setup is less viable to attack from a law enforcement perspective than their communications and finances.
- Organised crime groups based on strictly defined organizational principles without an ethnic component, coupled with a large international presence.

Another point of interest is the term transnational, which implicates that the cooperation in or facilitation of these serious crimes, takes places over different territories and jurisdictions. Because of this an international instrument is a must in order to effectively combat these types of serious crimes committed by these organised crime groups. The United Nations focuses on the need to regulate the type of act orientated crime as a global threat.<sup>265</sup> Article 3. Sub 2 of the United Nations Transnational Organised Crime Convention states that an offence is transnational in nature if:

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<sup>264</sup> Edwards, A, & Levi, M (2008) 'Researching the organisation of serious crimes' in: *Criminology and Criminal Justice* 8 p. 379

<sup>265</sup> Levi, M (2002) 'The organisation of serious crimes', in: M. Maguire, R. Morgan and R. Reiner 'The Oxford Handbook of Criminology' Oxford: Oxford University Press.

- (a) It is committed in more than one State; It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State;
- (b) It is committed in one State but involves an organised crime group that engages in criminal activities in more than one State; or
- (c) It is committed in one State but has substantial effects in another State.

There are currently over 3600 Organised Crime Groups active within the EU and most of them are operating on a network-style basis. Of these groups 70% are composed of members of multiple nationalities and over 30% of them are considered to be poly-crime groups.<sup>266</sup> The latter meaning that these organised crime groups do not have a specialism but that they rather operate there where the money is to be found.<sup>267</sup> This requires flexibility, knowledge of and a large (both social and business orientated) network. Based on these facts and findings by Europol it is to be expected that the percentage of active crime groups operating out of a network approach will only increase while the set criteria on defining and legally dealing with these groups mostly still focusses on a structured organisational approach based upon an Italian mafia style lay out as for many policing and security institutions within the European Union consider this Mafia/Godfather myth attitude towards organised crime as more workable than the idea of organised crime being a camouflaged octopus with tentacles grappling all fields of criminal behaviour<sup>268</sup> and extending its reach onto the area of everyday life and transcending the boundaries between this criminal underworld and socially crime free environment. This standpoint is a logic deduction as the visualisation of organised crime as a pyramid with a set structure, modus operandi, appointed expertise and membership based upon kinship or clan loyalty/alliance is comprehensible. While thinking of organised crime groups to be operating on a much smaller and less intimate level with highly flexible relationships, changing modus operandi, shifting expertise and

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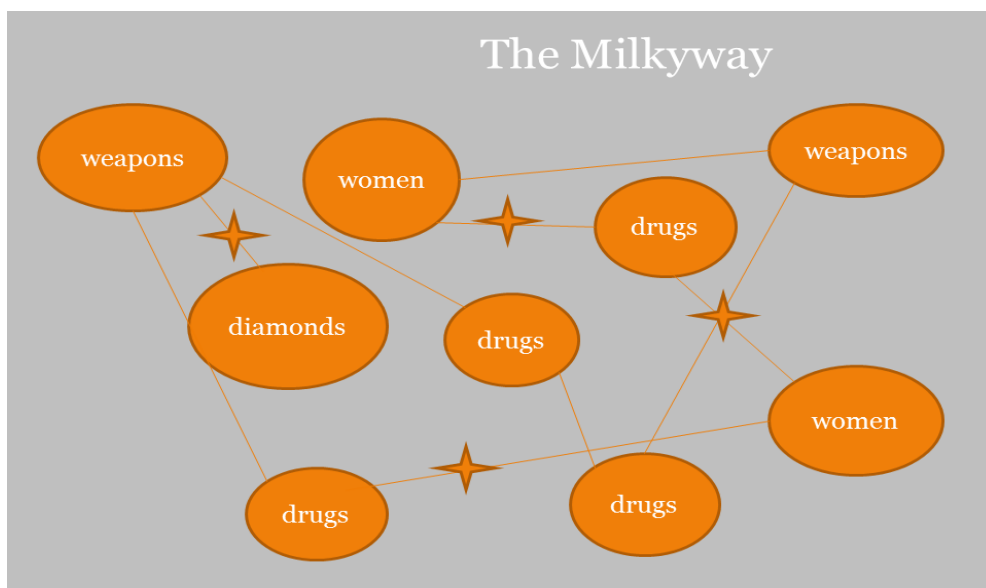
<sup>266</sup> Europol (2013) 'EU Serious Organised Crime Threat Assessment' p. 32 accessed via (<https://www.europol.europa.eu/sites/default/files/publications/socta2013.pdf>) 27/12/2013

<sup>267</sup> Chang Lee, A. (2007) 'The United States Experience in the Investigation and Prosecution of Transnational Organized Crime' in: International training course visiting experts' papers (134) 73 p. 3

<sup>268</sup> Lampe, K. von, (2004) 'Measuring organised crime. A Critique of current approaches', in: Duyne, P.C. van, Jager, M. Lampe, K. von & Newell, J.L. 'Threats and Phantoms of Organised crime, Corruption and Terrorism' Nijmegen: Wolf legal publishers

contacts between networks during the course of criminal careers<sup>269</sup> which frequently are being established by independent third parties as they were crime agents, is off course a policy and investigative nightmare as bridges between networks, as created by third parties, are temporary in nature and insight in the nature and extend of the criminal acts is obtained, not before, a set period after the act itself. Therefore, what happens is comparable to viewing a stars' light. While seeing the stars' light shining bright, at the same time you are aware of the possibility that the star itself could have died out years ago, as the light we see in the present is actually looking into the past considering the thousands of years it took for the light to travel the distance to earth. For that a network approach can be compared to a set of stars/planets in the Galaxy, called a Milkyway.

In criminal concepts it can be displayed as follows, with planetoids being networks and the stars being crime agents creating bridges (figure 12);



This does not mean that it is not possible that on each star a set group of people could be working together as it were a miniature copy of the pyramid like structure as discussed previously. In that a situation the pyramid like basis

<sup>269</sup> Jong, J.D. de (2007) 'Kapot moeilijk. Een ethnografisch onderzoek naar opvallend delinquent groepsgedrag van 'Marokkaanse' jongens' Amsterdam: Aksant

of the cooperation would only be on a much smaller scale than it were the case in mafia like organised crime groups.

#### *4.2. Organised crime and the trafficking of native speaking Hungarian women*

As mentioned in the previous paragraph, organised crime in its legal concept is present in a vast majority of criminal operations. This is not different within the trafficking and sexual exploitation of native Hungarian speaking women to and in the Netherlands. In order to arrange travel, stay and formal work consent by the authorities, the women need to rely on others to help them. Because of the nature, the persons involved and as a result of this, the operations consisting out of the long term internationally orientated cooperative actions can legally be defined as criminal based on art. 273f WvSR and these actions include aggravating circumstances due to their nature and the collaborative context in which the crimes take place. This context in turn should be orientated towards the exploitation of the women as Dutch policy also offers a legal ground for foreign women to work in prostitution.

Many of the female respondents stated they have started work as a prostitute in the country of origin. The following modus operandi were used to 'force' the women into a life of prostitution.

First the story of a girl named Victoria, she is the one respondent out of Slovakia. Victoria her story starts the moment she was kidnapped by a man from her village, both the village and man's name were not mentioned during the interviews. When Victoria was 16 years of age and while going to school, the man lured her in his van and starts expressing his feelings towards her. He told her, he wanted to marry her. When she refused, he became violent, raped her and was held in his house for several days and after this time she was brought to Prague and sold to another man. Victoria witnessed this transaction and after this moment she was sold and exchanged several more times, eventually ending up in the Netherlands. The second type of modus operandi, next to kidnapping, is family pressure. Many of, predominantly, the Roma



women were prostituted by family members.<sup>270</sup> The women told stories about parents who needed money and forced the women, usually on a very young age<sup>271</sup>, to solicit themselves on the streets. They were expected to go with men, so-called kerb crawlers<sup>272</sup> in their autos and have some sort of sexual relation/encounter with them. Usually this included unprotected sex as this paid more and potential hazards were not (yet) recognised or they were deliberately not communicated to the girls. In many occasions the brothers and male cousins were the ones who would force the women to start working<sup>273</sup> and by doing so acting as pimps and in that role, in charge of setting up meetings with clients, function as a driver/protector for out-call services, provide the women with condoms etc. One of the women, named Katarina, told me she was raised by her grandmother. This grandmother had worked as a prostitute in the past but when she became too old, she forced her granddaughter, at the age of eleven, to have sex with a neighbour for no more than the sum of four euro's. From that moment one Katarina has been working as a prostitute, travelling across Europe, being exploited by numerous men in different settings, conditions and encounters.

Other women told me stories which show a lot of similarity with conditions of the Dutch PUP's as discussed in chapter three. This involved a selection process during which a vulnerable victim is selected, usually in the age range of 18 to 24<sup>274</sup>, who after the moment of getting to know each other get involved into a process of grooming which usually would last a couple of weeks up till a few months and which includes the stages of seduction,

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<sup>270</sup> See for similar practices:

- Bekteshi, V., Gjermani, E. & Hook, M. van (2012) 'Modern day slavery: sex trafficking in Albania' in: *International journal of social policy*, 32(7/8), p. 485

- Finger, S. (2013) 'Ungarische Sexarbeiterinnen in Zürich zwischen Marginalisierung und Selbstbestimmung' in: Filep, B. Váradi, M., Walter, M. & Wastl, R. 'Grenzüberschreitende Nachbarschaften. Festschrift für Doris Wastl-Walter. Klagenfurter Geographische Schriften, Heft 29' Klagenfurt: Institut für Geographie und Regionalforschung

<sup>271</sup> Smit, M. (2011) 'Trafficking in human beings for labour exploitation. The case of the Netherlands' in: *Trends Organised Crime* (14) accessed via Springerlink.com

<sup>272</sup> Matthews, R. (2008) 'Prostitution, Politics and Policy' Oxon: Routledge Cavendish

<sup>273</sup> Poucki, S. & Bryan, N. (2014) 'Vulnerability to Human Trafficking among the Roma Population in Serbia: The Role of Social Exclusion and Marginalization' in: *Journal of Intercultural Studies* (35)2

<sup>274</sup> Lindstrom, N. (2004) 'Regional Seks trafficking in the Balkans. Transnational Networks in an Enlarged Europe' in: *Problems of Post-Communism* (51)3

pampering and binding. This will lead to a relationship, sexual contact, searching for the girls boundaries and after which the girls were 'persuaded' to help their partners/boyfriends by working as a prostitute.<sup>275</sup> This usually starts as a onetime action but not soon after they found themselves in such circumstances they could not escape as the grooming changed into violence and the initially voluntary action of prostitution itself became a with the violence enforced obligation. It is noted that the actions by Romanian men usually involve more frequent and severe use of violence, both verbally and physically and the same can be said for men from the Roma population in Hungary in comparison to indigenous Hungarian men. While men are usually the ones responsible for the crimp of women, others, like in the example of Megy, were willingly or unwillingly lured into prostitution by girls, the so-called PERF's of who they thought them to be friends or acquaintances. Some of these friends were open about the work they were getting involved in and what they had to do and the role they themselves played. This while others tricked the women by telling them lies or giving a misrepresentation of the work itself or the conditions or circumstances surrounding it. Only four of the interviewed women stated to have shown initiative to start work within prostitution and actively commit acquisition. In those cases the women became victimised while working as a prostitute during a time they were in need of assistance which could only be provided to them by pimps which then forced them into a commitment involving involuntary support and help by the same or other pimps or organisations facilitating the men acting as a pimp.

The division of native Hungarian speaking women on how they entered prostitution, is as follows (figure 13):

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<sup>275</sup> Smit, M. & Boot, M. (2007) 'Het begrip mensenhandel in de Nederlandse context' in: Justitiële Verkenningen 33(7)

Type	Total N=200	Nationality and N=	Roma N=69
<b>Family related</b>	63	HU: 41 RO: 22 SK: 0	41
<b>PUP</b>	88	HU: 64 RO: 23 SK: 0	17
<b>PERF</b>	38	HU: 31 RO: 7 SK: 0	10
<b>Self-initiated</b>	4	HU:2 RO:2 SK: 0	0
<b>Kidnapped</b>	1	HU:0 RO:0 SK: 1	0
<b>Other (not specified)</b>	6	HU:5 RO:2 SK: 0	1

The types of crimp shown prior, involve a lot of different and specific methods and one of the most striking elements is the involvement of the amount of persons and their influence on the process in general. The initial element of luring the women into a life of prostitution is only the first step as after this, the transportation and all arrangements which are necessary to enable the travels of the women i.e. facilitate travel, work and housing need to be arranged and this involves many peoples' and both social and financial capital.

As mentioned previously, almost all of the exploitative situations brought forth in this research started in the country of origin and after a set period the women would travel abroad were they continued, frequently by force, their

activities. What is interesting to see is that one of the key elements in combating human trafficking, is to make trafficking visible<sup>276</sup> on all levels with a centralised role for the official authorities and more specific, the municipalities<sup>277</sup> as they can most easily and at an early stage detect the signals related to trafficking. As exploitative situations can also start in the Netherlands in those cases the traffickers, trafficked the women directly from abroad or let the women come over and start work as a prostitute voluntarily before the process surrounding exploitation begins.<sup>278</sup>

### 4.3 Sexual exploitation

In the mid-nineties the International Organisation of Migration (IOM) called for an increase of awareness of Hungarian women falling victim to trafficking as they estimated 6% of the Hungarian women was willing to travel abroad and engage in sex work<sup>279</sup> as by the women this was and is increasingly seen as the least bad among no great options.<sup>280</sup> The awareness raising campaign which followed was not effective as it offered little advice on legal means of travelling abroad and engaging in sex work, leaving the women dependent on and vulnerable to trafficking and further exploitation.<sup>281</sup> The fact these women found their way to the West is evident reviewing their numbers of involvement in sex work in, amongst other Western European countries, the Netherlands.<sup>282</sup>

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<sup>276</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel in en uit beeld. Cijfermatige rapportage 2007-2011' Den Haag: BNRM

<sup>277</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel. Effectieve aanpak op gemeentelijk niveau. Lessen uit de praktijk' Den Haag: BNRM

<sup>278</sup> Kromhout, M., Wubs, H. & Beenackers, E. (2008) 'Illegaal verblijf in Nederland. Een literatuuronderzoek' Cahier 2008-3 Den Haag: WODC

<sup>279</sup> International Labour Organisation (ILO) (2012). 'Global Employment Trends: preventing a deeper jobs crisis' Geneva: International Labour Office

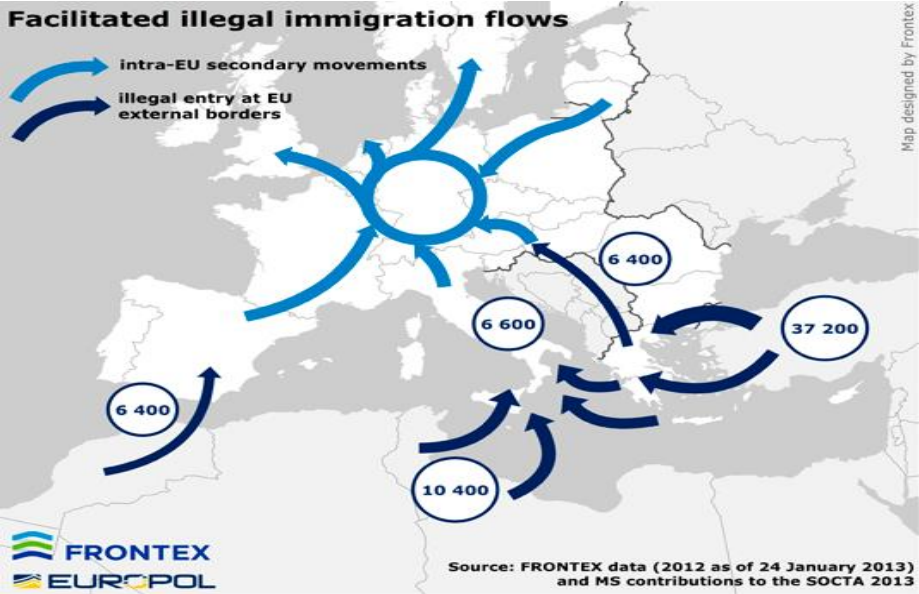
<sup>280</sup> Tolson, M. 'Sometimes, Sex Work is the Least Bad' in: IPS 24/10/2013 accessed via (<http://www.globalissues.org/news/2013/10/24/17687>)

<sup>281</sup> Davies, J. & Davies, B. (2008) 'How to Use a Trafficked Woman. The Alliance between Political and Criminal Trafficking Organisations' in: Recherches sociologiques et anthropologiques (39)1

<sup>282</sup> -Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2009) 'Mensenhandel. Zevende rapportage van de Nationaal Rapporteur' Den Haag: BNRM

- Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel. Jurisprudentie mensenhandelzaken 2009-2012. Een analyse' Den Haag: BNRM

Reviewing the patterns and routes travelled by the women as well as reviewing the persons supporting these travels it is possible to identify Germany, because of its centrally situated location between East and West Europe as the trafficking cross-road of Europe. This is confirmed by Europol which distinguishes the following migration flows<sup>283</sup> (figure 14):



This however shows little specified information on the actual nationalities, groups, countries etc. involved. The UN stated that people from 136 nationalities fall victim to trafficking and these men, women and children have been detected in 118 countries worldwide.<sup>284</sup> 79% is trafficked with the purpose of sexual exploitation.<sup>285</sup> Assessing the trafficking routes from Eastern Europe to Western Europe, two main routes are identifiable. The first one runs from the Ukraine and Moldova, crossing Romania, the Balkan and then into Italy. A second route runs from Poland, the Czech Republic and Hungary into Greece.<sup>286</sup> The routes documented within this research show difference as they are more orientated on Western Europe, presumably as the borders of

<sup>283</sup> Europol (2013) 'EU Serious Organised Crime Threat Assessment' p. 24 accessed via (<https://www.europol.europa.eu/sites/default/files/publications/socta2013.pdf>) 27/12/2013  
<sup>284</sup> UNODC (2012) 'Global Report on Trafficking in Persons' New York: United Nations publication  
<sup>285</sup> UNODC (2010) 'The Globalization of Crime. A transnational organized crime assessment' New York: United Nations Publication p. 40  
<sup>286</sup> Davies, J. & Davies, B. (2008) 'How to Use a Trafficked Woman. The Alliance between Political and Criminal Trafficking Organisations' in: Recherches sociologiques et anthropologiques (39)1 p. 123

fortress Europe have been expanded further to the East over the last couple of years. In both routes as described by Davies and Davies<sup>287</sup> an absence of Hungarian women is detected while both routes cross Hungary and or Hungarian speaking areas in the surrounding countries. This suggests that the trafficking of Hungarian women is a more autonomous venture not following documented trafficking routes and networks. The questions is why?

Reviewing the data gathered within this research identifications can be made in regards to the travels of the women across Europe. The women from Romania tend to travel different routes than women from Hungary. The Romanian women from the South-Western border regions will frequently travel through Hungary via Szeged or Budapest, to Italy. More frequently the women would travel directly to Northern Italy. This is a well-documented migration route<sup>288</sup> based upon historical relations and language similarities.<sup>289</sup> All respondents out of this research who undertook these routes, after having worked for several months in Turin an Milan have travelled directly onwards to the Netherlands or Belgium. This while women from the North-Western Romanian border regions more frequently would travel the Czech Republic, Germany or via Debrecen and Budapest further West.

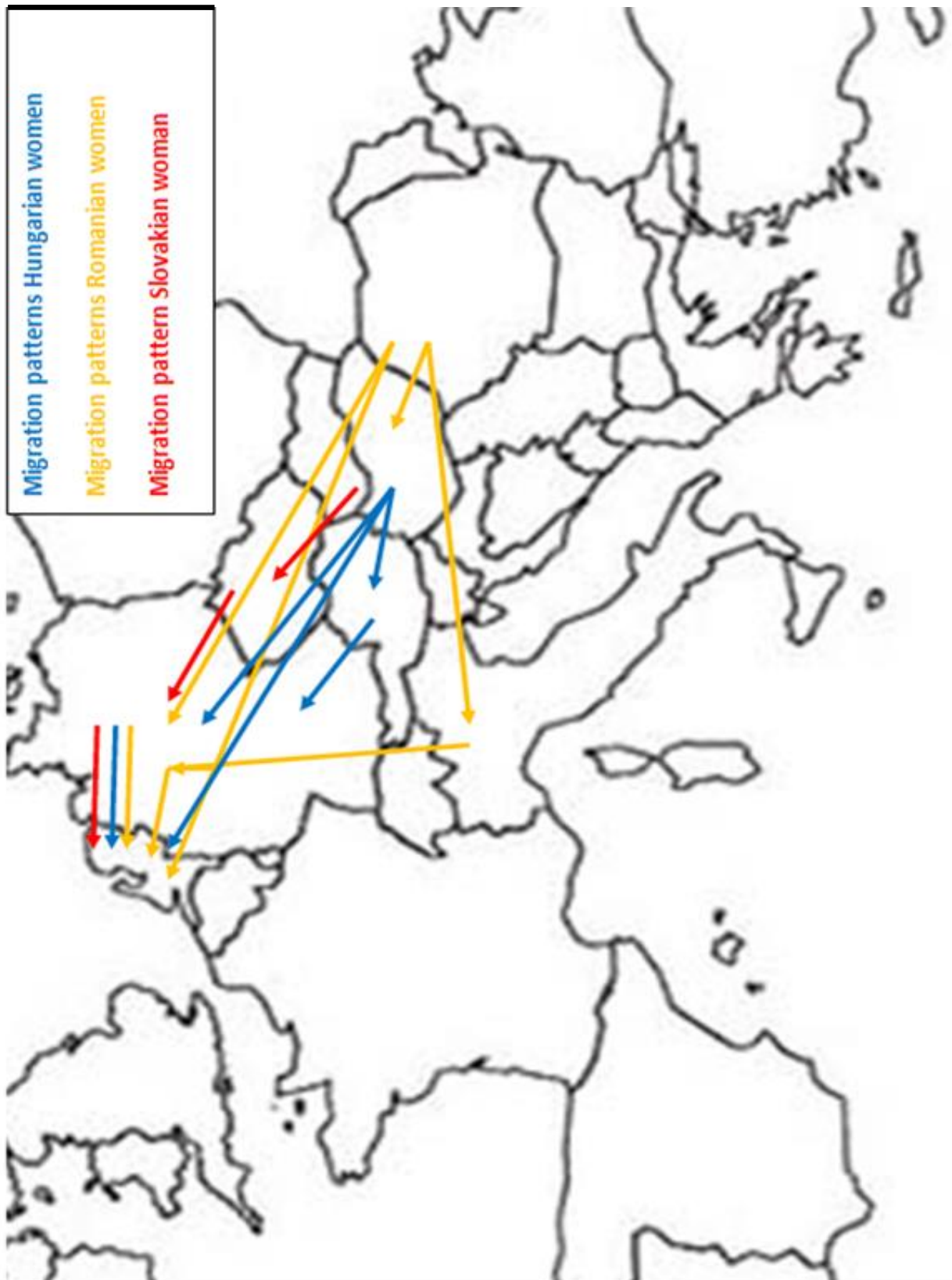
This research identifies the following patterns in migration/trafficking routes from Hungary/Romania to the Netherlands (figure 15):

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<sup>287</sup> Davies, J. & Davies, B. (2008) 'How to Use a Trafficked Woman. The Alliance between Political and Criminal Trafficking Organisations' in: *Recherches sociologiques et anthropologiques* (39)1

<sup>288</sup> UNICEF, UNHCR & OSCE-ODIHR (2002) 'Trafficking in Human Beings in South-Eastern Europe' Belgrade: UNICEF

<sup>289</sup> Andrijasevic, R. (2004) 'Trafficking in Women and the Politics of Mobility in Europe' Utrecht: University of Utrecht



The Romanian and Hungarian routes show great similarity on a European level but is this also the case reviewing Hungarian internal migration? The Hungarian women started working in prostitution after they either moved from their villages/towns themselves or after they were relocated by their handlers in one of the bigger cities of Hungary. The most heard of cities at the start of this research for the women working in Amsterdam and The Hague, were Budapest and Szeged. During the research and while supplementing the sample with other Dutch cities, the cities of Debrecen, Győr and Pécs were mentioned more frequently as the towns women came from or started their work as a prostitute. At the end of the fieldwork period, cities in the Balaton region as well as Nyiregyhaza were mentioned more frequently in the areas of Amsterdam and The Hague. This shift is a significant signal that the people involved in the trafficking of women either change or they change suppliers or the people responsible for crimp change area. On page 107 an overview is given of the routes travelled by the women out of Romania and Hungary. The following features can be recognised:

- The women travel frequently and over set patterns;
- Once the Romanian women entered Hungary their trafficking/migration routes show a lot of similarity to those of the Hungarian nationals;
- There is a significant division in Northern and Southern routes;
- Győr is an important source city while none of the women mentioned had been brought to Győr before travelling abroad;
- A majority of the women travelled directly North to Germany while others took a detour and went to Austria and or Switzerland first;
- Budapest is a central point from where the women would be gathered and prepared for departure.

This way of moving the women around is not specific for Hungary as the phenomenon, called the prostitution carousel, is a business implementation.<sup>290</sup> Men who buy sex want new faces and exploiters prevent women to create are get involved in some sort of social network outside of the

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<sup>290</sup> Verhoeven, M.A. (2007) 'Slachtoffer, heldin of hoer; net hoe het uitkomt' Apeldoorn: Het Spinhuis



one for them and the women are allowed to participate in. Beside this, they also avoid situation in which clients get to attached which can result in numerous problems. Therefore a frequent exchange of the women takes place. This planning takes place on different levels. The first level is that of the city they start work. The women usually reside here for a longer period of time but they will have different places they work out off. Examples were given by a girl, named Szuzanna from a town called Békéscsaba after she was forced by her brother, called Déjan. First she was forced to walk the streets in and outside Békéscsaba and after a year, Déjan took her to Debrecen where she was engaged in all sorts of prostitution like practices including participating in sex cam roleplaying and acting in adult movies. After Déjan, handed Szusanna over too one of their cousins, called Gizá, she was taken by him to Budapest. While in Budapest she resided and worked out off no less than 14 houses in a time frame of four months. The work in Budapest included on-street prostitution but also working in clubs as a waiter/dancer as a cover up for prostitution like practices inside the establishments and finally, she provided in-call services in flats and out-call services to hotels and clients homes. After this period she was send to Zurich with another member of her extended family who forced her to work in the red light district on Sihlquai. After two months she was informed that from there they were going to Stuttgart and after Stuttgart, she went to Dusseldorf and then on to Amsterdam. The family line of control and exploitation was cut in Stuttgart after she had worked in service of some vaguely related 'uncles' and cousins who handed her over to a Turkish care taker, called Yasin or Boğa (Bull) who was responsible for the rest of her travels. Their cooperation ended in Groningen when a Turkish acquaintance of Yasin, called Semih who by Yasin and other Turkish men was being addressed as Abi (brother<sup>291</sup>). On average she worked at each location no longer than six months in end and during these months she always resided and worked from different locations. The moment she was interviewed, she was working in the city of Groningen where she started less than a week ago, after she had been working in Amsterdam for three months. In total she had been working in prostitution just shy of three years now and she informed me she had turned

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<sup>291</sup> Within Turkish culture it is normal to address an elder respected person with the term Abi. This does not necessarily mean the person is an actual brother but it also applies to cousins or no familial relationship at all.

18 last month. This means that when she forced to start work she under aged and being exploited by her own family. She also mentioned working with other victimised female family members in Hungary and Switzerland.

In general the following travel routes have been detected and reported within this research<sup>292</sup>:

For the Romanian women (N=62):

- The Romania – Hungary – Austria – Switzerland – Germany – the Netherlands transit (N=2 )
- The Romania – Hungary – Austria – Germany – the Netherlands transit (N=6)
- The Romania – Austria – Germany – the Netherlands transit (N=9)
- The Romania – Hungary – Switzerland – Germany - the Netherlands transit (N=2)
- The Romania – Hungary – Germany - the Netherlands transit (N=23)
- The Romania – Hungary – Italy – Germany- the Netherlands transit (N=2)
- The Romania – Italy – Germany – Belgium – the Netherlands transit (N=1)
- The Romania – Germany – the Netherlands transit (N=14)
- The Romania – Hungary – the Netherlands transit (N=3)

For the Hungarian women (N = 136):

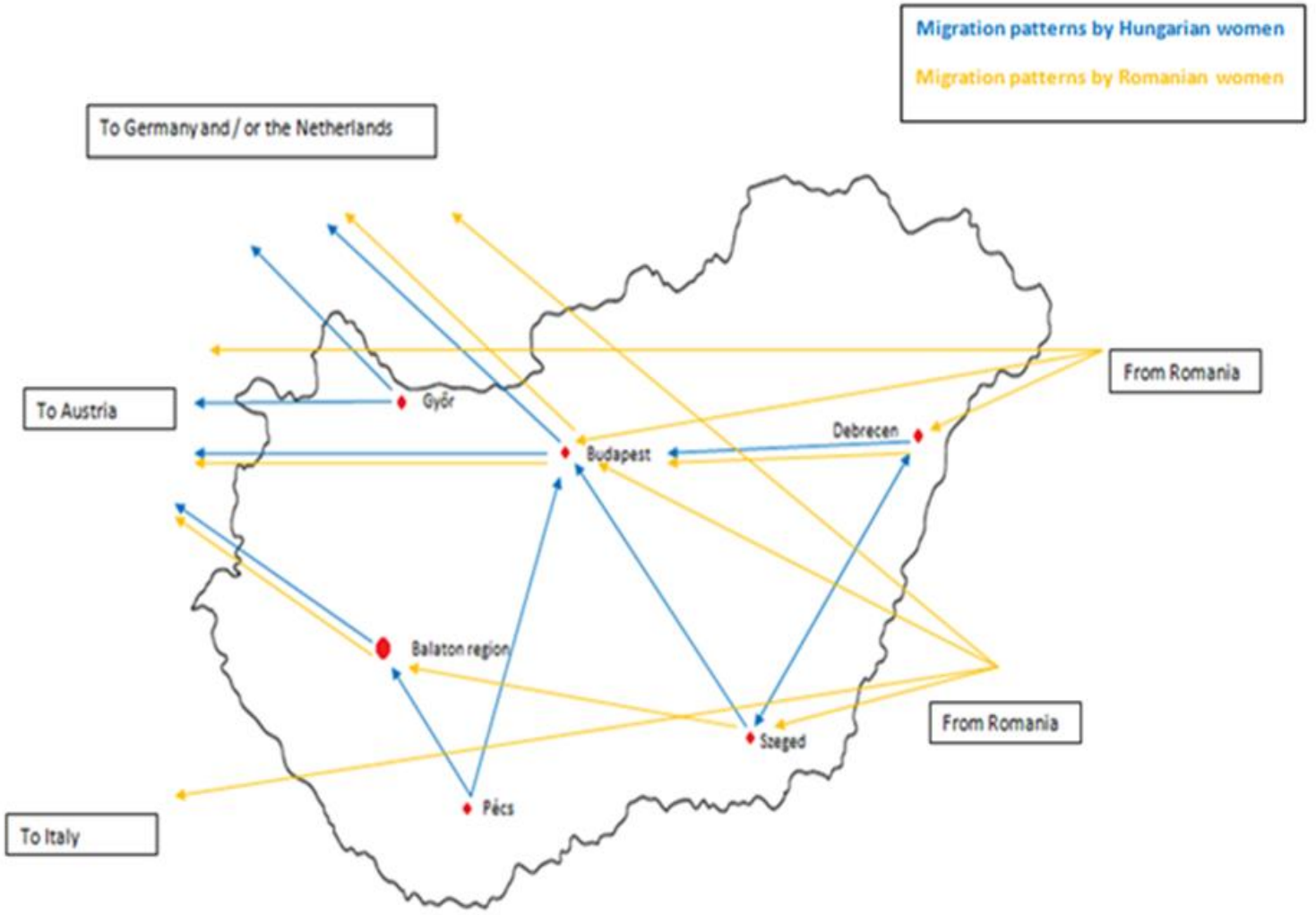
- The Hungary – Austria – Switzerland – Germany – the Netherlands transit (N= 4)
- The Hungary – Austria – Germany – the Netherlands transit (N=41)
- The Hungary – Switzerland – Germany – Belgium – the Netherlands transit (N=1)
- The Hungary – Germany – Belgium – The Netherlands (N=2)
- The Hungary – Germany - the Netherlands transit (N=57)
- The Hungary – Belgium – the Netherlands transit (N=6)
- The Hungary – the Netherlands transit (N=22)

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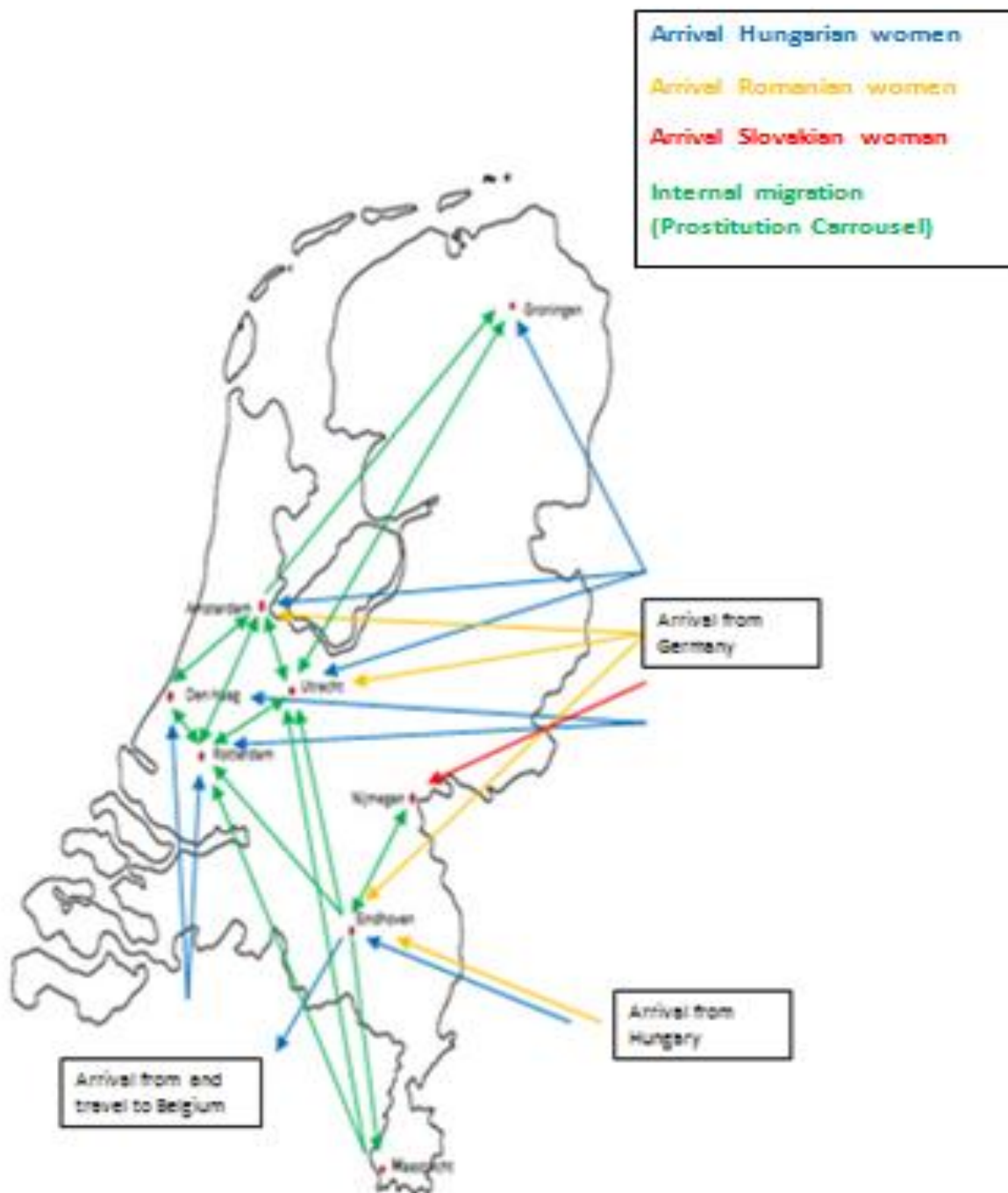
<sup>292</sup> The Slovakian route is not included as this transit and the circumstances surrounding it was already described on page 92 .

As supported by the figures both Romanian and Hungarian women most frequently make use of route through Germany as is supported by the Europol data. Striking within this comparison is the overlap of cities the women worked in. In Germany, the cities of Munich, Frankfurt, Stuttgart and Dusseldorf are frequently visited by the women while in Austria, Vienna is heard of almost exclusively and the same applies to Zurich in Switzerland.

A remarkable fact is in the situation of those women who mentioned to work without care-takers, pimps or otherwise supportive people as they tend to travel more frequently directly to the Netherlands. The ways of transportation however remain the same as they usually make use of the budget flights from Budapest to Eindhoven or the even cheaper available bus charters. The women who travel, while being accompanied by their care-takers will more frequently travel by auto and in some occasions by train or bus when they are being re-located. While travelling back and forth from the Netherlands to Hungary or Romania, airplanes are more frequently used while they travel either individually or accompanied by others, depending on the autonomy given to them. The map below shows the internal movements by the women to, in and from Hungary (figure 16).



The prostitution carousel is not just reserved for migration and the trafficking of women outside of the Netherlands, as many of the women show patterns of frequent travel between the red light districts in cities in the Netherlands. These routes are shown in the map below:



This map (figure 17) shows both the main entries into the Netherlands as well as the internal movements of the women. It needs to be mentioned that those women travelling more frequently and who reside for a shorter period of time at one specific city or location within a city, can usually be classified as being trafficked and exploited by others. While assessing the internal migration routes, a reciprocity can be identified. As mentioned before, traffickers have reasons to rotate the women around, but they will need to

have sufficient means to do so. In order to make this rotation possible a lot of traffickers, being organised criminals, will make use of their networks. On more than one occasion the names of persons involved in the sexual exploitation were mentioned by the women, while the women never to have been in contact with one and another. Because of this, the patterns were examined more precisely and similarities in the modus operandi and routes could be identified. Most of the women have followed specific migration patterns. One of the most recognisable is the diamond between The Hague, Rotterdam, Amsterdam and Utrecht as a lot of the women have worked in all of those cities. Striking is the fact there was no direct travel between The Hague and Utrecht. Another point of interest is the city of Eindhoven as Eindhoven airport is a main entry into the Netherlands for native Hungarian speaking women. Beside this, Eindhoven also has an active prostitution sector but none of the women who entered the Netherlands via Eindhoven indicated to have worked there.

During the interviews, the men responsible for the exploitation of the women shared information on the way they operate and the roles they fulfil. The interviewed men appeared to be of low or middle hierarchy proven by the lack of necessary knowledge, presumably due to the fact they are regionally bound. This meaning they only operate out of a specific area/region but they are still able to make use of their contacts in order to frequently attract, change or buy women, from outside their own region to work for them. During the talks different men mentioned the internet as the future for their work as this medium provides them with possibility of online advertisement of the women to clients. However some also hinted on the existence of an online women's market place where they offer the women who are currently working for them, for exchange or sale. Others mentioned using their colleague competition contacts' network in order to have a steady flow of new women. These network related contacts also crossed borders and extended into Germany and Belgium. Only the Hungarian and Romanian pimps, as is to be expected, had contacts running all the way back to Hungary and Romania and they would usually bring the women over directly to the Netherlands, showing

similarity with the facts expressed in the court case of Mate Puskas in the United Kingdom.<sup>293</sup>

#### *4.4 Dealing with the law and the police*

As the majority of the interviewed women meet the legal and social qualifications of being a victim of trafficking<sup>294</sup> and sexual exploitation by organised crime, they continuously refuse to see themselves as victims. This makes it hard for the police to get a victim statement and a filled report in order to start an investigation. As this is becoming the case more and more, this leads to an insufficient supply of cases to bring to court<sup>295</sup> and in the wake the possibility to rescue the victims and end the exploitative situation.

The Stockholm programme extends on the existing European strategy on trafficking which focusses on two interrelated solutions which need to be implemented simultaneously. This bifocal idea includes, on the one hand the strengthening of law enforcement capabilities while on the other hand, the goal is to improve social and economic conditions of women in source countries.<sup>296</sup> The question will be if this will be sufficient as strengthening alone will not be effective if applied wrongly. As a crocodile is a creature with one of most bite force, but this force is only effective when a crocodile's mouth is open and ready for biting down on something. When a crocodile has its mouth closed a small person with limited strength can easily hold the mouth of the crocodile firmly closed and by doing so avoiding any danger. The same could apply for law enforcement initiatives. The operations and instruments of law need to be strengthen with an open mouth to bite down. In order to do so a new way of operating with new structures and modus operandi and set goals.

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<sup>293</sup> Ben James, News 31/11/2013 accessed via [http://www.theargus.co.uk/news/10775463.Hungarian\\_sex\\_gang\\_who\\_allegedly\\_ran\\_brothel\\_based\\_on\\_University\\_of\\_Sussex\\_campus\\_in\\_court/](http://www.theargus.co.uk/news/10775463.Hungarian_sex_gang_who_allegedly_ran_brothel_based_on_University_of_Sussex_campus_in_court/)

<sup>294</sup> - Andrijasevic, R. (2004) 'Trafficking in Women and the Politics of Mobility in Europe' Utrecht: University of Utrecht

- Wagenaar, H. Altink, S. & Amesberger, H. (2013) 'Final Report of the International Comparative Study of Prostitution Policy: Austria and the Netherlands' The Hague: Platform31

<sup>295</sup> Respondent Roger Lambrichts (28/11/2013)

<sup>296</sup> Lindstrom, N. (2004) 'Regional Seks trafficking in the Balkans. Transnational Networks in an Enlarged Europe' in: Problems of Post-Communism (51)3

These, to be effective on the long run need to be focussed on prevention and victims' human rights protection rather than being oppressive and intrusive.<sup>297</sup> Still this remains difficult as all agencies involved in combating trafficking tend to approach the issue of trafficking in different ways. These ways can be distinguished into four, interrelated approaches. The first one is the Migration approach which conceptualises human trafficking as a 'normal' process of unregulated or irregular type of economic migration. The second one is the Law Enforcement approach and this approach sees human trafficking as a serious crime, not unlike smuggling drugs. The third is called the Human Rights approach and frames the human trafficking process as a process of continuing violation of fundamental women rights and emphasises on the violent and coercive nature of the trade. The final approach is Structural and shifts the emphasis from intention-based understandings of trafficking to a focus on its structural roots, knowingly global and regional inequities in the distribution of jobs, resources or wealth.<sup>298</sup>

As human trafficking is a specialisation within the range of serious organised crime and as it has a transnational component it is necessary for member states to join forces if they want to be able to effectively fight organised crime. As shown in the previous maps, the trafficking of women for sexual exploitation is usually not organised in such a way that the women are being trafficked abroad and once abroad, the exploitation begins. The organisation, takes place over a longer period of time and it includes numerous methods, routes and persons<sup>299</sup> -here only mentioned the criminals leaving out of the equation corruption of officials etc. -<sup>300</sup>

Europol directed by international guidelines<sup>301</sup> should take a leading positing as this organisation is the first to receive information from different

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<sup>297</sup> Ditmore, M. & Thukral, J. (2012) 'Accountability and the Use of Raids to Fight Trafficking' in: Anti-Trafficking Review (1)

<sup>298</sup> Lindstrom, N. (2004) 'Regional Seks trafficking in the Balkans. Transnational Networks in an Enlarged Europe' in: Problems of Post-Communism (51)3 p. 48-49

<sup>299</sup> Lehti, M. (2003) 'Trafficking in Women and Children in Europe' in: HEUNI paper (18)

<sup>300</sup> Köhalmi, L. (2012) 'A büntetőjog alapproblémái' Pécs: Pécsi tudományegyetem Állam-és Jogtudományi KarGazdasági Büntetőjogi Kutatóintézet

<sup>301</sup> Scarpa, S. (2008) 'Trafficking in human beings: Modern Slavery' Oxford Scholarship online, 1(09)



channels and on the basis of this information can start an European wide investigation by informing national police agencies. In before, the OCTA and now the SOCTA, Europol works on estimating the extend of trafficking in Europe as well as the groups involved.<sup>302</sup> This information is being shared with national police agencies which in turn can make proper use of this information. This however is still not enough as the networks and modus operandi are flexible and many of the police agencies of source and transit countries have to little expertise or possibilities to act timely and effective. As mentioned previously cooperation is sought after with the help of so-called Joint Investigations Teams (JIT) and Hungary and the Netherlands have set up several of this type of cooperative structures.<sup>303</sup> Even though these initiatives are and should be welcomed, a more in-depth longitudinal cooperation will prove to be necessary as trafficking routes need to be described as well as the structures and modus operandi of the people involved in the trafficking and sexual exploitation of women in Europe. This however is and will remain intensely difficult and holds no guarantee for success.

#### *4.5 Concluding remarks*

Within this fourth chapter, more insight is given in the way the men behind the organisation of the trafficking and sexual exploitation of native Hungarian speaking women operate. This was addressed out of an organised crime approach stating that in almost every facet of the described processes, organised crime is needed in order to enable the organisation of the human right infringing crimes. An elaboration on the modus operandi of the people involved, as also described in previous chapters, has been given as well insight based upon the obtained data by both the interviewed victims and the perpetrators. The next chapter will continue on this and hands on solutions will be given supplemented by recommendations on how to combat these crimes more effectively but also to provide better protection for the victim and finally how to work on the prevention of perpetration and victimisation.

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<sup>302</sup> Europol (2013) 'EU Serious Organised Crime Threat Assessment' accessed via (<https://www.europol.europa.eu/sites/default/files/publications/socta2013.pdf>) 27/12/2013

<sup>303</sup> Respondent Warner ten Kate (02/07/2013)

## 5. Combating Human trafficking and sexual exploitation recommendations

### 5.1 *Ultimate goal*

While combating organised crime, it should be taken into account that the ultimate goal, which derives from our Western ideology with a centralisation for a human rights orientation which is shaped by the ideology of equality and liberty within a democratic society<sup>304</sup> which is to protect the people from being exploited and saving those who have fallen victim to exploitation. Therefore it is necessary to put this goal at the centre of all actions and efforts to 'save' those who have fallen victim. The word save has been put between brackets as people should always keep in mind that in some occasions rescuing a girl out of a situation which according to Dutch and European legislative standards is seen as exploitive, could be contra productive as by rescuing her she could be condemned to a life which for her will be far worse. The women in the Netherlands who are saved out of a life of sexual exploitation, a life the women, frequently in accord with their own reasoning, entered voluntary and by which she can support herself and family back home to a standard above average, should be given a proper and reasonable alternative by the authorities. It cannot be that the efforts set out to bring exploitation to a halt eventually cause bringing more misery and danger upon the women because of the result that many of these girls and women will be send back to their country of origin. By doing so, the women are being sent back to the same misery, deprivation and severe abuse, she initially tried to escape.<sup>305</sup> This meaning that if women will be sent back to their country of origin, they will most likely end up continuing working in prostitution and by doing so being exploited in a worse manner with more severe human rights infringements than as it was the case while she was being exploited in the Netherlands. A vast majority of the interviewed women from Eastern Europe were being exploited, without a doubt, but the majority of them had (or at least had the illusion of)

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<sup>304</sup> Waisman, V. (2010) 'Human Trafficking: State Obligations to Protect Victims' Rights, the Current Framework and a New Due Diligence Standard' in: *Hastings International Law & Comparative Law Review* (33)2

<sup>305</sup> Kersten, L. (2010) 'Terug bij af? Terugkeer en re-integratie van Bulgaarse vrouwen na uitbuiting in de prostitutie' in: *Tijdschrift voor criminologie* (52) 3

some autonomy, choice and options as many of them were able to send money back home and/ or conduct paid visits to family during the holidays. Of course working too many hours a day in conditions which are not up Dutch labour standards is undesirable and criminal but compared to the working conditions witnessed and documented in Eastern Europe, they are understandable acceptable for the majority of Eastern European women working in the Netherlands.<sup>306</sup> Yes there are those cases which demand immediate action by the Dutch authorities because the exploitation is so severe it touches the concept of slavery<sup>307</sup> but within this research examples of those extremities did not occur. However fact remains that the vast majority (96%) of the interviewed women are, from a legal standpoint, trafficked and being exploited. This group of women however, will be better off with a different type of help than is currently offered and available.

For the majority of victimised women an intervention with a (human) right-based and victim-centred approach which prioritises the needs of the women, is required.<sup>308</sup> By doing so all visible and underlying determinants need to be taken into consideration and effectively addressed. This asks for some fundamental changes in international relations i.e. by police and political cooperation between source, transit and destination countries, a by the European Union set out centralised orientated approach, a change in police techniques, including cooperation and data exchange and finally bringing an end to the sex work exploitation debate and shift the focus to long term goals instead of ad hoc populist ideologies which are shaped upon a lack of insight and in turn usually based upon weak research and unreliable data.<sup>309</sup> Understandably these options are long term orientated and presumed impossible when reviewing the past two decades of policy making and

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<sup>306</sup> Richards, K & Lyneham, S. (2014) 'Help seeking strategies of victim/survivors of human trafficking involving partner migration' in: Trends and issues in Crime and Criminal Justice, 468

<sup>307</sup> See in example the so-called Sneep case as discussed by Kate, W. ten (2013) 'Mensenhandel: Moderne slavernij' Deventer: Kluwer

<sup>308</sup> - Ditmore, M. (2009) 'The Use of Raids to Fight Trafficking in Persons' New York: Sex Workers Project p. 6  
- Ditmore, M. & Thukral, J. (2012) 'Accountability and the Use of Raids to Fight Trafficking' in: Anti-Trafficking Review (1)

<sup>309</sup> Brooks-Gordon, B. (2010) 'Sex Work' in: Brookman, F, Maguire, M., Pierpont, H & Bennett, T. 'handbook on Crime' Devon: Willan Publishing p.554

attempts of European unification. Instead of being blinded by these options more feasible, earthly-minded and effective solutions need to be sought after as victims' deserve swift and efficient actions.<sup>310</sup> These solutions should be based upon theory, have a proven method and be practically linked to policy.<sup>311</sup> From a theoretical perspective the civilisation theory as shaped by Norbert Elias in 1939, could provide a solid base as Elias adequately describes how standards and values are shaped within a social processes and slowly will be adapted and implemented.<sup>312</sup> This however is all but a natural and easy process. Putting Elias his current time, we are now witness of a dominance of Western ideologies which are forced upon non-Western countries which up until the end of the 21<sup>st</sup> century upheld other standards and values. One of the best portraying examples is conceptualizing the idea of universal human right standards which Western society urges or even forces on to non-western countries. This, however, says nothing about the basic worth of this legal product as Western society only recently discovered the importance of human rights themselves and this legal framework remains a socially constructed ideology based upon the morals of its time<sup>313</sup>, being comparable to democratic society as founded by the Greeks itself and later on was adapted by Western civilisation. Like Democratic society the thoughts will shift and altercations will occur as, unlike within the basic concept of democracy, we now are all free to vote and not only men of nobility. And beside this, did ancient Greek society not prosper because of slavery? And yet Western society tries to enforce this equality ideology on less 'civilised' countries which need to be 'saved', no different than the Christian missionaries who went to Africa to rescue the souls of the pagans. However, this theoretical implementation of civilisation onto a society can only function providing that the following misconceptions are taken into account. First, the problem that uninitiated scholars are tempted to asses Elias his theory as a biased view on contemporary institutions and cultural achievements which are presumed to be more advanced than those from the past. The second misconception

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<sup>310</sup> Matthews, R. (2009) 'Beyond so what? Rediscovering realism' in: *Theoretical Criminology* (13)

<sup>311</sup> *Ibid* p. 258

<sup>312</sup> Elias, N. (2000) 'The Civilizing Process. Sociogenetic and Psychogenetic Investigations' Oxford: Blackwell

<sup>313</sup> Hart, H.L.A. (2009) 'Positivism and the separation of law and morals' in: Kavanagh, A. & Oberdiek, J. eds. 'Arguing About Law' London: Routledge

focuses on the situation of the civilisation theory looking down and degrading non-Western societies as they are at the start of the civilisation process.<sup>314</sup> Beside these two misconceptions it should also be noted that achievements out of Elias his theory can also be adapted to create or support human right infringements i.e. within the sexual exploitation of women.<sup>315</sup>

This may sound contra dictionary in relation to the story about a victim centred human rights approach but in fact it is not. This elaboration is necessary to make others aware of the fact they take Western Societies ideologies for granted and see it as leading whilst the people upholding this ideology constitute a minority in the world. While discussing a suitable basis for policy and legislation in order for it to be effective, societies morals must always be placed at the centre of attention. It is important however not to make the mistake of presuming these morals are the only and best as then you would reason out of cultural relativism<sup>316</sup>, destroying the base for any discussion on and influence by cultural shaped values<sup>317</sup> in the political and legal debate. And this is just opposite of what human rights intend to be as they are intended to uphold universal morals<sup>318</sup> based upon the ius natural<sup>319</sup> with respect for historically shaped cultural differences.

## 5.2 Prevention

Bearing in mind the misconceptions and dangers as discussed in the previous paragraph on the goals of acting, the options to act preventively on the trafficking and sexual exploitation of women, therefore needs to be put forward as below. This orientation is based upon a two-dimensional typology of

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<sup>314</sup> Ruller, S. van (2003) 'De recente groei van het gevangeniswezen in historisch perspectief' in: Tijdschrift voor criminologie (2)

<sup>315</sup> -Pratt, J. (2002) 'Punishment and Civilization. Penal Tolerance and Intolerance in Modern Society' London: Sage

- Ruller, S. van (2003) 'De recente groei van het gevangeniswezen in historisch perspectief' in: Tijdschrift voor criminologie (2)

<sup>316</sup> Cliteur, P (1999) 'De filosofie van mensenrechten' Nijmegen: Ars Aequi Libri

<sup>317</sup> Bauman, Z. (1999) 'Culture as Praxis' London: Sage

<sup>318</sup> Wong, D. (2006) 'Natural Moralities. A Defence of Pluralistic Relativism' Oxford: Oxford University Press

<sup>319</sup> Hart, H.L.A. (2009) 'Are there any natural rights?' in: Kavanagh, A. & Oberdiek, J. eds. 'Arguing About Law' London: Routledge

crime-prevention with nine preventive measures<sup>320</sup> each one with its own determinants and specific approach(es). This division is formulated as shown below (figure 18):

	<b>Primary prevention</b>	<b>Secondary prevention</b>	<b>Tertiary Prevention</b>
	<b>(Universal)</b>	<b>(Selective)</b>	<b>(Indicated)</b>
<b>Target:</b>			
<b>Perpetrator</b>	1	2	3
<b>Situation</b>	4	5	6
<b>Victim</b>	7	8	9

### 5.2.1 Primary perpetrator orientated prevention

The first target of primary prevention focuses on the perpetrator and its determinants. To be more specific on the elements of the origination and evolution of the criminal activities by the person. Primary prevention in this case focuses on those situations when criminal behaviour is still absent, but general indicators that show prove of the possibility of crime are present.<sup>321</sup> These indicators address the basic social factors like a persons' Social Economic Status (SES), a persons' upbringing and within this educational process lay the foundations for life skills and the possibility to create and recognise these social bonds existing out of attachment, commitment, involvement and beliefs.<sup>322</sup> Looking at the interviewed men involved in the sexual exploitation of women it can be said they are immigrants from the first, second and third generation and they have all given notice of feeling marginalised by and within Dutch society. Their upbringing was influenced by different events which occurred in

<sup>320</sup> - Dijk, J.J.M. van, Sagel-Grande, H.I., & Toornvliet, L.G. (2009) 'Actuele criminologie' Den Haag: Sdu Uitgevers p. 175

- Crawford, A. & Evans, K (2012) 'Crime prevention and community safety' in: Maguire, M., Morgan, R. & Reiner, R. 'The Oxford Handbook of criminology' Oxford: Oxford University Press p.772

<sup>321</sup> Glueck, S. & Glueck, E. (1950) 'Unraveling Juvenile Delinquency' New York: Commonwealth

<sup>322</sup> Hirschi, T. (1969) 'Causes of Delinquency' Berkeley: University of California Press.

their childhood and which left a mark in later life. Their general perceptions towards Dutch society are negative as are they to women in general. The men consider their work, position and male dominance to be a normal thing and they operate in a way they think fit, regarding societies values. Within this orientation on prevention a solution must be sought for in inclusion and national social policy establishing equal changes within society. This includes supporting people suffering of disadvantaged circumstances due to their social position which usually occurs with migrants who have insufficient funds and a limited social network.<sup>323</sup> Because of the desire to change their situation people in marginalised positions will be confronted with crime, both as a victim and as a perpetrator.<sup>324</sup> This will happen as people will invest too little in their own position which leads to disintegration<sup>325</sup> and in turn to less social control, on the level of acting as an agent of social control as well as on a subject of social control which leaves them and others vulnerable.<sup>326</sup> Within this process it can be witnessed that a type of alienation with societies legal standards can occur. This in turn could lead to a situation of anomie, as described by Durkheim<sup>327</sup> as being a society in which legal constructs and standards are not being upheld or reinforced by governmental actions. Therefore society will need some sort of social basis to avoid segregation<sup>328</sup>, not only on basis of ethnicity<sup>329</sup> but also on a level of a persons' SES.<sup>330</sup> Such a transformation however will require complete social adaptation supported by a willing, able and influential government.

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<sup>323</sup> Park, R.E. (1925) 'The City. Suggestions for Investigation of Human Behavior in the Urban Environment' in: Park, R.E. & Burgess, E.W. 'The City' Chicago: University of Chicago Press.

<sup>324</sup> Young, J. & Matthews, R. (1992) 'Issues in Realist Criminology' London: Sage

<sup>325</sup> Shaw, C.R. & McKay, H.D. (1942) 'Juvenile Delinquency and urban Areas' Chicago: Chicago university Press

<sup>326</sup> Tittle, C. (2000) 'Refining the control-balance theory' in: Theoretical Criminology (8)

<sup>327</sup> - Durkheim, E. (1893) 'De la division du travail' accessed via

([http://classiques.uqac.ca/classiques/Durkheim\\_emile/division\\_du\\_travail/division\\_travail\\_1.pdf](http://classiques.uqac.ca/classiques/Durkheim_emile/division_du_travail/division_travail_1.pdf)) 01/08/2011

- Durkheim, E. (1897) 'Le Suicide' accessed via

([http://classiques.uqac.ca/classiques/Durkheim\\_emile/suicide/suicide\\_Livre\\_1.pdf](http://classiques.uqac.ca/classiques/Durkheim_emile/suicide/suicide_Livre_1.pdf)) (01/08/2011)

<sup>328</sup> Becker, H.S. (1963) 'Outsiders: Studies in the Sociology of Defiance' New York: The Free Press

<sup>329</sup> Gutiérrez Chong, N. (2014) 'Human Trafficking and Sex Industry: Does Ethnicity and Race Matter?' in: Journal of Intercultural Studies (35)2

<sup>330</sup> Webster, C. (2008) 'Marginalized white ethnicity, race and crime' in: Theoretical Criminology (12)

### 5.2.2 *Secondary perpetrator orientated prevention*

The second level orientated on the prevention of criminal behaviour by the perpetrator looks at that moment when individual risk indicators reveal themselves and so-called early life interventions can be deployed. All of the interviewed men had problems in school, almost all played truant regularly and none had a diploma above the legally required minimum. Twenty of them also had a lot of difficulties with their (absent) parents or in many occasions, their guardians, and all have been in contact with the police during their childhood. Finally it needs to be said that all of them were influenced by third parties i.e. family and friends who introduced them to a life of crime. This is the moment they were thought the specific criminal proceedings as well as the rationalities and motivations.<sup>331</sup> On average they became sexually active at young age and all have bought sex from women before getting involved in their current line of work. All of them have been in contact with other types of (organised) crime and some indicated that for them this is easy and clean money as they witness that prostitution operates in the grey area of law and society and they see this an opportunity to conduct their business. The men operate partly within the legal boundaries but when shove comes to push they will and did not hesitate to cross these boundaries into illegality. In order to work on a more preventive level, the given signals should be recognised at an earlier stage and the authorities should have an adequate responses ready which can be carried out, at the moment, the perpetrator is in an early stage of its criminal career and preferably at young age. Any intervention should at least exist out of a compulsory course on societies values and standards and preferably in its execution involve removing the young perpetrator from the situation in which they were thought the way how to conduct and how to think of crime.<sup>332</sup> As none of the respondents have indicated to have started work in the field of prostitution and related sexual exploitation the more general indicators on criminal behaviour should be tackled as sexual exploitative behaviour presumably is some sort of maturation in crime within a person's criminal career.

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<sup>331</sup> Sutherland, E.H. (1983) 'White Collar Crime: The Uncut Version' New Haven: Yale University Press

<sup>332</sup> Newburn, T. (2013) 'Criminology 2nd edition' Oxon: Routledge



### 5.2.3 Tertiary perpetrator orientated prevention

When a perpetrator is involved in the sexual exploitation by forced prostitution of women and her or she gets in contact with the police, the actions by the authorities should give honour to the five elements within punishment for it to be effective. These five elements are; retribution, deterrence, harmlessness, rehabilitation and recovery.

The first element is described by Grotius as '*Poena est malum passionis, quod infligitur propter malum actionis*'<sup>333</sup>, and means so much as an evil must be responded on with suffering by punishment. In the classical thought of a retributivist this is the sole purpose for punishment. The second element, deterrence is also shaped in this classical approach and according to Beccaria<sup>334</sup> all people are free of will and all actions committed by a person can therefore be perceived as deliberate acts. Within this idea of men as a Homo Economicus the threat of punishment should withhold people from committing crimes as it would negatively influence the balance of acting out of free will, these effects however are highly criticised<sup>335</sup> and it has a different effect on the levels of age and legitimacy<sup>336</sup> and on their general attitudes towards the different criminal justice institutions.<sup>337</sup> Harmlessness simply means that the perpetrator is unable to continue his criminal activities due to the punishment i.e. by taking away his freedom. Rehabilitation is one of the goals set out in the modern approach which has a preventive element as it looks at returning the perpetrator as a full and normalised member back into society. Recovery is also formed within the modern thought and states that a criminal act is not just an infringement on the victim but on society as a whole and therefore the authorities will need to punish and by doing so, restore the infringement on democratic society. These five elements cover both general prevention by deterrence, as well as special prevention by rehabilitation which together

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<sup>333</sup> In Mevis, P. (2009) 'Capita strafrecht' Den Haag: Ars Aequi Libri p. 143

<sup>334</sup> Beccaria, C. (1764/1995) 'On Crimes and Punishment and other Writings' Cambridge: Cambridge University Press

<sup>335</sup> Bongers, W.A. (1916) 'Criminality and Economic Conditions' Boston: Little, Brown and co.

<sup>336</sup> Sherman, L. (1993) 'Defiance, deterrence, and irrelevance: a theory of the criminal sanction' in: Journal of Research in Crime and Delinquency (4)

<sup>337</sup> Rij, J. van (2012) 'Immigrants' perceptions of crime, safety and the criminal justice system' (pp. 38, not published)

constitute the penal goals. In practice this means that while a perpetrator is incarcerated he or she needs to be supported and helped with their return to society avoiding stigmatisation and recidivism. In those situations where a person is convicted for trafficking and sexual exploitative crimes, help should consist out of mandatory courses on the equality of the sexes and reaffirmation of societies values and standards. In many occasions this should be supplemented with psychiatric help and medication as most of the interviewed men (N=16) show signs of sociopathic tendencies and an absence of empathy and a lack of insight in the difference between good and evil and finally a severe alienation from normal society. This is something a prison sentence with the necessary help by the behavioural experts of the prison and on release, the probation service, on the basis of the what works criterions<sup>338</sup>, should address.

#### 5.2.4 *Primary situational orientated prevention*

The first type of prevention by addressing situational determinants, implicates the universal implementation of preventive measures<sup>339</sup> i.e. adapting and fitting in more sophisticated security means, like fitting in GPS tracking systems and dashboard integrated radios and satellite navigation systems in vehicles. In general, situational prevention addresses opportunity reduction which has three interrelated structures. The first structure is increasing the perceived effort and the protective measure mentioned above is an example of this. The second, increasing the perceived risks, looks at the possibility of increasing detection and the third looks at the possibilities of reducing the anticipated rewards.<sup>340</sup> Transferring these generalised thoughts onto the level of crimes committed within trafficking and sexual exploitation of women, measures could be taken on the level of control by the authorities while assessing a work license or work application by women from specific target groups who have indicated wanting to work within prostitution. This meaning, the authorities should set up a wider network involving more

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<sup>338</sup> - Boone, M. & Poort, R. (2002) 'De What Works principes toegepast op het programma-aanbod van de Reclassering' in: Justitiële Verkenningen (24) 8

- Newburn, T. (2013) 'Criminology 2nd edition' Oxon: Routledge

<sup>339</sup> Dijk, J.J.M. van, Sagel-Grande, H.I., & Toornvliet, L.G. (2009) 'Actuele criminologie' Den Haag: Sdu Uitgevers

<sup>340</sup> Crawford, A. & Evans, K (2012) 'Crime prevention and community safety' in: Maguire, M., Morgan, R. & Reiner, R. 'The Oxford Handbook of criminology' Oxford: Oxford University Press p. 774

partners who apply a more in-depth selection with more cooperation or even a centralised coordination out of a specialised unit based on the currently enforced barrier model.<sup>341</sup>

### 5.2.5 *Secondary situational orientated prevention*

The secondary level of situational prevention addresses the situation as a cause for the existence of exploitive situations. The focus lies with looking at those with elevated risks of becoming victimised. In comparison with the information mentioned in 5.2.4, this is more focussed on the actual relevant setting and situation. As mentioned previous, Dutch society has adapted legislation which makes it possible for women to work legally and out of free will in the field of prostitution. The circumstances surrounding this line of work however are usually degrading and sometimes outright dangerous. These dangers or not only shaped from a healthcare perspective regarding sexual transmittable diseases but it also creates opportunity to be victimised by pimps and clients. A lot of actions have already been taken and implemented in order to create better working conditions. On a political level, on street prostitution is forbidden, regulated zones are being limited as well as window soliciting areas. While this has taken place, a waterbed effect has occurred forcing women and their exploiters to change their modus operandi and their work areas. Cities like Rotterdam, Amsterdam and The Hague by applying more intensive police actions and weigh down administrative procedures and standards, have forced women to conduct their business from boroughs outside of the city centre, which are seen as a hot spot for prostitution. The women do not stop there as it is also noticeable they become more active in surrounding municipalities which are less capable and ill equipped to effectively combat this usually illegal type of prostitution, let alone deal with the women made victim. An example of this waterbed effect can be given by illustrating the situation of one of the respondents, named Carla. Carla is a 26 year old Romanian national out of one of the Hungarian minorities in Romania and who I was able to interview for the first time in 2011 while she working from the location; Zandpad in Utrecht. In October of 2013 while doing a

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<sup>341</sup> Bureau Nationaal Rapporteur Mensenhandel (BNRM) (2012) 'Mensenhandel. Effectieve aanpak op gemeentelijk niveau. Lessen uit de praktijk' Den Haag: BNRM

training for observations, with students in The Hague, I noticed Carla working on the Doubletstraat. I greeted her and we made an appointment to have coffee later that day. During this meeting she informed me that after Zandpad was closed down for prostitution, she moved to Amsterdam to work in the tourist part of the red light district. Soon after she discovered there was too little patronage to make a decent income and beside this she was frequently harassed by pimps who wanted her to work for them. Some of them would even become violent in their actions towards Carla. Carla is one of the few women who is able to work independent from a pimp which has its pros and cons as she puts it. One of the cons is she needs external help to arrange work. In the time she has been in the Netherlands, almost seven years now, she got in contact with a sufficient number of people who she would pay market prices for in return these people would help her move around and who also arrange workspaces. These, mostly men, help her but they do not function within the concept of a classical pimp as their actions are limited to given support to facilitate Carla working instead of earning directly of her work as a prostitute. So after a short stay in Amsterdam, Carla went to The Hague and started working from the Geleenstraat. Contrary to the Doubletstraat, this street has less windows but more open spaces and the women working there usually charge double the price of the Doubletstraat, knowingly 50 Euro. The Geleenstraat did not work out for Carla as all of the women working there offer oral sex without a condom and the clients have expectations on that as well. As Carla does not offer this service she got almost no clientele, except for those men who did not ask for her services beforehand and did not bother to leave when she got a condom out of the drawer or simply did not want unprotected oral sex. As the window prices are quite high at the Geleenstraat, income was insufficient for Carla, so Carla felt the need to move her business to the Doubletstraat. Even though the client rates were half of her regular rate she was quite content as she had enough daily clients to make ends meet. She felt the working conditions in Amsterdam were worse of all the places she worked and in comparison with Amsterdam and the Hague, Zandpad had one really big advantage for her, being the contact and trustworthiness of the police. All the women working on Zandpad had a panic button at their disposal and in case of an emergency, within minutes the police would respond to the call. While in

Amsterdam the police, for the women at least, is perceived absent. In the Hague the police would walk and drive through the streets but not engage with the women and Carla felt she had no easy access to or contact with them. She also informed me this created a situation of dependence as a lot of women felt need to form alliances and friendships to increase safety. These actions were also being encouraged by the men/pimps responsible for the women as they saw this as a way to recruit new girls. When asking her why she did not start working via the internet, she told me she found this was very dangerous because of the closed setting and the absence of social control. A lot of her former colleagues from Zandpad started in-call and escort services with the help of internet advertisements, but they all remained working for a pimp who arranged this for them.

In this final talk with Carla I noticed a few important aspects. Knowingly she desperately did not want to stop working in the Netherlands but also she was able to provide me with insight in the differences as they exist in both social and police contacts and in the working environment and area mapping. The latter element shows significance in relation to prevention. As proven its value in urban areas, environmental design<sup>342</sup> and building planning preferably accompanied by techno-preventive measures i.e. panic buttons, CCTV etc. can decrease or increase victimisation as well as peoples' perceptions of safety.<sup>343</sup> This all has to do with opportunity as a condition for crime. The areas with a more open planning as well as a more community based style of policing have better formal and informal social control<sup>344</sup> which is preventive in character as well and thereby minimises the risk of victimisation and exploitation and at the same time it increases visibility of the crimes and the willingness to report by victims and bystanders.

### 5.2.6 *Tertiary situational orientated prevention*

The third variation addresses those situations which can be defined as high risk areas or so-called hot spots. These areas show signs of increased

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<sup>342</sup> Wijk, A. van, Nieuwenhuis, A., Tuyn, D. van, Ham, T. van, Kuppens, J. & Ferwerda, H. (2010) 'Kwetsbaar beroep. Een onderzoek naar de prostitutiebranche in Amsterdam' Amsterdam: Beke p. 182

<sup>343</sup> Rij, J. van (2012) 'Immigrants' perceptions of crime, safety and the criminal justice system' (p. 38, not published)

<sup>344</sup> Burgess, E. (1925) 'The growth of the city' in: The trend of Population vol. XVIII

criminal activities and victimisation. As prostitution areas still operate in a social vacuum, at the edge of society so to speak, they can be classified as such areas and therefore in itself be a hot spot. Solutions can be found in the division of the areas or streets over different parts of the towns in order to keep order and control manageable by putting into practice those elements discussed in previous paragraph. Theoretically the opportunities as discussed can influence peoples' rational choice to such an extent they think the gains will outweigh the costs and out of a more macro orientated approach. According to routine activities theory which identifies three elements for a crime to occur, knowingly a likely offender, a suitable target and the absence of capable guardians, given example provides enough opportunity.<sup>345</sup>

### 5.2.7 *Primary victim orientated prevention*

Even though it is peculiar to say, victims play an important role in the origination of their own victimisation. Victimisation by trafficking and sexual exploitation is no different. It is noticeable that many of the exploited women have fallen victim in their country of origin. The PUP like modus operandi as used by the perpetrators shows a lot of similarity with the methods applied on to native Dutch girls when they are made victim in the Netherlands. This primary orientation focuses on limiting victimisation by increasing awareness of the dangers, the methods applied and persons involved with the public. This can be done with the help of info commercials on television and radio<sup>346</sup> as well as brochures and lectures given on schools by former victims etc.

### 5.2.8 *Secondary victim orientated prevention*

Preparing victims on victimisation is key within this second approach. People should be informed on the risks but also prepared on the situation victimisation occurs. This is relevant for the women for them to know who to contact and for family and friends to take recognisable signals seriously<sup>347</sup>. This asks from an educational base but also for the creation of well specialised

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<sup>345</sup> Cohen, L. & Felson, M. (1979) 'Social change and crime rate trends: A Routine Activities Approach' in: *American Sociological Review* (44)

<sup>346</sup> In example: <http://powervrouwen.blog.nl/gewelddadig/2013/07/15/op-de-wallen-dansen-de-hoeren-achter-de-ramen> accessed 06/01/2014

<sup>347</sup> Mai, N. (2010) 'Migrant Workers in the UK Sex Industry. Final Policy-Relevant Report' London: ESRC/London Metropolitan University

institutions who deal with victims for a human perspective and who can offer a safe environment with the possibility of providing necessary aid and care. The current Dutch situation knows these specialised care facilities but they cannot offer enough anonymity or protection against an angry pimp. These institutions need to be upgraded to specialised shelters with all necessary facilities and the possibility for protection on the long term.

### 5.2.9 *Tertiary victim orientated prevention*

When considering the fact that any type of sexual exploitation can be seen as a type of sexual assault you have to bear in mind that these effects of the abuse are going to be long-term and can exist out of emotional disturbance, low self-esteem, eating- & sleeping disorders and troubles maintaining normal relationships.<sup>348</sup> This enumeration is not exhaustive but provides insight in the weight of the impact and the longer the abuse the more severe the personal damage of the victim and the longer it will take for them to get over it and resume living as a normal member of society. Because of the seriousness of these crimes and the consequences, it is crucial to avoid situations of second or even third victimisation which can occur out of the effects brought forth by the initial victimisation. Therefore the victims should always be kept separated and treated according to their needs. This implies counselling to become stronger both mentally as socially but also protecting the women against others and themselves. This is necessary as in many occasion the one responsible for the exploitation was able to do so because its victim had feelings for that person. In order to transcend these false feelings the women need to be kept separated even if this means against her will as they can be seen as mentally broken and not fit to reason for them self, at least not on this topic.

### 5.3 *Conclusive summary*

Reviewing this chapter it can be stated that there is need for some urgent and directed actions.<sup>349</sup> It is critical that these necessary actions

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<sup>348</sup> Hoyle, C. & Zedner, L., (2007) 'Victims, victimization and criminal justice' In: M. Maguire, R. Morgan and R. Reiner 'The Oxford Handbook of Criminology' Oxford: Oxford University Press. P. 468

<sup>349</sup> Meij, P.P.J. van der & Leun, J.P. van der (2010) 'Beleid, barrières en begrenzingen. Een

prioritise the needs of those they aim to protect.<sup>350</sup> These actions therefore should primarily be focussed on the prevention of the origination and existence of the exploitative situation. These two situations should be tackled on three different levels each one completing the other and addressing all the different and relevant determinants responsible for the criminal acts committed in order for it to be effective.<sup>351</sup> To make things more complicated while assessing the threat of trafficking, these actions need to take place at different times, stages and places as they always need to address all determinants which are usually linked with the common push & pull factors which are relevant within migration.<sup>352</sup> The two conditions which are therefore needed are, on the one hand poverty as a condition for vulnerability and on the other criminality as you also need a person willing to abuse a person's vulnerability.<sup>353</sup> This is more likely going to be a long road with all the necessary and to be expected hurdles but when it starts with an attitude change by all the parties. This ranges from bringing awareness to the public to changing political views, accepting the fact that this would mean taking a standpoint which most likely will make a politician unpopular by the public. Combating this specific type of (organised) crime can be effective and successful, especially when a victim-centred approach is adapted and the strategies are set out of the concept of proven successful preventive strategies like; law enforcement, given support to victims combined with providing necessary aid and finally the reduction of opportunity.<sup>354</sup> In short, this comes down to the following. What is needed is a more non-traditional approaches<sup>355</sup> based upon control and preventive actions

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domeinoverschrijdende aanpak van het fenomeen mensenhandel' in: Schoep, G.K., Cleiren, C.P.M., Leun, J.P. van der & Schuyt, P.M. (ed.) 'Vervlechting van domeinen' Deventer: Kluwer

<sup>350</sup> Ditmore, M. (2009) 'The Use of Raids to Fight Trafficking in Persons' New York: Sex Workers Project p. 59

<sup>351</sup> The relevance of tackling all (non-related) causes of crime is situated in the fact that a combination of these are the cause for a person's behaviour. See i.e. Struik 2008 who looks at the different causes for crimes committed by repeated offenders and the legal responses.

<sup>352</sup> Castles, S. & Miller, M. (2009) 'The age of migration. International population movements in the modern world' New York: Palgrave Macmillan

<sup>353</sup> Neil Howard, The Guardian 07/11/2014 accessed via

<http://www.theguardian.com/global-development--professionals-network/2013/nov/07/forced-labour-slavery-crime.html>

<sup>354</sup> Wittebrood, K. & Noije, L. van (2010) 'Effecten van veiligheidsbeleid' in: Muller, E., Leun, J. van der, Moerings, L., Calster, P. van 'Criminaliteit. Criminaliteit en criminaliteitsbestrijding in Nederland' Alphen aan den Rijn: Kluwer

<sup>355</sup> Levi, M (2002) 'The organisation of serious crimes', in: M. Maguire, R. Morgan and R. Reiner 'The Oxford



on a situational level by the authorities. The creation of social support and the possibility of raising awareness with the public and officials on recognising exploitive circumstances and situations regarding its victims. All perpetrators who do not uphold the legal standards of any Dutch or European law, need to be dealt with on by criminal/penal law. They need to be punished for their abusive behaviour, but this involves more than simply depriving them of their freedom by sending them to prison as it also means establishing a change in attitude etc. This enforcement of legal standards by the proper authorities must also include an economic factor as this is predominantly the reason for people to start and conduct their criminal activities. The illegal profits must be taken away and given to the victims of the exploitation in order for them to have sufficient means to start a new life after and free of exploitation and abuse while at the same time the perpetrator must also be given the opportunity to learn from the mistakes made and rehabilitation, under set conditions, must be made possible.

Concretised and completed the points of interest are (figure 19):

	<b>Primary prevention</b>	<b>Secondary prevention</b>	<b>Tertiary Prevention</b>
	<b>(General)</b>	<b>(Risks)</b>	<b>(Problems)</b>
<b>Perpetrator</b>	Recognition of general indicators that show prove of the possibility of crime and act accordingly to the situation.	Individual risk indicators reveal themselves and so-called early life interventions need to be deployed. These actions need to address all single determinants.	Perpetrators are active and action by the authorities is required. These actions need to address both punishment and rehabilitation in line with individual needs.
<b>Situation</b>	Make use of innovative measures for the universal implementation of preventive measures to reduce opportunity.	Dutch policy towards prostitution creates a legal option for exploitation. As the boundaries between sex work and sexual exploitation are diffuse and hard to distinguish.	Prostitution areas usually have weak social control and poor planning to increase both formal and informal social control.
<b>Victim</b>	Raising awareness with the public and informing on the risks and their actuality. By doing so the public opinion can be altered and indifference avoided.	Victimisation is imminent. Women with elevated risks i.e. low SES, self-esteem issues etc. should be made aware and helped to avoid victimisation.	Victimisation is a fact. Victims need to be helped out of the exploitative situation and need to be kept safe and be prepared for a life after victimisation

## 6. Conclusion

Within this research the primary aim was to examine how the trafficking and sexual exploitation of native Hungarian speaking women to and in the Netherlands was controlled by organised crime groups and to what extent legislation and legislative actions could and would influence these criminal actions. This research draws on the accounts of native Hungarian speaking women who have been 'trafficked' to the Netherlands and who got involved in sex work, more specific, in prostitution. For this examination a victim orientated approach was selected in order to determine by victim experiences who were, at what moment in time and how, involved in the processes surrounding these criminal acts. Next to the victims, persons responsible for the facilitation and the women's protection in the Netherlands were questioned on their perceptions, motivations, experiences and roles. Furthermore it was of great importance to gain insight in the peoples' general attitude on the existence and knowledge of prostitution as well as the attitude and motivations and possible responses to sexual exploitation of men who buy sex. This research tried to break habit by adapting a multidisciplinary approach which combines the theoretically formalised legal standpoints with an empirically grounded social studies perspective. At the same time broadening the current standards of research samples, doing so by making use of more extended multi-layered research groups avoiding the bias which frequently returns within more traditional ad-hoc research projects which in turn usually make use of limited and biased data. Because of this, these examples of non-validated and untrustworthy research creates narratives on the topic of human trafficking and sexual exploitation. These narratives are scientifically wrong and if adapted by law enforcement agencies, could even prove to be dangerous for those involved as it could steer the focus the away of relevant issues and those concerned as it neglects those who are in desperate need of help and assistance on so many different levels.

This dissertation started with a review of the concept of human trafficking by assessing pre-dominantly European and European member states political and legal conditions. As shown in the first chapter there is (still) a lot of

debate on the conceptualisation of human trafficking. This is being fuelled by alarming numbers of victimisation while it is being assessed in its current legal framework as set out in art. 2§ of Directive 2011/36/EU. Within this legal framework the concept of human trafficking is narrowed down to specific acts focussing on the vulnerability of a person, shaped by social, cultural, gender, economic and political factors and sees exploitation as one of the key elements in the recognition and purpose of the fight against human trafficking by which victims are being abused.

After setting the parameters of human trafficking, the research then focussed on the differences in the by EU member states implemented and legally shaped policies on prostitution to assess the effectiveness of these legal frameworks in their efforts to combat human trafficking aimed specifically at the sexual exploiting of women by forcing them into a life of prostitution. In order to do so, the by the media created and eagerly adapted views portrayed by politicians and others, who from a legal or moral views could benefit of the existence of these criminal actions, needed to be reviewed and where necessary, restructured. This master narrative was discussed and reacted upon by reviewing other narratives created out of legal, enforcement's and ethnographically conditions and to these three topics related presumptions. Even though this research follows the basically most fundamental narrative of all, in researching the obvious, most commonly and well-researched and well-documented, knowingly human trafficking for the purpose of sexual exploitation as this, because of the interest surrounding the topic, provides the most reviewed and usable numeric data and by scientific and law enforcement supported investigative insight. Mirroring this information to policy out of neo-abolitionist and anti-abolitionist thought, resulting in prohibitionist, regulatory and abolitionist approaches, the conclusion which can be drawn is that of that all we know is a lot about nothing as all discussions are continuously being mumbled by supporters of different sides due to a lack of peoples' ability to look beyond their own basic views and ignoring the importance of social relevance. This in itself is remarkable as the same data is being used by both sides for legitimising the perceptions and attitudes for short term victories and by doing so ignoring the basics they ought to be supportive of, the prevention

of victimisation, protection of the victims and prosecution of perpetrators. In general no relation was discovered between the policy on prostitution and the existence or absence of human trafficking victims which were sexually exploited. Numeric differences were deductible in the way the authorities and NGO's monitor, keep track and keep record of perpetration and victimisation and by doing so creating an achievement paradox. This paradox again is eagerly (ab)used by all parties as the interpretation of the data can be twofold as followers of both the neo- and anti-abolitionist have shaped their ideology out of a feminist victim orientated approach. Currently this is an important topic when reviewing the current policy changes in different member states i.e. France and the United Kingdom, but also up until now limited to a political debate except for some legislative excesses which were limited by the senate in the Netherlands.

Even more important than the influence these ideological thoughts had and still have on the formation of prostitution policy out of a human rights and or a health care perspective is the situation of the fact that in the wake of an implemented policy on prostitution, anti-trafficking legislation was also shaped on and by these ideologies within countries policy. This while prostitution is not human trafficking as out of a Dutch perspective prostitution is seen as a profession and human trafficking a criminal act. These views however are criticised and other countries i.e. Sweden have connected them as one cannot exist without the other. Again an universal 'right and just' way of dealing with prostitution is absent and will presumably never be found as this is shaped by societies values and standards which differ per time and place. And as seen in the example of human rights, this is not easily solved or accepted.

The European Union recognises the dangers of human trafficking, because of its transnational nature, and tries to take a leading role in the fight against human trafficking, seeking like-mindedness of member states by drawing up guidelines which need to be implemented. This however has proven difficult as local interests and populist tendencies are rampant. An example of these by the Union initiated initiatives is the extension of the Stockholm programme with the aim to strengthen police action and

international cooperation to become more effective in the fight against human trafficking. One of the issues with this European influence is the difficulty surrounding organised crime as defined by the same European Union. Organised crime in itself is no more than crimes committed within a specific context. The European Union choose to give a broad and vague description which can include numerous activities and structures, ranging from the Italian mafia to a couple of men growing limited amounts of marihuana plants in an attic. Because of its transnational and exploitative nature human trafficking easily meets these set criterions. Human trafficking knows three structures, ranging from domestic, European onto a worldwide scale, all with their own organisation. In example on the basis of a network with and economic relationship, an applied modus operandi and other (group) specific characteristics based upon ethnicity of economic relevance.

Reviewing the way these transnationally and locally active criminal organisations are structured and what the applied modus operandi exists out of, the primary data gathered within this research gives insight in the modus operandi of these criminals and provides prove of the existence of crime structures. A majority of the interviewed women have fallen victim to human trafficking and are being sexually exploited. This however not in the violent manners usually portrayed as most of the women merely did not uphold Dutch conditions to work in prostitution or they had no regards for Dutch labour law. Off course some women found themselves in depriving and dangerous situations and they wanted to escape the situation they were in, but felt unable to so due to different circumstances ranging from a lack of knowledge to extortion and the threat of violence. Most of the women however were under the assumption not to have fallen victim to trafficking as they felt to have started in prostitution voluntarily, which in turn can be discussed as this is part of the applied modus operandi within the crimp of women, and they perceive the situation they are in as acceptable as they are able to make enough money to support not only themselves but also family back home. The women perceive themselves, and the circumstances surrounding their position within Dutch society, as socially integrated which in turn makes it difficult to recognise exploitation and this proves to cause legal difficulty as the Dutch police usually

will need a statement by a victim for and or help and assistance during the investigation and prosecution on the basis of 273f WvSR. This however is difficult as they have nothing better to offer the victims beside protection on an asylum basis. After this temporary protection and when the offered security ends, the women are expected to go back to their homeland and back to the circumstances they initially tried to escape from and what therefore can be seen as the primary reason for them to have fallen victim to trafficking and sexual exploitation as this leaves them vulnerable to the malicious.

The examples of women, used in the different chapters are some of the most extremely violent, human rights' restricting and different and therefore not representative for the majority of the interviewed women. These examples were chosen to provide insight in the diversity and ingenuity of the men responsible for the crimp, traffic and sexual exploitation of native Hungarian speaking women in the Netherlands. The people responsible frequently work out of flexible semi-structured networks. These networks differ as the women are traded between networks and persons and each network has its different ways of operating and interest. In Hungary and Romania, the women with a Roma background most frequently are being forced by family members who arrange the first travels within Romania respectively Hungary and abroad before handing the women over to other (non-Roma) persons/groups. The Hungarian and Romanian women more frequently fall victim to PUP and PERF types of crimp and they are more frequently handed over (sold/traded) to others while still active in Hungary. This means the women have been exploited by different persons/groups before coming over to the Netherlands and once they have arrived the prostitution carrousel continues as does the change in care takers/exploiters.

The examples used can easily be dealt with from a criminal law perspective and a tough on crime ideology, even though in the authors view, criminal law is and should be a last resort considering the reactive characteristics and limited preventive results of criminal law. In order to achieve more and better results in the fight against organised crime, more preventive measures need to be implemented on both a national and a

European level. These preventive measures should focus on the perpetrator, the situation and the victim, tackling all causes of the origination and continuation of the crimes in order to tackle human trafficking and sexual exploitation by prostitution effectively.

In line with this thought, this research tried to clarify the operations surrounding the exploitation of native Hungarian speaking women in the Netherlands. In order to do so the following research question stood at the base of this research.

*'What is the Modus Operandi of Organised Crime Groups which are involved in the trafficking and sexual exploitation of native Hungarian speaking women in the Netherlands and to what extent does legislation on both national and European level influence the Modus Operandi of these Organised Crime Groups?'*

This question can be answered by stating that even though valuable steps have been taken by the European committee and council as well as the member states authorities by; criminalising other types of trafficking, the increase or improvement of investigative powers, raising awareness, applying more victim orientated approaches, offering the victim better protection and setting up ongoing international coordination i.e. by JIT's this still is insufficient considering the sheer amount and rise of victims reported annually.

In the current situation legal interventions still prove to be of little effect on the motives and actions of (organised) criminals and the applied modus operandi of the groups these persons are involved in. One of the reasons for this is the fact there is not one specific type of victim or perpetrator nor area and/or route the women derive from. Furthermore the prosecution of perpetrators proves to be difficult, because of victims limited willingness to report their situation, investigative difficulties and existing discrepancy in the goals, insight and methods between the different justice institutions. Just as important is the enormous diversity in methods used by the numerous organised crime networks which are active on both a national level as on European level. Taking this into account it is deductible that most profit is to



be gained in the prevention of the origination of the crimes. In other words a more in-depth multidisciplinary approach tackling causes on all levels, from social levels which, from an economic perspective, need to be dealt with by Europe and by the member states all the way to personal circumstances i.e. low SES, self-esteem issues, peer pressure or family related issues. The use of criminal law is only required in those cases the victims really need salvation and the human right infringements are severe as otherwise the intervention can become contra-productive causing further abuse and victimisation as the women remain vulnerable and accessible to exploitation. In those cases it is necessary to raise awareness by adapting a different approach of 'community' policing applied on the red light districts in order to re-establish the victims' trust in the police. This will need to be supplemented with efforts on raising awareness amongst the people, abolishing indifference and make use of the people's help to fight sexual exploitation in example to improve recognition of victims of human trafficking. Aid workers and NGO's can be supportive to this mentality change. At the same time the police needs to adapt different strategies focussing more on victim's interest and help needed and perceive a successful prosecution as a welcome secondary result. The women need to be helped with better help and aid focused on the situation and needs of the woman. Legislation should constitute the base on which can be acted upon while the actions themselves need to address the elements of the three P's with an authorities response based on respect and understanding instead of being patronizing or even criminalising the women. These actions can be orientated or be regulative by the European Union, in the person of a specialised division of Europol, but it can only be effective if successfully adapted and performed by the authorities of all the states the crimes are being committed in.

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# Appendix A



Name interviewer:.....

Date: .....

Street &(house) number respondent:

.....

Type of house:

- Family housing, Semidetached or town homes
- Detached/ bungalow
- Split level house, top level, maisonette, ground level
- Flat, less than 5 floors
  - Ground floor
  - First floor
  - Second floor
  - Third floor
  - Fourth floor

Yes! I want to take part in this research and by doing so I can win a gift voucher with a value of 50 euro.

Name: .....

Address: .....

Phone number: .....

INT: Hello, my name is .....[name interviewer] and commissioned by INHOLLAND University of Applied Science, I am conducting an interview on the presence of certain features in the city .If it suits you, I would like to ask a few questions on this topic. Would you be so kind to cooperate to his? The interview takes about 30 minutes. Off course all given data will be treated with utmost discretion and only used anonymously. The data will only be used for the purpose of this research and all data shall be destroyed after the research is finished. .

### **Lottery**

If you cooperate by answering all questions seriously, you have a change of winning a gift voucher with a value of 50 Euro.

If you want to make a change of winning, please complete the first sheet with your name, (mobile) phone number and address. This sheet will be detached from the questionnaire at the end and the sheet including the data will be destroyed after the lottery

[INT: Is the respondent unwilling or are there signs of uncertainty, give a motivation based upon the respondent's motivation.]

- I have a letter from the University with on it the names and phone numbers of the lead researchers which you can contact if you require further information. Perhaps you would like to see the letter before we continue?
- It will only last for 30 minutes.
- If you would like to cooperate, but now is a bad time, we can reschedule.? [INT: make an appointment]
- All data shall be processed anonymously..

[INT: make note of refusals]

## Start interview

### PART 1. Background

INT: The interview consist out of different parts. I would like to start by asking you some questions on your personal situation. As mentioned previously, all data given will only be used for this research and it will be treated with utmost discretion and only used anonymously.

[INT: select respondents gender, DO NOT ASK!]

- Male
- Female

1.1 What is your age? ..... year

1.2 Out of how many people does your household exist out off, including yourself? ..... Persons (<2, continue with question 1.3)

1.2a. Are these your relatives? Your spouse/partner and/or children?

- Yes, partner → continue with question 1.3
- yes, partner and children → continue with question 1.2b
- Yes, children → continue with question 1.2b
- Yes, other knowingly.....
- No, roommates → continue with question 1.3
- No, other knowingly .....

1.2b. How old are your children? [specify: boy / girl]

Child 1 boy / girl .....year

Child 2 boy / girl .....year

Child 3 boy / girl .....year

Child 4 boy / girl .....year

1.3 In what order belongs your combined family household net income?

Benefits, pension, alimony and similar are seen as income as well.

- < Euro 800
- 801 – 1.130 Euro
- 1.131 – 1.350 Euro
- 1.351 – 1.600 Euro
- 1.601 – 2000 Euro
- 2.001 – 2.500 Euro
- 2.501 – 3000 Euro
- 3001 – 3500 Euro
- 3501 – 4000 Euro
- 4001 Euro
- No answer

1.4 What is the highest level of education from which you have a diploma or a certificate of equal value?

- No qualifications
- Primary school
- Secondary school
- College
- Bachelor
- Master
- Other Knowingly .....

1.5 Do you have any paid activities?

- No → continue with question 1.7
- Yes, up till 12 hours per week
- Yes, over 12 hours per week

1.6 Where do you conduct these paid for activities?

- Close by my home (same neighbourhood)
- In another part of the city
- Outside of the city
- No set work location
- I work from my home

1.7 What is your main activity during the day?

- Employed
- Student
- Housewife/man
- Unemployed
- Incapacitated
- Pensioned
- Other, knowingly .....



- 1.8 In what country where you born?
- The Netherlands
  - Turkey
  - Morocco
  - Dutch Antillean islands
  - Surinam
  - Other, knowingly .....
  - Refuses to answer
  - Unknown

- 1.9 In what country is your mother born in?
- The Netherlands
  - Turkey
  - Morocco
  - Dutch Antillean islands
  - Surinam
  - Other, knowingly .....
  - Refuses to answer
  - Unknown

- 1.10 In what country is your father born in?
- The Netherlands
  - Turkey
  - Morocco
  - Dutch Antillean islands
  - Surinam
  - Other, knowingly .....
  - Refuses to answer
  - Unknown

**PART 2. Neighbourhood**

2.1. How long have you been living in this neighbourhood?  
.....year/ ..... months.

2.2. In your opinion, what do you feel are the two foremost issues in your neighbourhood which should be addressed and abolished immediately?

1.

2.

2.3. Do you feel your neighbourhood has improved or deteriorated over the last year?

- Improved
- Deteriorated
- No noticeable changes

Could you please explain why you feel this is the case?  
.....  
.....  
.....

2.4. Could you grade (from 1 negative to 10 positive) your neighbourhood?

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

### PART 3. Facilities

There are facilities i.e. an airport, a homeless shelter or a college which are seen as useful and wanted/desired but rather not in the close proximity of peoples' home.

3.1. Is there a .... In the proximity of your home?

- A college/school?
- A regulated prostitution area?
- A motorway?
- A homeless shelter?
- A methadone provision point?

[INT: If necessary, provide an explanation on a regulated prostitution area. This consists out of an area appointed by the authorities as an area in which prostitutes can offer their services under supervision by i.e. the police.]

3.2. In your opinion do you think establishing the following facilities in your city are a **good** idea? Do you think establishing a college/school is a very good, good, neutral attitude, bad, very bad idea? [INT: continue with the other facilities].

Response table 3.2	Very good	Good	Neutral	Bad	Very bad	No answer
A college/school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A regulated prostitution area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A motorway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A homeless shelter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A methadone provision point	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.3. Could you state for each of these facilities, the **importance** for their presence in your city? How important do you feel it is to have a college/school in your city? Is this of high importance, importance, neutral attitude, not important or very unimportant to you? [INT: continue with the other facilities].

Response table 3.3	Very important	Important	Neutral	Not important	Very unimportant	No answer
A college/school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A regulated prostitution area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A motorway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A homeless shelter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A methadone provision point	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.4. Now some statements regarding shelters. Could you indicate to what extent you agree or disagree with these statements?

Response table 3.4	Fully agree	Agree	Neutral	Disagree	Completely Disagree	No answer
The administration is responsible for providing care and shelter for the homeless and addicts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homeless people and addicts cause pollution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There are too many homeless and addicts in the city.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homeless and addicts should be provided a shelter in this borough.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The homeless and addicts are a cause for an unsafe living environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When the homeless and addicts are given the option to stay in a shelter they will stop living on the street.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.5. Now some statements regarding a regulated prostitution area. This is an area where the buying of sex is possible and regulated and controlled by the police. Could you indicate to what extent you agree or disagree with these statements?






Response table 3.5.	Fully agree	Agree	Neutral	Disagree	Completely Disagree	No answer
The administration is responsible for establishing a regulated prostitution area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prostitutes and punters cause pollution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There are too many prostitutes in the city.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prostitutes should be given the option to work in a regulated area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The presence of prostitutes increases unsafety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When prostitutes are offered the possibility to work in a regulated area, this will reduce nuisance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A regulated prostitution area in the proximity of my house would be a reason for me to move.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.6. Now some statements regarding a distribution point for handing out methadone to heroin addicts. Could you indicate to what extent you agree or disagree with these statements?

Response table 3.6.	Fully agree	Agree	Neutral	Disagree	Completely Disagree	No answer
The administration is responsible for establishing a distribution point where heroin addicts can get methadone.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When methadone is given to heroin addicts, this will diminish nuisance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heroin addicts should be given the opportunity to receive methadone.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
With a methadone distribution point in my neighbourhood will cause a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

devaluation of the houses.						
A methadone distribution point in my proximity increases unsafety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A methadone distribution point in the proximity of my house would be a reason for me to move. in my proximity would be a reason for me to move.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.7 Suppose one of the previous mentioned facilities need to be established in the proximity of your own house (option 1) or as far away as possible from your house (option 5). Could you indicate where you would like to see each of the facilities located? [INT: respondent can only choose each option once. Outline the given answer.]

A college/school		1	2	3	4	5
A regulated prostitution area		1	2	3	4	5
A motorway		1	2	3	4	5
A homeless shelter		1	2	3	4	5
A methadone provision point		1	2	3	4	5

3.8 Could you please explain why you have chosen for option 1 ... and option 5.... [INT: Please note the considerations with precision!]

.....

.....

.....

.....

.....

.....

### Part 4. The end

INT: This is the end of the interview. I would like to thank you once again for participating and your cooperation and I wish you a very nice morning/day/evening.

# Appendix A1

## Résumé key findings (with a significant outcome):

- Gender ratio: 53% men and 47% women.

Women tend to have a more negative attitudes towards all given facilities, especially prostitution and will usually give a higher score to their living environment.

- Ethnicity ration: 36% Indigenous Dutch and 64% non-indigenous Dutch

73% Of the non-indigenous Dutch respondents have a very negative attitude towards prostitution and prostitutes, but at the same time have acceptance of the current situation against 4% of the indigenous Dutch having a negative attitude.

- Average age of respondents: 41 years of age

The older people are, the more negative they score on all questions in relation to neighbourhood, the authorities and the facilities mentioned. Differences in attitudes between ethnicity and gender become slimmer as the age goes up.

- Income ratio: Below average 59%, average 32% and above average 9%

The people with an average income have the least issues with the existence and presence of the facilities mentioned. Both above and below average show more signs of NIMBY attitudes/effects.

- Education

The higher the level of education the more positive people are on the facilities and the role of the authorities. This is no different for indigenous and non-indigenous Dutch. A majority of the younger respondents <30 had a higher education level compared to the >45 group of whom sometimes had no educational level at all.

- General findings:

The longer a person had lived in the same area the more positive they were on their neighbourhood while at the same time they became more negative on the option of the arrival of one of the facilities in their proximity.

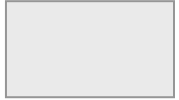
All respondents see the regulation of all facilities and accordingly, public safety and the public's protection against negative effects of these facilities primarily as a task for the authorities.

All facilities are seen as necessary, despite their negative effects. It needs to be mentioned that this goes less for a methadone distribution point and a regulated prostitution area.

For all facilities NIMBY plays an important role. This is predominantly present in the case of a regulated prostitution area followed by a methadone distribution point, a homeless shelter, a motorway and finally a school.



# Appendix A2



Naam interviewer:.....

Datum: .....

Straat & huisnummer respondent: .....

Type woning:

- Eengezinswoning, niet vrijstaand twee onder 1 kap
- Vrijstaande woning/ bungalow
- Etagewoning, bovenwoning, maisonnette, benedenwoning
- Flat, minder dan 5 woonlagen
  - Begane grond
  - Eerste etage
  - Tweede etage
  - Derde etage
  - Vierde etage
- Flat, 5 of meer woonlagen
- Bejaardenhuis, bejaardenoord
- Seniorenwoning, bejaardenwoning, aanleunwoning
- Verzorgingshuis
- Woonboot/ woonwagen
- Anders, namelijk .....

Begintijd interview: .....

Eindtijd interview: .....

Ja! Ik werk mee aan dit onderzoek en maak daarmee kans op Iris-cheques ter waarde van 50 euro.

Naam: .....

Adres: .....

Telefoonnummer: .....

INT: Goedendag, ik ben .....[naam interviewer] en in opdracht van de Hogeschool INHOLLAND interview ik mensen over bepaalde voorzieningen in de stad . Ik wil u daar graag wat vragen over stellen. Wilt u hieraan meewerken. Het interview duurt ongeveer 30 minuten. Uiteraard zullen alle gegevens vertrouwelijk behandeld worden, en anoniem verwerkt worden. Ze zullen alleen gebruikt worden voor dit onderzoek.

## **Loting**

Als u meewerkt door alle vragen serieus te beantwoorden, dan maakt u kans op 50 euro aan Iris-cheques.

Wilt u hier kans op maken? Noteer dan naam, (mobiel) nummer en adres op het 1<sup>e</sup> blad hieronder. Dit voorblad zal losgehaald worden van de vragenlijst. Ook zal het voorblad vernietigd worden na het onderzoek.

[INT: Bij nee of onzekerheid respondent; toelichting afhankelijk van motivatie respondent]

- Ik heb een brief van de Hogeschool INHOLLAND, met daarin ook de telefoonnummers van mensen die u eventueel kunt bellen voor meer informatie. Wilt u die misschien eerst zien?
- Het duurt maar ongeveer 30 minuten.
- Als u wel wilt meewerken, maar het komt nu niet uit, dan kunnen we ook een afspraak maken? [INT: afspraak maken]
- De gegevens worden anoniem verwerkt.

[INT: noteer weigeringen]

## ***Start interview***

### **Deel 1. Achtergrond**

INT: Het interview bestaat uit verschillende delen. Ik wil graag beginnen met wat vragen stellen over uw persoonlijke situatie. Uiteraard zullen alle gegevens vertrouwelijk behandeld worden, en anoniem verwerkt worden. Ze zullen alleen gebruikt worden voor dit onderzoek.

[INT: kruis geslacht respondent aan]

- Man
- Vrouw

1.1 Wat is uw leeftijd? ..... jaar

1.2 Uit hoeveel personen bestaat uw huishouden, uzelf meegerekend?

..... personen (<2, ga door naar vraag 1.3)

1.2a. Zijn dat uw familieleden? Uw partner en/of kinderen?

- Ja, partner → ga door naar vraag 1.3
- Ja, partner en kinderen → ga door naar vraag 1.2b
- Ja, kinderen → ga door naar vraag 1.2b
- Ja, anders namelijk.....
- Nee, huisgenoten → ga door naar vraag 1.3
- Nee, anders namelijk.....

1.2b. Hoe oud zijn uw kinderen? [specificeer: jongen / meisje]

Kind 1 jongen/meisje.....jaar  
Kind 2 jongen/meisje.....jaar  
Kind 3 jongen/meisje.....jaar  
Kind 4 jongen/meisje.....jaar

1.3 In welke klasse valt het gezamenlijk netto (=schoon) inkomen van uw huishouden?

Uitkeringen, pensioengelden, alimentatie en dergelijke zijn ook inkomen.

Niet

meegerekend worden: vakantiegeld, kinderbijslag en huursubsidie.

- < Euro 800
- 801 – 1.130 Euro
- 1.131 – 1.350 Euro
- 1.351 – 1.600 Euro
- 1.601 – 2000 Euro
- 2.001 – 2.500 Euro
- 2.501 – 3000 Euro
- 3001 – 3500 Euro
- 3501 – 4000 Euro
- 4001 Euro
- geen antwoord

1.4 Wat is uw hoogst genoten schoolopleiding die u met een diploma heeft afgerond?

- Lager onderwijs (inclusief LAVO en VGLO)
- Lager beroepsonderwijs (VBO, LBO)
- Mavo
- Middelbaar beroepsonderwijs (MTS, MEAO)
- Havo/ VWO
- HBO
- WO
- Anders, namelijk .....

1.5 Verricht u betaalde werkzaamheden?

- Nee → ga door naar vraag 1.7
- Ja, tot 12 uur per week
- Ja, meer dan 12 uur per week

1.6 Waar werkt u, indien u buitenshuis werkt?

- Elders, in de buurt waar ik woon
- Elders, in Leiden
- Buiten Leiden
- Geen vast werkadres
- Ik werk niet buitenshuis/ ik werk thuis

1.7 Wat is uw hoofdbezigheid overdag?

- Werkende
- Student/ scholier
- Huisvrouw of huisman

- Werkloos
- Arbeidsongeslacht
- Gepensioneerd/ VUT
- Anders, namelijk .....

1.8 In welk land bent u geboren?

- Nederland
- Turkije
- Marokko
- Nederlandse Antillen
- Suriname
- Anders, namelijk .....
- Wil niet zeggen
- Onbekend

1.9 In welk land is uw moeder geboren?

- Nederland
- Turkije
- Marokko
- Nederlandse Antillen
- Suriname
- Anders, namelijk .....
- Wil niet zeggen
- Onbekend

1.10 In welk land is uw vader geboren?

- Nederland
- Turkije
- Marokko
- Nederlandse Antillen
- Suriname
- Anders, namelijk .....
- Wil niet zeggen
- Onbekend

## Deel 2. Buurt

2.1. Hoe lang woont u in deze buurt? .....jaar/ ..... maanden.

2.2. Wat zijn volgens u de **twee belangrijkste** problemen in uw buurt, waarvan u vindt

dat die met voorrang moeten worden aangepakt?

1.

2.

2.3. Vindt u dat de buurt waarin u woont, het afgelopen jaar vooruit of achteruit is

gegaan?

- Vooruit gegaan
- Achteruit gegaan
- Gelijk gebleven

Kunt u dat toelichten? Waarom vindt u dat?

.....

.....

2.4. Kunt u een rapportcijfer (tussen 1 en 10) geven voor de buurt waarin u woont?

- 1     3     5     7     9
- 2     4     6     8     10

## Deel 3. Voorzieningen

Er zijn soms voorzieningen, zoals bijvoorbeeld een vliegveld, een daklozenopvang of een grote middelbare school waarvan mensen het wel goed of belangrijk vinden dat die voorzieningen bestaan, maar die ze liever niet in hun eigen straat of buurt willen.

### 3.1. Bevindt zich in uw buurt een....

- Grote middelbare school?
- Gereguleerde prostitutiezone?
- Snelweg
- Dak- en thuislozenopvang?
- Methadonverstrekking aan heroïneverslaafden?

[INT: eventuele toelichting gereguleerde prostitutiezone: een gebied waar gelegenheid is voor prostitutie onder toezicht van bijvoorbeeld de politie]

3.2. Zou u van de voorzieningen die ik noem kunnen aangeven hoe **goed** u het vindt dat die voorzieningen **in de stad** zijn of zouden zijn? Hoe goed vindt u het dat er een grote middelbare school **in de stad** is? Vindt u dat heel goed, goed, neutraal, slecht of heel slecht? [INT: vervolgens ook de andere voorzieningen noemen].

Responstabel 3.2	Heel goed	Goed	Neutraal	Slecht	Heel slecht	Weet niet/ wil niet zeggen
Grote middelbare school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gereguleerde prostitutiezone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Snelweg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dak- en thuislozenopvang	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Methadonverstrekking aan heroïneverslaafden	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



- 3.3. Zou u van deze voorzieningen ook kunnen aangeven hoe **belangrijk** u het vindt dat die voorzieningen in de stad zijn of zouden zijn? Hoe belangrijk vindt u het dat er een grote middelbare school in de stad is? Vindt u dat heel belangrijk, belangrijk, onbelangrijk, of heel onbelangrijk? [INT: vervolgens ook de andere voorzieningen noemen].

Responstabel 3.3	Heel belangrijk	Belangrijk	Neutraal	Onbelangrijk	Heel onbelangrijk	Weet niet/ wil niet zeggen
Grote middelbare school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gereguleerde prostitutiezone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Snelweg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dak- en thuislozenopvang	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Methadonverstrekking aan heroïneverslaafden	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 3.4. Ik leg u nu een aantal stellingen voor over opvang van daklozen. Kunt u aangeven in hoeverre u het eens of oneens bent met deze stellingen?

Responstabel 3.4	Helemaal mee eens	Mee eens	Neutraal	Mee oneens	Helemaal mee oneens	Weet niet/ wil niet zeggen
Het is de taak van de overheid om daklozen en verslaafden opvang te bieden.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daklozen en verslaafden veroorzaken vervuiling.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Er zijn teveel daklozen en verslaafden in Rotterdam.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Daklozen en verslaafden moeten een opvangplek in de wijk krijgen.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daklozen en verslaafden vergroten de onveiligheid in de buurt.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Als daklozen en verslaafden opgevangen worden hangen zij niet meer op straat rond.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>






3.5. Ik leg u nu een aantal stellingen voor over een gereguleerde prostitutiezone; dat is een gebied waar gelegenheid is voor prostitutie onder toezicht van bijvoorbeeld de politie. Kunt u aangeven in hoeverre u het eens of oneens bent met deze stellingen?

Responstabel 3.5.	Helemaal mee eens	Mee eens	Neutraal	Mee oneens	Helemaal mee oneens	Weet niet/ wil niet zeggen
Het is de taak van de overheid om te zorgen voor een gereguleerde prostitutiezone.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prostituees en hun bezoekers veroorzaken vervuiling.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Er zijn teveel prostituees in Rotterdam.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prostituees moeten kunnen werken in een gereguleerde zone.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prostituees vergroten de onveiligheid in de buurt.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Als prostituees in een gereguleerde zone kunnen werken, dan leidt dat tot minder overlast.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Een prostitutiezone in de buurt zou een reden zijn om te verhuizen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.6. Ik leg u nu een aantal stellingen voor die betrekking hebben op methadonverstrekking aan heroïneverslaafden. Kunt u aangeven in hoeverre u het eens of oneens bent met deze stellingen?

Responstabel 3.6.	Helemaal mee eens	Mee eens	Neutraal	Mee oneens	Helemaal mee oneens	Weet niet/ wil niet zeggen
Het is de taak van de overheid om te zorgen voor methadonverstrekking aan verslaafden.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Als aan heroïneverslaafden methadon wordt verstrekt, dan leidt dat tot minder overlast.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heroïneverslaafden moeten de mogelijkheid hebben methadon te krijgen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Met een methadonverstrekking in de buurt daalt de waarde van de woningen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Een methadonverstrekking voor heroïneverslaafden vergroot de onveiligheid in de buurt.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Een methadonverstrekking in de buurt zou een reden zijn om te verhuizen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.7 Stel er moet een voorziening komen bij u in de buurt. U kunt kiezen waar de voorziening komt te staan, in de directe nabijheid van uw eigen huis (de 1) of zo ver mogelijk bij uw huis vandaan (de 5). Kunt u van elk van de voorzieningen aangeven waar deze zal moeten komen te staan? [INT: omcirkelen]

Grote middelbare school		1	2	3	4	5
Gereguleerde prostitutiezone		1	2	3	4	5
Snelweg		1	2	3	4	5
Dak- en thuislozenopvang		1	2	3	4	5
Methadonverstrekking aan heroïneverslaafden		1	2	3	4	5

## Deel 4. Afronding

INT: Dit is het einde van het interview. Heel erg bedankt voor uw medewerking!

# Appendix B



Date:	_____
Time:	_____
Location:	_____
Name INT:	_____

## Men's views on (forced) prostitution

[Jorn.vanrij@inholland.nl](mailto:Jorn.vanrij@inholland.nl)  
Tel. 0615279502

INT: This questionnaire consist out of different parts. I would like to begin by asking you some questions on your personal situation. All given data is confidential and shall be analysed anonymously and used for no other purpose than this research.

• **PART 1: General background information**

1. What is your age?

- <18
- 18-25
- 26-35
- 36-45
- 46-55
- 56-65
- 65>

2. What is your ethnicity?

- White Dutch
- White other
- Surinam
- Antillean
- Turkish
- Moroccan
- Other, knowingly

- Refuse to say
- Unknown

3. What is your main daily activity?

- Employed
- Student
- Houseman/ Stay at home father
- Unemployed
- Labour incapacitated
- Retired
- Other, knowingly

4. What is your highest completed educational level?

- No qualifications
- Primary school
- Secondary school
- College
- Bachelor
- Master
- Other, knowingly

5. What is the highest completed educational level of your father?

- No qualifications
- Primary school
- Secondary school
- College
- Bachelor
- Master
- Other, knowingly

6. What is the highest completed educational level of your mother?

- No qualifications
- Primary school
- Secondary school
- College
- Bachelor
- Master
- Other, knowingly

7. What is your marital status?

- Single
- In a relationship
- Engaged
- Married

8. What is your sexual orientation?

- Heterosexual
- Bisexual
- Gay

9. What is the total number of sex partners you had excluding those you bought sex off?

- 1-4
- 5-10
- 10>

10. Did you ever force, either verbally or physically, any of these women to have sex with you?

- Yes
- No

11. Did you ever trick women into having sex with you by lying to them?

- Yes
- No

12. Do you read pornographic magazines?

- Yes
- No (go to question 14)



13. How often do you read these magazines?

- Daily
- Several times per week
- Weekly
- Monthly
- Only on occasion

14. Do you watch pornography?

- Yes
- No (go to question 18)

15. What type of pornographic content is this?

- Women friendly soft porn
- Hard-core explicit porn
- Extreme types of porn i.e. forced, SM etc.
- Other, knowingly

16. How do you watch this?

- By the internet on a Desktop/laptop
- By the internet via smart television
- By the internet via smartphone
- From a dvd
- In a (sex)theatre/cinema

17. How often do you watch pornography?

- Daily
- Several times per week
- Weekly
- Monthly
- Only on occasion

18. What is your political orientation

- Far right (i.e. PVV)
- Right (i.e. VVD)
- Middle (i.e. D'66, PVDA)
- Christian conservative (i.e. CDA, CU)
- Left (i.e. SP)
- No political interest whatsoever

19. Have you even been in contact with the police for an offence?

- Yes
- No (go to question 21)

20. Was this for a sexual offence?

- Yes
- No

• **PART 2: Buying sex**

21. How old were you, the first time you 'bought' sex?

- <18
- 18-25
- 26-35
- 36-45
- 46-55
- 56-65
- 65>

22. What were the circumstances?

- Was alone
- With friends
- With family

23. Was this your first sexual experience?

- Yes
- No

24. When was the last time you bought sex?

- Today
- This week
- This month
- This year
- Longer ago

25. In total how many women did you buy sex off?

- 1-4
- 5-10
- 11-15
- 16-20
- 20>

26. On average how often do you buy sex?

- Daily
- Weekly
- Monthly
- Annually
- Only on occasion

27. What types of service providers have you gone to in order to buy sex?

- Brothel
- Red light district
- Massage parlour
- Designated on street prostitution area
- In-call private flat
- Escort (via agency or out call services)
- Other, knowingly

28. What type of service provider do you most often make use of?

- Brothel
- Red light district
- Massage parlour
- Designated on street prostitution area
- In-call private flat
- Escort (via agency or out call services)
- Other, knowingly

--

29. Why do you prefer this type of service?

- It is cheaper
- Less hustle
- More anonymous
- Women are more likely to do extreme things
- Other, knowingly

--

30. Did you ever buy sex outside of the Netherlands?

- Yes
- No (go to question 32)

31. What countries did you pay to have sexual intercourse?

a. Europe;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

b. Americas;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

c. Africa;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

d. Asia;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

e. Oceania;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

32. What is the main reason for you to visit prostitutes?

- Sexual gratification
- Because it is possible
- So I can show my dominance over a woman
- Other, knowingly

33. Do you prefer visiting a prostitute over a conventional sexual relationship?

- Yes
- No (go to question 35)

34. Why do you prefer visiting a prostitute?

35. How satisfied do you feel after you have paid for sex? (INT: 10 being completely satisfied and 1 completely unsatisfied)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

36. How often do you make use of the internet to find and contact women for buying sex?

- Always
- Sometimes
- Never

37. Do you make use of the internet i.e. via Hookers.nl, to share your experiences with others?

- Always
- Sometimes
- Never

38. Would you continue buying sex if this would be penalised?

- Yes
- No (go to question 40)

39. For what of the following reasons you would stop buying sex?

- Being added to a sex offender registry
- Having your picture and/or name on a billboard
- Having your picture and/or name in the local newspaper
- Having to spend time in prison
- Having your picture and/or name posted on the internet
- A letter being sent to your family saying you were arrested for soliciting
- Criminal penalty
- Monetary fine
- Required to attend an educational program for men who buy sex of prostitutes

• **PART 3: Perceptions/attitudes**

40. How do you perceive prostitution/the buying of sex?

- As unwanted
- As a women's choice
- As a way to abuse women
- As any other purchase

41. Which of the following statements do you consider to be true? (INT: more than one option is possible)

- Prostitutes like sex
- Many prostitutes are students who prefer a convenient, profitable job
- Prostitutes are victims of drug abuse
- Prostitution is a way for some women to gain power and control
- Women choose to be prostitutes
- Prostitution increases the rate of sexually transmitted diseases
- Prostitution is a form of rape in which the victim gets paid
- Prostitution harms the institution of marriage
- Most prostitutes only work as prostitutes for a few years to get settled financially
- Prostitutes are unable to get out of the situation they are in
- Prostitution is a way to empower economically disadvantaged populations
- Through prostitution, pretty girls can find a husband

42. What do you think is true when thinking of prostitution? (INT: more than one option is possible)

- Prostitution is trafficking of women
- Most prostitutes are drug addicts
- Prostitution is forcing undesired sexual behaviour
- Prostitutes earn a lot of money
- Prostitution allows the women who practice it to gain control over men
- Give women a change to actualise their sexual fantasies
- Prostitution increases drug use in society
- Most prostitutes are morally corrupt
- Most prostitutes are ugly
- Prostitution damages society's morals
- Prostitutes spread Sexual Transmitted Diseases
- Prostitution is a violation of women's human dignity
- Prostitutes enjoy the controlling of men
- Women become prostitutes because they were not properly educated
- Prostitution provides men with stress relief
- Prostitution is a form of violence against women

43. What is your general attitude towards buying sex? (INT: 10 being positive and 1 being negative)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

44. How do you perceive the circumstances surrounding buying sex?

- As an emotional relationship
- As a financial transaction
- As a normal way of intercourse

45. What kind of language you use during the bought intercourse?

- Mostly negative (i.e. take it you bitch/ whore)
- Mostly positive (i.e. love you baby)
- I try not to talk

46. Do you try to barter with the women?

- Yes
- No (go to question 48)

47. On what do you try to barter?

- Services
- Extra's
- Costs
- (Extra) Time
- Other, knowingly

INT: Please state to what extend you agree or disagree with the following statements:

48. Women who sell their body, do so voluntarily (INT: 10 being voluntarily and 1 being involuntarily)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

49. Women working in prostitution do so out of their free will (INT: 10 being free of will and 1 being forced)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

50. Prostitution has no negative effects for the women involved (INT: 10 you agree completely and 1 disagree completely)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

51. Women are subordinate to men (INT: 10 you agree completely and 1 disagree completely)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

52. The women I buy sex of enjoy my company (INT: 10 you agree completely and 1 disagree completely)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

53. If there are no consequences I would have no problems with raping a women (INT: 10 you agree completely and 1 disagree completely)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

54. Buying sex prevents rape (based on the Cartharsis theory) (INT: 10 you agree completely and 1 disagree completely)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

• **PART 4: Forced prostitution**

55. Are you aware of the fact some women who are working in prostitution are forced to do so?

- Yes
- No (INT: when respondent answers no answer with; "Now I have informed you on this" ... continue with next question)

56. How do you feel about this?

57. Did you ever buy sex from a woman of whom you suspect she was forced to work as a prostitute?

- Yes
- No (go to question 59)

58. How did you deal with this situation?

- Had sex with the lady
- Went away
- Informed the authorities of my suspicions after having sex with the lady
- Informed the authorities of my suspicions without having sex.
- Other, knowingly

59. If no, how would you react to a situation where this appears to be the case?

- Would still buy sex of her
- Would go away
- Would buy sex of her and afterwards inform the authorities
- Immediately inform the authorities
- Other, knowingly

60. Do you know where you could report your suspicions?

- Yes
- No



**PART 5: END**

**INT: We have come to the end of this questionnaire. I would like to thank you for your cooperation and wish you a good morning/day/evening.**

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**NOTES:**

# Appendix B1

## Résumé key findings (with a significant outcome):

- Ethnicity ration: 42% Indigenous Dutch and 58% non-indigenous Dutch

There are differences in frequency and motivations between indigenous and non-indigenous men who buy sex. Indigenous men more frequently make use of the internet for in- & outcall services while non-indigenous men more often visit red-light districts and or brothels.

- Average age of respondents: 33 years of age (youngest was 16 and the eldest 74)

All of the respondents above 26 years of age indicated buying sex is a solitude venture while over 70% of the young non-indigenous respondents (almost all Moroccan, Turkish and Surinam-Indian) stated to have bought sex or prefer to buy sex in company of friends.

- Marital status ratio:

Just shy of 60% of the respondents above 26 years of age indicated to be committed in a relationship against 20% of the men under 26 years. Of the single men 85% stated to have bought sex while being committed in a relationship in the past.

- Attitude:

All men had a positive attitude towards the existence of prostitution. 25% Of them stated to have negative feelings on Dutch prostitution policy. All of the men frequently read pornographic magazines and or watch pornographic movies which all can be described as hard core pornography.

- Motivation:

89% Of the respondents buy sexual services in order to receive sexual gratification. Others do so to break habit and try something new or they enjoy the thrill of a simulated and always successful 'hunt'. It is easy and quick. After the act itself is over and after departure, over half of the man (52%) encounter feelings of disappointment and or shame.

- Perceptions:

64% Of the men <26 years of age and over 80% of the non-indigenous men tend to have negative views on women working in prostitution and perceive them as morally undesirable and no more than a mere utility for men and 16% of them have negative views towards women in general.

- Trafficking:

None of the men interviewed claim to have bought sex of a trafficking victim while at the same time 40% claim not to be able to recognise victimisation. This number is especially high (over 90%) amongst non-indigenous men aged <26 years of age.

- Reporting:

73% Of the men out of the group of non-indigenous men under 26 years of age also indicated not to care if the woman has fallen victim to sexual exploitation and they do not feel obliged to report this. 95% Of the men who find themselves fit to recognise an abusive situation declared to report this to the authorities, but only after they had bought sex from the women. Of the men able to recognise and willing to report most would buy sex via internet initiated contact as they seemingly have more knowledge on how to file a report with the proper authorities.

# Appendix B2



Datum:	_____
Tijd:	_____
Locatie:	_____
Naam INT:	_____

## Percepties van mannelijke bezoekers van prostituees

[Jorn.vanrij@inholland.nl](mailto:Jorn.vanrij@inholland.nl)  
Tel. 0615279502

INT: Deze vragenlijst bestaat uit verschillende onderdelen, elke behandeld een ander onderwerp.. Ik wil starten met enkele vragen over uw persoonlijke situatie en achtergrondkenmerken. Alle informatie zal anoniem en vertrouwelijk verwerkt worden en enkel binnen dit onderzoek gebruikt worden.

• **PART 1: Achtergrond**

1. Wat is uw leeftijd?

- <18
- 18-25
- 26-35
- 36-45
- 46-55
- 56-65
- 65>

2. Wat is uw etnisch/culturele achtergrond?

- Autochtoon Nederlands
- Anders West-Europees (blank)
- Surinaams
- Antilliaans
- Turks
- Marokkaans
- Anders, namelijk

- Wil niet zeggen
- Onbekend

3. Wat is uw dagelijkse hoofdactiviteit?

- Werkzaam
- Student
- Huisman/vader
- Werkloos
- Arbeidsongeschikt
- Gepensioneerd
- Anders, namelijk

4. Wat is uw hoogst genoten voltooide opleidingsniveau?

- Geen
- Basisschool
- Middelbare school (alle niveaus)
- MBO
- HBO/Bachelor
- WO/Master
- Anders, namelijk

5. Wat is het hoogst genoten opleidingsniveau van uw vader?

- Geen
- Basisschool
- Middelbare school (alle niveaus)
- MBO
- HBO/Bachelor
- WO/Master
- Anders, namelijk

6. Wat is het hoogst genoten opleidingsniveau van uw moeder?

- Geen
- Basisschool
- Middelbare school (alle niveaus)
- MBO
- HBO/Bachelor
- WO/Master
- Anders, namelijk

7. Wat is uw burgerlijke staat?

- Vrijgezel
- In een (vorm van een) relatie
- Verloofd
- Getrouwd

8. Wat is uw seksuele oriëntatie?

- Heteroseksueel
- Biseksueel
- Homo

9. Met hoeveel partners hebt u in totaal seks gehad, inclusief bezoeken aan prostituees?

- 1-4
- 5-10
- 10>

10. Heeft u ooit enige vorm van dwang (verbaal/fysiek) gebruikt om een vrouw te dwingen met u seks te hebben?

- Ja
- Nee

11. Heeft u ooit tegen een vrouw gelogen om deze met u seks te laten hebben?

- Ja
- Nee

12. Leest/kijkt u pornografische literatuur?

- Ja
- Nee (ga door naar vraag 14)

13. Hoe vaak leest/kijkt u naar deze literatuur?

- Dagelijks
- Meerdere malen per week
- Wekelijks
- Maandelijks
- Alleen bij toeval

14. Kijkt u naar pornografische films?

- Ja
- Nee (ga door naar vraag 18)

15. Wat voor type porno is dit?

- Vrouw vriendelijke 'soft porn'
- Hard-core porno
- Extreme vormen bijvoorbeeld gedwongen seks, SM etc.
- Anders, namelijk

16. Op welk medium bekijkt u dit?

- Het internet middels een pc
- Het internet middels een smart tv
- Het internet middels mijn smartphone
- Dvd
- In een (seks)theater/bioscoop

17. Hoe vaak kijkt u porno?

- Dagelijks
- Meerdere malen per week
- Wekelijks
- Maandelijks
- Alleen bij toeval

18. Wat is uw politieke voorkeur?

- (Extreem) rechts (bijvoorbeeld PVV)
- Rechts (bijvoorbeeld VVD)
- Midden (bijvoorbeeld D'66, PVDA)
- Christelijk conservatief (bijvoorbeeld CDA, CU)
- Links (bijvoorbeeld SP)
- Geen voorkeur/interesse

19. Bent u ooit met politie in aanraking geweest voor een misdrijf?

- Ja
- Nee (ga door naar vraag 21)

20. Was dit voor een zedendelict?

- Ja
- Nee



• **PART 2: Buying sex**

21. Hou oud was u toen u voor het eerst een prostituee bezocht?

- <18
- 18-25
- 26-35
- 36-45
- 46-55
- 56-65
- 65>

22. Onder welke omstandigheden vond dit plaats?

- Individueel
- Met vrienden
- Met familie

23. Was dit uw eerste seksuele ervaring?

- Ja
- Nee

24. Wanneer hebt u voor het laatst een prostituee bezocht?

- Vandaag
- Afgelopen week
- Afgelopen maand
- Eerder dit jaar
- Langer dan een jaar geleden

25. Met hoeveel prostituees hebt u in totaal seks gehad?

- 1-4
- 5-10
- 11-15
- 16-20
- 20>

26. Over het algemeen genomen, hoe vaak bezoekt u een prostituee?

- Dagelijks
- Wekelijks
- Maandelijks
- Jaarlijks
- Enkel bij gelegenheid

27. Van welke wijze van aanbod heeft u weleens gebruikt gemaakt?

- Bordeel
- Raam prostitutie gebieden
- Massage salons
- Aangewezen straat prostitutie gebieden
- Huisbezoek
- Escort
- Anders, namelijk

28. Welke vorm van aanbod heeft uw voorkeur?

- Bordeel
- Raam prostitutie gebieden
- Massage salons
- Aangewezen straat prostitutie gebieden
- Huisbezoek
- Escort
- Anders, namelijk

--

29. Waarom heeft het antwoord van vraag 27 uw voorkeur?

- Het is goedkoop
- Minder 'gedoe'
- Anoniem
- Vrouwen doen meer extreme dingen
- Anders, namelijk

--

30. Heeft u ooit een prostituee bezocht in het buitenland?

- Ja
- Nee (ga door naar vraag 32)

31. In welke landen heeft u gebruik gemaakt van de diensten van een prostituee?

f. Europa;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

g. Amerika;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

h. Afrika;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

i. Azië;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

j. Oceanië;

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

32. Wat is de voornaamste reden waarom u gebruik maakt van de diensten van een prostituee?

- Seksuele genoegdoening
- Gewoon omdat het kan
- Ik kan dan vrouwen laten doen wat ik wil
- Anders, namelijk

33. Bezoekt u liever een prostituee dan dat u seks heeft met een vrouw welke u niet hoeft te betalen?

- Ja
- Nee (ga door naar vraag 35)

34. Waarom heeft seks met een prostituee uw voorkeur?

35. Hoe tevreden voelt u zich nadat u een prostituee heeft betaald voor seksuele dienstverlening? (INT: 10 volledig tevreden en 1 volledig ontevreden)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

36. Hoe vaak maakt u gebruik van het internet om prostituees te vinden en te contacteren?

- Altijd
- Soms
- Nooit

37. Maakt u gebruik van internetdiensten, zoals bijvoorbeeld Hookers.nl om uw ervaringen te delen?

- Altijd
- Soms
- Nooit

38. Zou u doorgaan met het bezoeken van prostituees wanneer bezoek hiervan strafbaar wordt gesteld?

- Ja
- Nee (ga door naar vraag 40)

39. Welke van onderstaande redenen zou u doen stoppen met het bezoeken van prostituees?

- Opgenomen worden in een zedenregister
- Mijn foto en/of naam vermeld op een poster in de stad
- Mijn foto en/of naam vermeld in de lokale krant
- Mijn foto en/of naam vermeld op een internetforum
- Mogelijke celstraf
- Het informeren van mijn gezin/familie door de politie
- Een algemene strafrechtelijke reactie
- Een boete
- Het verplicht moeten volgen van een educatieve cursus over maatschappelijke zeden

• **PART 3: Perceptions/attitudes**

40. Wat vindt u van prostituee in het algemeen?

- Als iets onwenselijks
- Als een keuze van de vrouw om als prostituee te gaan werken
- Als een legale wijze om vrouwen te misbruiken
- Als ieder andere vorm van transactie

41. Met welke van onderstaande beweringen bent u het eens?

- Prostituees houden van seks
- Veel prostituees zijn studenten die dit zien als makkelijk geld verdienen
- Prostituees zijn slachtoffers van drugsmisbruik
- Prostitutie is een manier waarop vrouwen macht en controle hebben over mannen
- Vrouwen kiezen er zelf voor om prostituee te worden
- Prostitutie vergroot de kans op seksueel overdraagbare ziektes
- Prostitutie is een vorm van verkrachting waarbij je het slachtoffer betaald
- Prostitutie beschadigt het instituut van het huwelijk
- Meeste prostituees stoppen na een aantal jaar met werken wanneer ze voldoende verdiend hebben
- Prostituees kunnen de prostitutie niet meer verlaten
- Prostitutie is een manier om economisch kwetsbare te onderdrukken
- Door prostitutie kunnen vrouwen aan een partner komen

42. Wat is volgens u waar in relatie tot prostitutie?

- Prostitutie is vrouwenhandel
- De meeste prostituees zijn drugsverslaafd
- Prostitutie is gedwongen onwenselijk seksueel gedrag
- Prostituees verdienen veel geld
- Prostitutie geeft vrouwen de mogelijkheid om controle te hebben over mannen
- Het geeft vrouwen de mogelijkheid om hun fantasieën uit te leven
- Prostitutie vergroot drugsgebruik
- De meeste prostituees zijn moreel ontspoord
- Prostituees zijn lelijk
- Prostitutie beschadigt de maatschappelijke moraal
- Prostituees verspreiden SOA's
- Prostitutie is een inbreuk op de waardigheid van de vrouw
- Prostituees houden ervan om controle over mannen te hebben
- Vrouwen worden prostituees door een gebrek aan onderwijs
- Middels het bezoeken van prostituees kunnen mannen stress verminderen
- Prostitutie is geweld tegen vrouwen

43. Wat is uw attitude jegens het betalen voor seksuele dienstverlening?(INT: 10 is positief en 1 is negatief)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

44. Hoe ervaart u de omstandigheden bij het bezoeken van een prostituee?

- Als een emotionele verbondenheid met de vrouw
- Als een zakelijke overeenkomst
- Als iedere andere vorm van seksueel contact

45. Welke voor taalgebruik bezigt u tijdens uw bezoek aan een prostituee?

- Veelal negatief (bijvoorbeeld woorden als bitch/hoer)
- Veelal positief (bijvoorbeeld hou van je schatje)
- Ik probeer niet teveel te praten

46. Onderhandelt u over de prijs?

- Ja
- Nee (ga door naar vraag 48)

47. Waarover onderhandelt u?

- Standaard diensten
- Extra's
- Kosten
- (Extra) tijd
- Anders, namelijk

INT: Kunt u alstublieft aangeven of u het met onderstaande stellingen eens bent?:

48. Vrouwen die hun lichaam verkopen, doen dit vrijwillig (INT: 10 is vrijwillig en 1 is niet vrijwillig/gedwongen)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

49. Prostituees hebben zelf voor het beroep gekozen (INT: 10 vrije keuze wil en 1 geen vrije keuze)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

50. Prostitutie heeft geen negatieve effecten op de vrouwen (INT: 10 volledig mee eens en 1 volledig mee oneens)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

51. Vrouwen zijn onderdanig aan mannen (INT: 10 volledig mee eens en 1 volledig mee oneens)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

52. De prostituees die ik bezoek, genieten van mijn aanwezigheid (INT: 10 volledig mee eens en 1 volledig mee oneens)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

53. Als er geen consequenties aan verbonden zouden zitten, zou ik er geen problemen mee hebben om een vrouw te verkrachten (INT: 10 volledig mee eens en 1 volledig mee oneens)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

54. Prostitutie voorkomt verkrachting (gebaseerd op de Cartharsis theorie) (INT: 10 volledig mee eens en 1 volledig mee oneens)

- |                            |                            |                            |                            |                             |
|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 3 | <input type="checkbox"/> 5 | <input type="checkbox"/> 7 | <input type="checkbox"/> 9  |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 4 | <input type="checkbox"/> 6 | <input type="checkbox"/> 8 | <input type="checkbox"/> 10 |

• **PART 4: Forced prostitution**

55. Bent u zich ervan bewust van het feit dat sommige gedwongen worden te werken als prostituee?

- Ja
- Nee (INT: indien de respondent antwoord met nee; "nu ik u hierover geïnformeerd heb"... ga door met de volgende vraag)

56. Hoe voelt u zich hierbij?

57. Heeft u ooit een prostituee bezocht waarvan u het vermoeden heeft dat ze gedwongen was dit werk te moeten doen?

- Ja
- Nee (ga door naar vraag 59)

58. Hoe bent u hiermee omgegaan?

- Heb gewoon seks gehad met de vrouw
- Ben weg gegaan
- Heb de autoriteiten geïnformeerd nadat ik seks te hebben gehad met de dame in kwestie
- Heb de autoriteiten geïnformeerd zonder seks te hebben gehad met de dame in kwestie
- Anders, namelijk

59. Stel deze situatie doet zich voor, hoe zou u reageren?

- Ik zou seks met haar hebben
- Zou weggaan
- Zou seks met haar hebben en mijn vermoedens daarna melden bij de autoriteiten
- Ik zou gelijk naar de autoriteiten gaan
- Anders, namelijk

60. Weet u waar u uw vermoeden kunt melden?

- Ja
- Nee

**PART 5: END**

**INT: We zijn bij het einde van de vragenlijst gekomen. Ik wil u graag hartelijk bedanken voor uw medewerking en wens u nog een fijne ochtend/dag/avond.**

---

**NOTES:**



# Appendix C

2013

Jorn.vanrij@inholland.nl

Tel. 0031615279502

Hogeschool  
INHOLLAND



# [PROSTITUTION RESEARCH]

Questionnaire Hungary

- 210 -

**Data on the girl** (from the website or out of the advertisement)

Name: .....

Age: .....

Appearance:  
(ethnicity) .....

Phone number: .....

Website: .....

Date: .....

Name interviewer: .....

**Introduction**

Hi my name is ..... and I'm a student at the University of Pécs/INHolland University of Applied Sciences, assisting a researcher from the Netherlands in his research on prostitution. His name is Jorn van Rij and he works for INHolland University out of Rotterdam. I was wondering if I could ask you some questions regarding your profession as I saw your ad on the website .... This questionnaire will take no longer than a few minutes and your help will be much appreciated.

I would like to inform you that all the given information is anonymous and will be treated with the utmost discretion.

**Topics**

**I. Personal data:**

1. Verify age (*ask for year of birth*)

2. Nationality (*Ethnicity: Roma?*)

3. Place of Birth

**II. Work details:**

4. Town (*verify the data from the website*)

5. Borough

6a. How long have you worked in this profession?

b. At what age did you start??

c. Did you have any intermissions (*i.e. childbirth etc.*)

7. Did you individually choose this profession?

- Yes
- No

8. What was the main reason for you to start working in this profession?

9. Are you working independent or with a caretaker (pimp)? (*a pimp supplies the women with all types of support*)

10. Are you working

- Incall
- outcall (*go to question 12*)
- or both

11. For Incall, do you work out of a

- Private house
- Brothel
- Other, .....

12. For Outcall, do you work with a male driver and/or protector?

- Driver
- Protector
- Other, .....

13. During your work, did you have any negative experiences with:

a. the police (*when yes, ask how, why etc.*)

- Yes
- No

b. clients (when yes, ask how, why etc.)

- Yes
- No

c. other? (when yes, ask who, how, why etc.)

- Yes
- No

14. Would you like to stop this work because of this or future negative experiences?

- Yes
- No

15. If you wanted to stop, could you do so?

- Yes (go to question17)
- No

16. What is the main reason you can't stop doing this type of work?

III Travel:

17. Have you always worked where you are currently residing?

- Yes (go to question 22b)
- No

18. In what other places in Hungary did you work?

19. Have you worked abroad?

- Yes
- No (go to question 22b)

20. Which country/countries have you worked in?

21. How long have you worked in .....(see answer 20)?

22a. Were you working alone while abroad?

Yes

No

22b. Are you currently working alone?

Yes (go to question 25)

No

23. Who were you working with?

24. What was your relation with this person?

25. Would you like to go abroad (once more)?

Yes

No (go to question 31)

26. To which country would you like to go to for work purposes?

27. For what reason would you like to go abroad?

28. Do you have somebody who can help you to achieve this goal?

- Yes
- No (*go to question 31*)

29. Do you need to pay for this help?

- Yes
- No (*go to question 31*)

30a. How much?

30b. In what way do you have to repay this amount?

31. Would you like to be contacted in the future for research reasons i.e. for an interview by the project leader Jorn van Rij?

- Yes , (more specific) contact details

- No

We now have reached the end of the questionnaire. I would like to thank you for your participation and as mentioned before all the given information is anonymous and will be treated with the utmost discretion.

I wish you all the best and have a nice day/evening.

---

**THE END**



# Appendix C1

## Résumé key findings (with a significant outcome):

- Response:

Non-Response ratio of 65%. Women aged <30 years were reluctant or forbidden, as observed by interviewers over the telephone to participate. This was frequently the case involving women with a Roma appearance.

- Background:

Almost all of the respondents had none to lower education. They have been working in prostitution for over two years and 20% of them have been abroad. They tend to have a low SES and the primary reason for them to start work was either social/cultural pressure or an economic reason. The women started at a reasonable young age, usually in their teens.

- Work:

Half of the women stated to work with a friend and offer a wide range of services. 30% Of the women aged >30 years have been abroad and are unwilling to do so once again. Of the women aged <30 years only 2% have been abroad and this has been to either Germany, Switzerland and or Austria. They worked for a pimp who arranged their travel and stay. Almost 90% of the women working in prostitution in Hungary indicated wanting to go abroad in the near future and preferably to the United Kingdom. Usually the women are city or region bound except when they go abroad, without exception these women were first transported and placed to work in other Hungarian cities and regions.

- Experiences:

Over half of the women (52%) indicated to have negative experiences with clients. They were aggressive, violent and on occasion would rob the woman. The general attitude towards the police amongst all respondents is negative as

are the experiences mentioned i.e. police officers who confiscate earnings or demand free services.

# Appendix D

# Interview protocol for native Hungarian speaking sex workers in The Netherlands.

**LOCATION:**

**TYPE:**

**DATE:**

**TIME:**

**DURATION:**

**NR. OF INTERVIEW:**

**CONTACT VIA:**

**GK NAME:**

**INTERNET:**

**FIRST CONTACT EST.:**

**INTERVIEWER:**

**COMMENTS/REMARKS:**



## **Topic list** ( and question guidelines)

### **Personal Information**

- Name:
- Age/year born:
- Where born (Country/town):
- Nationality:
- Native language:
- Race/Ethnicity:
- How long in the Netherlands:
- How much school have you completed level/years:
- Marital status:
- Children:
- SES in Home Country:
- Do you have any debts?

### **Sex work**

- Age of entry into sex work:
- Country in which started work in prostitution:
- How did you got involved?:
- What were the reasons for you to start?:
- Months/years involved in prostitution?:
- Attitude towards prostitution:

- Perception of own position/involvement:
- Involved in prostitution in Home Country:
- Involved in prostitution other than Home Country and the Netherlands:
- How long would you like to continue working?
- If you wanted you can you quite?
- Difficulties:
- Experiences:

## **Travel**

- Who arranged/arranges your travel(s)?:
- Which countries have you been to for work purposes?:
- In what order did you visit them?:
- How long have you stayed where?::
- Did you want to work in those Countries?:
- Why did you go abroad?:
- How did you end up in The Netherlands?:
- Arrangements made how:
- Costs:
- Ways of travel:
- Who paid for them?:
- Travelling alone?:
- Do you feel unsafe?:
- Why:

- Who:
- Act on it:

### **Work conditions/pimps/caretakers/clients**

- Do you like your work?:
- What do/don't you like about it?:
- Do you like working here?:
- Why do you work here?:
- Do you work her by yourself?
- What are your daily earnings?
- Who do you work for?:
- Do you have to pay that person?:
- How much?:
- What do you get in return from that person?:
- How are you being treated by that person?
- Does that person work with others?:
- Who:
- Relationship:
- What are your working conditions?:
- Times:
- Services offered:
- Are you being controlled/Checked?:
- By who?:

- Is this what you want?:
- Have you worked in other Dutch cities?:
- o Where:
- o How long:
- Order (route between cities/workplaces):
- Working in the same manner?:
- What were your experiences over there?:
- With the same pimp/caretaker?:
- Freedom/Autonomy:
- o Clients:
- o Services offered:
- o Travel:
- o Holidays:
- What are your experiences with clients?:
- How many men visit you daily?:
- What do they normally want?:
- Do they bargain/negotiate a lot, on what?:
- How do you feel when you have sex with them?:
- Differences with men from other countries:
- Most negative experience:
- Positive experiences?:
- Do you feel exploited?:
- o By who:



- Why:
- Perhaps not no, but whenever?:
- When:
- By who:
- Why:

## **Authorities**

- Are you familiar with Dutch legislation on prostitution?:
- Permit:
- Work conditions:
- Exploitation:
- Have you been in contact with the authorities regarding your work?:
- Organisations/departments:
- Reason:
- Experiences:
- Have you been in contact with the police outside of the Netherlands?:
- Where:
- Reason:
- Experiences:
- Perceptions:
- Have you been in contact with the police in The Netherlands?:
- Reason:
- Experiences:

- Perceptions:
- General attitude towards the positioning of the Authorities?:

# Appendix E

**Interview protocol for pimps/caretakers of native Hungarian speaking sex workers in The Netherlands.**

**LOCATION:**

**DATE:**

**TIME:**

**DURATION:**

**NR. OF INTERVIEW:**

**CONTACT VIA:**

**GK NAME:**

**FIRST CONTACT EST.:**

**INTERVIEWER:**

**COMMENTS/REMARKS:**



The logo for Hogeschool INHOLLAND is located in the bottom right corner of the form area. It consists of the word 'Hogeschool' in orange, 'INHOLLAND' in pink, and a small globe icon between the 'O' and 'L' of 'HOLLAND'.

## **Topic list** ( and question guidelines)

### **Personal Information**

- Name:
- Age/year born:
- Where born (Country/town):
- Nationality:
- Native language:
- Race/Ethnicity:
- How long in the Netherlands:
- How much school have you completed level/years:

### **General views**

- Own position in Dutch society:
  - SES:
  - Opportunities:
  - Discrimination:
  - Strain:
- Dutch society
  - Positioning
  - Liberal thoughts
  - Gender relations

- Authorities:
- Politics/policy:
- Police:
- Legislation:

## **Sex work**

- Personal views on prostitution in general:
  - Dutch policy on prostitution:
  - Women involved in prostitution:
- Current position:
- What does your job involve?:
  - Pimp:
  - Caretaker:
  - Management:
  - Acquisition:
  - Advertisement:
  - Security:
  - Pay:
- Are you self-employed?:
- Who are you working with/for?:
  - Relationship:
  - Network:
  - Other contacts:

- Contacts abroad?:
- Structure:
  - Women working for you:
- How many:
- Ages:
- Ethnicity:
- Cities:
- Locations:
  - Relationship with these women:
- Good employee:
- Bad employee:
  - Modus operandi:
- Prostitution carousel:
- Attract new women:

## **Authorities**

- Are you familiar with specific Dutch legislation on prostitution?:
- Permit:
- Work conditions:
- Exploitation:
  - Have you been in contact with the authorities regarding your work?:
- Organisations/departments:
- Reason:

- Experiences:
  - Have you been in contact with the police in The Netherlands?:
- Where:
- Reason:
- Experiences:
- Perceptions:
- General attitude towards the positioning of the Authorities?:





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