



National Rapporteur on Trafficking in  
Human Beings and Sexual Violence  
against Children

> Return address Postbus 20301 2500 EH The Hague

OHCHR  
Attn. Ms M. De Boer-Buquicchio

Per e-mail; [srsaleofchildren@ohchr.org](mailto:srsaleofchildren@ohchr.org)

Turfmarkt 147  
2511 DP The Hague  
Postbus 20301  
2500 EH The Hague  
[www.nationaalrapporteur.nl](http://www.nationaalrapporteur.nl)

**Contact**

Kim Brouwers  
*Coordinator cluster Sexual  
Violence against Children*

T 0650094117

**Our reference**

12068

*Please quote date of letter  
and our ref. when replying. Do  
not raise more than one  
subject per letter.*

Date 27 September 2019  
Concerning Response call for input

Dear Ms De Boer-Buquicchio,

In response to your call for input for the final thematic report to the 43rd session of the Human Rights Council, I would like to share with you my reflections on the current status of the prevention and elimination of sexual abuse and sexual exploitation of children in the Netherlands.

As the Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children, I have a legal mandate to report on the nature and extent of human trafficking and sexual violence against children, to analyse the effects of policy measures, and to advise the government on these policy measures. I do so by publishing annual monitoring reports on both issues, fostering a sustainable, long-term, monitoring of patterns and the analysis of policy measures taken. Besides these annual reports, I conduct more in-depth studies, which result in thematic reports.

The reports are based on data produced by agencies in both the judicial and care system, which is collected and analysed by researchers of my bureau. I am clearly noticing a decline in the availability and quality of data on both phenomena within my mandate. This is foremost a concern for policy makers and strategic decision makers of implementing agencies, because accurate data is crucial in order to reflect on the effectiveness of their work and whether or not adjustments are needed. For instance, they need to know which children are at risk, how well they are identified by their agencies, whether they have received the care they needed, and whether their safety is ensured. More so, in order to adhere to their international responsibility to protect children against all forms of violence and exploitation, governments need this data to know whether the systems and services that are put in place are effective in guaranteeing children's safety and well-being.

This October and November I will publish two of my annual reports, one on victims of human trafficking and one on victims of sexual violence against children. In these reports I will reflect on data and policy from 2017 and 2018. In the run up of these publications, I would like to share the main observations from the reports.

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### **Decentralisation of responsibilities**

In 2015, the Dutch government has undertaken a largescale decentralisation process, in which numerous responsibilities of the national government in the social domain have been placed under the responsibility of the local level. These include the prevention and response to violence against children, (preventive) care for vulnerable children and their caregivers, and mental healthcare for children and adolescents up to 18 years. Although I support the idea that the best care is arranged close to the homes of children, youth and their parents, in their own communities, I am concerned about the consequences this has for the level of expertise that is required for an adequate identification of - and specialized care for both victims and perpetrators of sexual abuse and exploitation. Moreover, decentralisation of tasks to municipalities do not release the national government from the international obligations that lay with the State to protect children against all forms of violence. I notice a lack of overview on the performance of the local level and an ongoing debate on the responsibility of the national government here. Monitoring of children at risk and integrated support that is available to them on the local level is required to maintain this overview. In addition, municipalities have been given many new tasks, and the prevention of and response to sexual abuse and exploitation of children has not been regarded a priority in many of the municipalities. Local leadership and ownership means that local governments needs to know which children within their communities are vulnerable to these types of violence and exploitation, which children have become victims, to what extent adequate care is available to them within the region, and whether all efforts are made to prevent children becoming victims of any type of sexual violence.

### **Gaps in knowledge and data on online sexual exploitation of children**

Although there are many positive effects, new technologies and digital applications also pose a risk to the safety of children. However, little is known about the scale of online sexual abuse and exploitation affecting children, or the risk factors contributing to children's vulnerability to this type of violence. Types of sexual violence against children with an online component, such as grooming and unwanted sexting, have only been limitedly covered in prevalence studies on sexual violence. Identification and registration of victims is also poor, as shown in the low number of reported cases. Traditional child protection structures do not cover these new forms, and parents, teachers and others in the direct surroundings of children are not equipped to respond adequately or able to seek support. Consequently, many victims of these types of violence and exploitation do not receive the care that they might need. Therefore it is crucial that online forms of violence and exploitation become an integrated part of a strategy against sexual violence.

In the fight against online available sexual material containing images of children, I regard it as a positive development that the Dutch Minister of Justice and Security is looking for collaborations with private actors, such as hosting providers, who will be given the responsibility to take all sexual material involving children from their servers and whose compliance will be monitored by an independent party.

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### **Concerns on the number of victims and perpetrators of sexual exploitation younger than 23 years old**

I have serious concerns when it comes to the identification and registration of young victims of sexual exploitation in the Netherlands. Previous studies carried out by my bureau showed that just 1 in 9 estimated victims below the age of 18 are identified and registered. The data that are available show that 65% of the registered domestic victims of sexual exploitation are younger than 23 years old. Almost 4 in 10 perpetrators of domestic sexual exploitation is younger than 23 years old.

In this light, I would like to conclude by underlining the importance of a healthy, positive sexual development for all young people. We need to give them the space, the information and our support in this, so that they learn to talk about it, learn about their boundaries and how to set them. Prevention requires active, protective and equipped communities and resilient children and youth who can seek support in their direct environments. Since 2012, comprehensive sexuality education has been a mandatory component of the curriculum in all schools in the Netherlands, at all levels, regardless of their (religious) background. Schools have been given the freedom to decide on materials that fit their norms and beliefs and the Education Inspectorate is monitoring on this. I would like to emphasize the need to work with evidence based methods. When it comes to prevention of sexually transgressive behaviour, there is a lack of knowledge on the effectiveness of the methods. In a report published in 2017, I identified that there were no available methods on comprehensive sexuality education that have been 'proven effective'. Recently, the Dutch government has provided funds for the development and testing of interventions. Various databanks with evaluated and certified methodologies are available to schools.

Based on monitoring and thematic studies carried out by the bureau, I have shared a List of Issues Prior To Reporting to the UN Committee of the Rights of the Child earlier this year. The issues that were brought to the attention of the Committee are particularly interesting for your mandate as Special Rapporteur on the sale and exploitation of children.

If you wish to receive more information or if you have any questions related to the above or the attached report, myself and the staff members of the bureau are more than happy to assist you further.

Kind regards,

A handwritten signature in blue ink, consisting of a large, stylized 'H' followed by a long horizontal stroke.

Herman Bolhaar  
*National Rapporteur on Trafficking in  
Human Beings and Sexual Violence  
against Children*

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Enclosure: List of Issues Prior to Reporting of the Committee on the rights of the  
Child