

A Parliamentary Discourse on Human Trafficking in the Netherlands

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Summary

The goal of this thesis is to find out whether the Netherlands is following the observed trend of European politics with regards to migration and human trafficking moving towards stricter policies. Two dominant approaches within this discourse, a victim- based and a security- maintenance approach, are analysed through the theoretical framework on International Relations (specifically realism and constructivism). In order to be able to indicate which approach is most dominant, the researcher observes parliamentary debates on human trafficking in the Netherlands. Parliamentary debates provide an opportunity to grasp both what is happening in society, what public concerns exist as well as senses the political urgency of the matter and how these sentiments will ultimately affect policy. A more security- maintenance approach to the crime, influenced by the migration crisis, could predict the future of anti- trafficking policymaking and could show the need for further research into the links between migration and trafficking and their policies. Ultimately, an observation is made that the Netherlands is quite able to distinguish between migration and human trafficking. In addition, the data shows how the security- maintenance approach and the victim- based approach are intertwined in the discussion on how to best tackle trafficking in human beings. The outcomes could possibly mean that within a context of foreign policy or international cooperation, states not only act in their self- interest (protecting the state and its borders) but can manage to uphold a perspective in which protecting victims is equally as important.

Preface

Rotterdam, 5 July 2019

Dear reader,

After finishing all courses in 2013/ 2014, before you finally lay a thesis finalised during the summer of 2019. This thesis would not have been possible without this hiatus between finishing course work and today. During the first semester of the master programme International Public Management and Policy (IMP), the students received an email regarding a summer programme in Washington D.C. I decided to apply and by the end of May 2014, I moved to Washington D.C. to obtain a certificate at the George Mason University and to work with Polaris Project. One of the leading organisations in the anti- human trafficking movement in the United States, supporting victims of sex and labour trafficking.

With this thesis, I conclude the master International Public Management and Policy at the Erasmus University in Rotterdam. In this thesis, I present the results of my research on parliamentary discourses regarding human trafficking in the Netherlands.

I would like to thank my supervisor Dr. Asya Zhelyazkova for her everlasting patience, insightful feedback, motivation and for setting strict deadlines. Thank you to friends and family for never losing hope and continuing to ask me about my thesis over the years. They convinced me to persevere when I had already decided I was not going to finish the programme.

Please enjoy reading this thesis as a lot of thought went into it. I welcome any questions regarding the topic and content of the thesis.

Aracy Pires

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Chapter 1. Introduction

In 2013, The Guardian (2013) reported, along with International Non- Governmental Organisations such as Amnesty International (2013) and Human Rights Watch (2013) that the 2022 World Cup in Qatar would only be possible by the exploitation of migrant workers. By 2022, an estimated 4,000 people (mostly migrant workers) will have died in the construction of stadium and in preparation of the World Cup. Only a few months ago, The Guardian (2019b) revealed that 1 in 200 people is a slave, a victim of human trafficking. Trafficking in human beings (THB) is currently, globally the fastest- growing as well as the third-largest crime, as it is recognised as a high profit and low-risk kind of activity for perpetrators (Couch, 2015). The International Labour Organization (2017) estimates 40.3 million to be globally held in modern slavery, of which 24.9 million people were forced into labour in 2016. Considering all trafficking victims and all different forms of trafficking, the figures involving women and children are particularly concerning as over 1 in 4 trafficking victims are children and women make up for 99% of the sex trafficking victims.

In recent years, attention to the issue of trafficking in human beings increased due to another global issue affecting many countries, especially in the Middle East and Europe – the refugee and migration crisis. With the 2011 unrest from the Arab Spring escalating in the current civil war in Syria and the rise of Islamic State (IS), the citizens of Syria and neighbouring countries sought refuge with great numbers in their neighbouring countries within the region, as well as in EU member states. Particularly Greece and Italy have been at the forefront of the consequences of the war and instability of the region. In 2015 and the beginning of 2016, these regions saw a tremendous increase in the number of refugees and the requests for asylum. UNHCR (2016) reported 520,000 arrivals during the period January - September 2015, whereas another 300,000 refugees crossed the Mediterranean Sea in the first nine months of 2016. Due to the Dublin agreement, people without permanent residence permits are obliged to seek asylum in the country they first step foot in. As per consequence, Greece - due to its geographical position - receives far more applicants (861,630 in 2015 of which 211,663 applications were made in the month October alone) than for example the Netherlands as a point of entry (UNHCR, 2016; UNHCR, 2019a).

One of the side effects of the current situation is that criminals, human traffickers, are the ones to profit from the uncertainty, vulnerability and desperation of refugees and migrants. The OSCE recently recognised the dangers of traffickers exploiting the reception centres' overworked staff, limited funding and support services as well as the lack of proper accommodation (Guilbert, 2018). Thus, not having the resources and opportunity to prioritise trafficking victims and people who are at risk of becoming victims of trafficking. The rather reactive response by the EU, the inability of neighbouring countries to host large numbers of refugees and the lack of secure and legal migrant routes are providing traffickers with an opportunity.

The links between human trafficking and migration receive increasing attention. This is for example seen in the concern or outrage over the 1,600 children who have disappeared from centres for asylum seekers in the Netherlands since 2014 (NRC, 2019; NL- Times, 2019). The current location and any knowledge regarding the wellbeing of these children are unknown. The fear, however, is that since unaccompanied migrant minors are a particularly vulnerable group, they have ended up in situations of exploitation as victims of human trafficking. Similarly, during the period 2013 – 2017, at least 60 Vietnamese children are believed to have disappeared from these centres, ending up being exploited in the United Kingdom (The Guardian, 2019a). These are mere examples showing how migrants continue to be a vulnerable group in society and how their vulnerability is beneficial for human traffickers.

The Netherlands, identified as a destination country, has been recognised as a top country in recognising trafficking in human beings and its efforts to prevent, punish and eliminate it as effectively as possible, according to the yearly published report on the global state of “Trafficking in Persons” (TIP), which provides country profiles and rankings according to a tiered system. This raises the question of how strict EU migration influences the anti- human trafficking approach in the Netherlands. Despite being ranked a top- tier country, some obstacles exist and remain. Various reports on the number of victims of human trafficking, for example, show significant discrepancies. Whereas, according to the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children and the United Nations Office on Drugs and Crime, the number of victims in the Netherlands per year is 6, 250, the Walk Free Foundation estimated a higher number based on surveys amongst the population and concluded that a more realistic number would be 17, 500 (Comensha, 2019). However, the Global Slavery Index estimates a significantly higher number of 30, 000 victims in the Netherlands (Global Slavery Index, 2018).

Research questions

Both migration management and combatting human trafficking have seen a lot of developments and gained a lot of attention in recent years. There is an international push to tackle the issue of trafficking, but how is an individual state reacting to this concern and how can its approach be explained by looking through the lenses of International Relations (IR) theories? The IR- theories explain how state preferences arise, whether it is through civil society lobbying or based on self- interest, rational calculations and sovereignty. In addition, there are two dominant narratives in anti- trafficking policy making, a victim- centred approach and a security- maintenance driven approach which will be further explained in later chapters. These narratives and the considerations of state behaviour through IR- theory potentially influence dominant rhetoric in debates. This research will focus on the discussions that specifically influence anti- trafficking policy making in the Netherlands. Considering the above, this research will provide an answer to the following main question:

- ***What is the dominant rhetoric of parliamentarians and how does it influence the Dutch anti- human trafficking policy?***

To adequately provide an answer to the main question, the following set of sub- questions will be answered throughout:

- What is the Netherlands current policy response regarding human trafficking?
- Which differing rhetoric exists in the anti- trafficking debates?
- How can the theories of International Relations explain state responses to transnational issues such as migration and human trafficking?
- What is the dominant paradigm within the discourse of tackling human trafficking in the Netherlands?
- How is the anti- human trafficking debate in the Netherlands influenced by the discussion on EU’s stricter migration policies?

Relevance

The current migration crisis, which has dominated policy agendas for some time, has not only sparked discussions regarding EU member states' possibilities and sovereignty or autonomy to close borders. It shows an inadequacy in the response from the EU as a supranational institution (Human Rights Watch, 2019). The response has been perceived as slow and inhumane, contributing to refugee camps such as the 'Jungle of Calais', tragedies on islands such as Kos and Lesvos, countries such as Hungary and Poland discussing the possibility of closing their borders and the discourse of whether we are speaking of refugees, immigrants or potential terrorists entering the EU especially in the member states with recent elections. Besides these discussions not putting the human rights perspective at the forefront, it also contributes to the discourse of growing nationalism and populism. The crisis sparks the discussion of transnational migration and the possible implications thereof for human security.

Policy relevance

This research contributes to the existing broader discourse on international migration being perceived as a threat to human security and thus determining states' responses. However, this research takes a different approach focusing specifically on human trafficking and analysing this through the paradigms of the theoretical framework on International Relations. In addition, the subject of this thesis is currently (2019) very relevant. Migration has become an increasingly important political subject, dominating policy agendas and recent national and EU elections. As briefly explained above, the EU's stricter migration policies could potentially mean an increase in migrants' vulnerability and provide traffickers with greater supply and demand. Moreover, as this is a discourse analysis research it aims to show an example of how international, cross border crimes and concerns are discussed in national contexts. It perhaps provides deeper insights into the considerations of political parties and politicians in addressing the matter.

Furthermore, if from the analysis a dominant approach is observed which can be confirmed in further research in other countries, one can perhaps predict the future of anti- trafficking policymaking in times when salient events occur. As trafficking is a cross- border, transnational crime, it requires an international approach and cooperation. These will be dependent on the perceived urgency at the national level and on the national preferences. Thus, for the Netherlands and countries with similar contexts, it could predict their position in bilateral or multilateral policy negotiations with for example countries of origin of victims of trafficking or in an EU context.

Academic relevance

This research contributes to the existing literature. It adds to considerations that IR- theories can explain the gaps, reasoning and perspective of member states trying to fight transnational crime on the national level while having to comply with international standards and respect international treaties. According to Salt (2000), there is no lack of political and social concern for trafficking, but actual theoretical knowledge and empirical evidence lags behind. Thus, as human trafficking is gaining more attention, every additional research is contributing to the understanding of the crime, its links with migration and how international crime sits within national policy making and implementation. As there are two dominant narratives in anti- trafficking policymaking, a victim- centred approach and a security- maintenance driven approach, IR- theories will be used to analyse parliamentary parties' rhetoric. By choosing opposing approaches to tackling human trafficking and opposing theories which are the theoretical basis for the hypotheses, the outcome of the research might contribute to knowledge or evaluations on the subtypes of a congruence analysis.

Structure of the thesis

The next section of the research is the *Literature Review*, which is followed by some background on the Dutch anti- human trafficking policies and instruments. The used International Relations theories in this research are elaborated in the chapter on *Theoretical Framework*, concluding with some propositions derived from the theories. The chapter on the *Research Design* introduces the methodology, operationalisation and methods used to analyse the data. The data found in the debates and documents are presented in the *Analysis*, where the researcher presents and interprets the data through the IR-theories paradigms. This section concludes with the *Discussion of findings* in which the propositions made in the theoretical framework are either confirmed, found plausible or invalidated. Finally, the researcher provides a general conclusion to the whole thesis, summarises the goal, theories and results. The limitations of the research and considerations for future research are clarified in the last chapter: *Conclusions*

Literature review

The literature review starts with providing the definition of human trafficking after which it is placed in different frames used in discussions of the crime. As human trafficking used in the context of migration is a dominant frame, the drivers of trafficking, which are similar to the drivers of migration are discussed. Lastly, the policy instruments and prescriptions on both the EU level as well as in the Netherlands to address human trafficking are presented, which are in some cases based on addressing these said drivers.

Defining and framing human trafficking

There are four main documents¹ on the level of the United Nations, addressing human trafficking. In 1949 an emphasis was put on the suppression and exploitation of prostitution, supplemented in 1979 with regards to discrimination against women. The Palermo Convention against Transnational Organised Crime, organised by UNODC in 2000, provided three complementary protocols on smuggling of migrants, firearms, and trafficking in persons. The latter, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (UNTC, 2017) provides the widely- used definition, also used in this research, as below. Entered into force in 2003, the protocol to date has been ratified by 170 parties (UNTC, 2017). Human trafficking is also known as modern slavery as it strips victims of their freedom and liberties as described in the UN Declaration of Human Rights.

(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of 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. Exploitation shall include, at a minimum, the 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;
(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;
(d) "Child" shall mean any person under eighteen years of age.

Source: UNTC, 2017.

Over the years, human trafficking has been framed in many ways. The definition of human trafficking used in this research can be found in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Non- governmental organisations are considered to have influenced this protocol drastically for example to the extent that feminist activist organisations managed to broaden the definitions for women to ensure that a distinction between forced prostitution and voluntary sex- work can be made (Capous Desyllas, 2007: p. 62). This is one of the examples of the different problem- representations of the issue.

¹ Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949; Convention on the elimination of discrimination against women, 1979; Convention against Transnational Organized Crime, 2000; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000. (UNTC, 2017)

Lobasz (2019) identifies five different frames or problem representations of human trafficking and acknowledges that the consideration for each frame to be used in policy making discourse is rather political than empirical. Thus, considerations are based on other elements such as interests, perceptions and values. First, the framing of human trafficking as a security threat to the state. The crime seems to link to many other issues in society, e.g. organized crime, drugs and arms, and traffickers are considered to undermine states' governance and thus pose a risk (Aydan, 2012: p. 172; Aradau, 2004: p. 251). The undermining can be seen for example by illegally crossing borders, illegally providing housing and employment. They are infiltrated in different sectors, not paying tax, operating under the radar of authorities and remaining out of their sight. Human trafficking can also be considered in the frame of a human rights issue. The solution to the problem can only be sustainable if the push and pull factors such as rising inequality are adequately tackled. Not surprisingly, many non- governmental organisations and refugee agencies take on this frame that puts human trafficking in a wider realm of the effect of global issues for the safety, security and overall wellbeing of humans (OHCHR, 2019; UNHCR, 2019b). Further, many consider human trafficking through a gender lens as women are considered to fall in the hands of traffickers more often and could potentially be trafficked into prostitution (Aradau, 2004: p. 260). Global figures estimate that women and girls make up for 99% of the victims of sexual exploitation and prostitution, and 58% of the other forms of exploitation (COMENSHA, 2019). In the Netherlands, more than half of the victims of trafficking are female (NOS, 2017). Another widely used frame in public policy making as well as in this research is trafficking as a migration issue. By tightening migration policies, closing migrant routes and implementing more strict migration rules, states are believed to be aiming to manage migration as well as believed to inadvertently be enabling traffickers who exploit people's desperation by finding gaps in this migration control (Aydan, 2012: p. 173). This frame is widely used since the outbreak of the migration crisis. Both concerns of trafficking and migration are now linked in policy papers of e.g. the European Commission (2015). Lastly, human trafficking can be viewed in the frame of labour issues. Labour trafficking or labour exploitation is gaining more attention, for example in the run- up to major sports events such as the Olympic Games and World Cups. As mentioned in the introduction, the development of stadiums and other facilities for Qatar's hosting of the World Cup 2022 is raising concerns regarding the rights of those workers. This frame, however, does not receive as much attention in the Netherlands as the other ones, its existence thus remaining underexposed with the public and potential victims. Labour exploitation in the Netherlands is mostly known in cases of low- wage and low- skilled jobs for which temporary contracts are made for EU or non- EU citizens unaware of their rights as workers and thus protection in the country (NOS, 2018).

[Human trafficking in the context of migration](#)

Lobasz (2019) frame on migration is currently globally, the most dominant one. However, restrictive migration is potentially not the only problem increasing the vulnerability of migrants. Salt (2000) explains how there is much concern for trafficking, however actual theoretical knowledge and empirical evidence lags behind. Consequently, anti- trafficking efforts are linked to migration policies, whereas, the effects of these policies specifically on trafficking are unknown. Besides the political consequences, the legislative measures in host countries also fall short as anti- trafficking legislation is scarce, enforcement is weak and identification of victims (rather than illegal migrants) difficult (Salt, 2000: p. 32). Traditionally migration is seen as an individual or household emigrating for the purpose of labour, family reunification, seeking safety (refugees) and better living conditions where they must then deal with a government to gain access to the county of choice (Stalker, 2002). Trafficking challenges this traditional notion of migration in several ways as it is seen as the involuntary movement between legal and illegal activities to gain access to entry and work in a country (Salt, 2000: p. 35).

Castles (2004: p. 857) categorises the three factors of migration as 1) the social dynamics of migration; 2) globalisation, transnationalism and North-South relationships; 3) political systems. First the social dynamics of migration which opposes the belief that individuals migrate to “*maximise their utility*” and will either return to their home country or stop continuing to migrate once the costs of migration outweigh the benefits (Castles, 2004: p. 858). Even though this behaviour does initially shape migration, other factors are to be considered. Migrants can adapt their behaviour and permanently settle in a country, even when market conditions deteriorate. In addition, social networks that also facilitate a sense of community among migrants and refugees in a destination country are a strong reason to travel to one country and more importantly, influence the decision to stay. Second, the factors that are linked to globalisation. The increasing inequalities between ‘developed’ versus ‘developing’ countries, but also seen in the different socio-economic situations of people within one nation, as well as the status of human rights and other social conditions, are nowadays very visible through the different forms of media (Castles, 2004: p. 862). Disparities have thus become more visible, creating another reason to migrate, as one can more easily compare conditions at least based on perhaps glorified images and stories they consume. Castles (2004: p. 862) explains how this adds to the ‘*migration-asylum nexus*’ as individuals are not only migrating to seek security (thus as a refugee requesting asylum), but also to escape deteriorating economic and social conditions (thus considered economic migration). Hence, migration management from the destination countries perspective arguably refers to managing relations with the countries of origin to address and eliminate these factors of migration. Lastly, the political systems that are concerned with conflicts of interests and hidden political agendas. Castles (2004: p. 865 - 867) observes several examples of where the (political) rhetoric of migration and the migration policies put in place in destination countries are in fact contradictory. For example, anti-immigration rhetoric may be visible in debates and the media, however, due to economic interests, the migration policies remain favourable. Another example of conflicting interests is seen within trade unions that protect the interests of local workers. They, however, recognise the potential to organise the (competing) migrant workers, creating a new target group that increases the trade union’s membership and power of representation.

Castles’ three factors of migration are visible in policy papers of agencies operating on the European or EU level. Europol (2011), for example, identified, in the table listed below, nine push and 10 pull factors as root causes of human trafficking. These factors adopted by the European Commission (2015), are recognised to be to a large extent also factors indicating motivations of migration. Where no safe, legal migrant routes are provided, or migratory entry requirements are considered restrictive, the vulnerability of people increases as does the risk of ending up in the hands of traffickers. The below fit in the categories identified by Castles, specifically the first two. People migrate to improve their current situation, whether this is for employment or safety purposes. Furthermore, the inequalities and factors in the table have both been enlarged and have become more visible through globalisation. It is important to recognise these factors as it is believed that migration can only be truly managed if policies tackle the pull and push factors. As Castles (2004: p. 874) explains, migration can only be managed with cooperation. Not only between states, but with civil society and migrants themselves. By addressing the factors listed below, the vulnerability of migrants decreases, making them less at risk of falling prey to traffickers. However, a solution is not this simple as national governments are influenced by national sentiments and migration can currently be perceived as a state security-concern (Goodey, 2008, p. 431). As populism or anti-immigration rhetoric increases, governments are more likely to favour restrictive measures to migration, which could potentially harm the anti-trafficking movement. Thus, Castles (2004: p. 878) argues that a just global approach to migration, which can diminish the vulnerability of exploitation and trafficking, is only possible if there is a genuine willingness of cooperation between relevant actors (i.e. states, civil society, migrant groups and the host country population) in addressing the root causes of migration and trafficking. This willingness then does not only affect migration policies but more importantly, non-

migration policies, such as international trade, conflict resolution and social welfare as these truly affect the causes of migration (Castles, 2004: p. 871).

Table 1: Push and pull factors as root causes of trafficking in human beings.

Push factors	Pull factors
High unemployment	Improved standard and quality of life
Labour market not open to women and gender discrimination	Better access to higher education
Lack of opportunity to improve the quality of life	Less discrimination and abuse
Sexual or ethnic discrimination	Enforcement of minimum standards and individual rights
Poverty	Better employment opportunities
Escaping persecution, violence or abuse	Demand for cheap labour
Escaping human rights violations	Demand for commercial sexual services
The collapse of social infrastructure	Higher salaries and better working conditions
Other environmental conditions, including conflict and war	Established migrant communities/diasporas

Source: European Commission, 2015.

EU Migration, externalisation and trafficking

The drivers of migration and trafficking are not only relevant in academic terms, but they also influence policymaking discussions and solutions. The EU has put some policies, regulations and legislation in place, in addition to member states signing UN treaties and adopting the Convention against Transnational Organized Crime. In April 2011, the European Parliament and Council’s Directive *2011/36/EU* on preventing and combating trafficking in human beings and protecting its victims was set in place, replacing the Council Framework Decision *2002/629/JHA*. Article 2 of the directive sets out the definition of human trafficking, which is equal to the definition in the 2000 Palermo Protocol. The 2011 directive is considered a milestone in the fight against human trafficking as it included definitions of key terms as well as a gender-lens into a human rights approach. More recently, the European Union Strategy towards the eradication of trafficking in human beings 2012 - 2016 (“*EU anti-trafficking strategy*”) identified five strategies which are subdivided into three to six priorities per unit (European Commission, 2012). The strategies consider various facets of trafficking; the victims, prevention methods, the prosecution of traffickers, stakeholder or principal actor coordination and cooperation, knowledge and intelligence regarding effective responses. The strategy complements the 2011 directive and provides more concrete measures and instruments. However, it clearly indicates how member states are responsible for devoting effort to the issue and the success of the strategy is dependent on their level of committed effort (European Commission, 2012: p. 15). This sense of responsibility and accountability leaves room for each member state to respond in different ways for different reasons.

At the basis of inter- EU trafficking stands the Schengen agreement which enables or facilitates easier travel within the EU for its citizens. Some scholars argue that Schengen possibly facilitates trafficking within the EU. Surtees (2008: p. 52-53) for example studied trafficking in Southern and Eastern Europe and found that the risk for traffickers to move victims from Bulgaria and Romania to other EU countries has significantly decreased since EU travel without restrictions has been introduced for these countries. To tackle this crime, several legislations have been put in place to prevent and protect the victims. Within the EU the most extensive documents regarding this issue are the Directive 2011/36 and the EU anti-trafficking strategy which was aimed at aiding the member states in the transposition of the directive into national law (Europol, 2016: p. 33). To ensure international cooperation, the ‘EU Serious and Organised Crime Policy Cycle’ was established in 2013, addressing all relevant organisations and parties. The ninth priority of the policy cycle specifically mentions human trafficking and the efforts to break up any organised forms, which is only possible by a collaboration of EU institutions and agencies, as well as

member states' law enforcement and others (Europol, 2016: p. 33). Despite all these measures being taken, collaboration is not evident. Not only will it be difficult to coordinate efforts of 28- member states, civil society and other stakeholders, the EU is also highly dependent on the compliance of its 28- member states.

Migration outside EU

Boswell (2003: p. 619-620) identifies two approaches to cooperation between the EU and third countries with regards to dealing with international migration. The first approach can be considered the EU's externalising process of its border control and asylum processing. Neighbouring countries to the EU's borders are involved in securing the border and in returning migrants who manage to illegally cross the EU's border. The second approach focuses on tackling the push factors of migration, as identified above, and providing opportunities for relocation in neighbouring countries. This approach can be seen as preventative as its aim is to have fewer migrants enter the EU borders. The EU's current debates on the future of regulating migration favours an externalisation approach, modelled after the Australian way of handling migration which is characterised by offshore processing by putting all asylum seekers on islands such as Nauru and Papua New Guinea and only accepting the ones eligible for a refugee status onto Australian mainland (Amnesty International, 2016). Similar approaches are seen in the EU- Turkey deal and the EU's involvement in Libya and Morocco (Amnesty International, 2017).

Due to Europe's ageing population, the EU requires an influx of high- skilled workers in the future, however other forms of migration are discouraged with e.g. stricter entry requirements and visa processes. This contradiction is for example visible in the President of the European Commission's State of the Union speech (2018). Juncker renewed his call for the need of "skilled migrants" in the EU while proposing to better secure the EU's outside borders and returning irregular migrants to their home countries at a faster rate. Per consequence, the latter two decisions could increase migrants' vulnerability and provide traffickers with greater supply and demand. These sentiments are reiterated in the EU Global Approach to Migration and Mobility. Stalker (2002: p. 163) explains the complexity within migration policies as he explains how migrants are a valuable and a welcome addition to the labour market, especially in view of Europe's ageing population. However, there are growing concerns in society noticeable through political discourse on defending a nation's identity, values and traditions. With regards to the refugee crisis, Stalker observes a tension between states' responsibility of helping those in need and preserving the nation by not overburdening welfare services and ensuring a nation's social stability. Boswell (2003: p. 619) explains a similar tension between the protection of refugees and the restrictions being put on international migration and asylum processes. These restrictions force migrants and refugees to use routes outside of the legal, safe routes and seek the services smugglers and traffickers provide.

Human Trafficking in the Netherlands: policy and instruments

International consideration for the matter is not recent. Aromaa (2007: p. 13) has found the issue recorded in international documents and meetings for over 100 years with some discussing human trafficking as part of more general organised crime prevention and prosecution, others proposing concrete measures for this specific type of crime. An example of more concrete measures is the Action Plan of the Organization for Security and Co-operation in Europe (OSCE, 2008: p. 23) which recommends all participating states to establish several bodies and mechanisms, such as national Anti-Trafficking Commissions, National Referral Mechanisms (NRMs) and National Rapporteurs. These aim to facilitate better cooperation and coordination of anti-trafficking efforts.

The Netherlands is a destination country for human trafficking or a transit country for trafficking with the United Kingdom as a destination (GRETA, 2018; TIP, 2018). Comparable to global statistics, human trafficking in the Netherlands consists of mostly female victims and mostly non- Dutch citizens, approximately 70% (Comensha, 2019). There are several laws, regulations and instruments implemented on the national level in an effort to combat human trafficking.

Article 273f of the Criminal Code of the Netherlands prohibits human trafficking in all its forms and sets the penalties. It is also the longest article of the entire Dutch Criminal Code (Smit & Boot, 2007). The punishments, including fines and length of imprisonment, for human trafficking, were raised in 2008/2009 and again in 2013 as legislators hoped to emphasise the gravity of the crime and hoped judges would rule in favour of tougher sentencing (AO 2018; National Rapporteur, 2016).

A separate note should be made regarding prostitution. In the Netherlands, unlike most countries, prostitution is legal if it's considered sex between adults who have both given their consent (Rijksoverheid, 2019b). Even though prostitutes can be victims of human trafficking, not all prostitution or sex work is immediately considered human trafficking. With the ban on brothels in 2000, municipalities could regulate prostitution themselves by allowing permits for which one would have to apply. The thinking was that this would mean that information of everyone working as a prostitute would be available with the relevant authorities. It would, therefore, be clearer to recognize abuses of the system and human trafficking. Currently, the proposal for amendments of the law regulating prostitution is being drafted, after which it will be discussed in the House of Representatives for their approval. With the amendments, the government aims to provide better protection to prostitutes by increasing the minimum age to 21 years old and changing regulations for businesses (Rijksoverheid, 2019b).

Besides the Police, the Netherlands Public Prosecution Service and the Royal Netherlands Marechaussee (responsible for safeguarding state security), there are some institutions specifically set up or tasked with fighting human trafficking. It was first proposed in *The Hague ministerial declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the Purpose of Sexual Exploitation (The Hague Declaration)*, that National Rapporteurs should be established in all EU member states (Trouw, 1999). This subsequently led to the appointment of Mrs Korvinus as first National Rapporteur on Trafficking in Human Beings in 2000, making the Netherlands the first country to establish this entity. Notably, the focus of the position was trafficking and women & prostitution (Tweede Kamer, 1999). The Rapporteur was tasked with monitoring all developments in the extent of the crime and effects of anti- human trafficking related policies until 2009 when the minister of Justice and Security decided to add the subject of child pornography to the Rapporteur's portfolio. The mandate ultimately changes in 2012 again, upon approval of the then government, changing the official name to National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (2019). The final development is the fixing of this mandate in national law as of late 2013, securing the independent position and status of the Rapporteur.

The Rapporteur is also part of the National Task Force on Human Trafficking, a network of stakeholders aiming to create comprehensive solutions or integrated approaches, established in 2008 by the Ministry of Justice and Security (Rijksoverheid, 2019a). This Task Force is set up as part of the Guideline on Trafficking in Human Beings. A legislative instrument that more practically supports Article 273f of the Criminal Code in terms of cooperation, investigation and prosecution (Smit & Boot, 2007: p.21). Another body in the Task Force, as of late 2016, is the Strategic Meeting on Human Trafficking, a network comprised of social care institutions responsible for the support and protection of victims (GRETA, 2017).

The current mandate of the Task Force on Human Trafficking runs until 2020. With the extension of its mandate in 2017, the network was explicitly asked to increase its focus on the link between migration, human smuggling and human trafficking (GRETA, 2018).

The National Expert Meeting Trafficking in Human Beings is made up of the human trafficking specialists of regional police forces (GRETA, 2018). In 2016, a majority of parliamentarians voted in favour of increasing the resources available to the National Police and the Public Prosecution Service towards their activities in tackling human trafficking. The funds are used, as of 2017, to train police officers in recognising trafficking, increase the number of trafficking specialists within the regional forces and to support the Public Prosecution's office capacity and competence on this matter (GRETA, 2018).

The Group of Experts on Action against Trafficking in Human Beings (GRETA) is tasked with the monitoring and evaluation of the aforementioned Council of Europe Convention on Action against Trafficking in Human Beings by the parties in the various member states. In their evaluation of the Netherlands, early 2018, they expressed their concern that the government had not presented any national programmes on tackling human trafficking since 2014 – the last national programme covering the period between 2011 and 2014 (GRETA, 2018: p.10). At the end of 2018, the state secretary presented the national programme "*Together against human trafficking*" (Rijksoverheid, 2018). The programme aims to intensify a coherent approach with regional and local actors, to collaborate more with source countries and to encourage information- sharing. Despite the Task Force's task to increase its focus on the link between migration, human smuggling and human trafficking, the national programme makes a clear distinction between these phenomena but does acknowledge that tackling trafficking is part of the integrated migration agenda.

Chapter 2. Theoretical Framework

This chapter provides paradigms based on the theory used to analyse the data in order to answer the main research question. The discussions will not only highlight how national considerations are made but also how this sits in an international context of cooperation. There seems to be a strong belief that combatting human trafficking is a priority which involves not just national governments, but also other actors within civil society. Human trafficking is a crime which cannot be contained by country borders and can only be tackled effectively should all EU member states choose cooperation rather than single state solutions. Multi- state cooperation can be facilitated by international institutions. Mearsheimer (1994: p. 8-9, 16-18) defines an international institution as a decentralized set of rules providing the acceptable standards of behaviour based on norms. Member states agree on these by signing official agreements, however, it is not essentially the institution's task to sanction states' non- conformance to the rules. The European Parliament and Commission are examples of such institutions. On the national level and relevant to this research, the national Parliament or House of Representatives is such an institution. There are paradigms that make up the theoretical framework on International Relations which discuss the power and use of international institutions vis a vis individual states' willingness to cooperate as well as implications for states' autonomy and security, some of which are discussed below.

This chapter starts by providing a definition of international institutions, then briefly elaborating on the paradigms of International Relations theory. The researcher chose opposing IR- theories as two opposing approaches to tackling human trafficking emerge in political debates and policies, as made clear from the introduction: the "security- maintenance" approach and the "victim- based" approach, to be further elaborated on in the following chapters. The next section sets out Realism, Liberalism and Constructivism. As liberalism focuses on the development of national preferences which relates to the parliamentary debates the researcher will analyse, and liberal intergovernmentalism tackles a broader spectrum of states in discussions with other member states, these two theories are briefly discussed separately. As this research conducts a national parliamentary discourse analysis, an explanation is given of what discourse entails and which actors are or can be involved. It follows from the explanation of the theories in which the basis for the formulation of states' preferences become clear. To conclude this section, hypothesis or propositions derived from the theories are formulated. The propositions will form the basis for the analysis presented in chapter 4 and ultimately for the discussion of findings. Based on the discussion of theories, moving forward into the analysis, the researcher decided not to use liberalism and liberal intergovernmentalism. The other two theories are both sat on opposite ends of the spectrum and are expected to provide the required opposing views for the researcher to be able to answer the research question.

Realism

The paradigm most concerned with notions of great power and security is realism. The oldest of paradigms, realism considers states to behave solely in their self- interest and the calculations they make reflect this. This causes institutions to only exist because the state has decided so (Mearsheimer, 1994: p. 7, 12-13). Cooperation is not perceived as preferable due to the great level of distrust between states. There are no guarantees others will comply and therefore more risk is involved. Institutions are assumed to be created in the interest of the most powerful states to preserve and possibly boost their power positions (Mearsheimer, 1994: p. 13). World politics is portrayed as a constant struggle for power and relative gains with a strong focus on security positions.

Realists identify five assumptions of the International system which explain state behaviour (Mearsheimer, 1994: p. 10-12). Firstly, Anarchy which in this case refers to states' importance of sovereignty and therefore non-tolerance towards central authorities above them. They care about their own individual interests rather than collectively unless it is in their interest to create an institution (which in turn will only represent what the state wants). Furthermore, states have acquired military forces capable of either hurting or destroying each other. A relevant example could be the opposition of member states in the discussions regarding the creation of an EU army or police force as the focus is on their own security and especially if this could potentially weaken a states' own capabilities and capacity. For offensive realism, an absolute greater military capability equals a relative securer power position. The system is characterized by the uncertainty of the intentions of others and eventually distrust. This leads to fearful behaviour in which there is no disregard for power plays and a crisis is always anticipated. The main priority remains the survival of the state by preserving their own sovereignty (Mearsheimer, 1994). Other states are perceived as constant potential threats of which the state cannot be saved by relying on institutions or allies. Lastly, in a world of distrust, states are required to do the utmost of strategic thinking. They assume to act in a rational manner, however, the survival of the state is potentially affected due to miscalculations, the imperfectness of obtained information and the chance of states misrepresenting their own strengths and weaknesses to essentially mislead others.

International migration is a more recent perceived security threat to the EU and its member states. As Kicinger (2004) argues, international migration can both be a security threat in itself, as well as the consequence of other security threats. The former being that it can result in security threats such as racial violence and xenophobia, as well as migration being perceived as uncontrollable and unmanageable as numbers increase (Kicinger, 2004). The latter refers to migration being the consequence of other security threats such as war and other conflicts. Furthermore, migration threatens certain values within the security discourse. Kicinger (2004) identifies a threat to social stability that comes with integration concerns and the rise of xenophobia; changes to a country's demographic security of which examples can be found in countries with a high ageing population or high numbers of high-skilled, well-educated youngsters emigrating; a higher perceived threat to a country's cultural identity amongst the native population; a threat to social security and welfare systems; internal security of which examples can be seen in crime numbers and terrorism.

The above-mentioned factors are all relevant to the efforts to manage migration to the EU which influences efforts to combat human trafficking. Migration being linked to state security fuels debates about ever increasingly stricter migration policy, with more border control of EU external borders and protective measures – also known as Fortress Europe (Kicinger, 2004). Chou (2008: p. 76) reiterates these sentiments as she considers the EU's efforts to protect the security within the European Union, perhaps to the detriment of transit and home countries, a security-focused approach to migration. It can be considered inadequate to tackle human trafficking as it does not tackle any of the underlying causes. Aradau (2004: p. 251 & 255) agrees that human trafficking has in recent years become more prominent in debates and has been put higher on the European political agenda because it is part of the "security continuum" which links it directly to illegal migration. The direction of policymaking is driven by fear of what the consequences of the crime are for the survival of the Union. It can also be called the 'politics of risk' in which trafficking is managed by calculating or managing the risks it poses. As security of the state or in this case the union is the main priority, policies to combat trafficking are focused on making it increasingly difficult for traffickers to enter the EU, rather than focusing on underlying push/pull factors of migration and trafficking or a more victim protective approach (Niemann, 2018: p. 12).

Liberalism and Liberal Intergovernmentalism

Moravcsik (1997) identifies Liberalism, which originated from international political economy, as the theory which explains states' behaviour in world politics as strongly affected by state- society relations by which state preferences are shaped. Three core assumptions reveal that unlike the Realist perspectives, states aren't the sole actors. Firstly, the most powerful and rational private groups and individuals are essential by means of their facilitating and organizing power and their capacity to bring the interests from civil society to the decision makers within international politics. They tend to be rational and risk- averse, shaped by scarcity, and different statuses (Moravcsik, 1997: p. 516-517). Second, dominant domestic interests (at least in parts of society) determine state preferences and their attitude in world politics. In a paradigm where private groups and individuals are main actors, states act as their representation/ on their behalf to translate identities, power positions and demands into policy – the transmission belt (Moravcsik, 1997: p. 518). Rationality explains individuals getting organised and turning to the state to accomplish individual behaviour or goals which cannot be achieved otherwise. Lastly, state behaviour and state preferences are interdependent as states require purpose in order to be perceived as or act as a strong and powerful nation (Moravcsik, 1997: p. 520). One of the main characteristics of this paradigm which sets itself apart from the others is its bottom- up view of politics, the importance of states' surroundings as well as non- homogeneity: representation is only possible for the most dominant or powerful private group or individuals (Moravcsik, 1997: p. 520). Whereas liberalism mainly focuses on the relation between state and society as well as how it influences and forms national preferences, liberal intergovernmentalism combines this aspect of liberalism with negotiations and conflicts between states and the considerations for creating institutions of intergovernmentalism theory (Moravcsik, 1993: p. 480 - 482).

State responses to trafficking can be compared to other immigrational issues such as the refugee crisis. A crisis of this proportion requires cooperation between many states with different interests, which is impeded by free- riders (Niemann, 2018: p.13). For example, states with the capacity to receive refugees will do so, however, smaller states will opt- out of responsibility sharing. Zaun (2018: p. 48) touching upon liberal intergovernmentalism applies this phenomenon as the "Suasion Game Dynamics" to EU asylum policymaking (Niemann, 2018: p. 13). Within this game, the "host state" receives large inflows of refugees and the "non- host state" either offers responsibility- sharing or not, knowing it has no incentives to do so. Thus, the host state is left to make the necessary arrangements to start asylum processes and protection measures to ensure the rights of the refugees are upheld, with additional pressures from political parties wanting to decrease the numbers but without the cooperation of states less burdened (Zaun, 2018: p. 49). A current example is SEA Watch III, the NGO ship patrolling the Mediterranean Sea. They are dependent on European harbours to safely disembark the migrants they pick up at sea. As Italy is one of the closest countries, ships have often entered their territory to moor in those harbours. Italy, in turn, has frequently requested solidarity and responsibility- sharing from other states that are not directly affected, to resettle these migrants (New York Time, 2019; Politico, 2019). These dynamics are applicable to trafficking as well. Tackling the crime is a larger priority and the willingness to cooperate therefore greater for states that are considered as destination or host countries rather than for states who are not directly affected or merely temporarily (e.g. transit countries). Moravcsik (1993: p. 483) explains how understanding national preferences is dependent on the relations between the state and its society. Within liberalism, a government's priority is to remain in office (assuming rational behaviour) and thus it needs to respond to societal concerns. If the main groups are expressing concerns regarding migration as a threat to society, a government will be less likely to "open" its borders.

Constructivism

Constructivism is the paradigm which focuses more on the intangible matters within world politics, the ideas and norms. Norms can be defined as behavioural rules or as Finnemore and Sikkink (1998) state “*agents of stability or change*” as they prescribe a certain standard of conduct. They matter due to the perceived impact of international norms on domestic policies and vice versa. Risse and Sikkink (1999) argue that international treaties and agreements are mostly based on shared norms between participating states. These norms impact practices, not just on an individual level, which form the basis for policies. Non- governmental organisations and lobbyist influence world politics by influencing the norms within states. Finnemore and Sikkink (1998: p. 895) describe how this norm influence happens throughout three stages. Firstly, norm emergence, the stage where so-called norm entrepreneurs attempt to have norm leaders adopt a certain priority. A relevant example is climate change, an issue that is now discussed broadly but was considered a non-issue some decades ago. Followed by norm cascade or acceptance, adoption of the norms happens broadly within the states’ society as well as internationally where states persuade others to follow the new norm. Lastly, norm internalization is the stage in which campaigning for the norm is no longer necessary as it’s considered widely accepted and not an issue of debate anymore. International norms will only be accepted on a national level by the public once they’ve been legitimised internationally. National norms are more likely to be adopted internationally should the state be perceived with high regards and successful. (Finnemore & Sikkink, 1998: p. 905-907). For example, norms proposed by North Korea are less likely to be adopted in the West due to the reputation of the country.

Non- governmental organisations and lobbyist influence these norms, that can become policies within the national context. In 2008, Facchini and Mayda found little empirical evidence of interest groups’ influence on migration policy as there were very few studies looking into this. However, they explained various ways in which organised groups and interests shape policies. For example, the median voter model, explains how if the median voter in a destination country is not in favour of migration, more restrictive policies will be implemented. However, the degree of restrictiveness of these policies is softened by the lobby of well-organised pro- migration interest groups (Facchini, 2008: p. 26). Castles (2004: p. 869) argues that civil society lobby is rather value- based instead of interest- based. These groups stand for anti-discrimination and migrant rights, which can connect more people who do not necessarily prescribe to a certain identity of a lobby group, but rather give their support on a value- basis. Another model is that of “*endogenous migration- policy formation*” also known as lobbying model, where organised interest groups have something to offer to policymakers and politicians in order to get their interests on the political agenda (Facchini, 2008: p. 21). Alternatively, policymakers are aware that they cannot fully control migration and focus on the manageability of the issue. By increasing the restrictiveness of their policies, they are aware that inflows might still increase, through illegal migration including trafficking rather than legal migrant routes. As mentioned in the background section of the thesis, there seems to be much overlap in discussions on managing migration and tackling human trafficking, e.g. the push and pull factors (Table 1, p. 12). It is thus assumed that the ways interest groups organise around migration, will be similar for the issue of human trafficking.

Hypothesis

Based on the above elaboration on the different paradigms, propositions can be formulated for the Netherlands. There are various approaches to viewing state behaviour as there are various approaches of framing human trafficking, e.g. a criminal activity or business, a response to humanitarian requirements

or a state security issue (Salt, 2000). These views influence how trafficking is prioritised within the migration discourse. As Niemann (2018: p. 13) notes, the EU has made significant efforts to reduce the numbers of people crossing the borders of the union as their way to ensure the union's security, however, these measures have dominated over the protection of people in very vulnerable positions. In addition, over the past 5 years, elections in the Netherlands, France, Austria, the Brexit-referendum etc. all discussed issues such as terrorism and migration at the forefront of the debates. Solutions provided seemed to involve protectionist measures including potentially closing national borders and essentially decreasing legal migrant routes. Combining current political events with the links the European Commission makes between trafficking and poverty, social exclusion, unemployment, levels of education and discrimination, all above-mentioned paradigms can describe the current and future direction of anti-trafficking policies. This thesis will examine the case of the Netherlands, where there has relatively been great attention and responses to the phenomenon of human trafficking (TIP, 2016 - 2018). However, as a member state of the EU, it is not immune to the migration- security debate, it will be interesting to see how its policies fit in the described paradigms.

From a realist perspective, one could argue that the EU, an institution established by member states, (deliberately) sets out broad directives which leave enough room for individual member states to set their own course. The institution was created because it was in the best interest of the participating states at the time. Narrower directives could not be in line with all interests and could hence create situations of more non-compliance. With the perceived threat of migration and terrorism increasing and other transnational crime, states will try to protect themselves and their security status. This could mean that the Netherlands efforts to combat trafficking are indeed focused on ensuring the security and safety of the nation and its values.

- *Proposition 1.1. All the discourse is based on the security of the state*
- *Proposition 1.2. Following trends in the EU, the national discourse on the security of the state is more dominant in times of crisis*

Social constructivism, however, would focus on the victims, how they are affected by the crime, build a narrative and deliver a kind of public storytelling to change perspectives as well as involving civil society. For this to succeed it would be necessary to have a standardised way of measuring and one commonly used definition of not only the crime but also who the victim is. The framing of the issue is of importance to gain legitimacy among the public that trafficking does not only concern the security of the state and the survival of a nation's values and norms. Rather, it is important for the public to view the victims as people whose human rights were taken from them. The expectation here is that the Netherlands is increasingly taking a victim-centred approach instead of a security-focused one. As well as that the Netherlands is one of the Member States driving the anti-trafficking agenda for cooperation on the EU level, aiming to transform domestic norms in international ones.

- *Proposition 2.1. All the discourse is victim based*
- *Proposition 2.2. The different ways to frame the discourse on human trafficking are based on the political parties' party ideology*

With regards to liberal intergovernmentalism, collaboration would only be initiated if it could bring certain gains to the individual member states. The expectation is that the Netherlands is one of the member states seeking out collaboration within the EU, with more combined efforts to tackle human trafficking as it is aware of its destination-country status but unable to tackle the crime without the help of others. The Netherlands could be one of the states driving the anti-trafficking agenda within the EU. Although liberalism and liberal intergovernmentalism are relevant theories, they will not be used in this research. Realism and Constructivism are clear opposing or competing theories. The researcher finds the distinction Liberalism is supposed to bring to the study too limited to be able to clearly recognise the perspective within the anti- human trafficking debates.

Chapter 3. Research Design

This research is conducted by means of qualitative research. Specifically, secondary data is collected and systematically analysed with the aim of answering the research question and sub-questions. This approach allows for effective and critical review of complex issues. Secondary data consists of policy documents, parliamentary party statements and debates. Academic articles are only used regarding the theoretical framework on International Relations and party rhetoric. Considering the paradigms, keywords specific to each paradigm will be identified, which allows a narrower research into ideologies, statements and communication. Attention is given to which concepts appear most and the language used, to identify the dominant paradigm. The used rhetoric will be categorized so they will fall under a victim-based approach, a security- maintenance approach, or an “other” category for all statements that do not fit under the first two categories. Finally, although the researcher initially set out to conduct interviews with a few relevant actors to give proper context to the results found through content analysis, due to time constraints this will not be feasible for this research. Interviewing stakeholders is a consideration for further research.

Qualitative research is the appropriate method as it allows for identifying intangible factors that would not be measurable with quantitative research. Congruence analysis is the appropriate method for this type of research that has a small n , referring to a small number of cases selected, and the different IR-theories used. Blatter and Haverland (2012: p. 144) mention the advantage of small n research being that the researcher is able to give more in- depth reflections to a limited number of cases. Congruence analysis allows for combining and comparing these theories within the case (Blatter & Haverland, 2012). Another form of case study design, the co- variational analysis, is less applicable to this research that does not aim to conclude how the independent variable has a clear causal effect on the dependent variables (Blatter & Haverland, 2012: p.33). Rather, the theoretical framework on International Relations will be used to analyse parliamentary parties’ rhetoric, on the basis of two dominant narratives in anti- trafficking policymaking, a victim centred approach and a security- maintenance driven approach. Congruence analysis consists of two subtypes: 1) the chosen theories are competing with each other; 2) the theories are complementing each other. Whereas the first type assumes that the theories must contradict each other, sit on opposite ends of the spectrum and thus one will explain the results better than the other, the latter subtype assumes that theories are not in competition which can lead to a more comprehensive interpretation of results (Blatter & Haverland, 2012: p. 145). With regards to this research, both subtypes can be considered possible prior to performing the analysis of the data.

Discourse analysis

The IR- paradigms explain how state preferences arise, whether it is through civil society lobbying or based on self- interest, rational calculations and sovereignty. This section elaborates on how these preferences are understood and made public. With regards to trafficking, preferences are made clear during discourses. In this specific research, the rhetoric regarding trafficking is made clear during parliamentary debates in the Netherlands. Stahl, Boekle, Nadoll and Jóhannesdóttir (2004: p. 424 - 426) identify discourse analysis’ multiple purposes in relation to both identity and foreign policy. They define identity as *“images of individuality and distinctiveness (“selfhood”) held and projected by an actor and formed (and modified over time) through relations with significant ‘others’”*. This is important as it not only enables you to identify who the others are, it enables one to know who one is and where one belongs (Brysk, 2007: 71). Discourse analysis is a necessary tool in creating this “we” and the “other” by emphasizing

shared values, norms and characteristics or behaviour of the group. Furthermore, it is able to demonstrate how mentalities and arguments based on this identity drive political discussions and policymaking.

The appropriate method for this type of research is, therefore, a discourse analysis. Within the European Union, the Netherlands as a member state holds one identity. However, within the national context, it is comprised of many variations of identity elements that are agreed upon in national debates on security issues. Brysk (2007: p. 70) describes the domestic context as imagined communities in which national groups express their beliefs, traditions, discourses, values and institutions all comprising the states' identity. In this specific study, the researcher wants to observe the different rhetoric in anti- trafficking debates in the Netherlands. Through discourse analysis of debates, one expects to be able to relate rhetoric and dominant perspectives back to ideologies, values and preferences about the state of the nation.

Scholten and Holzacker (2009) researched changing discourses in the immigration and integration debate by analysing parliamentary debates. In addition, they looked at academic literature, policy reports and interviewed stakeholders. They found that several changes could be found in the discourse over several decades. Most recently, the change was characterised by the need to redefine "*the national imagined community*", the assimilation approach becoming more dominant than the long- used multiculturalism approach and the simultaneous rise of populist politicians (Scholten & Holzacker, 2009: p.82 & 96). In a similar research on immigrant integration discourse in the Netherlands, Entzinger (2014) concludes how the shifting of frames in public discourse, influenced the political agenda and actual policymaking on this issue. Both studies highlight the importance of discourse analysis as a method to find out what sentiments dominate in society and specifically include the debates held in the national Parliament.

As described earlier and according to realism, states will act in their national interest which is linked to the security of the state. Constructivism, however, argues that states must identify their national interest beyond security as it could be in their interest to build relationships with other nations, e.g. the Netherlands might in some cases distinguish its national identity in relation to other states, and in some cases it will define its identity in relation to the region of the West or Northern- Europe (Brysk, 2007: p. 71). Political parties play a great role in defining the national interest. Roggeband and Verloo (2007: p. 274) use the concept of strategic framing to explain that problems are framed by the state as an actor towards citizens however the actions of the state are influenced by all the frames discussed with political parties forming a coalition when deciding on policy. These frames can have several purposes. They, for example, create new (political) alliances or they question or defend the existing social order (Roggeband & Verloo, 2007: p.273). How the problem is represented by each of the parties can be identified by the language used. As Wilson and O'Brien (2016: p. 31) put it: "*language sets the agenda for political action.*" They argue that policy is not made by rationally analysing objective problems and appropriate solutions, policy is rather made of or influenced by how problems and solutions are constructed or framed within a discourse with many stakeholders (Wilson et.al., 2016: p. 31). These statements fit in the constructivism lens.

Many scholars see discourses within parliaments as the ultimate expression of the will of the people, able to not only pass or block legislation but also able to hold the sitting cabinet in power to account (e.g., Ilie, 2015). Those elected have the opportunity as well as responsibility to represent different groups existing within society. The political parties are strategically positioned between the state and society, able to bridge individual concerns with the national interest. Their problem representation is influenced by their

parties' ideologies which inform the political agenda (Wilson et.al., 2016). Civil society plays its role in influencing the political parties and individual members of parliament by providing knowledge and expertise, as well as lobbying for the interest of their supporters (Brysk, 2007: 75). The problem of human trafficking being perceived as a political problem is dependent on how the issue is represented and the language used within the discourse. Following the above, this research will specifically focus on parliamentary debates. A democratically chosen parliament is assumed to be representative of its society (Mearsheimer, 1994: p. 8-9, 16-18). Thus, parliamentary debates, in particular, provide an opportunity to grasp both what is happening in society, what public concerns exist as well as senses the political urgency of the matter and how these sentiments will ultimately affect policy.

Case Selection - The Netherlands

Relevant to include in this study is the "Trafficking in Persons" (TIP) annual report on the global state of the issue. The report ranks each country each year according to a tiered system. For the past 18 years, The Netherlands has been ranked in Tier 1. This means that the minimum standards of the Trafficking Victims Protection Act (TVPA) are met. This refers to states' recognition of the crime and their efforts to prevent, punish and eliminate it as effectively as possible (TIP, 2018). TVPA standards are coherent with those of the Palermo Protocol, as explained in the background section of the research. Alternatively, the Global Slavery Index (2019) places the Netherlands on government response rating "A", on a scale of AAA to D. This means that "*key components of a holistic response*" are implemented by the government however it fails to present a comprehensive approach to all forms of trafficking.

According to Chou (2008, p. 82), the EU strategy is characterised by its lack of comprehensiveness and contradictory policies. The Netherlands, on the other hand, is a particularly compelling case as, according to the TIP- reports, it has increasingly prioritised human trafficking on the political and policy agenda. Selecting the Netherlands would thus be a suitable case as questions are raised immediately regarding whether this prioritisation is caused by a great sense of urgency relating to security- maintenance as explained below or the lobby of NGOs for a more victim- centred approach.

The research will cover a period of three years (2016 - 2018). The thesis covers the most recent years as data from the years prior is expected to be skewed by the refugee crisis. The peak of the refugee crisis is considered between 2013 and 2016, with 2015 being the year in which the Netherlands received most asylum applications (VluchtelingenWerk, 2019). This period is known for boat accidents and loss of lives on the Mediterranean Sea. The famous EU- Turkey deal was negotiated in 2015 and put into force early 2016. In addition, these recent three years will provide an unusual national context. There were parliamentary elections during the first quarter of 2017. Parliamentary parties began campaigning in 2016 against a background of growing populism in Europe and a newly concluded deal with Turkey to curb the number of migrants entering EU territory. The chosen period includes both a perceived sense of urgency by the researcher and a sense that it has become less of an urgent issue due to the proposed and implemented EU solutions. The refugee crisis as a highly salient event will influence the results of the discourses in debates. One would expect realism to be the dominant IR- theory and the security- maintenance approach to be the dominant perspective. However, the Netherlands' ranking in the TIP reports has not changed in 18 years. Hence, this research will examine whether the perspective of victim protection is ever present in policymaking and perhaps not overshadowed by a security angle, allowing the country to be able to maintain its position on the top tier- level. In addition, the EU- Turkey deal is considered a solution to a problem, thus possibly removing the urgency or sharpness from the debates. For example, whereas Greece received over 1 million asylum applications from refugees in 2015 and the

first half of 2016, this number drastically decreased to 37,000 in 2017 after implementation of the deal had commenced (UNHCR, 2018 & 2019a). The researcher has specifically chosen this period because of the possible tension between this matter of urgency due to salient events and the agreed solution possibly reducing these sentiments.

Data is used from parties with more than 5 seats in parliament in 2017. The only exception is ChristenUnie as it is one of the parties forming the coalition in the current government (with the VVD, CDA and D66). Parties tend to sharpen their tone and statements during their campaigning (2016/2017). From the moment the elections were held (2017/2018), half of the parties included in this research had to compromise to form the current government whereas the other half is taking up the role of opposition in parliament. The opposition is expected to present and defend their positions with more rigour since they do not need to compromise to the extent the parties in government do.

Table 2: Justification of political parties based on seats in the parliament.

Full name (seats 2012) (seats 2017) [Abbreviation/ official English translation]	
Included:	Not included
Volkspartij voor Vrijheid en Democratie (41) (33) [VVD/ People's Party for Freedom and Democracy]	Partij voor de Dieren (2) (5) [PvdD/ Party for the Animals]
Partij voor de Vrijheid (15) (20) [PVV/ Party for Freedom]	50PLUS (2) (4)
Christen-Democratisch Appèl (13) (19) [CDA/ Christian Democratic Appeal]	DENK (-) (3) [THINK]
Democraten 66 (12) (19) [D66/ Democrats 66]	Staatkundig Gereformeerde Partij (3) (3) [SGP/ Reformed Political Party]
GroenLinks (4) (14) [GL/ GreenLeft]	Forum voor Democratie (-) (2) [FvD/ Forum for Democracy]
Socialistische Partij (15) (14) [SP/ Socialist Party]	
Partij van de Arbeid (38) (9) [PvdA/ Labour Party]	
ChristenUnie (5) (5) [CU/ ChristianUnion]	

Variables

The dependent variable in this research is the discourse regarding anti- human trafficking policy. A discourse within this research specifically refers to a parliamentary debate. According to Van Dijk (2004), a parliamentary debate refers to debates or discussion in which the members of parliament, in the setting of a political institution, are engaging. Once a year, the Dutch Parliament schedules a debate specifically on Human Trafficking. This debate is held within the Committee of Justice and Security, that has 25 permanent committee members of which the parties included in this research have the following representation: CDA (3) CU (1) D66 (3) GL (2) PvdA (1) PVV (3) SP (2) VVD (5).

These three main debates were held on:

- 26 April 2016 with the Minister of Justice and Security (AO 2016)
- 16 February 2017 with the Minister of Justice and Security (AO 2017)
- 27 September 2018 with the State Secretary on Justice and Security (AO 2018)

The scheduling of these three debates coincides with the reporting of the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children. As these reports are frequently referred to during the debates, they are included in this research as they provide proper context to the statements

made by the party representatives during the debates. Furthermore, the official letters by the State Secretary and Ministers on behalf of the government, written questions handed in by members of parliament outside the debates and the parties' election programmes 2017 – 2021 are also consulted to answer the research questions of this thesis. The researcher chose not to include the election programmes 2012 – 2017 as the political parties already began their election campaigning in 2016. A list of consulted documents can be found in the appendix. As transparency is an important element of a functioning democracy, all consulted documents can be found online through the website of the House of Representatives and the website of the national government² where all official publications about government policies and information on government agencies are made public. Despite plenty of data being produced and available from media outlets, these are not used in this thesis. The dependent variable in this thesis is discourse, referring to parliamentary debates. Although media outlets report on statements made by politicians during the political debates, the researcher chooses to obtain the information directly from the source (the debates itself and party programmes) rather than risk losing information in interpretations of the data made by journalists. Furthermore, the researcher makes use of documents and reports from human trafficking experts such as the National Rapporteur, the Group of Experts on Action against Trafficking in Human Beings (GRETA) and the United States' State Department's Office to Monitor and Combat Trafficking in Persons that publishes an annual report on the global state of Trafficking in Persons. Expert documentation is used to provide more context to the national debates and to identify possible gaps between the scale of trafficking in the Netherlands and the information the politicians use.

The course of the discourse depends on the framing of the debate. Goodey (2008, p. 431) referring to Lindstrom's work on transnational responses to human trafficking presents the two different approaches to the crime, used in this research. In addition, and as explained in the section on framing and human trafficking, there are several political problem representations of human trafficking possible (Lobasz, 2019). If a dominant approach is observed, one can perhaps predict the future of anti- trafficking policymaking in times when salient events occur. International cooperation will be dependent on the perceived urgency at the national level and on the national preferences. It could thus predict the Netherlands' position in bilateral or multilateral policy negotiations with for example countries of origin of victims of trafficking.

Security- maintenance approach

According to Chou (2008, p. 82), this approach focuses on the security of the EU and the security of its Member States. The security- maintenance approach is currently, arguably, the most dominant in anti- trafficking policymaking discussions around Europe (Goodey, 2008, p. 431). The security is maintained in a migration- discourse by tackling illegal migration, more control of legal migrant routes, conversations of Fortress Europe and the closing of the Union's outside borders. The discourse will include and emphasise the manageability of migration flows and its flaws. In order to recognise whether the security- maintenance approach is relevant in the Dutch discourse, the researcher will not only gather data from debates and statements on human trafficking but also on migration as this debate seems equally relevant for this approach. In addition, human trafficking is linked to other (organised) crimes in society such as drugs and arms, and there is much attention to finding and prosecuting traffickers who are considered to undermine the state's governance (Lobasz, 2019; Aradau, 2004: p. 251).

² <https://www.houseofrepresentatives.nl/>
<https://www.overheid.nl/english>

Victim centred approach

Goodey (2008, p. 431) describes this approach as “*an established way of addressing crime indirectly by addressing victims*”. The approach focuses on the prevention and protection aspect of anti-trafficking policies by aiming to reduce the vulnerabilities and increasing the knowledge and awareness of (potential) victims. This approach is also known as the human rights approach and is most used or lobbied for by NGOs. Whereas the security maintenance approach is considered most dominant, the victim-centred approach has increasingly gained attention in the public debate, of which civil society has been an important stakeholder. Thus, discourse will centre around ways of protecting victims, preventing the crime from happening by providing training and awareness.

Validity, reliability and feasibility

This research reliability is proven when under the same conditions, a repetition of the same research produces similar or identical outcomes, thus proving consistency (Kellstedt & Whitten, 2007: p.106). The reliability of the research is increased by the researcher’s documentation of the data used. By using the approach of content analysis, it enables other researchers to perform identical studies as all steps are documented and will be available through the annexes, enhancing the reliability of this thesis. By systematically documenting the steps of the research, it is not expected that the party preference of the researcher will be clear from the findings. Data from each political party will be analysed in the same manner. In addition, the discourse analysis is based on several political parties in parliament. Furthermore, people, as warned by Riege (2003: p. 81), are not static and change their perceptions and statements over time. Interviews could, therefore, be problematic for the reliability of the research, as the data reflects a specific moment in time. Due to time constraints, stakeholder interviews will not be feasible for this research.

The internal validity of research is proven by the confirmation of whether the researcher is actually measuring what they intend to know (coordination between the research question, methods and findings) (Riege, 2003: p. 81). The internal validity of this thesis is increased by the structure of the thesis. There are two dominant approaches to anti- trafficking policymaking and two relevant IR- theories which are clearly defined and categorised. The expectation is that through congruence analysis, conclusions can be drawn regarding the direction of parliamentary discourse on human trafficking in the Netherlands. Furthermore, every hypothesis follows a clear and concise theoretical framework, meaning that all propositions are based on literature and existing theories. The hypotheses are subsequently linked to the variables in the research question, such as discourse. This results in high internal validity as the hypothesis are relevant in answering the main research and sub- questions.

The external validity of research refers to the researcher’s ability to project the results and findings beyond the scope of the specific case to other cases or onto a larger scale (Riege, 2003: p. 81). Limitations of this research are time constraints and outcomes based on the case of the Netherlands not being relatable to other member states (small ‘n’ limitation). Thus, it assumes a low external validity in terms of results being generalised and comparable to other EU-member states. However, the results will be important for the Dutch context as it could predict the future direction of anti- trafficking policy making in the national context and possibly countries with similar contexts as well as the Dutch position in the context of EU- policy making.

Other limitations might be that other theories would have had other results, perhaps providing a better framework to explain the findings. However, IR- theories are relevant to date and regardless of whether other theories would have been a better match, the chosen theories remain relevant for the current discussions on migration and human trafficking within the EU.

Chapter 4. Analysis

This chapter shows the empirical analysis of the data gathered from the debates and relevant documents. To prevent repeating findings, the data from the period 2016 - 2018 is not chronologically presented. Rather, the data is presented based on the themes of the content of the data. For example, data regarding the importance of international cooperation is grouped together as opposed to having to repeat party positions should they not have changed over the course of the three years. In addition, changes in argumentation are clearer to observe when the information is collectively presented. Relevant quotes are provided to illustrate the observed themes. These are problem representation (prostitution and human smuggling), based on realism (punishment and prosecution) and constructivism (protection and party ideology). The researcher has tried to keep a balance of the presented parties and their statements during the different years. Regarding the content of the debates, two main subjects relating to human trafficking seem dominant. As this research focuses on a more comprehensive view of trafficking including the problems with prostitution and acknowledging the links with smuggling, it is relevant to include a subsection on these two subjects that are for many parliamentarians seen as separate from the main crime. Thus, this chapter starts with prostitution and migration as they influence the problem definition of trafficking in the studied documents. Thereafter, subsections 2 and 3 go into the two IR- theories, realism and constructivism, selecting concepts from both theories to identify the relevant paradigm and its propositions in the debates. Subsequently, the discussion of findings concludes whether the propositions are verified based on the analysed data and presents some additional findings.

Defining the problem

Human trafficking and prostitution

What is immediately noticed by observing the parliamentary debates is a lack of a clear definition of human trafficking. A clear problem statement is thus lacking. Some parties, such as D66, make it a point to separate human trafficking from prostitution or sex work. For example: *"[...] but for D66 there is a very clear distinction. That is on the one hand in tackling and combating human trafficking and on the other in a well-regulated sex industry. D66 wants to fight for that. Although many victims of human trafficking come from prostitution, it is certainly not the case that all victims of human trafficking are prostitutes. In addition, not all sex workers are victims of human trafficking. Sex work is also work for D66."* (AO 2016). This excerpt and position is repeated by various members of parliament (e.g. by MPs Judith Swinkels and Achraf Bouali) from the same party, D66, over the time period 2016 – 2018 and explained in the party's 2017 election programme. They make this statement to reiterate that from the party's point of view, strengthening the position of sex workers or the sector will reduce illegality and thus increase safety and protection (D66 in AO 2018).

Two of the annual main debates, 2016 and 2018, are called Human Trafficking AND Prostitution, thus separating the two and implying that prostitution, although linked to, is not necessarily part of human trafficking. A possible explanation could be the fact that unlike most European countries, prostitution is legal in the Netherlands. Exploitation within the sector, however, still exists. The debate in 2017 is just on human trafficking. Even though some parties inquire about prostitution, the focus, especially in comparison to the other two years, is on human trafficking not including prostitution. Minister Steur, in 2016, and State Secretary Harbers, in 2018, make a point to mention that although sexual exploitation is receiving much attention, – perhaps overpowering – labour trafficking also remains a priority to the government who aims to present a comprehensive approach to taking on the crime. According to Minister

Steur (AO 2016), the Netherlands has an effective approach, but he identifies the need for more attention to labour trafficking in the European context. State secretary Harbers (AO 2018) even states that the two types of human trafficking occurring most in absolute numbers in the Netherlands are labour exploitation and criminal exploitation and thus deserve as much attention as sexual exploitation.

Human trafficking and human smuggling

Within the debates on human trafficking and prostitution, another unclear definition of the problem is whenever human smuggling and human trafficking get intertwined. Minister Steur (AO 2016) for example states that both crimes are linked. He provides the example that especially with the disappearance of minor refugees from centres for asylum seekers (see chapter 1: Introduction) they are expected to have fallen victim to smuggling and trafficking due to their vulnerable status.

Few members of parliament recognise these links as well and have inquired whether the mandate of the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children should be expanded to include human smuggling. Even though the Socialist Party and the Labour Party are strongly in favour of at least looking into this possibility, others are less convinced. The arguments of both parties include the fact that most human trafficking routes have started as human smuggling routes and that the Netherlands Public Prosecution Service is unable to present many cases under human trafficking charges. They, therefore, present the convictions as human smuggling which is legally easier to prove (PvdA, SP & VVD in AO 2017). Van Toorenburg (CDA in AO 2017) does not necessarily agree unless the National Rapporteur flags this as an increasingly important issue influencing her portfolios. Minister Blok (AO 2017) also disagrees with this line of arguing as legally there is a clear difference between the natures of the two crimes. Where he describes the state as the “victim” of human smuggling, as borders are crossed, and the state’s security is undermined, victims of trafficking are individuals who have endured exploitation. Thus, the prosecution of both crimes indeed differs significantly. However, academics such as Aradau (2004: p. 251) consider traffickers to undermine the state’s governance and thus do not recognise that the sole victims are the individuals. In Minister Blok’s explanation, a state- security, more realist approach only becomes apparent regarding human smuggling.

To briefly continue with the mandate of the National Rapporteur, its role is to report on human trafficking since 2000. In 2011, sexual violence against children was added. This is a portfolio that also does not seem to fit with human trafficking and has arguably fewer links or is less intertwined with trafficking altogether.

Realism

Rhetoric during debates

During the main debates, the realist perspective is brought forward by the attention on the punishment of perpetrators. Swinkels from D66 states for example that: *“D66 believes that the focus should be more on the human trafficker. The WODC also indicates this. It says that in current policy and enforcement, the human trafficker stays out of sight”* (AO 2016). The WODC she’s referring to is the Research and Documentation Centre of the Ministry of Justice and Security. Other participating parties seem to agree, and this point is raised multiple times over the three years. Indeed, the Socialist Party (in AO 2018) agrees and adds that policies cannot be effective if there is a lack of knowledge on the nature and size of the crime, as well as the considerations of the traffickers in committing it. The attention on traffickers and law- enforcement could be observed as fitting for the security- maintenance approach as well as the realist perspective, as these perpetrators undermine the state’s governance and their borders. In 2018 the VVD confirmed that the legislators have officially increased the penalty for the crime, however confirming that this had not (yet) led to increased time for the imposed sanctions. A possible explanation could be the lack of knowledge and training with both police officers, the prosecution officers and judges on how to recognise human trafficking. According to the TIP report (2018, p: 321), police officers and other relevant actors did continue to receive training over the course of 2017 on recognising victims, identifying human trafficking as the appropriate crime and on applying the anti- trafficking law. It is possible that these outcomes were not yet visible during the years they received the training. A more positive outcome on the number of cases identified and successfully punished under human trafficking charges should theoretically be visible in the coming years. Other proposed solutions by the state secretary are the extra funds (50 million euro for the period 2017-2021) towards the agencies tasked with the inspections of for example violations of labour laws and suspicions of labour exploitation (State secretary Harbers in AO 2018). With these extra funds, the Inspectorate SZW (a government agency tasked with ensuring adequate working conditions), is able to hire and train people to inspect and recognise improper working conditions.

With regards to international cooperation, specifically within an EU context, several parties such as CDA have concerns that the Netherlands should not merely depend on European police cooperation. It could be in the Netherlands interest to engage in bilateral cooperation with source- countries of human trafficking rather than expecting EU deals to close over time. Minister Steur (in AO 2016) disagrees as the principle agreed upon within the government as well as with the other Member States is to focus on harmonising European cooperation efforts with third- countries.

Migration & Capacity

A much- held discussion over the three years is that of actors being able to detect the crime when it is happening. Concerns of slow investigations and the number of convictions falling are raised by all parties participating in the 2018 main debate. They also identify a cause for these events: the lack of capacity of police forces and the Royal Netherlands Marechaussee, responsible for safeguarding the security of the state. This lack of capacity is partially explained by the migration- and refugee crisis and an increased focus on terror threats (e.g. mentioned by CU in AO 2018). According to State Secretary Harbers (in AO 2018), the one third of the AVIM – the section of the police tasked with immigration law, identification and human trafficking – that is normally available for tackling human trafficking, was asked to identify and register asylum seekers during the high influx of migrants in the Netherlands instead. The influx came to

its height in 2015 (VluchtelingenWerk, 2019). This shift in prioritisation at the time caused the delay or lost sense of urgency on other portfolios such as human trafficking. The human trafficking cases that did get picked up by the department were smaller and thus resulted in a lower average duration of the sentences given, which is at odds with the in 2013 increased penalties for the crime (state secretary Harbers in AO 2018). Interesting to note that this is made clear in the parliamentary debates but not picked up in global reports such as the Trafficking in Persons annual reports 2016 - 2018. In 2018, the State Secretary confirmed that the gaps were closed and the department working on human trafficking was back performing at its normal capacity. These observations fit in the realist paradigm in which relative power, the protection of borders and thus the state is discussed. The offensive realist assumption is that an absolute greater military capability adds to a relative securer power position. The lack of capacity of police forces and the Royal Netherlands Marechaussee at the time puts the Netherlands in an unfavourable position vis-à-vis other countries should any events occur.

Victim of human trafficking and/ or asylum seeker

Not only are migration and human trafficking linked to each other, but they also have other components linking them – the status of the migrant. Victims of trafficking obtain a different status from asylum seekers and migrants, which also changes their residency rights. Different stakeholders have proposed a method in which requesting or applying for asylum and applying for a special permit for victims of trafficking are combined. For example, the Socialist Party is strongly in favour of doing so, after the recommendations of other stakeholders. The Labour Party (in AO 2016), explains this tension between the two options as unaccompanied minors often opt for the asylum procedure rather than the latter option, which ultimately limits the possibilities of prosecuting human traffickers. They do so, often based on the recommendation of their lawyer, perhaps because the reflection- period is too short and often because there is the assumption that they will have higher chances of being granted asylum and being able to settle in the Netherlands. The Strategic Consultation on Human Trafficking, consisting of social institutions who support and advocate for the rights of victims of trafficking, agrees with this explanation throughout 2018 and recommended the government to review the grounds for asylum and human trafficking simultaneously, creating an integrated arrangement regarding the possibility of being granted permission to stay in the Netherlands. Experts of GRETA (2018), moreover, argue that victims should be able to get adequate support regardless of their cooperation in the investigation or the prosecution of traffickers. Reports and statements of both networks are used by parliamentarians in their positioning during the debates. Furthermore, these experts explained how the offer to use a reflection period of three months, is only offered to victims if they are speaking with the designated human trafficking officer of the police forces or other competent authorities (GRETA, 2017 & 2018). Unfortunately, due to a lack of capacity, not all victims are properly informed and receive this option. The State Secretary (in AO 2018) does not agree with the recommendations of the Strategic Consultation as he explains that the victims should feel free, as it is within their rights, to opt for the asylum procedure instead of the special permit. Moreover, there is no guarantee that a more integrated arrangement will have victims opting for the asylum procedure less than they currently do and once denied asylum, they still have the option to submit their application for the special permit. Lastly, an integrated arrangement would legally be problematic as there should not be any confusion arising from the reasons why a status was granted, i.e. international protection or protection from a trafficker (Harbers in AO 2018). Thus, the state secretary, despite concerns raised, maintains the current government position in which there are two separate procedures a victim of trafficking can enter. The government continues to engage with relevant stakeholders to keep an eye on whether people are falling outside either arrangement.

This debate touches upon the uncertainty and the discourse around whether victims of trafficking are an accomplice to their situation. In the debates the concern is raised by e.g. the VVD, that victims take unnecessary risks by engaging with traffickers, sometimes knowingly being trafficked as their understanding is, they will be able to either create their new life or in the worst of situations obtain legal residency rights (which is one of the goals of migration) by pressing charges to their trafficker. The National Rapporteur (2019) finds the protection of victims without Dutch nationality insufficient. The reflection period, the time given to victims to consider cooperating with police forces and their investigation of the trafficker, is not always granted. The relevant agencies, such as the police and the Inspectorate SZW have their own procedures which do not seem to align. It is imperative they get aligned as victims are entitled to protection during the reflection period and can't be returned to their respective country (National Rapporteur 2019). Arguably, one could imagine that having separate procedures allows authorities to manage and distinguish between "true" asylum seekers, economic migrants and "true" trafficking victims. The observed fear is that without the requirement of victims cooperating with authorities to build a legal case against traffickers, more people would try to enter this procedure in order to get the three- month reflection period. During this period, a victim receives residency rights to the Netherlands, that can be renewed for a longer period of time as it is custom that investigations into trafficking take the relevant authorities more than three months.

Migration and trafficking are internal security threats in themselves, as explained by Kicinger (2004) as they could for example influence the stability of the state if the migrants and victims of trafficking clash with the native population. Furthermore, they put a burden on a state's welfare system and undermine the state. Both issues could potentially decrease its relative power position in international systems as for example its border protection can be considered weak.

Constructivism

Party ideology and values

From the debates and party programmes, party ideologies and values are most noticeable for several of the parties. First, the Socialist Party (SP) whose historical links to stand up for workers, victims of social injustice and victims of a neoliberal system can be traced to their values of equality, solidarity and human dignity (SP, 2019). Specifically, their focus on protecting the rights of workers by demanding adequate labour standards to ensure safe workplaces, are seen in their attention to protecting victims of labour trafficking and raising the punishment against employers exploiting (migrant) workers. These views impact their position in the debates and are visible in the questions they pose to the minister and state secretary as they are looking out for victims as described in their mandate (SP, 2019). An example can also be found in their 2017 Parliamentary election programme: *“We are regulating the labour market by introducing (temporary) work permits, to prevent low- wage jobs from falling in competition and employees being exploited.”* Interestingly, whereas the quote can be explained in the victim- protection narrative, it also mentions competition.

This last statement could be explained two-folds. It is indeed showing a victim- based approach by mentioning the prevention of employee exploitation. However, it touches upon competition for low wages. It does not give more context, leaving room for several scenarios or explanations. First, an international competition in which companies move their factories or activities abroad to countries with lower wages. Second, a more individual competition in which Dutch employees compete with others (often EU citizens) for a job with the lowest possible wage. These explanations could, however, fit in a more state- security approach as it is possible that the main thinking is to protect employment opportunities for national workers and the national economy (including its position vis-à-vis other countries).

The values and ideology of the ChristenUnie and CDA, both parties with Christian values, are noticeable in the debates on prostitution and sex work. The CDA for example in their 2017 election programme clearly state that they consider all prostitution as human trafficking, and reject all notions claiming that it could be a voluntary field of work. ChristenUnie reiterates this message in its own election programme and during debates (CU, 2017; CU in AO 2016). In their election programmes, both parties specifically refer to prostitution being human trafficking and it being a form of modern slavery. Consequently, they agree that the government should play an active role in providing assistance and service to those in prostitution and providing “exit-programmes” for those in the industry (CDA, 2017; CU, 2017). Both parties are currently forming the coalition with VVD and D66 of the current government. Seeing their similar values rooted in the Christian tradition, they seem logical partners. With this in mind, they are able to form a power block of two within the coalition of four. For many years, the parliament has been trying to pass amendments to the law regulating prostitution. CDA and CU with their similar positions on the matter in their election programmes are able to delay or postpone the decisions, especially as they are both part of a government in which compromises need to be made. The parties’ similar views are expressed through the debates. In the main debate in 2017, representatives of the CU are unable to participate, leaving the Parliamentarian from CDA to speak on behalf of both parties (AO 2017).

Another party whose party ideology is clearly noticeable in debates is D66. Their position regarding international cooperation is strongly linked to the party’s ideology. They are very much Pro- EU and in favour of cooperation, which can be observed in how they distinguish themselves from other parties, for

example in campaigning for the 2017 Dutch Parliament elections and the recent 2019 EU Parliament elections. Throughout the researched period of 2016 – 2018, they reiterate that human trafficking is a cross- border crime. Traffickers are not limited in their activities by borders, these are internationally operating criminal networks, so strengthened EU cooperation is needed to have police forces working together to stop them (D66, 2017; D66 in AO 2018). Besides cooperation on the EU level, D66 keeps suggesting bilateral or other forms of cooperation, for example by cooperating with the OSCE of which many source- and transit countries are members.

Rhetoric during debates

A victim- based approach is relatively dominant within the debates. The ministers and state secretary are questioned by all participating parties about the processes to identify victims and how they can be better supported by police forces and other social services. Where it could be perceived to be heavily realist with its focus on perpetrators and punishment, the Labour Party states: *“We must prevent at all times the impression that the social position of the suspect is more important than the position of the victim”* (PvdA in AO 2016).

For example, during the 2017 main debate on human trafficking, the Labour Party and the Socialist Party expressed their concerns regarding the decline in reported human trafficking crimes, which does not demonstrate a decline in numbers of victims, rather a lack of capacity of relevant authorities. Minister Van der Steur (in AO 2016) acknowledges that the more committed authorities are to combat the crime, the more victims come forward themselves or are more easily recognised by relevant stakeholders. Several parties, such as CDA in AO 2018, reiterate over the period of three years during debates and in their statements that Human Trafficking is indeed an “invisible” crime, unless properly trained, authorities will not be able to protect the most vulnerable people at risk.

Another concern raised by several parties over the course of the three years is the protection of victims. SP (in AO 2018), states that there are insufficient shelters for victims, causing them to stay in sight of their traffickers and potentially falling victim once more. State Secretary Harbers recognises the risk, however, confirms that the government is making extra (financial) resources available in 2018 for shelters and services to victims.

The majority of the discussions is victim- based with parties expressing their concerns over lack of resources, declining numbers of reports from victims and inadequate or insufficient ways to provide service and shelter to victims. These questions are rather easily answered, and concerns are taken away by the ministers and the state secretary either promising or confirming more resources in terms of funds or human capacity to be added to the existing process. Interestingly, there is one “solution” provided by some of the parties in the opposition, to strengthen the position of victims of trafficking. During the 2018 main debate on Human Trafficking and Prostitution, the GreenLeft and the Labour Party proposed to install an Ombuds(wo)man, modelled after a similar position in New-Zealand specifically for victims of sexual exploitation. The parties, both positioned on the left of the political spectrum, present a joint proposal to establish this independent entity for the protection of potential victims of trafficking including exploited prostitutes.

Besides opposition parties proposing alternatives to current policies, the government extended the mandate of the Human Trafficking Task Force until 2020 (TIP, 2018: p.321). This Task Force consists of Netherlands Public Prosecution Service, police, municipalities and NGOs. It is considered one of the ways the government aims to gain a grip on the situation of trafficking victims.

Discussion of findings

This subsection elaborates on whether the propositions made in the theoretical framework are either confirmed, found plausible or invalidated. It discusses to what extent the data fits with realism, constructivism and their respective propositions. It summarises the findings and provides the final answer on whether one IR- theory is more dominant or whether they are linked. Lastly, as from the introduction and theory, the researcher assumed a certain level of urgency, this subsection concludes with whether this urgency or prioritisation is observed in the parliamentary discourses on human trafficking in the Netherlands.

Realism

Prior to analysing the data, the researcher presented two propositions, based on the theoretical framework on realism.

- *Proposition 1.1. All the discourse is based on the security of the state*

This proposition is invalidated based on the conducted research. As explained in previous chapters, scholars find the security- maintenance approach currently, arguably, the most dominant in anti-trafficking policymaking discussions around Europe (Goodey, 2008, p. 431). Within the national context of the Netherlands and based on the analysis, this cannot be confirmed. Members of Parliament representing the Labour Party, CDA, the minister of Justice and Security, for example, emphasise that the focus needs to be on the victims. Security- maintenance is mentioned in three different ways: first, by focusing on the punishment of traffickers and how their sanctioning should reflect the gravity of their crimes. This gravity is not only measured in endangering the lives and wellbeing of victims, but also in terms of how they undermine the state's authority. The latter is the second perspective, linked to Lobasz' first frame of human trafficking as a security threat to the state. The crime seems to link to many other issues in society, e.g. organized crime, drugs and arms, and traffickers are considered to undermine states' governance and thus pose a risk (Aydan, 2012: p. 172; Aradau, 2004: p. 251). Lastly, one could argue that trafficking poses an internal threat to the state's stability. Stalker (2002) observes a tension between states' responsibility to help those in need and preserving the nation by for example not overburdening welfare services and ensuring a nation's social stability. There is an urge to defend the nation's identity, traditions and values. Within the debates, this is most visible in AO 2016, where Van Oosten (VVD) brings up child marriages as a phenomenon alien to Dutch values and traditions: *"In this country it is not normal for minors to marry an adult and I also find it completely incomprehensible if there are people who think this is normal."* These three different perspectives of the security- maintenance approach are all briefly touched upon in the debates. However, it is not possible to classify all discourses as falling under this approach. The proposition is thus not valid for the Netherlands. Further research is necessary to explore the Netherlands' position as a member state within wider EU-debates as well as to validate the above proposition for the EU- context. Security- maintenance might be the dominant narrative in other EU-countries.

- *Proposition 1.2. Following trends in the EU, the national discourse on the security of the state is more dominant in times of crisis*

Based on the analysis, the migration crisis has influenced anti- human trafficking efforts. As confirmed during the debates by the state secretary (for example in AO 2018), priorities were shifted from human

trafficking to managing migrants and refugees. This resulted in a loss of capacity and expertise in the relevant departments tasked with the crime. In a sense, a realist perspective became more prominent as managing migration is explained as a means to secure borders and protect the state. Thus, a security-maintenance perspective, in those terms, has gotten more dominant, however, it also seems to be temporary. A possible explanation could be found in a similar clarification of the time period. As the Netherlands received most of its requests for asylum in 2015 and the EU- Turkey deal only got concluded in 2016, it makes sense that during the time where there was not yet a finalised EU- wide solution and the solution had yet to be implemented, national priorities changed. Based on the researcher's analysis, proposition 2 is plausible. The migration crisis did temporarily become more prominent, prompting a state security discourse.

Constructivism

Prior to analysing the data, the researcher presented two propositions, based on the theoretical framework of constructivism.

- *Proposition 2.1. All the discourse is victim based*

The researcher can conclude that the proposition, based on the data, can be considered to be true. There is not one debate or document neglecting to mention the victim- based approach, themes regarding the protection of the victim. All parties, as well as the minister and secretary of state, recognise and emphasise the importance of preventing people to end up in situations of trafficking, protecting and supporting victims. Although there seems to be consensus on the victim- based approach, the actual interpretation or ways to prevent, protect and support differ across the spectrum. Whereas some parties argue for the establishment of independent mechanisms such as special ombudsmen, others highlight the importance of awareness- raising in countries of origin and centres for asylum seekers. Within this discussion sits the recognition of rights of the vulnerable people, whether this is seen in the socialist's plea for the protection of labour rights of non- Dutch citizens or the rights of victims of trafficking to make use of the three- month reflection period in which they can decide to press charges and its consequences for their residency rights.

- *Proposition 2.2. The different ways to frame the discourse on human trafficking are based on the political parties' party ideology*

Party ideologies are stronger or easier to observe in some parties than others. For example, D66 and their quest to cooperate internationally lies in the identity of the party. The ideology of the Christian parties CU and CDA is observed in their language during debates as well as their party programmes, in which many similarities can be found on themes, ideas and especially their values but not necessarily on the practical interpretation of these ideas. As mentioned, the Socialist Party profiles itself as the guardian of labour rights, whereas the Labour Party takes a less explicit stance for its often- similar views. However, for parties with less presence in the debates such as GroenLinks, their party ideology is difficult to distinguish from their communication in debates and party programmes. The researcher is thus unable to confirm the proposition above. The ministers (in AO 2016 & 2017), as well as the state secretary (in AO 2018), are members of the VVD. Considering that the Netherlands is known for its coalition- forming, it explains how they are representing a coalition rather than a party in power. Therefore, their statements do not only reflect the VVD's viewpoints but are balanced by the interests of the other parties in government. One can also imagine that this explains why the other parliamentarians representing VVD in the debates are not or less prominent. They can be considered less critical of the answers given by the ministers and state secretary to the questions posed by the other parliamentarians. This is observed in the debates by the

VVD being the party with the least amount of follow-up questions after the rounds of answers by the government representatives (AO 2016 - 2018). Another possible explanation for the observation that party ideologies are more noticeable for some rather than others could be that a few parties in the Dutch parliamentary system have merged over time, potentially diluting stronger messages, values and ideologies. This last explanation could be a question for further research into national parliamentary discourses and how merges dilute stronger positions on the political spectrum.

Realism and Constructivism interlinked

Referring to the explanation of congruence analysis, in chapter 3 Research Design, the researcher is unable to confidently pick one subtype. Congruence analysis consists of two subtypes: 1) the chosen theories are competing with each other; 2) the theories are complementing each other. Considering the chosen IR - theories, the initial thinking of the researcher was that the chosen theories would be competing with each other within the chosen case. However, the researcher's conclusion is that within this specific case, the theories are neither in competition nor complementing each other. They rather seem to be able to co-exist within the same case. Although elements of constructivism seem more dominant, concepts of realism in terms of law-enforcement can be observed within the debates. There seems to be enough space to discuss both implications of trafficking for the state's security, the prosecution of traffickers as well as the protection of victims and prevention methods. By focusing on capturing and punishment of traffickers, victims are simultaneously protected.

The need for international cooperation can be seen as a discourse where realism and constructivism might be intertwined. In the theoretical framework, Brysk's ideas on values and identities were presented. She argues how states can only cooperate internationally, once they have defined their national (self-) interest (Brysk, 2007: p. 71). International cooperation will then be a necessity to fulfil national interests, however, it can be part of the pursuit of the state's identity or a way to promote national values and norms to others. Both components can exist in parallel. Although, it is perhaps less apparent from the debates what the self-interest of the Netherlands would be in EU-context, besides curbing migration and their appeal as host country and the complexity of impeding internationally operating criminal networks. The identity aspect is clearer in for example a party such as D66, whose position regarding international cooperation is strongly linked to the party's ideology. They are very much Pro-EU and pro-cooperation, noticeable in how they distinguish themselves from other parties. They not only emphasise the need to cooperate as the Netherlands is not able to tackle cross border, transnational issues themselves, but also the need to present the Netherlands as a top-tier level country with certain knowledge and expertise. The Netherlands having skills, values and norms that can be presented on a bigger podium, to other nations.

As explained in the section on framing and human trafficking, there are several political problem representations of human trafficking possible (Lobasz, 2019). First, the framing of human trafficking as a security threat to the state. This clearly falls under the security-maintenance approach. This perspective was observed, e.g. in the debates where trafficking was discussed in terms of how traffickers should be punished for undermining the state's governance. Punishment for trafficking is currently mostly argued with regards to the severity of the perpetrator's actions towards the victim. However, these individuals or networks undermine the state by illegally crossing borders, illegally providing housing and employment, infiltrating in various sectors without paying taxes, all under the radar of authorities (Aradau, 2004: p. 251). Human trafficking can also be considered in the frame of a human rights issue. This perspective is more victim-based and observed in the debates by amongst other D66 and the Socialist Party referring to the responsibility to tackle push and pull factors such as rising inequality (see table 1, p. 12), linking trafficking and migration. It is also observed in the emphasis on the rights of victims to be free, make their

own decisions, have dignity, security and the right of protection. Not only do many scholars consider human trafficking through a gender lens, but observed parliamentarians also seem to agree that women are considered to fall in the hands of traffickers more often and could potentially be trafficked into prostitution. Another example of the victim- based approach observed is the dominating focus on (regulating) prostitution. Trafficking as a migration issue is presented in the section under Realism. It is considered the security – maintenance approach, focusing on managing migration. Lastly, human trafficking can be viewed in the frame of labour issues. This is mostly observed in the Socialist Party with their call to protect workers and ending exploitation.

To reiterate, constructivism is dominant within the case, however, realism is ever present – not overpowering in any of the annual debates. Realism is particularly observed whenever migration management is questioned and in discussions on punishment and prosecution of traffickers. In the theoretical framework on Realism, Chou (2008: p. 76) argued that a security focused approach to migration makes states inadequate to tackle human trafficking due to efforts to protect the security being to the detriment of transit and home countries. However, the researcher argues that if a victim- based approach (including prevention by tackling push and pull factors) can co- exist, the security- maintenance approach does not have to be inadequate or ineffective. To revert to Wilson et.al. (2016: p. 31), solutions to problems are linked to how the problem is represented. How policymakers and politicians frame an issue, influences the output and outcome of the policy- making process. This also explains that although a victim- based approach is currently dominant and will perhaps be for some time, problems and the representation thereof are products of a specific time and location. It is worth noting that even during highly salient events such as the migration crisis, a victim- based approach was not threatened by the occurrence of more security discourse.

Interesting to note might be that several parties make several statements that at face value could be interpreted as assuming a victim- based approach. However, the researcher observes several ways of explanation. The VVD for example in AO 2016, reiterates that minors travelling alone should be protected. At the same moment, they begin linking trafficking to migration to ultimately integration. They touch upon a subject that is not much discussed in the trafficking discourse: child marriages. *“In this country, it is not normal for minors to marry an adult and I also find it completely incomprehensible if there are people who think this is normal. Fortunately, we passed a law last year to prevent this from being forced into marriage.”* At face value, one could argue this quote demonstrates the need to protect in this case minors from a different form of exploitation. However, one could argue that the language used, demonstrates a need to distinguish what Dutch values are, as *“it is not normal”* indicates and the need to protect these, by passing a law on an issue that seemingly does not fit with Dutch values. Van Oosten (VVD, in AO 2016) is implying that with migration, traditions such as child marriage entered society and seeing that some of these will clash with Dutch traditions, values and freedoms *“people should not accept this”*. The researcher observes these quotes as an indication of a discussion on the existence of societal identity and which norms and values belong.

Lastly, regarding government responses, as explained in the Case Selection subsection, the Netherlands has been ranked on Tier 1 for the past 18 years. However, the country fails to reach the higher rankings of AAA or AA in the Global Slavery Index. Both indexes agree that the approach is focused on prosecution and punishment for perpetrators as well as prevention and protection for victims. The debates, as well as these international reports, show that both perspectives can be maintained. The researcher has for example observed that the three main annual debates are always scheduled around the publication of the annual report of the National Rapporteur. Whenever the report highlights the protection of victims, this becomes the focus of the debate. Whenever the prosecution of traffickers is the main focus of a

report, the attention shifts, and this becomes the centre of the debate. Both perspectives are not competing with each other but are highlighted at different times following what the National Rapporteurs draws attention to. This can be linked to the previous observation made that a victim-based and security-based approach co-exist. As the current Dutch approach addresses prosecution, prevention and protection, it is believed to tackle both the causes of human trafficking (on the victim's side) and the effects for the state.

Thus, both the security-maintenance and the victim-based approach are observed in the data analysis, adding to the researcher's conclusion that the different perspectives manage to co-exist without being either contradicting or complementary.

Prioritisation

The researcher chose the period 2016 – 2018 due to a sense of perceived urgency (see chapter 3: research design) due to the refugee crisis coming to its height in 2015 in the Netherlands, and a set of proposed EU solutions agreed on and implemented in the period thereafter. However, after analysing the main debates, this sense of urgency is somewhat lost.

Only four out of the eight parties participated in the scheduled debate in 2017 (table 3). A recurring comment from the members of parliament is the perceived sense of lack of urgency by the Minister and the unsatisfying course of the debate. Parliamentarians accuse the Minister of not being able to adequately address any of their concerns. The minister, on several occasions, refers to the need to discuss with the secretary of state to be able to answer the questions asked. A recurring theme in debates over these three years is the overlap of portfolios held by the minister and the state secretary and the frustration of the parliamentarians whenever either of them refers to the other for answers.

Table 3: Participating members of Parliament in Human Trafficking debates

Debate on Human Trafficking and Prostitution 26 April 2016	Debate on Human Trafficking 16 February 2017	Debate on Human Trafficking and Prostitution 27 September 2018
Van Toorenburg (CDA)	Van Toorenburg (CDA)	Kuik (CDA)
Volp (PvdA)	Van Laar (PvdA)	Kuiken (PvdA)
	Van Nispen (SP)	Van Nispen (SP)
Van Oosten (VVD)	Van Oosten (VVD)	Van Oosten (VVD)
Segers (CU)		Segers (CU)
Swinkels (D66)		Bouali (D66)
Van der Staaij (SGP)		Van der Staaij (SGP)
		Buitenweg (GroenLinks)
Van der Steur, Minister of Justice and Security	Blok, Minister of Justice and Security	Harbers, State Secretary of Justice and Security

Source: AO 2016, 2017 and 2018

Prioritisation is also a concern regarding the lack of capacity in recent years as explained earlier. Seemingly, police forces and the Royal Netherlands Marechaussee had to shift focus to the migrant- and refugee crisis which impacted their ability to tackle trafficking effectively. Priorities were shifted, arguably, in order to protect the state, showing the then government's realist perspective.

Participants in debates keep emphasizing the importance of coming together to discuss the issue. The matter of perceived urgency by actors either working with victims or responsible for the perpetrators is questioned by many members of parliament. Thus, cooperation should not only be discussed on an

international level, but MPs also urge cooperation on national and local levels, so all (political) actors are on the same page. Nevertheless, the researcher questions the matter of perceived urgency by parliamentarians. A specific discussion on Human trafficking in the House of Representatives is scheduled once per year after the publication of the annual report by the National Rapporteur. For a crime that is considered the fastest growing with high profits and low risks for perpetrators, as explained in chapter 1, this amount seems rather limited. In comparison, the Commission on Justice and Security meets approximately once per month for at least one hour to discuss all issues within its portfolio. Migration is one of the most prominent issues on the agenda. Besides, separate debates are scheduled to tackle different aspects of migration, such as asylum policies and development cooperation which can aid in tackling the drivers of trafficking and migration mentioned in table 1. Furthermore, the number of participants in migration debates (see appendix 2) is much larger. In these debates, smaller parties such as SGP, DENK, PvdD are also involved, as well as the larger parties (GroenLinks and PVV) which have limited presence in the trafficking debates.

Chapter 5. Conclusion

This final chapter provides the general conclusion of the entire research, summarises the goal and results and discusses the limitations of research. It concludes with considerations for future research.

General conclusion

The initial goal of the thesis was to find out whether the Netherlands was following this observed trend of European politics with regards to migration and human trafficking moving towards stricter policies. A more security- maintenance approach to the crime, influenced by the migration crisis, could predict the future of anti- trafficking policymaking and could show the need for further research into the links between migration and trafficking and their policies. In the end, an observation made is that the Netherlands is quite able to distinguish between migration and human trafficking. The researcher can distinguish two considerations deriving from this statement. Firstly, it is a positive observation that the Dutch parliamentarians are able to make this distinction. One could argue it means a victim- based approach will always be present in debates, even dominating. It will not be a victim to a more security- maintenance approach during a crisis and parliamentarians are able to balance perhaps hardening sentiments in society and finding adequate solutions to the problem. It perhaps shows that despite a perceived crisis, parliamentarians do not stray from their objectives and statements. They are not led by salient events, thus able to keep the victim- based approach and able to keep a long- term vision. However, the other consideration is less optimistic. As members of parliament can distinguish human trafficking from migration, one could argue that they are therefore not recognizing how migration policies influence trafficking routes, potentially misjudging the links between the two. This thus potentially endangers the victims the anti- human trafficking policies are designed to protect.

These two considerations are examples of how the security- maintenance approach and the victim- based approach are intertwined in the discussion on how to best tackle trafficking in human beings. The researcher has concluded that the two subtypes of a congruence analysis perhaps are not sufficient. Elements of Realism and Constructivism are neither contradicting nor complementing each other in this specific case. Rather they seem to co- exist within the anti- trafficking debates in the Netherlands. As trafficking is a cross- border, transnational crime, it requires an international approach and cooperation. EU member states with similar contexts may have similar findings. This could possibly mean that within a context of foreign policy or international cooperation, states not only act in their self- interest (protecting the state and its borders) but can manage to uphold a perspective in which protecting victims is equally as important in supranational institutions.

There were plenty of documents to consult, which took the researcher considerable time to get through. However, not all documents proved to be relevant. In a lot of cases, prostitution was dominating the debates. One recommendation based on the research is to keep separating human trafficking from prostitution debates, as it dominates the discourse. Furthermore, the Dutch approach to prostitution is quite unique. Prostitution is legal and with the discussions on the proposed amendments to the regulation of prostitution, there is significant attention to the protection of sex workers and the prevention of abuses. Forced prostitution, however, remains a considerable part of human trafficking. By having a debate on prostitution, whether it is about forced prostitution or voluntary sex work, and a separate debate on all other forms of human trafficking, such as labour exploitation, members of parliament will be able to give the needed attention to all forms rather than one overshadowing the others. Additionally, one of the demands of the government in agreeing to extend the mandate of the Task Force on Human

Trafficking in 2017, was to increase its focus on the link between migration, human smuggling and human trafficking. It shows that more research on the link between these phenomena is needed and subsequently requires more attention in parliamentary debates.

To conclude, parliamentarians in the Netherlands did, at times, adopt a security- maintenance focus, however, it was not dominating a more victim- based approach.

Limitations of research and future research

Not all parties (with more than five seats in Parliament) are involved in the debates on human trafficking. One of the parties that has migration issues very prominent on their agenda is the PVV. However, the researcher observed that the party would be represented in debates strictly on migration. These debates were not taken into consideration as migration is a much wider and broader issue. Human trafficking would perhaps be briefly touched upon but not discussed in depth. The researcher tested this assumption by specifically looking for the words “traffick”, “trafficking” “prostitution”, “labour” and “exploitation” in the reporting of migration- focused debates (these debates are listed in appendix 2). Similarly, statements of the Green party (GL) on human trafficking in 2016 are difficult to find. The party has increased its seats in Parliament from 4 in 2012 to 14 in 2017 (see table 2, p. 25). With more capacity, they became involved in the Parliamentary Committee on Justice and Security after the March 2017 elections and thus involved in the discussions on human trafficking.

As mentioned in the *discussions of findings*, existing literature suggests that a security- maintenance approach is most dominant in anti- trafficking policymaking discussions around Europe. Although this is not evidenced by the discourse in debates in the Netherlands, future research could investigate similar debates in Europe as well as the position of the Netherlands during discussions in an EU- context

The chosen period does influence the results of the research. Given the period, the refugee crisis being a highly salient event, the researcher expected to find realism and security- maintenance to be most dominant during the debates. Even though these concepts were observed, results have shown that a victim- based approach remained dominant over time. This research could be repeated in a few years when no such event has taken place. However, the researcher would expect the victim- based approach to remain the dominating perspective in years to come if no large, disruptive events take place.

Another more general consideration is that the researcher chose to focus on human trafficking with the links to migration. Subsequently, trafficking within the Netherlands that creates Dutch victims, including problems with so- called “loverboys”, remained underexposed. Dutch female victims mostly fall victim to traffickers who use a method of romancing and ‘grooming’, building emotional, romantic connections with the aim of gaining trust and ultimately control of the victim. Once the victim is manipulated in this way, they are coerced into exploitation, often times in prostitution (Rijksoverheid, 2019c). Further, considering the Dutch Asylum system, more research is needed into the considerations whether victims of trafficking are taking the risk, knowingly being trafficked as they understand that they will obtain legal residency rights. This phenomenon blurs the lines between migration purposes and human trafficking.

For future research, the scoping should be broadened to include for example civil society and international non- governmental organisations. The specificity of the UN Protocol as described in the section on defining human trafficking, on protecting women and girls was greatly influenced by such organisations working on women’s issues and feminism in late 2000 (Capous Desyllas, 2007: p. 62). Additional research could

examine to what extent civil society has been able to influence the direction of anti- human trafficking policy and the regulation of prostitution in the Netherlands. In addition, other countries can be added for comparison purposes. For example, EU member states where the migration debate is held with more or less intensity than in the Netherlands. Furthermore, there could be more research on the possibility of gaps existing between Member States' approaches to trafficking and EU policies and directives and how these could be explained. Lastly, the researcher did not conduct any interviews due to time constraints. However, this could provide more in- depth context to the analysis of content.

A more general consideration for future research is, as the introduction mentioned, the gap between the numbers of victims in the Netherlands. The numbers vary between 6, 250 and 30, 000. Can policy be well equipped or adequately able to tackle a crime, if there is no consensus on the scale of the crime? This question does not change the outcome of this particular research, as it focused on parliamentary discourse. However, it is of great concern in protecting victims and the future of anti- trafficking policymaking.

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Appendices

1. List of consulted debates and related documents

<p>Additional documents consulted with AO 2016 (26 April 2016)</p> <ul style="list-style-type: none">▪ The letter from the Minister of Justice and Security (7 December 2015) concerning the government response to trafficking in human beings, towards a child-oriented protection system for unaccompanied minors (Kamerstuk 27 062, nr. 98); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2015Z23712&did=2015D47819].▪ The letter from the Minister of Justice and Security (9 February 2016) on the results of the project, in the context of the EU Presidency, concerning human trafficking for the purpose of labor exploitation (Kamerstuk 28 638, nr. 141); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z02781&did=2016D05655].▪ The letter from the Minister of Justice and Security (25 April 2016) regarding the presentation of the WODC research «<i>Aan de grenzen van het meetbare</i>» ("At the limits of what is measurable") (Kamerstuk 34 193, nr. 3); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z08479&did=2016D17426].▪ The letter from the Minister of Justice and Security (25 April 2016), on the report presented by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children «<i>Zicht op kwetsbaarheid, een verkennend onderzoek naar de kwetsbaarheid van kinderen voor mensenhandel</i>» ("View on vulnerability, an exploratory study into the vulnerability of children to human trafficking") (Kamerstuk 28 638, nr. 143); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z08488&did=2016D17459].
<p>Additional documents consulted with AO 2017 (16 February 2017)</p> <ul style="list-style-type: none">▪ The letter from the Minister of Justice and Security (29 November 2016) concerning the legal role of the Royal Netherlands Marechaussee in human trafficking (in response to motion-Segers c.s. Kamerstuk 33 885, nr. 30) (Kamerstukken 30 176 en 28638, nr. 34); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z22461&did=2016D45993].▪ The letter from the Minister of Justice and Security (29 November 2016) on investments in tackling human trafficking (Kamerstuk 28 638, nr. 150); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z22458&did=2016D45985].▪ The letter from the Minister of Justice and Security (15 December 2016) with the policy response to the report «<i>Uitbuiting van minderjarigen in de criminaliteit in Nederland, onderzoek naar de signalering van kinderhandel, de aanpak en de samenwerking door professionals</i>» ("Exploitation of minors in crime in the Netherlands, research into the identification of child trafficking, the approach and cooperation by professionals") (Kamerstuk 28 638, nr. 152); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z24041&did=2016D49241].
<p>Additional documents consulted with AO 2018 (27 September 2018)</p> <ul style="list-style-type: none">▪ The letter from the Minister of Justice and Security (1 June 2017) on intensifying the approach to combat human trafficking (Kamerstuk 28 638, nr. 158); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z07363&did=2017D15550].

- The letter from the State Secretary of Justice and Security (30 June 2017) concerning various commitments in the field of combatting human trafficking (Kamerstukken 28 638 & 27 062, nr. 159); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z09482&did=2017D19652].
- The letter from the State Secretary of Justice and Security (28 November 2017) on developments in the approach to human trafficking (Kamerstuk 28 638, nr. 160); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z16515&did=2017D34528].
- The letter from the State Secretary of Justice and Security (25 May 2018) on the development of a plan to combat human trafficking (Kamerstuk 28 638, nr. 161); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z09693&did=2018D30548].
- The letter from the Minister of Justice and Security (19 June 2018) regarding the response to the request by the member Kuiken, (made 12 June 2018) about the report that victims of sex and human trafficking hardly report this to authorities (Kamerstuk 33 552, nr. 48); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z11790&did=2018D34823].
- The letter from the State Secretary of Justice and Security (31 August 2018) on the progress of the development of the plan to combat human trafficking (Kamerstuk 28 638, nr. 162); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z15068&did=2018D41867].

Election programmes (accessible through the links in References)

- CDA verkiezingsprogramma 2017 – 2021
- ChristenUnie verkiezingsprogramma 2017 – 2021
- D66 verkiezingsprogramma 2017 – 2021
- GroenLinks verkiezingsprogramma 2017 – 2021
- PvdA verkiezingsprogramma 2017
- PVV verkiezingsprogramma 2017 – 2021
- SP verkiezingsprogramma 2017
- VVD verkiezingsprogramma 2017 – 2021

2. List of migration debates and related documents

General consultation on immigration and asylum policy (26 May 2016)

[https://www.tweedekamer.nl/debat_en_vergadering/commissievergaderingen/details?id=2016A00660]

Participating Parliamentarians: Azmani (VVD), Gesthuizen (SP), De Graaf (PVV), Keijzer (CDA), Kuiken (PvdA), Sjoerdsma (D66), Van der Staaij (SGP), Voordewind (CU) & Voortman (GroenLinks)

State Secretary of Justice and Security: Klaas Dijkhoff.

- The letter from the State Secretary of Justice and Security (29 March 2016) regarding the response to the letter from the municipality of Steenbergen regarding the refugee crisis and reception of asylum seekers; [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z06384&did=2016D13149].
- The letter from the State Secretary of Justice and Security (11 April 2016) regarding the response to the article «*Grenscontrole mislukt*» ("Border control failed") (Kamerstuk 19 637, nr. 2180); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z07277&did=2016D15069].
- The letter from the Minister of Justice and Security (18 May 2016) regarding the policy response to the report of the Justice and Security Inspectorate on the identification of asylum seekers in the Netherlands (Kamerstuk 19 637, nr. 2187); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z09628&did=2016D19888].
- The letter from the State Secretary of Justice and Security (19 May 2016) on the progress of improvement measures for the immigration chain (Kamerstuk 19 637, nr. 2186); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z09684&did=2016D20077].
- The letter from the State Secretary of Justice and Security (23 May 2016) concerning commitments made during the general consultation of 26 April 2016 on human trafficking and prostitution (Kamerstuk 27 062, nr. 100); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z09982&did=2016D20649].

General consultation on immigration and asylum policy (19 January 2017)

[https://www.tweedekamer.nl/debat_en_vergadering/commissievergaderingen/details?id=2016A05191]

Participating Parliamentarians: Azmani (VVD), Fritsma (PVV), Gesthuizen (SP), Keijzer (CDA), Maij (PvdA), Monasch (independent speaker), Van der Staaij (SGP), Verhoeven (D66), Voordewind (CU) & Voortman (GroenLinks)

State Secretary of Justice and Security: Klaas Dijkhoff.

- The letter from the State Secretary of Justice and Security (8 November 2016) on developments in the influx of asylum seekers in relation to reception and accommodation (Kamerstuk 19 637, nr. 2254); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z20646&did=2016D42528].
- The letter from the State Secretary of Justice and Security (17 November 2016) regarding measures regarding asylum seekers from safe countries of origin (Kamerstuk 19 637, nr. 2257); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z21492&did=2016D44155].
- The letter from the State Secretary of Justice and Security (19 December 2016) with the government's response to the ACVZ recommendation «*De geloofwaardigheid gewogen*» ("Credibility weighed") (Kamerstuk 19 637, nr. 2269); [https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z24281&did=2016D49758].

- The letter from the Minister of Justice and Security (21 December 2016) with the policy response follow-up investigation by the Security and Justice Inspectorate into the identification of asylum seekers in the Netherlands (Kamerstuk 19 637, nr. 2272);
[https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2016Z24598&did=2016D50396].
- The letter from the State Secretary of Justice and Security (19 January 2017) about the result of the investigation into the registration of the total number of refusals under the Long-Term residing Children Regulations (DRLVK) (Kamerstuk 19 637, nr. 2274);
[https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z00691&did=2017D01420].

General consultation on immigration and asylum policy (12 September 2018)

[https://www.tweedekamer.nl/debat_en_vergadering/commissievergaderingen/details?id=2017A04498]

Participating Parliamentarians: Azarkan (DENK), Azmani (VVD), Bisschop (SGP), Jasper van Dijk (SP), Fritsma (PVV), Groothuizen (D66), Van Kooten-Arissen (PvdD), Kuiken (PvdA), Van Ojik (GroenLinks), Van Toorenburg (CDA) & Voordewind (CU)

State Secretary of Justice and Security: Mark Harbers

- The letter from the State Secretary of Justice and Security (30 April 2018) regarding the report on the Immigration Chain for the period January to December 2017 (Kamerstuk 19 637, nr. 2384);
[https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z08105&did=2018D27245].
- The letter from the State Secretary of Justice and Security (28 May 2018) regarding information about the number of foreign nationals who enter the Netherlands with a false travel document (Kamerstuk 19 637, nr. 2387);
[https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z09726&did=2018D30651].
- The letter from the State Secretary of Justice and Security (11 June 2018) regarding a reaction to the motion by MP Fritsma about not bringing labour forces from outside the EU to the Netherlands as a reward (Kamerstuk 19 637, nr. 2394);
[https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z10963&did=2018D33153].
- The letter from the State Secretary of Justice and Security (5 July 2018) on the flexibility of the asylum chain (Kamerstukken 19 637 en 30 573, nr. 2415);
[https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z13593&did=2018D38502].
- The letter from the State Secretary of Justice and Security (11 September 2018) on research into all aspects that contribute to the long-term residence of foreigners (Kamerstuk 19 637, nr. 2421);
[https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z15806&did=2018D43629].
- The letter from the State Secretary of Justice and Security (10 September 2018) on foreign nationals who are long-term residents (Kamerstuk 19 637, nr. 2420);
[https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2018Z15708&did=2018D43427].

3. Excerpts from AO 2016 - 2018

The following excerpts are from the three main debates. Those listed in the table below, specifically show one of the two approaches. Alternatively, a yellow colour indicates that statements can be explained through both approaches or differently all together. The interpretation of the researcher is presented in Chapter 4: analysis and discussion of findings.

	Victim-based approach
	Security-maintenance approach
	Both and/or other

AO 2016

Main debate on Human Trafficking and Prostitution. 26 April 2016 (referred to as: AO 2016)	
Van Oosten (VVD)	<p>“Minderjarige vreemdelingen als slachtoffer van mensenhandel zijn een betrekkelijk nieuw fenomeen. Met de verhoogde asielinstroom kan dit fenomeen in potentie in omvang toenemen. De VVD wil dit natuurlijk graag voorkomen.” (AO 2016: p.3)</p> <p>“In dit land is het niet normaal dat minderjarigen moeten trouwen met een meerderjarige en ik vind het ook volstrekt onbegrijpelijk als er mensen zijn die dit wel normaal vinden. Gelukkig hebben we vorig jaar een wet aangenomen die dit met de aanpak van huwelijksdwang moet voorkomen. [...] Als we zo iemand kunnen aanpakken en veroordelen, strafrechtelijk harder kunnen aanpakken dan nu, is het dan mogelijk dat er een signaal landt bij de Immigratie- en Naturalisatiedienst (IND) zodat zo iemand niet in dit land kan blijven? Het is hier namelijk niet normaal dat een minderjarige getrouwd moet zijn met een meerderjarige. Ik kan het niet genoeg benadrukken. Het is volstrekt onbegrijpelijk en mensen moeten dit niet accepteren.” (AO 2016: p.3)</p>
Swinkels (D66)	<p>“Dit is een algemeen overleg over mensenhandel en prostitutie en die onderwerpen worden vaak in een adem genoemd, maar voor D66 bestaat er een heel duidelijk onderscheid. Dat zit enerzijds in het aanpakken en bestrijden van mensenhandel en anderzijds in een goed gereguleerde seksindustrie. Daar wil D66 zich hard voor maken. Hoewel veel slachtoffers van mensenhandel uit de prostitutie komen, is het zeker niet zo dat alle slachtoffers van mensenhandel prostituees zijn. Tevens zijn niet alle sekswerkers dus slachtoffer van mensenhandel. Sekswerk is voor D66 ook werk.” (AO 2016: p.4)</p> <p>“Ik zie een zorgelijke ontwikkeling. Uit de stukken die we hebben gekregen, blijkt dat het aantal Aziatische arbeiders dat op boorplatforms onder mensonterende omstandigheden werkt, toeneemt. Dat blijkt onder meer uit het onderzoek Mensenhandel in en uit beeld. [...] Een belangrijke oorzaak hiervoor ligt bij de werkgever die de werknemers naar Nederland haalt, maar ook bij de werknemer die geen aangifte durft te doen. In de reactie van de Minister lees ik daar niet zoveel over. Gaat de Minister deze vorm van arbeidsuitbuiting aanpakken? Is hij het met mij eens dat arbeidsuitbuiting ook strafrechtelijk aangepakt moet worden? Op welke manier worden werkgevers gecontroleerd en aangepakt, als er signalen van uitbuiting zijn zoals van het Amsterdams coördinatiecentrum?” (AO 2016: p.4)</p> <p>“D66 vindt dat de focus meer op de mensenhandelaar moet liggen. Ook het WODC geeft dit aan. Het zegt dat in het huidige beleid en de handhaving de mensenhandelaar te veel buiten beeld blijft. Het beleid richt zich daarbij wel op het voortdurend criminaliseren van de seksindustrie. Dat werkt volgens mij averechts, want het duwt de legale sekswerkers de illegaliteit in.” (AO 2016: p.4)</p>

	<p>“Het gaat erom dat de focus op dit moment ligt op het sluiten van locaties en op het zo veel mogelijk beperken van vergunningen door de gemeente. Mijn punt is juist dat we daarmee ervoor zorgen dat prostitutie ondergronds gaat.” (AO 2016: p.5)</p>
Volp (PvdA)	<p>“We moeten te allen tijde voorkomen dat de schijn gewekt wordt dat de maatschappelijke positie van de verdachte belangrijker is dan de positie van het slachtoffer. We moeten ook voorkomen dat er een tweedeling lijkt te zijn en daar waar verkrachting van een minderjarige zwaar bestraft wordt, dat hier niet geldt omdat mogelijk sprake is van sekswerk, terwijl het wel om een minderjarige gaat. Je hoeft dat niet te kunnen verifiëren.” (AO 2016: p.8)</p> <p>“Uit het rapport van de NRM blijkt dat alleenstaande minderjarige vreemdelingen (amv’s) vaak op aanbeveling van hun advocaat kiezen voor de asielprocedure. We hebben hierover eerder mondelinge vragen gesteld. Wij vinden dit onwenselijk, want daarmee worden de vervolgingsmogelijkheden van de mensenhandelaren beperkt. Wat is de laatste stand van zaken? In hoeverre acht de Minister de koppeling tussen de medewerking aan het strafproces en het verlenen van een tijdelijke verblijfstitel wenselijk? Ook de Europese Commissie heeft hierover in haar fiche aanbevelingen gedaan. Hoe kijkt de Minister hiertegen aan? Verder pleit de NRM ervoor dat alle amv’s in de beschermde opvang komen. Is dit nu het geval?” (AO 2016: p.8)</p> <p>“De Minister schetst dat mensensmokkel en mensenhandel voor een deel verweven zijn. Juist bij de verdwenen minderjarige vluchtelingen bestaan grote vermoedens dat ze niet alleen slachtoffer zijn geworden van mensensmokkel, maar ook van mensenhandel. Ze zijn heel kwetsbaar.” (AO 2016: p.13)</p> <p>“Ik snap het belang van de koppeling, maar we zien ook dat met name amv’s vaker kiezen voor de asielprocedure. We hebben daar in het mondelinge vragenuur eerder over gesproken. Dan is die koppeling er niet. De keuze kan deels gemaakt worden op basis van de hoop dat ze meer kans hebben. Het kan ook zijn dat de bedenktijd vrij kort is. In het fiche van de Commissie staat ook de aanbeveling om de termijn eventueel te verlengen om te komen tot betere aangifte. Daar hoor ik graag een reactie op, want dat is het grote probleem. Er is een tweesporenbeleid, waarbij het ene spoor niet leidt tot de aanpak van mensenhandelaren.” (AO 2016: p.17)</p>
Segers (ChristenUnie)	<p>“Mijn allerlaatste vraag betreft de positie van de Koninklijke Marechaussee (KMar). We hebben daarover vanochtend een bericht gezien. Soms worden de wettelijke taken wat opgerekt. Hierover zijn al schriftelijke vragen gesteld door de Kamer. Moeten we de wettelijke grondslag voor de positie van de KMar in de strijd tegen mensenhandel en mensensmokkel niet verstevigen? De Minister zegt «rustig aan». Ik wil dit nogmaals onder zijn aandacht brengen en hem vragen hierin stappen te nemen. We willen geen rechtszaken waarin de verdediging kan zeggen dat er geen wettelijke grondslag was voor de actie en dat de mensenhandelaar of mensensmokkelaar vrijuit gaat, omdat wij de wet niet hebben aangepast en de KMar niet in staat hebben gesteld om de strijd te voeren tegen mensenhandel en mensensmokkel.” (AO 2016: p.7)</p>
Van der Staaij (SGP)	<p>“Bij de behandeling van de wet komen we ongetwijfeld terug op het pooierverbod, maar ik meld al nadrukkelijk dat wij gelet op de studie over de voor- en nadelen van het pooierverbod voorstander zijn van de introductie van zo’n pooierverbod. Het kan juist in deze kwetsbare sector helpen om misstanden daadwerkelijk aan te pakken. Handhaven en streng straffen zijn ongelooflijk belangrijk. Uit de nulmeting blijkt dat exploitanten en pandjesbazen nagenoeg buiten beeld blijven bij de handhaving. Waarmee worden deze mensen op gemeenteniveau concreet aangepakt? Er moeten op mensenhandel niet alleen afschrikwekkende straffen staan; die moeten ook waargemaakt worden.” (AO 2016: p.9)</p>

	<p>“De Wrp is een treffende illustratie van dit punt. Het wetsvoorstel lag in 2011, vijf jaar geleden, al bij de Eerste Kamer. Ik zie de Minister onze kant op wijzen. Dat is zeker waar, maar daarom was mijn formulering ook dat hij alles doet wat in zijn mogelijkheden ligt. De behandeling van dit wetsvoorstel duurt niet zo lang omdat het al die jaren bij de Tweede Kamer heeft gelegen. Het heeft ook te maken met het urgentiebesef en de vaart in juist de bestrijding van de misstanden.” (AO 2016: p.9)</p> <p>“De Minister heeft daarin aanleiding gevonden om in deze periode 12 miljoen euro beschikbaar te stellen voor uitstapprogramma’s voor prostituees. Daar zijn we hem dankbaar voor en we zijn er blij mee. Als zoveel mensen door een opeenstapeling van problemen in de prostitutiesector belanden en het soms heel moeilijk is om daaruit te komen, is het immers belangrijk dat er programma’s zijn die daarbij behulpzaam zijn.” (AO 2016: p.9)</p>
<p>Van Toorenburg (CDA)</p>	<p>“Is de PvdA er ook voorstander van om de leeftijdsgrenzen in EURODAC te schrappen, zodat we ook kinderen registreren en ook van kinderen hun vingerafdruk nemen? Dat doen we niet omdat we het fijn vinden om van kinderen vingerafdrukken te nemen, maar om er zicht op te kunnen houden.” (AO 2016: p.7)</p> <p>“Ik heb ook een paar opmerkingen over de grenscontroles. We hebben vaker gesproken over de controle door de KMar. Die blijkt nog steeds aan regels te zijn gebonden. Het is nog steeds zo dat bij de spoorwegen maximaal zes treinen kunnen worden doorzocht. Het is nog steeds zo dat er per traject beperkingen zijn opgelegd. Op een vliegroute mag nog lang niet iedereen worden gecontroleerd, ook al is het belangrijk. We hebben aangegeven dat de regels daarvoor binnen Schengen moeten worden aangescherpt.” (AO 2016: p.10)</p> <p>“Wij willen dat de leeftijdsgrens in EURODAC wordt geschrapt. Wij willen dat de Dublin-regels worden aangepast, zodat kinderen asiel kunnen aanvragen in het land waar ze uiteindelijk belanden. Het kind staat voorop. We moeten ervoor zorgen dat zij veilig zijn. Wat wil de Minister daarin betekenen?” (AO 2016: p.10)</p>
<p>Van der Steur (Minister of Justice and Security)</p>	<p>“Mensenhandel doet zich voor in twee vormen. Aan de ene kant is dat de seksuele uitbuiting waarvoor we de afgelopen jaren veel aandacht hebben gehad, maar aan de andere kant is er ook de arbeidsuitbuiting. Die wordt in Nederland effectief aangepakt, maar die behoeft in Europees verband nog meer aandacht. Het gaat in beide gevallen om zeer ernstige misdaden.” (AO 2016: p.11)</p> <p>“Ik heb een oproep gedaan aan alle parlementariërs in alle lidstaten om hun regeringen op basis van de handleiding aan te spreken op een integrale aanpak van mensenhandel. Met samenhangende maatregelen in zowel de bron- als de bestemmingslanden kan deze problematiek echt effectief worden bestreden. Datzelfde geldt natuurlijk voor seksuele uitbuiting. Ook daar geldt dat we alleen met samenhangende maatregelen in de bron- en bestemmingslanden effectief kunnen optreden.” (AO 2016: p.11)</p> <p>“Het ene is het punt dat de heer Van Oosten maakte over de Syrische kindbruiden. Aan de hand van het rapport van de NRM is nog eens indringend onder onze aandacht gebracht dat we daaraan aandacht moeten schenken. De Staatssecretaris heeft dat al in diverse debatten met de Kamer gedaan. Het is van belang dat de Staatssecretaris daarop doorgaat. Dat geldt ook voor de discussie die hij met de Kamer voert over de berichtgeving van Europol, over de al dan niet uitgereisde minderjarigen en of die in beeld zijn bij de diensten.” (AO 2016: p.12)</p> <p>“Die roept mij op om – helaas is dat nodig – heel veel aandacht te besteden aan mensensmokkel, een van de afschuwelijke manieren waarop mensen naar Europa worden</p>

	<p>gesmokkeld, waarbij er in heel veel gevallen geen enkel belang is bij de goede uitkomst daarvan. De risico's die daarbij genomen worden, zijn gigantisch hoog. Er is geen enkele menselijke maat om ervoor te zorgen dat de mensen die fiks betaald hebben om van het Midden-Oosten of Noord-Afrika naar Europa te komen, daar daadwerkelijk levend aankomen. Het is echt een walgelijke industrie, waarbij we verwevenheid zien met criminele organisaties en mogelijk zelfs terroristische organisaties." (AO 2016: p.12)</p> <p>"De aardigheid – nou ja, aardigheid, dit is een serieus onderwerp waarbij zorgvuldige gesprekken van belang zijn – is dat dit nauw samenhangt met de vluchtelingenproblematiek. Zo is het ook door Europol gepresenteerd." (AO 2016: p.13)</p> <p>"Steeds bleek uit onderzoek dat men onvoldoende alert was op signalen vanuit diverse omgevingen over de zorg of er genoeg aandacht is voor slachtoffers en de vraag of we hen wel herkennen. Op zichzelf duidt een stijging van het aantal slachtoffers niet op een toename van de mensenhandel. We moeten ons erop voorbereiden dat er meer slachtoffers in beeld komen als we ons meer inzetten op de bestrijding van mensenhandel." (AO 2016: p.15)</p> <p>"We moeten er niet op vooruitlopen, omdat het uitgangspunt is dat de Europese samenwerking op politie-gebied steeds beter en meer gestructureerd wordt en het uiteindelijk niet nodig is dat we vooruitgeschoven posten hebben in andere landen." (AO 2016: p.19)</p>
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AO 2017

Main debate on Human Trafficking. 16 February 2017 (referred to as: AO 2017)	
<p>Van Nispen (SP)</p>	<p>"De Nationaal Rapporteur Mensenhandel heeft in 2015 de prestaties beoordeeld op het gebied van de bestrijding van mensenhandel. Daar schrik je van Er is een forse terugloop in het aantal meldingen van slachtoffers. Niet omdat mensenhandel minder voorkomt, maar omdat de aandacht voor mensenhandel afneemt. Politie en marechaussee hebben veel minder mogelijkheden. Wegens een grote hoeveelheid aan andere taken heeft mensenhandel geen prioriteit meer. Ook zien we minder opgelegde straffen, minder zware straffen, meer septs en vrijspraken, omdat er minder wordt door gerechercheerd en er minder steunbewijs kan worden verzameld." (AO 2017: p.2)</p> <p>"De Nationaal Rapporteur Mensenhandel waarschuwt in sterke bewoordingen dat de aandacht voor mensenhandel afneemt. Alle organisaties die ons geschreven hebben, hebben dezelfde zorg. De toegezegde middelen zijn onvoldoende om te zorgen voor de noodzakelijke trendbreuk. Het Centrum tegen Kinderhandel en Mensenhandel (CKM) zegt zelfs dat de extra inzet amper voldoende is om het achterstallig onderhoud weg te werken en in ieder geval onvoldoende om de groeiende problematiek van mensenhandel effectief te kunnen bestrijden. Met de reorganisatie van de politie is expertise verloren gegaan en er is de laatste jaren onvoldoende in verbreding van capaciteit en expertise geïnvesteerd. Dit is echt forse kritiek van deskundigen." (AO 2017: p.2)</p> <p>"Want dat is ook het doel van de Verblijfsregeling Mensenhandel: slachtoffers beschermen, daders pakken. Maar omdat men in de praktijk om allerlei redenen eerder kiest voor de asielrechtelijke route, komen opsporingssignalen niet of te laat bij de politie. Wat is de reactie van de Minister op het voorstel om tot één verblijfsregeling te komen waarin zowel op asielgronden als op verblijfsgronden mensenhandel wordt getoetst, waardoor de kans op vervolging groter wordt?" (AO 2017: p.2-3)</p>

	<p>“De Nationaal Rapporteur Mensenhandel wijst er ook op dat mensensmokkel en mensenhandel met elkaar verweven zijn. Het is absoluut niet hetzelfde, maar het staat wel vast dat in veel gevallen van mensensmokkel later sprake zal zijn van mensenhandel. De risico’s daarop zijn groot. Zou het niet verstandig zijn om het mandaat van de Nationaal Rapporteur Mensenhandel uit te breiden tot mensensmokkel? Zo kan zij de hele keten betrekken in haar onderzoeken. Dat lijkt mij een goed idee. Ik hoop dat de Minister dit idee wil omarmen. Wat wordt er gedaan om de beschikbare kennis op het terrein van mensenhandel te benutten binnen de migratie- en vluchtelingenketen?” (AO 2017: p.3)</p> <p>“We zien wel dat heel veel slachtoffers van mensensmokkel een verhoogd risico hebben om later ook slachtoffer te worden van mensenhandel.” (AO 2017: p.3)</p> <p>“De Nationaal Rapporteur Mensenhandel heeft het over een toename van minderjarige Nederlandse slachtoffers van binnenlandse mensenhandel. Maar jeugdhulpaanbieders mogen die gegevens niet zomaar leveren aan CoMensha (Coördinatiecentrum Mensenhandel), waardoor er onderrapportage van slachtoffers ontstaat.” (AO 2017: p.4)</p> <p>“De urgentie van het probleem is echt heel erg groot. Ik heb nog niet vaak meegemaakt dat deskundigen ons zo unaniem waarschuwen dat er iets niet goed gaat. Het is ook niet zo vaak gebeurd dat de Kamer, van links tot rechts, zegt dat zij de aanpak van mensenhandel zo ontzettend belangrijk vindt.” (AO 2017: p.11)</p> <p>“Ik ben namelijk niet tevreden over het antwoord op mijn vraag over de verblijfsregeling. Het gemeenschappelijke doel moet zijn: slachtoffers beschermen en daders aanpakken. Natuurlijk is het ingewikkeld om dit op een goede manier te doen, zodat er geen misbruik gemaakt kan worden van zo’n regeling. Dit probleem word echter niet voor het eerst aangekaart.” (AO 2017: p.18)</p>
Van Laar (PvdA)	<p>“De PvdA maakt zich net als de heer Van Nispen zorgen over de terugloop in het aantal meldingen, omdat die geen verband houdt met het terugloop in het aantal slachtoffers van mensenhandel. Het komt simpelweg door een gebrek aan capaciteit. Voor de begroting van 2017 komt 1 miljoen extra vrij voor de politie en het OM, oplopend tot 2 miljoen structureel voor volgende jaren, maar is dat genoeg en wanneer gaan we daar de resultaten van zien?” (AO 2017: p.4)</p> <p>“Uit het WODC-onderzoek (Wetenschappelijk Onderzoek- en Documentatiecentrum) blijkt niet voor niets dat het genereren van een bredere bekendheid van het fenomeen «criminele uitbuiting» een eerste stap moet zijn in het verder brengen van de signalering en de aanpak ervan. Ik ben ook blij te horen dat de Minister heeft besloten om de samenwerking met gemeenten en andere partners op het thema aanpak uitbuiting van kinderen ook na afloop van het programma Aanpak uitbuiting Romakinderen voort te zetten, juist omdat het WODC-onderzoek aantoont dat er nog veel op het terrein van uitbuiting van minderjarigen in de criminaliteit moet gebeuren.” (AO 2017: p.5)</p> <p>“Ik maak me ook zorgen over de positie van buitenlandse minderjarige slachtoffers van mensenhandel. Deze kwetsbare groep kinderen is de afgelopen jaren groter worden, deels verborgen in de stroom van vluchtelingen en migranten die naar Europa zijn gekomen. Kan de Minister aangeven op welke termijn een nieuwe strategie voor minderjarige slachtoffers van mensenhandel klaar is? Wordt er ook gewerkt aan een kindvriendelijke Verblijfsregeling Mensenhandel? Zoals ik al eerder heb besproken, constateert de Nationaal Rapporteur Mensenhandel dat slachtoffers liever een reguliere asielprocedure ingaan dan een B8/3-procedure met de aangifte mensenhandel, omdat de asielprocedure</p>

	<p>hun meer toekomstperspectief biedt. Signalen van mensenhandel gaan hiermee verloren en de opsporing en vervolging van mensenhandelaren loopt spaak. Dat geldt ook voor de meerderjarige slachtoffers van mensenhandel overigens. De Partij van de Arbeid vindt het onwenselijk dat door de procedurekeuze vervolging van mensenhandelaren wordt beperkt. Is de Minister bereid om met de Staatssecretaris te kijken naar een betere invulling van de B8/3-procedure in het licht van de prioritering van mensenhandel? Er zijn hardnekkige geruchten, die maar blijven terugkeren, dat er vluchtelingenkinderen verdwijnen uit opvangcentra. We lezen daar voortdurend artikelen over. Dit doet denken aan de situatie rondom alleenstaande minderjarige asielzoekers – ik denk dat het alweer vijftien jaar geleden is – die toen op grote schaal verdwenen en in handen van mensenhandelaren vielen. Een nieuwe aanpak bood toen uitkomst. Maar inmiddels lijken we terug bij af. Mensenhandel en mensensmokkel zijn vaak nauwelijks van elkaar te onderscheiden. Om praktische redenen worden zaken van mensenhandel ook soms afgedaan als zaken van mensensmokkel, juist als het onderdeel van handel niet bewezen kan worden. Het ligt daarom voor de hand om het mandaat van de Nationaal Rapporteur Mensenhandel op te rekken om ook mensensmokkel te omvatten.” (AO 2017: p.6)</p> <p>“Het moet de Minister toch ook bekend zijn dat bijna alle mensenhandelroutes beginnen als mensensmokkel-routes?” (AO 2017: p.19)</p> <p>“Bovendien weet het OM dondersgoed – dat kun je gewoon navragen – dat er heel veel zaken zijn die worden afgedaan als mensensmokkel, terwijl het eigenlijk mensenhandel is. Ze kunnen het echter niet rondkrijgen. Het is precies zoals de heer Van Oosten zei: dan worden ze veroordeeld voor mensensmokkel, terwijl het in de aard van de zaak een mensenhandelzaak is.” (AO 2017: p.19)</p> <p>“U hebt inzicht – als het goed is, kunt u dat in ieder geval krijgen – in de hoeveelheid zaken die op de plank blijven liggen doordat de politie die niet kan oppakken.” (AO 2017: p.24)</p>
<p>Van Toorenburg (CDA) – also on behalf of the ChristenUnie (p.7)</p>	<p>“Op de een of andere manier zijn we het zicht aan het verliezen. De aanpak wordt minder. De prioriteitstelling is gedaald. Dus wij maken ons echt serieuze zorgen. De Rapporteur Mensenhandel geeft ook aan dat het niet de goede kant opgaat. In plaats van een versterking van de aanpak, een versterking, meer aandacht, meer oplossingen, zien we eigenlijk een verschraving van de aanpak, minder prioriteitstelling en uiteindelijk ook een minder daadkrachtig optreden tegen mensenhandel.” (AO 2017: p.7)</p> <p>“Het gaat – ik hoorde het de vorige spreker ook al zeggen – om het verlies aan expertise door reorganisaties, maar vooral ook over het gebrek aan capaciteit.” (AO 2017: p.8)</p> <p>“Ik heb nog één punt. Er zit een gapend gat tussen de strafbaarstelling en de hoogte van de wettelijke straf en de straf die daadwerkelijk wordt opgelegd. Wij krijgen dat uit het hele veld terug.” (AO 2017: p.8)</p> <p>“We hebben een interne notitie gekregen van het Openbaar Ministerie en de politie, waarin zij vrij concreet aangeven dat ze het niet meer redden.” (AO 2017: p.12)</p> <p>“Als zij signaleert dat ze door moet grijpen naar «mensensmokkel», als zij dat vanuit haar perspectief als zodanig ziet, dan zou ik willen bekijken wat we op dat punt mogelijk kunnen maken. Maar als we mensensmokkel en mensenhandel zonder meer op één hoop gooien, dan denk ik dat we onrecht doen aan juist het verschil tussen beide.” (AO 2017: p.20)</p>
<p>Van Oosten (VVD)</p>	<p>“Aan het einde van de brief geeft de Minister aan dat de complexe samenwerking tussen enerzijds de marechaussee en anderzijds de politie van het grootste belang is. Die samenwerking betreft de aspecten rondom de grensbewaking, want de politie speelt in dat</p>

	<p>verband een heel belangrijke en voorname rol in het binnenland. Daarover moeten goede samenwerkingsafspraken worden gemaakt en eventueel moet ook de Politiewet worden aangepast. Ik zou dat iets scherper willen hebben.” (AO 2017: p.9)</p> <p>“In de brief van de Minister lees ik dat het inderdaad zo is dat het aantal meldingen is afgenomen, maar de Minister geeft tegelijkertijd aan dat hij hierin gaat investeren omdat hij dat geen goede ontwikkeling vindt. Hij zet hiervoor de komende tijd 1 miljoen euro en structureel 2 miljoen euro in. Ik sluit mij aan bij de vraag van de heer Van Laar of dat voldoende is om de problematiek aan te pakken. Is het voldoende om uiteindelijk te voorkomen dat mensenhandelaren en mensensmokkelaars – hier horen die wel bij elkaar – hun straf ontlopen als gevolg van een gebrek aan capaciteit? Overigens moest die capaciteit natuurlijk wel om heel begrijpelijke redenen worden verdeeld over een heleboel andere ingrijpende dossiers.” (AO 2017: p.9)</p> <p>“De eerste vraag betreft de opmerking van de Minister dat er zal worden verkend of er internationale of nationale barrières kunnen worden opgeworpen tegen criminele uitbuiting. Zo’n verkenning is natuurlijk altijd goed, maar de Minister schrijft dit volgens mij niet voor niets op.” (AO 2017: p.9)</p>
<p>Blok (Minister of Justice and Security)</p>	<p>“Het laatste rapport laat inderdaad een terugloop in het aantal opgepakte gevallen zien, zonder dat er een indicatie is dat dat zou komen doordat de achterliggende stromen kleiner zijn geworden. De voor de hand liggende verklaring is dat we vanwege de grote vluchtelingenstroom en de aanpak van het terrorisme op dit moment zo veel van onze mensen vragen, politie en marechaussee, dat er helaas minder ruimte is voor de aanpak van mensensmokkel. Dat zie je dan ook terug in de cijfers. Gelukkig constateert de Nationaal Rapporteur in datzelfde rapport dat de Nederlandse aanpak nog steeds bij de beste ter wereld hoort. Maar ook het kabinet vindt dat deze aanpak geïntensiveerd moet worden. Dat is ook de reden waarom er extra middelen voor beschikbaar zijn gesteld.” (AO 2017: p.10)</p> <p>“[...] wanneer verwacht ik de resultaten te zien? Wat gebeurt er concreet met het geld? Daarmee worden vacatures gevuld binnen de Afdeling Vreemdelingen Identiteit en Mensenhandel (AVIM) bij de politie. Het leidt dus echt tot extra menskracht. We mogen er daarom ook van uitgaan dat er in de loop van dit jaar – op dit moment worden de mensen aangenomen – een verbetering te zien zal zijn van de vervolgings- en oplossingscijfers.” (AO 2017: p.10)</p> <p>“Ik ga verder met de vraag van de heer Van Nispen en de heer Van Laar over het combineren van de verblijfsgronden op basis van asiel en mensenhandel. Ik kijk daar in overleg met het Strategisch Overleg Mensenhandel (SOM) naar. Ik ben hier wel voorzichtig over omdat, zoals de naam al zegt, het gaat om een combinatie van mensenhandel en een asielaanvraag. Iedere wijziging in verblijfstitels kan leiden tot nieuw gedrag van mensensmokkelaars. Die gaan dan immers op zoek naar nieuwe routes en nieuwe argumenten om zo’n felbegeerde verblijfstitel in Nederland te regelen.” (AO 2017: p.13)</p> <p>“Zoals de Kamer weet, hebben we beschermde opvang voor minderjarige slachtoffers. In samenwerking met alle betrokken organisaties bekijken we op dit moment of er nog aanvullende maatregelen nodig zijn om minderjarige slachtoffers te beschermen. Het heeft echt alle aandacht, maar het is dus niet zo dat ik op dit moment concrete aanvullende maatregelen voor ogen heb. Maar die kunnen nog wel uit die contacten voortkomen.” (AO 2017: p.14)</p>

"Ik begrijp de grote zorgen van de heer Van Laar heel goed, maar het is toch echt mijn beeld – voordat ik het ambt van ministerschap mocht gaan bekleden heb ik heel wat werkbezoeken afgelegd – dat we in Nederland heel zorgvuldig omgaan met de positie van minderjarige vreemdelingen die al dan niet het slachtoffer zijn van mensenhandel." (AO 2017: p.14)

"Mensenhandel was een van de speerpunten van Nederland tijdens het EU-voorzitterschap. Daar is toen aandacht aan besteed en dat is onder meer neergeslagen in een website waarop partijen die internationaal samenwerken, elkaars informatie, die juist bij dit onderwerp ontzettend nodig is, kunnen vinden en delen. Daarin is ook specifiek aandacht voor de positie van Romakinderen, omdat er binnen Europa helaas mensenhandel netwerken actief zijn met Romakinderen." (AO 2017: p.16)

"De heer Van Nispen vroeg of de Nationaal Rapporteur Mensenhandel ook naar mensensmokkel moet kijken. Hoewel er overlappen zijn, is het karakter van mensensmokkel toch heel anders dan dat van mensenhandel. Bij mensensmokkel wil de Staat – dit klinkt heel abstract – waken over wie wel of geen verblijfsrecht heeft in Nederland en daarmee is de Staat de benadeelde partij. Bij mensenhandel gaat het om allerlei verschrikkelijke praktijken waarvan mensen zelf het slachtoffer zijn. Dit komt ook tot uiting in een andere manier van vervolging en bestraffing. Ik vind het niet voor de hand liggen om beide terreinen allebei door de Nationaal Rapporteur Mensenhandel te laten behandelen. Daarvoor zij ze toch te verschillend." (AO 2017: p.16)

"De heer Van Oosten vroeg om in te gaan op de samenwerking tussen politie en Koninklijke Marechaussee in de aanpak van mensenhandel. Er is afgesproken, en dat is ook aan de Kamer gemeld, dat er een nieuwe samenwerkingsafpraak op dit terrein is tussen marechaussee en politie. Die is uitgewerkt." (AO 2017: p.17)

"Het was onvermijdelijk dat we gezien de spectaculair toegenomen asielinstroom en een heel reële terrorismedreiging – ook dezer dagen was dat weer heel prominent in het nieuws – de schaarse capaciteit van politie, marechaussee en Openbaar Ministerie gingen inzetten op die enorm toegenomen dreiging. Het zou volkomen irrationeel zijn geweest om dat niet te doen. Dan is helaas een consequentie dat een deel van de capaciteit die vroeger voor mensenhandel beschikbaar was, is verschoven naar op dat moment zeer dringende onderwerpen. Er is ook goed nieuws, omdat er wel extra middelen beschikbaar zijn gekomen, maar ik kan de werkelijkheid van de enorm toegenomen dreiging op andere gebieden niet even wegpoetsen." (AO 2017: p.22-23)

AO 2018

Main debate on Human Trafficking and Prostitution. 27 September 2018 (referred to as: AO 2018)	
Bouali (D66)	<p>"Mijn D66-collega Maarten Groothuizen noemde al eerder een actieplan en gaf daar ook antwoorden: verbeter de internationale samenwerking. Mensenhandel houdt niet op bij de grens. Slachtoffers zijn vaak buitenlandse kinderen die verdwijnen in een netwerk van mensenhandelaren." (AO 2018: p.3)</p> <p>"Kan de Staatssecretaris verder ook aangeven waar we nu staan met het plaatsen van de politieliaisons in de verschillende landen? Zij spelen immers een belangrijke rol bij het oprollen van internationale netwerken." (AO 2018: p.4)</p>

	<p>“Ook al komen slachtoffers van mensenhandel uit de prostitutie, sekswerk is ook werk. Niet alle sekswerkers zijn slachtoffer van mensenhandel en niet alle mensenhandel heeft betrekking op sekswerk. Mensenhandel en prostitutie zijn dus verschillend.” (AO 2018: p.4)</p> <p>“Samenvattend met ook nog een hele duidelijke boodschap. Hoe moeilijker je het sekswerkers maakt, hoe meer er in de illegaliteit verdwijnen. Verklein die illegaliteit door de sociale positie van sekswerkers en de sector te versterken.” (AO 2018: p.4)</p> <p>“U gaf al aan dat daaraan wordt gewerkt in de VN-Veiligheidsraad. De OVSE is natuurlijk een kleinere, Europese club. Daarin zitten ook heel veel van de bronlanden waar de mensenhandel vandaan komt. Dus als u inderdaad ruimte ziet om daar die samenwerking aan te halen, juicht mijn fractie dat toe.” (AO 2018: p.27)</p> <p>“In het actieplan zou ik ook heel graag zien dat er afgetast wordt op welke terreinen in ieder geval met de OVSE samengewerkt kan worden, omdat heel veel bronlanden bij de OVSE zitten. Internationale samenwerking – de Staatssecretaris noemde de VN-Veiligheidsraad al – is belangrijk, ook in Europees verband, zeker omdat de bronlanden daarbij aangesloten zijn.” (AO 2018: p.38)</p>
<p>Segers (ChristenUnie)</p>	<p>“Inmiddels zijn we wel – wat is het? – achttien jaar verder na de legalisering van prostitutie, die tot doel had om een duidelijke wig te drijven tussen aan de ene kant mensenhandel, dus onvrijwillige prostitutie, en aan de andere kant legale, vrijwillige prostitutie. Nu, achttien jaar verder, moeten we toch wel vaststellen dat het aantal slachtoffers niet terugloopt, dus dat het ons heel moeilijk lukt om die wig te drijven. [...] Ik denk dat we allemaal op zoek zijn naar dat beleid en naar die maatregelen die zorgen voor het minste aantal slachtoffers van mensenhandel, van gedwongen prostitutie en uitbuiting. Maar ik ken eerlijk gezegd geen sector waar zo veel slachtoffers vallen. Er zijn 25.000 tot 30.000 prostituees en we hebben jaarlijks 4.000 slachtoffers van mensenhandel in de prostitutie. Ik ken geen sector waar zo veel slachtoffers vallen.” (AO 2018: p.4)</p> <p>“We willen de Wet regulering prostitutie, die al zo lang loopt, een nieuwe start geven. Hoe staat het daarmee? We hebben gezegd dat er een pooierverbod moet komen, en dat er een wettelijke grondslag moet komen voor intakegesprekken bij de GGD. Er is extra geld voor de Arbeidsinspectie. Ook de Arbeidsinspectie moet dus worden toegerust om andere vormen van mensenhandel te ontdekken. Er is geld voor de opvang van slachtoffers en voor uitstapprogramma’s.” (AO 2018: p.12)</p> <p>“Dan de opsporing. We zien dat de opsporing moeizaam verloopt, dat het aantal veroordelingen daalt en dat het niet goed gaat. Dat heeft voor zover ik daar zicht op heb ook wel te maken met de bemensing van de Afdeling Vreemdelingenpolitie, Identificatie en Mensenhandel. Die staat onder druk.” (AO 2018: p.13)</p> <p>“We zeggen hier: het is normaal werk. Ik denk dat het geen normaal werk is. Er is nergens een sector waar zoveel misstanden zijn, waar zoveel uitbuiting is, waar zoveel risico’s zijn. Ik denk dus dat het geen normaal werk is. Maar we zeggen dat het normaal werk is, en tegelijkertijd behandelen we het niet als normaal werk. Dat geeft precies die dubbelhartigheid aan.” (AO 2018: p.14)</p> <p>“De Staatssecretaris zegt terecht dat er druk lag op de organisatie vanwege de migratie-instroom. Ik weet inderdaad ook dat de politie heeft gezegd dat zij vanwege de dreiging van terrorisme druk was met andere zaken. Je ziet waar dat toe leidt: minder opsporing en minder veroordelingen. Binnenkort krijgen we nieuwe cijfers van de Nationaal Rapporteur. Ik ben bang dat die er niet goed uitzien als het gaat om opsporing en veroordeling van</p>

	<p>mensenhandelaren. Hoe borgen we dit? Hoe zorgen we ervoor dat het niet-conjunctuurgevoelig is of in de mode is om ertegen te strijden, maar dat het gewoon constant de aandacht behoudt binnen de politieorganisatie en het OM?" (AO 2018: p.22)</p> <p>Staatssecretaris Harbers: "Door de maatregelen die ik zonet noemde. Verder borgen we het de komende jaren in de afspraken met de korpsleiding." (AO 2018: p.22)</p>
Van Oosten (VVD)	<p>"De seksuele exploitatie van in het bijzonder mannelijke vluchtelingen kwam dit weekend in het nieuws." (AO 2018: p.5)</p> <p>"Ik heb alweer een paar maanden terug schriftelijke vragen gesteld of inmiddels hogere straffen voor mensenhandel worden opgelegd, gegeven het feit dat wij als wetgever de strafmaat aanzienlijk hebben verhoogd. Het antwoord was uitermate teleurstellend. Het verhogen van de strafmaat lijkt geen effect te hebben op de hoogte van de opgelegde straffen en dat baart mij zorgen." (AO 2018: p.5)</p> <p>"Internationale opsporing. Zijn inmiddels in alle bronlanden de politieliaisons neergezet? Welke bronlanden zijn dat eigenlijk? Hoe doen we dat met een land als Nigeria, waarvan ik eerder had begrepen dat daar veel meisjes vandaan komen? Uit welke landen komen eigenlijk de meeste slachtoffers? Welke nationaliteit heeft men? Zitten daar ook Europese landen tussen? Als dat zo is, dan wil ik weten welke landen dat zijn. Dan hoor ik ook graag van de Staatssecretaris welke inzet hij heeft gepleegd of gaat plegen dan wel zijn collega's in Europees verband om die landen, als die er zijn, daarop aan te spreken en ze aan te spreken op het verbeteren van hun bestrijding van mensenhandel." (AO 2018: p.5-6)</p>
Kuik (CDA)	<p>"Mensenhandel en prostitutie onder dwang gebeuren in het geniep. Het vergt dus ook actie, want het is er. En de meest kwetsbaren in onze samenleving lopen het grootste risico." (AO 2018: p.6)</p> <p>"35,2% van de gemeenten heeft geen idee of er mensenhandel plaatsvindt. Als je dan in gedachten neemt dat mensenhandel gebaat is bij plekken waar niet gezocht wordt, is dat des te meer verontrustend. Over vier jaar moet er een landelijk dekkend netwerk liggen van zorgcoördinatoren. Maar gemeenten hebben nu al die verantwoordelijkheid, niet pas over vier jaar." (AO 2018: p.6)</p> <p>"Het is goed dat Minister Blok pleit voor het internationale netwerk tegen mensenhandel. We zijn benieuwd hoe we dit kunnen verbeteren. [...] Is de Staatssecretaris het ermee eens dat doelgericht moet worden ingezet op beschermingsmaatregelen?" (AO 2018: p.7)</p> <p>"Uit het onderzoek blijkt dat als je de taal niet goed beheerst, dat een extra groot risico oplevert dat vrouwen te maken hebben met geweld: seksueel geweld, emotioneel geweld, alle zaken die ik heb opgenoemd. Als we dan kijken naar een vergunningstelsel, waar we mee bezig zijn, is het belangrijk om risico's aan te pakken. Daarom vind ik het geen gek idee om te zeggen: als een vrouw geen idee heeft wat haar rechten zijn, dan wordt het wel heel ingewikkeld om die te beschermen. Vandaar dat wij vragen of de Staatssecretaris niet ook kan kijken naar een taaleis bij de verlening van een vergunning." (AO 2018: p.8)</p>
Buitenweg (GroenLinks)	<p>"Het is de onomstotelijke opdracht van de overheid om de mensenrechten van iedereen in Nederland te respecteren en te realiseren." (AO 2018: p.9)</p> <p>"Dan de maatschappelijke positie van sekswerkers. De Kamer had gevraagd om een onderzoek. Afgelopen juni is dat verschenen. Daaruit bleken een aantal zaken, ten eerste dat sekswerkers lang niet altijd weten welke regels van toepassing zijn en hoe ze daar goed aan kunnen voldoen. Daar is inderdaad een informatieprobleem, zoals mevrouw Kuik ook al zei. Daarnaast lopen veel sekswerkers tegen een muur van onwelwillendheid aan bij instanties waar zij aankloppen. Die doen soms moeilijk omdat ze die diensten niet willen verlenen en</p>

	<p><i>zijn soms ook regelrecht kwetsend in de omgang. Waar kunnen sekswerkers dan heen? Het is voor hen moeilijker om hulp te vragen, zeker als niet iedereen in hun omgeving van hun werk afweet.” (AO 2018: p.9)</i></p> <p><i>“Mede namens de PvdA zou ik daarom een voorstel willen doen voor zo’n ombudsloket. Zou de Staatssecretaris naar het voorbeeld in Nieuw-Zeeland willen kijken en met de Kamer willen delen op welke wijze zo’n ombudsloket vorm zou kunnen krijgen? Het gaat dan om een plek waar je juridisch advies kan krijgen, waar sekswerkers hun beklag kunnen doen over onheuse behandeling door instanties en waar eventueel bemiddeling kan plaatsvinden.” (AO 2018: p.9)</i></p>
Van Nispen (SP)	<p><i>“[...] hoe kan het nou toch dat de aandacht voor mensenhandel, zo’n afschuwelijk strafbaar feit, aan het wegzakken is? Slachtoffers werden niet gesignaleerd en dus niet beschermd en opgevangen. Daders werden steeds minder gepakt. Ik zie een goede tekst in het regeerakkoord, en er gebeurt van alles. Er is veel onderzoek en veel overleg. Maar het is toch ook wel een beetje windstil.” (AO 2018: p.11)</i></p> <p><i>“De opvang van slachtoffers van mensenhandel is vervolgens niet goed geregeld. Er zijn te weinig plekken. Slachtoffers vallen tussen wal en schip, met alle risico’s en ellende van dien, zoals de kans dat zij nogmaals slachtoffer worden. Wat gaat de Staatssecretaris hier nou concreet aan doen?” (AO 2018: p.11)</i></p> <p><i>“[...] ik wil eigenlijk gewoon weten hoe lang het nou nog duurt voordat de wijziging van de Wet regulering prostitutie komt, en wat deze regering en de gemeenten in de tussentijd concreet kunnen doen om de maatschappelijke positie van sekswerkers te verbeteren. Nu hanteert elke gemeente een ander beleid of geen beleid. Dat is natuurlijk heel erg slecht.” (AO 2018: p.11)</i></p> <p><i>“Dan heb ik nog een vraag over het verblijfsrecht van slachtoffers van mensenhandel. De Staatssecretaris is met het Strategisch Overleg Mensenhandel in overleg gegaan over het combineren van de asielaanvraag en de aanvraag van een vergunning mensenhandel. Nou lees ik dat de Staatssecretaris die zorgelijke signalen wel herkent, maar niet de analyse deelt dat die gecombineerde aanvraag een oplossing zou bieden. Waarom niet? En hoe wil de Staatssecretaris deze problemen dan wel oplossen? Tot slot zou ik graag nog een reactie krijgen op de zorg van CoMensha dat we het zicht op aard en omvang van mensenhandel nog verder aan het verliezen zijn. Door de veranderende wetgeving wordt het nog moeilijker. Een effectief beleid voor de aanpak van mensenhandel kun je pas ontwikkelen als er voldoende zicht is op aard en omvang van het probleem, alsook op de werkwijze van criminelen. CoMensha pleit nu voor een wettelijke grondslag.” (AO 2018: p.12)</i></p> <p><i>“Er is misschien verschil van mening over hoe je tegen prostitutie aankijkt, maar er is geen verschil van mening over hoe verschrikkelijk mensenhandel is en hoe effectief die bestreden moet worden.” (AO 2018: p.40)</i></p> <p><i>“Over het verblijfsrecht en de mogelijkheden voor een geïntegreerde aanvraag zegt de Staatssecretaris: dat probleem herken ik wel, maar het is eigenlijk ook opgelost, want we hebben zaken veranderd. Maar in de brief van de Coalitie tegen seksuele kinderuitbuiting lees ik eigenlijk dat daar nog steeds veel zorgen over zijn. Is de Staatssecretaris daarmee bekend en hoe ziet hij dat? Komt dat ook terug in het plan van aanpak? Voorzitter, tot slot over de politie. De vacatures in de teams die specifiek zijn bedoeld voor de aanpak mensenhandel, zijn op papier misschien ingevuld. Ik geloof ook dat opleidingen voor alle agenten beter worden om signalen van mensenhandel aan te pakken, maar de zorgen over de politie en over de algemene staat van de politie zijn natuurlijk allerminst weg. Dit punt is</i></p>

	<p>ontzettend belangrijk als we willen dat slachtoffers beschermd worden en dat daders worden opgespoord, vervolgd en gestraft. Dat blijft uiteraard onze aandacht houden.” (AO 2018: p.40)</p>
Van der Staaij (SGP)	<p>“Al sinds november 2009 ligt er een wetsvoorstel. We zouden nu eindelijk de enorme misstanden aanpakken. Het ligt al bijna acht jaar te verstoffen in de Eerste Kamer. Eerst moest er een novelle komen – wachten. Toen was er een nieuw kabinet op komst – wachten. Daarna beloofde dit kabinet weer een mooi plan. De heer Segers zei: het regeerakkoord is goed. Ik heb inderdaad veel waardering voor de ambitie die er op dit punt in staat, maar het is wel papier. Het komt er nu dus wel op aan dat het ook echt waargemaakt wordt en dat zaken als de strengere voorwaarden voor exploitanten, de leeftijdsverhoging en de mogelijkheid van een nuloptie nu ook echt gerealiseerd worden.” (AO 2018: p.15)</p>
Kuiken (PvdA)	<p>“[...] hoe kunnen we de positie van de sekswerkers versterken en misstanden voorkomen? Wil je ze in kracht versterken, dan zul je juist moeten zorgen dat ze zich kunnen verenigen en in eigen kracht kunnen zetten. Daarom ook ons voorstel: kom tot een ombudsman. De term is niet zo belangrijk, maar het doel wel: dat we het echt legaal maken in plaats van een beetje smoezelig, want daarvoor is het te belangrijk.” (AO 2018: p.16)</p>
Harbers (Secretary of State)	<p>“[...] ik wil aan het begin wel vaststellen dat ik dit een zeer ernstig delict vind, dat inbreuk maakt op een van de meest fundamentele mensenrechten, namelijk je persoonlijke vrijheid. Het gaat letterlijk van kwaad tot erger.” (AO 2018: p.18)</p> <p>“Het is dus zaak om met z’n allen het weezinwekkende businessmodel van mensenhandelaren te doorbreken en misstanden in de prostitutiebranche – het andere onderwerp van vanochtend – aan te pakken. Het komt op heel veel uiteenlopende manieren en in heel veel verschillende sectoren voor, dus niet alleen in de branche van sekswerkers. In absolute aantallen vinden arbeidsuitbuiting en criminele uitbuiting het meeste plaats. Het komt overal voor, dus we kunnen mensenhandel alleen in een brede benadering en alleen samen een halt toeroepen door niet weg te kijken en door effectief op te treden. Tegen die achtergrond heb ik mede namens een aantal collega’s in het kabinet aangekondigd met een breed, samenhangend plan van aanpak te komen.” (AO 2018: p.18)</p> <p>“Dan de vragen over de capaciteit. Is er voldoende capaciteit? Hoe staat het met de middelen die bij het regeerakkoord zijn uitgetrokken? Van de totale AVIM – het onderdeel van de politie dat zich bezighoudt met vreemdeling-rechtelijke taken, identificatie en mensenhandel – is ongeveer een derde van de formatie beschikbaar voor de aanpak van mensenhandel en migratiecriminaliteit. De afgelopen jaren zat daar een probleem omdat niet alle vacatures waren ingevuld. Een paar jaar geleden, ten tijde van de hoge migratie-instroom, werd er zo’n hoog beroep gedaan op de AVIM dat daar mensen tijdelijk zijn ingezet voor de identificatie en registratie van asielzoekers in Nederland. Op dit moment is de inhaalslag gemaakt en is de bezetting van de AVIM wat betreft mensenhandel weer op sterkte. Dat heeft enige tijd geduurd, maar uiteindelijk zijn er 375 fte binnen de AVIM beschikbaar voor de researchcapaciteit op mensenhandel. Dat is in overeenstemming met alle afspraken.” (AO 2018: p.20)</p> <p>“In het regeerakkoord is 50 miljoen vrijgemaakt om de Inspectie SZW te versterken. De middelen worden geleidelijk, oplopend naar 2021, beschikbaar gesteld. Ongeveer 75% van dat budget valt onder het kopje «eerlijk werk». Binnen dat kopje is het tegengaan van arbeidsuitbuiting een zwaar onderdeel. Ook hier geldt overigens dat het aantrekken en opleiden van inspecteurs tijd vergt. Je zult dus echt niet van het ene op het andere moment de grote resultaten zien. Dat zal een iets langere termijn vergen, maar het is wel begonnen.” (AO 2018: p.23)</p>

“Om te beginnen investeert het kabinet in de opvang van en hulpverlening aan slachtoffers van mensenhandel. In totaal is daarvoor in deze kabinetsperiode een bedrag van 12 miljoen euro extra beschikbaar. We zijn al begonnen om dat geld uit te geven.” (AO 2018: p.25)

“Dan internationaal; de heer Bouali vroeg of het mogelijk is om daar extra aandacht aan te besteden. In de eerste plaats is er de vaststelling – die de Kamer natuurlijk ook al deed – dat internationale samenwerking bij de bestrijding van mensenhandel essentieel is. Dat is ook de reden dat Nederland al geruime tijd heel actief is op dit terrein. De Nederlandse politie werkt al jaren samen met het Verenigd Koninkrijk in een leidende rol in het EMPACT-project Mensenhandel waarin 26 EU-lidstaten operationeel samenwerken. De Inspectie SZW en de Britten hebben in het kader van datzelfde EMPACT-project de afgelopen drie jaar Europese actiedagen tegen arbeidsuitbuiting georganiseerd. In VN-verband zijn recentelijk op initiatief van Nederland sancties tegen mensenhandelaren ingesteld.” (AO 2018: p.26)

“Ja, wij zetten stevig in op internationale opsporing. De belangrijkste bronlanden zijn Bulgarije, Hongarije, Polen, Roemenië en Nigeria. De volgorde wisselt in de afgelopen jaren, maar deze vijf landen staan er eigenlijk altijd wel bij, helaas. Met die landen werken we al langere tijd goed samen, met de Europese landen vaak ook in de vorm van joint investigation teams.” (AO 2018: p.27)

“De daling in de hoogte van de opgelegde straffen ten opzichte van wat ik dan maar even het «piekjaar» noem, 2013, laat zich waarschijnlijk deels verklaren door de beperkte beschikbare capaciteit en expertise bij de politie, de Koninklijke Marechaussee en het OM. Ik heb al gezegd dat de bezetting een tijd onder druk stond en minder was dan nodig was. Als gevolg daarvan zijn er minder grote zaken opgepakt wat ook weer gevolgen heeft voor de gemiddelde duur van de opgelegde straffen. Ik ben de eerste om te erkennen dat de daling van de gemiddelde straffen zich ongemakkelijk verhoudt tot de verhoging van de strafmaat die in 2013 is doorgevoerd.” (AO 2018: p.28)

“Dan de samenloop met het verblijfsrecht. In de eerste plaats de vraag van de heer Van Nispen waarom er geen geïntegreerde verblijfsregeling wordt ontwikkeld. Dat was een knelpunt dat door het Strategisch Overleg Mensenhandel werd geagendeerd. Daar hebben vervolgens een aantal gesprekken over plaatsgevonden met dat SOM. Het knelpunt dat zij constateerden, was dat slachtoffers van mensenhandel steeds vaker een asielvergunning lijken aan te vragen in plaats van een verblijfsregeling mensenhandel. Toen kwamen ze met het idee om dan een geïntegreerde verblijfsregeling te maken, waarin asielgronden en mensenhandel aspecten gelijktijdig getoetst worden. Die signalen herken ik wel, maar ik deel niet de analyse dat dan een geïntegreerde verblijfsregeling daar een oplossing voor biedt. In de eerste plaats omdat het slachtoffers vrijstaat om voor een asielprocedure te kiezen in plaats van voor een verblijfsregeling mensenhandel. Heel vaak vragen slachtoffers daar expliciet om. Wanneer een vreemdeling asiel aanvraagt, is de IND verplicht om die asielaanvraag in behandeling te nemen. Een meer geïntegreerde verblijfsregeling biedt vervolgens geen garantie dat slachtoffers minder vaak voor een asielprocedure kiezen. Bovendien vindt binnen de huidige asielprocedure ook al een ambtshalve toets mensenhandel plaats. Daarnaast kunnen de slachtoffers ook nog een verblijfsvergunning mensenhandel aanvragen wanneer hun asielaanvraag is afgewezen. Tot slot, niet onbelangrijk in dit verband, stuit zo'n geïntegreerde verblijfsregeling zowel Europees- als nationaalrechtelijk op bezwaren. Het Hof van Justitie heeft verduidelijkt dat het in strijd is met de algemene opzet om een asielstatus toe te kennen aan derdelanders die zich in situaties bevinden die geen verband houden met de internationale bescherming, dus asiel. Kortom, er mag geen verwarring bestaan over de reden van verlening. Asiel is asiel en regulier is iets anders. Ook nationaal hanteert de Raad van State een strikte waterscheiding tussen asiel en regulier. Kortom, het probleem wordt herkend, maar ik denk dat we het echt

in de huidige wet- en regelgeving al hebben opgelost omdat in een asielprocedure ook ambtshalve wordt getoetst op mensenhandel. We hebben daarnaast de verblijfsregeling mensenhandel. De werking daarvan hebben we recent verder uitgebreid, zodat de drempel om daar gebruik van te maken wat lager is.” (AO 2018: p.31)

“Ik ga ook specifiek in op vluchtelingen die slachtoffer zijn, al dan niet geronseld bij azc’s. Om die cijfers en signalen meer duiding te kunnen geven, wil ik wachten op de nieuwe Slachtoffermonitor van de Nationaal Rapporteur in oktober. Het COA heeft ondertussen geen concrete aanwijzingen voor de signalen en cijfers. Wel houdt het COA rekening met de mogelijkheid dat mannelijke bewoners, ook minderjarigen, seksueel uitgebuit en geronseld worden bij azc’s. De meeste medewerkers van het COA zijn in de tussentijd getraind in het herkennen van signalen van mensenhandel. Die signalen worden doorgegeven aan het Expertisecentrum Mensenhandel en Mensensmokkel. Er is ook een aantal keren melding gemaakt van verdachte personen die contacten hebben of zoeken met al dan niet minderjarige mannen rond een azc. Die signalen kunnen overigens ook wijzen op het ronselen voor criminele uitbuiting of arbeidsuitbuiting en soms zelfs op een feit dat niet strafbaar is, maar elk signaal, hoe klein ook, wordt doorgegeven aan het EMM en daar wordt verder iets mee gedaan. Los daarvan zoekt het COA inmiddels ook op iedere locatie contact met bewoners en gaat het COA het gesprek aan.” (AO 2018: p.37)

“Dan de geïntegreerde aanvraag van verblijfsrecht. Ik heb in de eerste termijn uitgelegd waarom dat is zoals dat is. Ook het SOM kijkt er anders naar, dus ik begrijp het heel goed, maar sommige dingen die je misschien zou willen, kunnen niet altijd. De wijzigingen die we van plan waren, worden per 1 oktober ingevoerd. Los daarvan kijken we natuurlijk of er na asielprocedures mensen tussen wal en schip vallen. We blijven vanzelfsprekend in gesprek met het SOM om te kijken of het nog ergens knelt. Maar niet alle dingen die voorgesteld worden, zijn realiseerbaar. Wij hebben het gevoel dat er voor de gevallen waar het echt knelt voldoende oplossingen beschikbaar zijn.” (AO 2018: p.43)