

Introduction

Dina Siegel (Utrecht University/CIROC)

This English-language Newsletter includes up-to-date information on recent criminological research in the Netherlands and research on organized crime conducted by Dutch criminologists. The subject of human trafficking and prostitution takes centre stage in this newsletter, as a lot is happening in the study of these issues. My own research, conducted in collaboration with six criminologists from Utrecht and Rotterdam within the framework of CIROC, is discussed below. As it turns out, the legalisation of prostitution in the Netherlands in 2000 has not made the lives of sex workers and decision-making authorities any easier.

A comparison between the situation in the Netherlands and in Nepal demonstrates that human trafficking and prostitution are not the same phenomenon. Alexis Aronowitz from University College Utrecht conducted research in Nepal and gives an overview of the nature of human trafficking in this country. Elena Krsmanovic, a PhD candidate at the universities of Utrecht and Hamburg (DCGC programme), analyses the discourse on human trafficking, prostitution and 'modern slavery'. Another issue that is keeping Dutch researchers busy is that of radicalisation. Jasper de Bie, from Leiden University and the WODC, addresses this topic in the context of the Netherlands. Finally, Richard Staring reports on the findings of the CIROC seminar on Human smuggling from Conflict Regions, held in May 2015.

This edition of the Newsletter also offers an overview of selected recent studies, particularly in the area of organized crime.

Analysis

The Zandpad experiment: closing down brothels while ignoring reality

Dina Siegel (CIROC/Utrecht University)

(In collaboration with Henk van de Bunt, Brenda Oude Breuil, Marjolein Goderie, Roos de Wildt, Tamar Shibolet, Lene Swetzer)

Prostitution and human trafficking are not the same phenomenon.

On 1 October 2000, the general ban on brothels was lifted in the Netherlands and with this legislation the Netherlands became the first European country to legalize prostitution. The intent of the law was, on the one hand, to legalize prostitution as an occupation with all its rights and duties and, on the other, to prevent abuse such as exploitation, forced prostitution and prostitution by minors. The Dutch Brothel Law draws a distinction between normal sex work and forced prostitution and/or human trafficking.

There is, however, a considerable discrepancy between reality and the intentions of the legislators. Today, prostitution has become almost synonymous with human trafficking and this situation has

CONTENT

- ◆ Introduction
- ◆ Analysis:
 - The Zandpad experiment: closing down brothels while ignoring reality
 - Human Trafficking in and from Nepal
 - The Organized Discourse of Modern Slavery
 - The modus operandi of foreign fighters from the Netherlands. A crime-script analysis.
 - Human smuggling from conflict regions: some highlights
- ◆ Publications on Organized Crime by Dutch authors

come about in spite of numerous criticisms expressed by social scientists and participants in the political and public debate. Why is it that the supposed link between sex work and human trafficking is now being taken for granted and has become almost embedded in Dutch society? How did it get to the point where the Dutch public is now constantly being warned about the risks and threats surrounding commercial sex?

In 2013, the Utrecht City Council decided to close down all prostitution windows in the city. The official reason given was that human trafficking was occurring in the window prostitution sector and that the owners of the rooms were facilitating these practices. As a result of the Council's decision, over 300 sex workers were forced to leave their rooms and meet their clients elsewhere or find themselves without an income.

In the present study, conducted by CIROC criminologists, we analyze the effects of the city of Utrecht's policy with a focus on the fate of the sex workers who were expelled from their places of work. We describe what happened to these women after the closure of the Zandpad area and examine the consequences for these women, their families, their clients, as well as assistance organizations and other parties.

In our research we applied the extended case study method. This method consists of an intensive study whereby the research object is investigated in all its complexity and in its natural context (Decorte & Zaitch, 2010: 176). The data for the 'Zandpad case study' were gathered from research that included a literature and media analysis, cyber research, and semi-structured interviews with sex workers, clients, lawyers, representatives of the police, the justice system, the municipality and assistance organizations. In total, we interviewed 30 sex workers and 13 clients, some of whom a number of times. Almost all these interviews were conducted face-to-face at various locations, from cafés to the workrooms 'behind the window', or at the informants' residences. In order to meet our interviewees, we travelled up and down the Netherlands, from Groningen to Eindhoven. We also carried out observations in places such as sex clubs, the Zandpad neighbourhood, the street prostitution area ('tippelzone') at the Europalaan in Utrecht and the red-

light districts of other Dutch cities. Observations were also conducted during City Council meetings and demonstrations by sex workers.

The research team consisted of seven researchers - six women and one man - of different ages, languages, cultural background and research expertise.

Our study demonstrates how the 'human trafficking hype', i.e. the exaggerated and persistent promotion of negative stereotypes of prostitution, can lead to policy decisions which, instead of providing solutions, only exacerbate existing problems. Hundreds of sex workers who had nothing whatsoever to do with the alleged human trafficking practices, have become the victims of the Utrecht City Council's irresponsible and hasty decision to close down the city's entire window prostitution area.

After the Zandpad was closed down, we observed a marked increase in mobility among the sex workers who used to work there, many of whom moved to towns and cities elsewhere in the Netherlands where window prostitution is still allowed, or to other countries, such as Belgium or Germany. Some of them ended up at the tippelzone (street prostitution area) in Utrecht, or in sex clubs and escort bureaus. Others found work in massage parlours, bars or saunas. Most of them, however, now meet their clients in illegal settings: at their homes, in hotels or in illegal 'private houses'. All of our informants pointed out that the majority of the women now face serious financial, mental and physical problems. They cannot pay their mortgages and are no longer able to support their children or other family members (some of them abroad) who are dependent on them. As a result, they are forced to work for less money, see more clients, and work more hours in a day. Their travel expenses to and from other cities are often high, as most of them still live in Utrecht.

The women also lost most of their regular clients, many of whom were at first ready to follow 'their girls' to their new place of work but after a while stopped travelling after them. Many sex workers from Utrecht also found themselves in competition with the local sex workers in other cities. Because they once worked at a location associated with human trafficking, they still suffer from a bad reputation. In some places they are considered 'tainted goods', are being rejected by room-owners and shunned by other prostitutes. Most of the women are now working from home, but not by choice. Many of them no longer feel safe and are looking for ways to 'screen' potential clients on the telephone. Some have had unpleasant run-ins with neighbours and/or awkward experiences involving their children. As sex work from home is prohibited in Utrecht, many women are now knowingly breaking the law, whereas at the Zandpad they were allowed to work openly and legally as prostitutes. It should also be taken into account that, previously, these women were in regular contact with representatives of the municipality, the police and other bodies. After the closure of the Zandpad, most official organizations lost touch with them and are no longer aware of their whereabouts or current situation. This lack of personal contact, involvement and monitoring has led to a situation where the relevant city institutions no longer have an overview of the prostitution sector as a whole. They are also mostly unaware of the problems their city's sex workers have found themselves in after having been expelled from their place of work.

The paradox of the Utrecht case is that although the closure of the window prostitution area was meant to protect women from human traffickers, the fact that the city council did not provide the sex workers with an alternative workplace has led to serious consequences, including the very real possibility that at least a number of them will end up in the illegal circuit and become victims of criminal organizations.

The conclusion of our research is that the policies of the Utrecht City Council have done nothing to solve the problem of human trafficking, but have instead created new and perhaps even more

serious problems for hundreds of women who were left without a safe place to work. Many of these women have been forced to move from the legal to the illegal circuit, away from the eyes of the authorities, and are now more at risk of falling prey to criminals. We also conclude that the decision to close down the Zandpad was rash, ill-advised and taken without an assessment of realistic alternative options for the sex workers. To this day, such options are still nowhere on the horizon. It should also be noted that the official argument for the Council's decision ('the occurrence of human trafficking') was dismissed as being 'without foundation' by all the sex workers we interviewed, as well as by their clients, lawyers and a number of assistance organizations.

The oversimplified label of 'human trafficking' was used as an excuse to suppress prostitution in Utrecht, in much the same way as it was done in previous centuries. The decision to close down the Zandpad was taken within the current framework of legalized prostitution, but its impact has been that the overall position and reputation of sex workers has deteriorated considerably. Little or no prior consideration was given to the circumstances in which the women were expelled from the Zandpad, to any follow-up care, or to the effects of the measure on the lives and rights of these women.

It goes without saying that abuse and human trafficking must be tackled through appropriate measures initiated by local authorities, the police and the justice system. The counter-argument runs as follows: a large part of the prostitution sector in the Netherlands is completely unrelated to human trafficking. Only a limited number of prostitutes are victims of human trafficking. Apparently, the Utrecht City Council never took this second argument into account and this has resulted in a policy based on broad generalizations that have had a devastating impact on all window prostitutes in Utrecht. The Utrecht policy of closing down prostitution windows was supposed to be aimed at protecting sex workers from abuse, but the paradox of the policy is that the risks to these women have since increased substantially. It is almost as if the proponents of closing down the Zandpad were never really interested in the consequences of their decision. In this case, closing down brothels amounted to little more than looking away and ignoring reality.

Human Trafficking in and from Nepal

Alexis Aronowitz (University College Utrecht)

During a sabbatical from University College Utrecht (The Netherlands) in 2013, I conducted an exploratory study on human trafficking within and from Nepal. A total of 37 persons were interviewed for the study. Representatives from the Government of Nepal (6), international/intergovernmental organizations (IGO) (13), non-governmental organizations (NGO) (11), independent consultants (3), and personnel from various embassies (4) agreed to be interviewed.

Nepal is a poor country (ranked 145 and low on the United Nations Development Program's Development Index). Between 400,000 and 500,000 migrant workers leave Nepal each year to work abroad. Statistics from the Department of Foreign Employment in May 2014 indicate that the largest number of positions for Nepali workers is offered in Malaysia, the Middle East (Qatar, Saudi Arabia, the United Arab Emirates, Kuwait, Israel and Bahrain) and Korea.

Patterns of Trafficking

Recruitment patterns and markets in which Nepali workers are exploited have changed over the years – possibly in response to successful awareness-raising campaigns. Whereas Nepali women were trafficked earlier to India (Mumbai) for forced prostitution, girls and women are no longer being sent to Mumbai but to

other states/districts/or cities in India and to China, according to one NGO. Women are trafficked to Korea for the purpose of forced marriage. Furthermore, women (and men) are traveling abroad to destinations in the Middle East and Gulf countries and female victims are finding themselves exploited in the labor market rather than in prostitution. One NGO reports that victims have also been identified in African countries such as Kenya and Tanzania. It is not only the patterns of exploitation which are changing, but source districts for recruitment are changing as well. While recruitment used to occur in specific districts (Nepal Gunj and Bir Gunj), now it is shifting to other districts. One NGO reports that not only has the modus operandi and country of destination changed, but trafficking has become an organized crime.

Trafficking for sexual and labor exploitation has been found within the country. Adult women from outlying districts (Kavree, Nuwakot, Sindhupalchok) have been found working in prostitution in “cabin restaurants” in Kathmandu, but it is unclear if these women are working as freelance prostitutes or if they are trafficked victims. Other forms of labor exploitation in high risk work as well as forced marriages have been identified as patterns of trafficking in Nepal. One IGO and NGOs report that children are exploited in Nepal in different industries: bricklaying, domestic labor, embroidery factories.

According to stakeholders from academia, NGO and an Embassy, another form of domestic trafficking involves organ trafficking. Victims of this form of trafficking are usually men between the ages of 18 and 42 (the mean age of victims is 30). Recruitment takes place in a select number of districts (Kavree, Banke, Makwanpur districts) and victims are often low income minority members. According to the stakeholder who provided this information, organ recipients are wealthy Kathmandu elite. The removal and transplantation takes place in India (Madras). Victims are stigmatized. They need medicine which many cannot afford. They are often so weak that they are unable to work in the field, which forces the women to work and children to drop out of school – this puts them at risk of being trafficked into sexual and labor exploitation.

The 400,000 to 500,000 Nepalis working abroad annually are often employed in domestic service and construction work. Recruitment agencies facilitate the finding of international jobs. Workers in construction are often promised +/- 24,000 rupees, but earn 15,000. They are told they will work 8 hours a day, but many work 18 hours; workers are housed in camps in abominable conditions. Young men have reportedly died of “natural causes” which a number of stakeholders attribute to severe exploitation in unbearable heat. Government and NGO stakeholders reported that 4 – 5 coffins containing foreign works arrive at Kathmandu airport each day.

Women working in domestic service in Gulf States have experienced severe forms abuse. In an attempt to protect female migrant workers from exploitation and sexual abuse at the hands of their employees in households in countries in the Middle East, the Government of Nepal passed a law prohibiting women under the age of 30 from working as domestic servants in those countries. The law resulted in women using malafide recruitment agencies or crossing (legally) from Nepal to India and departing for Middle East countries from India. Cases of abuse against Nepali domestic servants continue to be reported by various NGOs in Nepal.

Government Response

According to a number of those interviewed, limited resources hamper the government response. The Government of Nepal is unable to effectively regulate recruitment agencies. According to one stakeholder, there are 637 registered (legitimate) agencies, while an estimated 20,000 - 60,000 illegal persons/agencies are

involved in recruitment.

The Government (the Department of Foreign Employment) maintains a 4 billion rupee fund which is secured by taxing workers going abroad. This fund is used to assist foreign workers who migrate legally. Limited or no assistance is provided to those workers who migrate through illicit channels. The political situation in Nepal is unstable and according to a number of NGOs, the Government is ineffective in bargaining for the protection of workers' rights.

According to one IGO, there are limited services and manpower within Government agencies in Nepal to accommodate foreign workers. In the Ministry of Labor, there are between 80-85 staff working to facilitate the employment of 400,000 – 500,000 foreign workers leaving Nepal annually. In comparison, Sri Lanka, another country with a large outflow of foreign workers, has 900 staff for 275,000 persons leaving the country per year. An additional problem is that all services are in Kathmandu; there are no offices in districts where a large source of migrant labor originates, forcing people wishing to migrate to use the services of (illicit) local recruitment agencies or to come from the districts to the capital. This gap is being filled by NGOs and IGOs, including the ILO which reaches out to 18 districts.

The Future

The situation is only expected to get worse. Natural disasters facilitate human trafficking (Aronowitz, 2009). The devastating earthquake in Nepal has created a new pool of homeless and desperate persons. A greater number of individuals will be willing to migrate looking for work – either internally or abroad. Media reports that organized criminal groups in India are coordinating with local recruiters to find women in deprived areas of the country to traffic them into prostitution (Burke, 2015). According to stakeholders interviewed for this study, the government has been shown to be ineffective in the past. It remains to be seen whether NGOs and International Organizations are now able to keep Nepali citizens safe.

*The research report can be obtained from the author:
a.a.aronowitz@uu.nl

References

- Aronowitz, A., 2009 *Human Trafficking Human Misery: The Global Trade in Human Beings*. Praeger Publishers: Westport, CT.
- Burke, Jason. 2015. “Nepal quake survivors face threat from human traffickers supplying sex trade”. The Guardian. 5 May 2015. <http://www.theguardian.com/world/2015/may/05/nepal-quake-survivors-face-threat-from-human-traffickers-supplying-sex-trade>
- United Nations Development Program. Table 1: Human Development Index; <http://hdr.undp.org/en/content/table-1-human-development-index-and-its-components>

The Organized Discourse of Modern Slavery

Elena Krsmanovic (DCGC - Utrecht University/University of Hamburg)

The issue of trafficking in human beings is complex and there is a number of ongoing debates in the field that continue to divide scholars, policy makers and activists involved in anti-trafficking. Giving voice to advocates of different perspectives, the media has been seen as a facilitator of these debates. This essential function, however, gives the media great power to influence the debate and set the agenda by what they choose to report, and how. My PhD research project is focused on the question of how media frame the issue of human trafficking for the purpose of sexual exploitation. The research combines media content

analysis with interviews with journalists and anti-trafficking experts who speak to the media about human trafficking, in order to get a comprehensive picture of the media framing process and discourses on trafficking popularized within. The relevance of this study lies in the fact that anti-trafficking discourses establish regimes of knowledge that define perceptible boundaries affecting both the professional and the general public, and their understanding of what trafficking is, who are its victims, what are the solutions to be applied to the problem, etc. (see Lobasz, 2012). Because of that, these “truths” about trafficking need to be called into question, and the idea that human trafficking is an objectively given problem revisited. In this article an increasingly popular discursive frame that equates human trafficking with a modern form of slavery is being put under scrutiny, together with its interplay with prevalent frameworks of abolition and migration.

With the rise of the ‘modern slavery’ discourse in anti-trafficking circles, a tendency to connect earlier forms of slavery and their modern counterpart (trafficking in human beings) became more pronounced as well. In the academic arena this premise has been challenged both by advocates of the ‘modern slavery’ movement and their opponents (see for example Bales (1999) who sees modern slaves as distinct due to their disposability, and O’Connell Davidson (2015), who is more critical of the “trafficking = slavery” agenda). However, there are remarkable similarities between the discourses surrounding the phenomena, with both adhering to binaries of freedom/slavery, victim/perpetrator, persons/things, national/foreigner, good/evil, etc. Such parallels make it possible to use the moral capital of the historical slavery abolition movement. Namely, the term “slavery” triggers an emotional response, directing the focus of the argument to moral questions of right and wrong (Brennan, 2014). As a result, any response not urging total eradication of the criminal act is deemed immoral and even unthinkable in today’s conventional wisdom. For that reason, some of the critiques addressed to the approach suggest that anti-slavery campaigns are based on morality rather than on hard evidence (Kempadoo, 2015). Alarming figures, one of the most common motifs modern-slavery discourse relies on, seem to be an illustrative example. Starting from Kevin Bales’ assessment that there are 27 million slaves and later research endeavors he led and published as the Global Slavery Index (GSI) 2013 (29.8 million) and 2014 (35.8 million), the estimated numbers kept rising. These findings are highly contested (see Guth et al., 2014) due to the use of unstandardized sources, extrapolations from one nation to others based on their ‘similarity’, and reliance on secondary sources of information (e.g. NGO and media reports). Nevertheless, the GSI report findings are frequently quoted in the media, academic journals and government agencies’ reports.

United in their outcry over the overwhelming number of people subjected to slavery, anti-slavery campaigners tap into the historical tropes of the helpless victim (be it an African chattel slave or a woman trafficked in the sex industry) and the altruistic white saviour. The white saviour’s need to rescue enslaved women is, according to Kempadoo (2015), an updated version of the white men’s burden of intervening in poor areas of the world. These tropes can be recognized in campaign slogans like “Sex for him, slavery for her”, “Julia: Violent Pimp, No Freedom, 30 Men a Day, Indebted, Enslaved” and media titles like “Trafficking crackdown: ‘I escaped from sex slavery’” or “Thousands of women in our country are living in sexual slavery - more must be done to help them”. One closer look into visual materials from campaigns and media illustrations pertaining to human trafficking, and the link to slavery is established again, through symbolic representations of victims tied up in chains, ropes and padlocks, wearing ragged clothes or displaying their naked backs covered in whip marks. Academics have

written extensively on how these rescue missions extend from trafficked women to all sex workers, and why that is problematic (Doezema, 1999, Aradau, 2004, Augustin, 2007, Wietzer, 2007). Nevertheless, when it comes to trafficking for the purpose of sexual exploitation, abolitionist discourse has not lost its power. In its monochromatic vision, the abolitionist discourse ignores all perspectives that do not fit into the heterosexist and puritan matrices society banks on. Disregarding views of domestic sex workers, men and transgender persons involved in the sex trade, and most of all, turning a blind eye to all those who do not consider themselves to be coerced into prostitution, it creates a dichotomy between male migrants who are free, and female migrants who end up as enslaved victims. Portraying these women as slaves strips them of agency and hence removes their “culpability” for being involved in prostitution. However, this does not work as a pardon for their migratory transgression, as victims who do not have legal grounds to reside in the destination country rarely obtain visas and residence permits with a duration extending past the reflection period and their possible involvement in judicial proceedings against traffickers. Experts on human trafficking have been struggling with the question whether human trafficking necessarily includes movement of its victims or not. But, ever since human trafficking was framed as a matter of transnational and organized crime in the UN’s Palermo Protocol, the idea that trafficking always entails movement or transport triumphed. Created to foster cooperation between national police forces in order to suppress human trafficking by organized crime groups across international borders (Allain, 2014), the Palermo Protocol failed to adequately address practices of recruitment, transportation and exploitation of coerced and deceived women, men and children that happen within national borders and are not committed by sophisticated organized crime groups. The question of movement that was one of the stumbling blocks from the very first attempts to define human trafficking, might prove to be an obstacle for those wishing to equate human trafficking and modern slavery as well. O’Connell Davidson (2015) sums up the difference that has thus far been ignored: “The transatlantic slave trade relied upon overwhelming physical force at every stage of movement. What is dubbed ‘trafficking’ does not. In fact, attention to people’s motivations for moving provokes a very different kind of comparison between past and present. It suggests that contemporary migrants who are vulnerable to exploitation and abuse have more in common with those who sought to escape from New World slavery, than those transported into it”. Yet, modern slavery discourse rests on the idea that slavery is a global issue and that many people leave the safety of their homes to be exploited in another place. In this sense, the fight against pressing issues such as modern slavery with its 36 million victims certainly provides a good justification for imposing stricter border controls, increased policing and surveillance, and more deportations of irregular migrants. Not only are these strategies failing to suppress human trafficking, they are also pushing migrants to expose themselves to the risk of exploitation by seeking help from smugglers and traffickers to reach their destinations (Kempadoo and Doezeema, 1998, Sassen, 2000). An important point to consider here is the fact that human trafficking emerged as a topic at a time when globalization had already created anxieties about borders, nation states and identities (Berman, 2009). From here, the following questions arise: how are these strategies effective, and to what do they owe their popularity? One possible answer is offered by Jacqueline Berman (2009), who wrote that trafficking discourses provide the state with an opportunity to re-establish its border sovereignty by positioning organized crime as a problem instead of women on the move. Thus, she notes, victims are transformed from ‘popular strangers’ we empathize with, into ‘unpopular’ foreigners, i.e.

illegal immigrants whose deportation becomes part of the price paid for the protection of national interests and state sovereignty. Transposition of this motif to the modern slavery discourse seems to provide a much needed justification for further measures of border and migration control and helps build a discursive defensive wall that “Fortress Europe” needs to be able to keep out the unprecedented number of African and Middle Eastern migrants.

Modern slavery discourse presents foreign migrants as innocent and helpless victims who naively fell prey to (also foreign) evil traffickers, while white westerners are positioned as their benevolent saviours bringing them back to the safety of their homes. Hence, the dominant discourse functions as a vessel in which the West gets absolved from its complicity in establishing and sustaining conditions for exploitation, and the problem of slavery gets transferred to developing countries (Kempadoo, 2015). Structurally, the blame for slavery and practices alike is shifted from institutions and capitalistic enterprises to evil, opportunistic criminals. Writing about this, Kempadoo (2015) concludes: “although scholars (...) are willing to analyze the nineteenth-century antislavery movement as having rested upon Western imperialism and a shoring up of European identity, there is little recognition that this continues into the present. Rather, racism is banished to the past, even while the argument is made that there is no sharp divide, but rather many continuities, between old and new practices of slavery”. While scholars still need to face the task of filling this knowledge gap, exploring the productive power of anti-trafficking discourses seems like a good starting point for this endeavour. Studying anti-trafficking discourses, the political ideas behind them, overlaps between them, actions and understandings they allow and others they foreclose, is a necessary step towards understanding human trafficking in its full complexity and as the contested concept it truly is.

References:

Agustin, Laura Maria 2007, *Sex at the Margins: Migration, Labour Markets and the Rescue Industry*, Zed Books, London

Allain, Jean (2014), No Effective Trafficking Definition Exists: Domestic Implementation of the Palermo Protocol, *Albany Government Law Review*, Vol. 7, No. 1, 2014, p. 111-142.

Aradau, Claudia (2004), *The Perverse Politics of Four-Letter Words: Risk and Pity in the Securitisation of Human Trafficking*, *Millennium - Journal of International Studies* March 2004 vol. 33 no. 2 251-277

Bales, Kevin (1999), *Disposable people: new slavery in the global economy*, Berkeley, California, University of California Press

Berman, Jacqueline (2009), *(Un)Popular Strangers and Crises (Un)Bounded: Discourses of Sex-*

Trafficking, the European Political Community and the Panicked State of the Modern State, CUNY Graduate Center, New York, USA

Brennan, (2014), *Life interrupted: Trafficking into forced labor in the United States*, Durham, NC: Duke University Press.

Doezema, Jo (1999) *Loose woman or lost women?: The Re-emergence of the myth of white slavery in contemporary discourse of trafficking in women*, *Gender Issues*, 18(1), 23–50.

Guth, Andrew et al. (2014), *Proper Methodology and Methods of Collecting and Analyzing Slavery Data: An Examination of the Global Slavery Index*, *Social Inclusion* (open access journal), Vol. 2, No 4

Kempadoo, Kamala and Jo Doezema (eds) (1998), *Global Sex Workers: Rights, Resistance, and Redefinition*, New York: Routledge.

Kempadoo, Kamala (2015), *The Modern-Day White (Wo)Man's Burden: Trends in Anti-Trafficking and Anti-Slavery Campaigns*, *Journal of Human Trafficking*, 1:1, 8-20, DOI:10.1080/23322705.2015.1006120

Lobasz, Jennifer Kathleen (2012), *Victims, Villains, and the Virtuous Constructing the Problems of “Human Trafficking*, a dissertation submitted to The Faculty of the Graduate School of The University of Minnesota

Sassen, Saskia (2000), *Women's Burden: Counter-Geographies of Globalization and the Feminization of Survival*, *Journal of International Affairs* 53(2)

Weitzer, Ronald (2007), *The Social Construction of Sex Trafficking: Ideology and Institutionalization of a Moral Crusade*, *Politics & Society*, Vol. 35 No. 3, September 2007

The modus operandi of foreign fighters from the Netherlands.

A crime-script analysis.

Jasper L. de Bie (WODC, Ministry of Security and Justice/ Leiden University)

The phenomenon of jihadist foreign fighters has received a lot of attention in recent years. Jihadist foreign fighters are considered individuals who sympathize with a radical violent doctrine and who travel to foreign conflict areas. Once arrived in those areas, they either try to facilitate or participate in the violent battle or they try to receive training for potential future jihadist activities. The number of Dutch foreign fighters that aim to travel to Syria or Iraq has significantly increased to approximately 200 individuals. This rapid increase has drawn attention from journalists, politicians, policy-makers, and scholars, and even caused the national terrorist threat level to be raised to substantial in 2013. Although this phenomenon of departing foreign fighters has been present in the Netherlands for more than a decade, hardly any academic research has been conducted so far. Furthermore, the limited research that has been conducted rather focuses on “why” people want to participate in a foreign battle, instead of focusing on “how” such attempts emerge.

Aim and methodology

To gain a better understanding of the proceedings of foreign fighters, the University of Leiden and the Research and Documentation Centre of the Ministry of Security and Justice have conducted a study into the foreign fighters' modus operandi. A selection of foreign fighters from the Netherlands who aimed to travel to foreign conflict areas between 2000 and 2013 has been analyzed. In this study, we have scrutinized the different preparation stages of a foreign fighting attempt and searched for a possible development in these proceedings over time. To do so, 17 voluminous terrorism related police investigations from the 2000-2013 period have been analyzed, and 20 interviews have been conducted with Public Prosecutors, police investigators, and criminal defense lawyers. The individuals from these police investigations were predominantly suspected of participation in a terrorist organization, preparing or executing a terrorist attack, or training for armed battle. The police files contained rich data about 51 (potential) foreign fighters, of which 42 left the Netherlands, and 26 successfully reached the intended destination. To illustrate the periodical differences in modus operandi in a proper way, we have divided the data in three different episodes. We applied a crime script analysis to distinguish different proceedings or stages, which we then used to compare the different episodes.

The modus operandi of jihadist foreign fighters

We were able to distinguish five different stages the foreign fighters need to go through in order to complete their attempt to travel to a foreign conflict area. Together these stages embody a so called crime script; a foreign fighting blueprint. The different stages do not necessarily need to succeed each other, but can also occur simultaneously. Within each stage, each (potential) foreign fighter conducts certain concrete actions and makes particular decisions. Often they need specific tools or equipment to execute these tasks and proceedings. These are the five stages:

- (1) The orientation stage, in which foreign fighters focus on a radical doctrine and a suitable target area. In some cases the ideological rhetoric determines the target area, whereas in other cases the foreign fighters choose a particular ideological rhetoric that can legitimize the already determined target area and any potential behavior.
- (2) The co-offending stage, in which foreign fighters connect with facilitators who stimulate them and facilitate their preparations and who can legitimize the foreign fighters' potential behavior.
- (3) The operational stage, in which foreign fighters conduct concrete proceedings that enable them to access foreign conflict zones. Such proceedings can vary from acquiring funds and travel documentation, to conducting physical training; and from buying airplane tickets to determining travel routes.
- (4) The finalization stage, in which foreign fighters conduct emotional and administrative activities, such as the recording of video testaments, saying goodbye to friends and family, closing bank accounts, and terminating rental leases.
- (5) The departure stage, in which foreign fighters actually try to leave the Netherlands and reach their intended destination. They rely heavily on so called brokers in this stage, who function as intermediaries between the Netherlands and the intended destination. Without the help of these brokers, foreign fighting attempts often fail or result in impulsive behavior.

Periodical differences

This research shows that three situational factors influenced the modus operandi of foreign fighters between 2000 and 2013. The first factor is the geo-political situation in the world. The contemporary geopolitical situation influences the target suitability decision and consequently determines the foreign fighting theatre. As a result, changes in the geo-political situation lead to changes in ideological orientation and the intended destination. A second factor is the social environment in which the foreign fighters are embedded. Relatively hierarchically organized international networks have changed into relatively unorganized fluid homegrown networks over time. Whereas this change meant that foreign fighters had less money and means at their disposal over time, it also encouraged innovative procedural changes to make sure the foreign fighting preparations continued. The third factor that influences the modus operandi of foreign fighters is the technological development. The rise of the internet and social media has increased the visibility of foreign conflicts, which increased political awareness among foreign fighters. In addition, new communication opportunities emerged due to the internet, which strongly intensified communication between jihadists and foreign fighters. As a result, this strongly facilitated the pre-departure stages.

To conclude

This research shows how a procedural blue-print can be affected by situational factors. Policy makers can benefit from this insight in their search for new interventions. Furthermore, on the one hand this research shows that modern phenomena like

jihadi terrorism and foreign fighting contain predictable steps that are required to complete certain objectives. On the other hand, this research illustrates that these phenomena should be seen as dynamic in which the concrete procedural steps can change quickly. Therefore, it is important to identify both stable as well as unstable features, and the way these are influenced by situational factors, when devising robust prevention and intervention measures.

Reference:

Jasper L. de Bie, Christianne J. de Poot & Joanne P. van der Leun (2015) *Shifting modus operandi of jihadist foreign fighters from the Netherlands between 2000 and 2013: a crime script analysis*. *Terrorism and Political Violence* 27 (3): 416-440

Human smuggling from conflict regions: some highlights

Richard Staring (CIROC/Erasmus University Rotterdam)

The seminar 'human smuggling from conflict regions' organized by Richard Staring (CIROC, EUR) and Joris van Wijk (VUA) on May 27, 2015 focused on three themes: 1) the social organization of human smuggling from conflict regions, 2) EU policy initiatives and law enforcement efforts relating to irregular migration and their effects, 3) the smuggled migrants and their individual trajectories. It is commonly believed that human smuggling organizations are facilitating the sudden influx of refugees from conflict regions such as Syria and Eritrea to specific countries of reception in the European Union. The dramatic media images of boats packed with migrants crossing the Mediterranean would seem to confirm the involvement of human smuggling organizations.

Among the invited speakers was historian and journalist Gerbert van der Aa, who has written several books on his travels in Mali, Libya and other North African countries. He recounted the difficulties of getting inside information on human smuggling as it has become a profitable industry in post-Gaddafi Libya, where various militias compete with each other on the people smuggling market. Too much openness and information given to outsiders could easily result in the loss of business. In Zuwara, one of the main ports on the north coast of Libya, many Eritrean refugees, as well as migrants from Ghana and other West African countries, pay a fee of several thousand euros to book passage on one of the small boats heading for Lampedusa. As the civil war in Libya continues and the legal economy has fallen apart, earning a living has become increasingly more difficult. Human smuggling has emerged as a lucrative alternative source of income for many.

Giampaolo Musumeci and Andrea di Nicola (University of Trento) just recently published a book entitled 'Confessions of human smugglers' that was published in Italian and French, with an English translation planned for the near future. Unfortunately, they could not make it to the seminar but contributed with a paper on their findings. Their research is based on interviews with the smugglers themselves. They not only stress the business-like character of smuggling but also point to the huge variety of actors within the business. Some of these actors operate only on the important routes, but in the researchers' opinion we are dealing with smuggling networks working together along the routes. One of the interviewed smugglers stated that the most important thing was to take good care of the clients in order not to compromise their reputation.

Szabolcs Csonka, a Frontex senior analyst at the Risk Analysis Unit, talked about the latest trends in illegal border crossings along the European borders. One of Frontex' tasks is to collect data on

border security and border crossings. Data input comes from the EU member states and open sources as well as from their own operational activities. Csonka distinguished between main entrance routes such as the Western Balkans, the Eastern Mediterranean, the Central Mediterranean and the Western Mediterranean route. The highest influx in the first months of 2015 was through the Western Balkans (migrants from Kosovo), but Csonka also mentioned the increasing influx of refugees and migrants from Afghanistan and Syria through Turkey, Greece and Serbia. Csonka stressed the interaction between migration control and human smuggling. Turkey's efforts to control human smuggling in their ports immediately led to a response by the smugglers, who kept their large cargo ships outside of the territorial waters of Turkey. A decrease in illegal border crossings by land was accompanied by an increase in border crossings by sea.

Thomas Spijkerboer and Tamara Last, both of the Free University Amsterdam, presented some of their findings from a research project on the number of migrant deaths in the Mediterranean. The speakers stressed the fact that existing sources and estimations of how many migrants have died in their efforts to reach the European Union are insufficient and unreliable. Instead, they collected data on migrant deaths from 1990 to 2013 in countries such as Greece, Italy, Spain, Malta and Gibraltar by taking death certificates in civil registries as their main source. In order to identify the causes of death and the locations where people died, and to check whether data from the registries are complete, they compared them with other public sources. As such, the speakers argue that the increase in the number of deaths in the Mediterranean reflects state behaviour and changes in fundamental migration and border policies rather than changes in migration behaviour. Smuggling is too often perceived as a cause of irregular migration, but it is much more likely to be a response to control and restrictions imposed by governments and EU countries. Rather than lead to a decrease in migration, such actions tend to result in a diversion of migrations flows.

Joris Schapendonk from Utrecht University presented his findings based on a new research project entitled 'Follow the migrant': Intra-EU mobility of African migrants. While being critical of terms such as transit migration and south-north migratory movements, Schapendonk explained how migrants from West African countries and Nigeria first travel to, for instance, Morocco or Turkey on their way to Europe. Some of them continue on their journey to the European Union, whereas others stay behind or return home after a while. Nigerians can ultimately start a business in Turkey and earn a good living. Schapendonk also described how he engaged with migrants from Ghana who were fluent in Dutch but ended up living in Spanish cities to do business. The European mobile space enables different flows in different directions that go beyond the south-north movements. Based on three migrant stories, he sketched the opportunistic strategies of these migrants whose social networks, comprised of relatives and friends as well as people smugglers, play an important role in facilitating their irregular journey into and within the European Union.

These different linkages within social networks also played a major role in the presentation of Richard Staring entitled "Fragmented journeys?". Based on data from the Dutch Immigration and Naturalization Service (2013-2014), he described the trajectories of refugees from Syria and Eritrea to the Netherlands. He examined the nature and the fragmentation of these routes as well as the importance of the underlying social networks. While Syrians and Eritreans to some extent use the same route through Libya to Lampedusa and other European

countries, the underlying networks differ. While the Syrians rely much more on smuggling networks for the entire route, the Eritreans make use of criminal networks but are also supported by friends and relatives during their journeys. The trajectories of both groups offer a picture of fragmented journeys where people can stay for months or even years in a particular country before continuing their journey. This is where the presentations of Staring and Schapendonk meet.

Joris van Wijk focused on the risk that the current irregular migration flows into Europe include unwanted persons, such as terrorists or war criminals. In his presentation, he noted that alleged war criminals entering the European Union may ultimately end up in limbo, as they run the risk of being excluded from asylum pursuant to Article 1Fa of the Refugee Convention, but also cannot be deported to their home country. The question remains how to deal with alleged war criminals from Syria, some of whom may have worked for Assad. Besides, according to Van Wijk, the possibility of identifying potential terrorists through the asylum procedure is rather limited, as it is unlikely that terrorists will register themselves and provide the relevant information.

CIROC is planning another international seminar on human smuggling in the spring of 2016 in Istanbul.

Publications on Organized Crime by Dutch authors:

- Han, C.R., Nelen, H. & Kang, Y (2015). A Case Study on Shuttle Trade between Korea and China, in: *Journal of Borderlands Studies*. DOI: 10.1080/08865655.2015.1068205.
- Han, C.R., Nelen H. & Youngho Joo, M. (2015). Documentary Credit Fraud Against Banks: Analysis of Korean Cases, in: *Journal of Money Laundering Control*, vol. 18 , nr. 4.
- Huisman, W., Nelen, H. (2014). The Lost Art of Regulated Tolerance? Fifteen Years of Regulating Vices in Amsterdam, in: *Journal of Law & Society*, vol. 41, nr. 4, p. 604-626.
- Kleemans, E.R. (2014). Organized crime research: challenging assumptions and informing policy. In: E. Cockbain & J. Knutsson (eds.). *Applied Police Research: Challenges and Opportunities* (pp. 57-67). Crime Science Series. Routledge: London / New York.
- Kleemans, E.R (ed.) (2015). Special issue 'Financial aspects of organized crime'. *European Journal on Criminal Policy and Research* 21(2).
- Kleemans, E.R. (2015). Criminal organization and transnational crime. In: G.J.N. Bruinsma (ed.). *Histories of Transnational Crime* (pp. 171-185). Springer: New York.
- Kleemans, E.R., Kruisbergen, E.W. & Kouwenberg, R.F. (2014). Women, brokerage and transnational organized crime. Empirical results from the Dutch Organized Crime Monitor, in: *Trends in Organized Crime*, 17(1-2): 16-30.
- Kleemans, E.R., and Smit, M. (2014). Human smuggling, human trafficking, and exploitation in the sex industry. In: Paoli, L. (ed.). *Oxford Handbook of Organized Crime* (pp. 381-401). Oxford: Oxford University Press.
- Kruisbergen, E.W., Kleemans, E.R. & Kouwenberg, R.F. (2015). Profitability, Power, or Proximity? Organized Crime Offenders Investing Their Money in Legal Economy, in: *European Journal on Criminal Policy and Research*, 21(2): 237-256.
- Nelen, H. (2015). Professional Football and Crime. Exploring terra incognita in studies on white-collar crime. In: Erp, J. van, Huisman, W., Vander Walle, G. (eds.). *Routledge Handbook of White-Collar and Corporate Crime in Europe*. Oxford/New York: Routledge. Chapter 18, p. 292-303
- Peters, M., Vanderhallen, M. & Nelen, H. (2015). Cross-border criminal investigation in the Meuse-Rhine Euroregion: international policing and the theory of (inter) organisational conflict, in: *European Journal on Criminal Policy and Research*, vol. 21. DOI: 10.1007/s10610-015-9281-y
- Siegel, D. (2015) *Het Zandpad – Closing brothels or closing eyes?*, Den Haag: Boom Lemma Uitgever.
- Siegel, D. (2014) *Mobile banditry. East and Central European Itinerant Criminal Groups in the Netherlands*, The Hague: Eleven International Publishing.
- Siegel, D. (2014) Lithuanian itinerant gangs in the Netherlands, in: *Criminological Studies (Kriminologijos studijos)*, no. 2, Vilnius Universiteto Leidykla, pp. 5 – 39.
- Siegel, D. & D. van Uhm (2014) Zwarte kaviaar. Over criminele netwerken, illegale handel en de bedreiging van de steur (Black caviar. About criminal networks, illegal trade and the threat for the sturgeon), in: *Justitiële Verkenningen*, no. 2, pp. 54-70
- Siegel, D. & R. de Wildt (eds.) (2015), *Ethical Concerns in Research on Human Trafficking*, New York: Springer.
- Verhoeven, M., Van Gestel, B., De Jong, D. & Kleemans, E. R. (2015). Relationships Between Suspects and Victims of Sex Trafficking. Exploitation of Prostitutes and Domestic Violence Parallels in Dutch Trafficking Cases, in: *European Journal of Criminal Policy and Research* 21(1):49–64.
- Verhoeven, M., B. van Gestel, D. de Jong & E.R. Kleemans (2015). Relationships between suspects and victims of sex trafficking. Exploitation of prostitutes and domestic violence parallels in Dutch trafficking cases, in: *European Journal on Criminal Policy and Research* 21(1): 49-64.
- Van Ooijen-Houben, M.M.J. & E.R. Kleemans (2015). Drug Policy: the “Dutch Model” (2015), in: *Crime & Justice. A Review of Research* 44.
- Van de Bunt, H., D. Siegel and D. Zaitch (2014) Organized Crime as a Socially Embedded Phenomenon, in: L. Paoli (ed.) *The Oxford Handbook of Organized Crime*. New York: Oxford University Press, pp. 321-342.

COLOFON

Editorial

Chief Editor: Prof. Dr. Dina Siegel-Rozenblit

CIROC

Willem Pompe Institute, Utrecht University
Boothstraat 6, 3512 BM Utrecht
The Netherlands

Email: ciroc@uu.nl
Tel. +31 30 2537125

Fax. +31 30 2537128
www.ciroc.org