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Legal and institutional responses to the online sexual exploitation of children

The Netherlands country case study



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Content notice

This report deals with the topic of online sexual exploitation of children (OSEC) and includes reference to abuses experienced by children in this context. The report does not recount the specific experiences involved in OSEC cases. However, it does describe types and patterns of behaviour associated with OSEC in general terms.

Authorship and acknowledgements

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Table of abbreviations

AMLC	Republic of the Philippines Anti-Money Laundering Council
BSP	The Bangko Sentral ng Pilipinas
CSAM	Child sexual abuse material
CSEM	Child sexual exploitation material
FIUs	Financial Intelligence Units
IWF	Internet Watch Foundation
NCMEC	National Center for Missing and Exploited Children
OSEC	Online sexual exploitation of children
PICACC	Philippine Internet Crimes Against Children Center
STRs	Suspicious Transaction Reports
TBKKs	Teams Combating Child Pornography and Child Sex Tourism (Teams Bestrijding Kinderpornografie en Kindersekstoerisme)
TBS	Terbeschikkingstelling (compulsory psychiatric treatment)
URLs	Uniform Resource Locators

Background

The Netherlands is one of the most significant demand-side markets for online sexual exploitation of children (OSEC) globally. The Internet Watch Foundation (IWF) reports that the Netherlands hosts the largest proportion of child sexual abuse materials (CSAM) on the Internet. In 2022, the Netherlands hosted 32% of all Uniform Resource Locators (URLs) linked to child sexual abuse, down from 41% in 2021 (Internet Watch Foundation, 2022). The National Center for Missing and Exploited Children (NCMEC) reported 36,790 CyberTipline reports concerning the Netherlands (2021), representing a 31% increase from 2020 (NCMEC, 2020). Defence for Children – ECPAT the Netherlands reported that 308,430 indecent images of children were recorded in 2019 in the Netherlands (2020). This was a significant increase from 224,173 in 2018 and 154,897 in 2017 (ibid). Further, 2,401 online child sexual abuses were reported to law enforcement authorities in 2019, a significant increase from 1,616 in 2018 and 1,709 in 2017 (ibid).

The Netherlands is reported among those countries with the highest prevalence of buyers of online sexual exploitation of children (OSEC) in Europe (IJM, 2020, p. 52). The country has an established connection to OSEC in the Philippines, with identified OSEC buyer cases related to exploitation in the Philippines. The Philippines' Bangko Sentral ng Pilipinas (BSP) stated that the Netherlands is one of the countries known for OSEC activities (Bangko Sentral ng Pilipinas, 2020). It is reported that people from the Netherlands are sending money to facilitators of OSEC in locations known or reported to be hotspots for OSEC in the Philippines (ibid). BSP listed the Netherlands among the top ten countries in the demand side of OSEC based on Suspicious Transaction Reports (STRs) associated with OSEC (ibid). The Republic of the Philippines Anti-Money Laundering Council (AMLC) identified that a total of 220 STRs associated with OSEC originated from the Netherlands between 2015 and 2020. AMLC reported that these 220 STRs represented ₱838,840.44 PHP in volume.

Online sexual exploitation of children (OSEC) involves the use of technology and the internet to view and share child sexual exploitation material (CSEM), groom children online, or live stream sexual abuse of children. Abuse becomes exploitation where the offending involves an exchange of some kind of financial or other benefits. Generally, the offender pays through a money transfer agency to the trafficker who has access to exploited children to generate CSEM. This material is then transmitted from live streaming video communications platforms. These activities are classified as trafficking in persons according to the Palermo Protocol (IJM, 2020, p. 16).

This country report examines domestic legislation and policies relevant to OSEC in the Netherlands, as well as exploring the investigation and prosecution of OSEC cases. Special attention is paid to financial flows involved in OSEC cases to analyse how payments made for OSEC are detected, reported, and investigated by Dutch law enforcement agencies and other relevant domestic authorities.

1. Overview of domestic legislation and policy

In the Netherlands, there is no legislation specifically addressing OSEC. However, the Dutch Criminal Code deals with a wide variety of acts constituting child sexual abuse and exploitation. Table 1 provides a summary of Criminal Code provisions relevant to OSEC crimes in the Netherlands.

Table 1. Summary of Dutch Criminal Code provisions relevant to OSEC crimes

Provision	Summary	Penalty
Section 240a	Supplying, offering, or showing sexual images or data to children under 16 years old	Imprisonment up to one year or fine
Section 240b	Distributing, offering, publicly displaying, producing, importing, conveying in transit, exporting, obtaining, possessing, or accessing images or data containing child sexual abuse	Imprisonment up to four years or fine
Section 244	Sexual penetration with children under 12 years old	Imprisonment up to 12 years or fine
Section 245	Sexual penetration with children older than 12 years old and younger than 16 years old	Imprisonment up to eight years or fine
Section 247	Engaging in sexual acts with children under 16 years old or enticing children to engage in sexual acts with third parties	Imprisonment up to six years or fine
Section 248a	Causing children under 16 years old to engage in sexual acts by means of gifts or promises of money or goods, by abuse or deception	Imprisonment up to four years or fine
Section 248c	Being intentionally present at the performance of sexual acts by children under 16 years old	Imprisonment up to four years or fine
Section 248d	Inducing children under 16 years old to witness sexual acts	Imprisonment up to two years or fine
Section 248e	Arranging meetings by means of a computerised device or system or by making use of a communication service with children under 16 years old to engage in sexual acts with children	Imprisonment up to two years or fine
Section 273f	This provision provides the offence of human trafficking, including sexual exploitation as a constituent element, with an aggravated sentence in the case of child trafficking	Imprisonment up to 12 years or fine

- › **Section 240a** of the Dutch Criminal Code criminalises the acts of showing or offering harmful images, objects, or data carriers to a child under 16 years old. If someone shows or offers sexual images, objects, or data carriers to a child, that person will be sentenced to up to one year imprisonment or a fine.
- › **Section 240b** makes it a crime to produce, possess, distribute, or access through a computer or communication service any image or data carrier that depicts a sexual act involving a person who appears to be under 18 years old. If found guilty, the person could face up to four years in prison or a fine. The phrase ‘or accesses it by means of an automated device or by using a communication service’ means that it will be possible to prosecute for deliberately searching for and viewing child pornography without possessing it. This is important because the Rules of Implementation for Article 240b ensures that the viewing of live streaming of child sexual abuse without recording them on a data carrier will also be considered an offence under Section 240b (Rules of Implementation, n.d.).

- › **Sections 244 and 245** of the Dutch Criminal Code criminalise sexual penetration with children. However, it is unclear whether these provisions would be applicable to OSEC cases because they do not explicitly state whether the offenders must carry out the sexual penetration with children themselves.
- › **Section 247** makes it a crime to engage in sexual acts with a person who is unconscious, incapacitated, mentally ill, under 16 years old, or unable to resist. It is also a crime to encourage a person under 16 to engage in sexual acts with someone else. It is therefore evident that Section 247 can be invoked in OSEC cases since offenders engage in sexual acts with children by watching and directing the sexual abuse.
- › **Section 248a** is one of the most relevant provisions to OSEC cases under the Dutch Criminal Code because it makes it a crime to intentionally induce a person under 18 years old to engage in sexual acts or to tolerate such acts by using gifts, promises of money or goods, abuse of authority, or deception. In OSEC cases, offenders usually pay for the sexual abuse of children. Payments are usually made to facilitators who carry out the abuse, although children may be the direct recipients of the money in some cases. The wording of Section 248a is unclear in terms of whether the payment or gift should be directed to children only, or whether this provision will be applicable to the cases where offenders make payments to the facilitators to abuse children.
- › **Section 248c** states that if someone knowingly and intentionally watches a person under the age of 18 perform sexual acts or watches images of such acts in a designated establishment, they can be sentenced to up to four years' imprisonment or a fine. Therefore, Section 248c is applicable to OSEC cases because offenders watch child sexual abuse over the Internet.
- › **Section 248d** provides that if someone intentionally encourages or invites a person under the age of 16 to watch sexual acts with the intention of getting sexual pleasure, they can be sentenced up to two years' imprisonment or a fine. This provision is also applicable to OSEC cases if it is proven that child victims are made to watch sexual acts.
- › **Section 248e** states that if someone uses a computer or communication service to arrange a meeting with a person under 16 years old with the intention of engaging in sexual acts or creating images of sexual acts, they can be sentenced up to two years' imprisonment or a fine. This means that it is illegal to use technology to set up a meeting with someone under 16 years old with the intention of engaging in sexual acts or making sexual images of them. However, it is unclear whether this provision also covers online meetings or is only restricted to physical meetings with children.
- › **Section 273f** of the Dutch Criminal Code provides the offence of human trafficking. This provision is also applicable to OSEC cases because it specifies sexual exploitation as a form of human trafficking. The sentence is increased when human trafficking is committed against children under 16 years old.

2. Prosecuted OSEC cases in the Netherlands

As part of this study, OSEC public reports on OSEC cases prosecuted in the Netherlands were collected and analysed. Although the Netherlands is one of the main countries where OSEC is perpetrated, only thirteen prosecuted cases involving Dutch offenders were identified during the case law analysis. The relatively low number of cases identified is primarily because of the lack of available sources in English and Dutch, as well as the challenges in accessing official databases in the Netherlands.

OSEC cases prosecuted in the Netherlands were collected through the search of known legal databases of the Netherlands, official websites of law enforcement agencies, internet searches, and news media reporting of OSEC cases. Searches were conducted in both English and Dutch to capture available case reports in both languages. For all cases, we sought to cross-check multiple sources to ensure the accuracy of information presented in each case, and to gain a full understanding of the case and offence.

Through reviewing multiple sources, we identified thirteen cases involving Dutch offenders prosecuted in the Netherlands for OSEC-related crimes. These thirteen cases are separated into two groups for analysis:

- Eight cases involving Dutch offenders who purchased OSEC in the Philippines
- Five cases involving Dutch offenders who purchased and/or facilitated OSEC in other countries

Table 2: Summary of OSEC cases prosecuted in the Netherlands¹

#	Offender gender	Offender age	Victim location	Date of offending	Date of sentencing	Payment method	Communication platform	Sentence:
	Male	32	Unknown	2012-2020	2022	Cryptocurrency, PayPal	Dark Scandals website	8 years in prison
2	Male	32	Unknown	2011	2012	Unknown	Email	Unknown
3	Male	41	Philippines, Netherlands	2010	2012	PayPal	Unknown	18 years in prison Compulsory treatment
	Male	27	Philippines, Netherlands	2010	2012	PayPal	Unknown	6 years
4	Male	37	Philippines	2011	2012	Credit card	Unknown	3.5 years in prison
	Male	32	Philippines	2011	2012	Credit card	Unknown	9 months in prison
5	Male	72	Philippines	2013-2018	2018	Unknown	Unknown	Unknown
6	Male	77	Philippines, Thailand	2012-2015	2018	Unknown	Unknown	4 years in prison €2000 compensation per victim
7	Male	49	Philippines	2016	Unknown	Unknown	Unknown	Unknown
8	Male	57	Southeast Asia, the Gambia	2017	2019	Unknown	Unknown	2 years in prison
	Male	59	Southeast Asia, the Gambia	2017	2019	Unknown	Unknown	2 years in prison

¹ Details of OSEC cases prosecuted in the Netherlands are further summarised in Annex I.

9	Male	43	Thailand, Philippines, Germany, Netherlands	2016	2017	Unknown	Unknown	4 years in prison €500 compensation per victim Compulsory treatment Additional prohibitions
10	Male	38	Unknown	Unknown	2017	Unknown	Unknown	10 years, 243 days in prison
11	Male	39	Netherlands, Belgium	2011-2013	2014	Unknown	Unknown	6 years in prison Compulsory treatment €40,000 compensation (total)
12	Male	40	Unknown	2013	2014	Unknown	Unknown	12 years in prison
13	Male	46	Philippines	2015-2016	2020	Unknown	Unknown	18 months, 3 days in prison 240 hours community service

2.1. Prosecuted OSEC cases concerning the Philippines

Of the thirteen OSEC cases prosecuted in the Netherlands identified and reviewed in this study, eight included Dutch offenders who purchased OSEC in the Philippines. These cases showed prosecutions for purchasing/facilitating OSEC crimes in the Philippines dated between 2012 and 2020, with offences committed as early as 2010.

2.1.1. Offender profile

Across the eight cases, eleven Dutch offenders were identified as perpetrators of OSEC-related crimes in the Philippines. All offenders were male and were aged between 37 and 77 years old, with an average age of 49.

Out of eleven offenders, ten were located across the Netherlands, with five offenders located in Amstelveen, one in Amsterdam, one in Flevoland, and one in Krommenie. During the time of the perpetration, only one offender was living abroad and was arrested in the Netherlands.

Across the eight cases, two offenders had previous conviction records involving the possession and distribution of child pornography. Three offenders were previously working with children. One offender was working in day-care centres and as a private babysitter. Two offenders were found to be active in a swimming club and at a child summer camp and had also fostered children at their home for many years.

Text box 1: Example offender profiles

The offender lived in Thailand since 2008 and was caught in 2018 when his luggage was checked by customs after a flight at Schiphol. 1,500 photos and 39 videos containing child pornography and CSAM were found on his computer.

(Netherlands - Case No. 6)

The 41-year-old offender had worked for several years in various day-care centres and acted as a private babysitter in his spare time.

(Netherlands - Case No. 3)

2.1.2. Victim profile

In all the eight cases, OSEC-related offences involved children from the Philippines. Five cases also involved children from other countries, including Thailand, Indonesia, the Gambia, Ghana, and Germany. The children who were victims of OSEC crimes in these cases were aged between 4 years and 17 years old. Children were both male and female, with all cases involving more than one victim.

Text box 2: Example victim profile

The offender abused two young boys in Thailand in 2012 and watched the abuse of several young boys in the Philippines and Germany via Webcam.

(Netherlands - Case No. 9)

2.1.3. Facilitator profile

Little information was available with respect to the characteristics of facilitators in OSEC cases. Only half of the cases included information on facilitators. Two cases—related to the same facts—identified the facilitator as the mother of an OSEC victim in the Philippines. One case involved the uncle of a child victim. Another case involved a broader cybersex organisation. The remaining four cases did not include any information as to the facilitators of OSEC in the Philippines.

Text box 3: Example facilitator profile

In connection with the Amsterdam sexual abuse case, the police in the Philippines tracked down two women who were involved in the sexual abuse of two young children.

(Netherlands - Case No. 4)

A 34-year-old man, uncle of one of the girls, was offering two young girls to people around the world (the Netherlands, New Zealand, Canada, UK, Germany, Australia, and Scandinavia) for online sexual abuse.

(Netherlands - Case No. 7)

2.1.4. Payments for OSEC

Of eight cases, only two reported the payment methods used by offenders to purchase OSEC in the Philippines. One offender used PayPal, and another one used a credit card. Only one case reported the total amount of money the offender spent for the purchase of OSEC. In this case, a number of transactions consisting of thousands of Euros had been made. Another case reported that the offender was paying €29 for one single OSEC show. The remaining six cases did not identify any amount of payment made by offenders.

Text box 4: Example OSEC payment profile

A 43-years-old man transferred dozens of payments totalling thousands of euros to the Philippine crime group to purchase OSEC over a period of seven years.

(Netherlands - Case No. 8)

2.1.5. Streaming platform

None of the cases specified the platform used by the perpetrators to communicate with facilitators and victims of OSEC in the Philippines. It is, however, likely that the perpetrators employed a range of different online platforms.

2.1.6. Investigation

The analysis of OSEC crimes perpetrated by Dutch offenders against child victims in the Philippines shows a high level of collaboration between investigating authorities in different countries. In one case, the offender was arrested as a result of intelligence provided by US authorities working on a child pornography investigation. In another two cases, the Dutch police collaborated with the law enforcement authorities in the Philippines.

In addition to the Dutch national police, specialised Dutch investigative units were also involved in the investigation of OSEC cases involving Dutch offenders. In one case, specialists from the Netherlands Forensic Institute (NFI) were involved to obtain the passwords of the offenders' computers. Some of the cases involved investigations conducted through the involvement of NGOs, such as the Dutch organization Terre des Hommes.

In all cases, it was unclear whether the police were able to use financial records during the investigations.

Text box 5: Example OSEC investigation

An investigation was initiated against the offender as a result of intelligence sent by Terre des Hommes to Philippine and Dutch law enforcement authorities.

(Netherlands - Case No. 5)

Seven out of eight cases involved live streaming of child sexual abuse in the Philippines and the production of online child pornography. Moreover, half of the cases involved the distribution of online child pornography. The offender recorded the abuses through photos and videos and shared the files via the Internet. Two cases also involved the commission of sexual acts with minors.

Text box 6: Example OSEC crimes

The offender frequently recorded the abuse on photo and video. He shared these files via the internet with pedophiles elsewhere in the world.

(Netherlands - Case No. 3)

2.1.7. Sentencing

Limited information was available regarding what provisions were used to convict offenders. However, reference to the possession, production, and distribution of online child pornography in most cases indicates that offenders were prosecuted under Article 240b of the Dutch Criminal Code. Two cases were also prosecuted under Article 247 of the Dutch Criminal Code, related to committing sexual acts with a minor.

The sentencing range for offenders convicted of OSEC varied from 9 months to 18 years in prison. Seven offenders were sentenced to a prison term of less than 5 years. One offender was sentenced to an imprisonment sentence with a minimum of 5 years but no more than 10 years. Another offender was sentenced to a term of no more than 15 years in prison.

In addition to imprisonment sentences, two offenders were ordered to pay €2000 and €1500 in compensation of child victims. One offender was given 240 days of community service, and two offenders received TBS (terbeschikkingstelling) compulsory treatment to be treated in high security forensic mental health settings following their prison sentence. Two offenders were also sentenced to a probationary period after their release.

Text box 7: Example of OSEC Conviction and Sentencing

The court sentenced a 46-year-old OSEC offender to a prison sentence of 18 months and 3 days, of which 18 months suspended with a probationary period of three years for committing lewd acts via a live stream and possessing child pornography. In addition to the suspended prison sentence, the court also imposed 240 hours of community service on the offender.

(Netherlands - Case No. 13)

2.2. Prosecuted OSEC cases committed by Dutch offenders against victims located elsewhere

Five cases involving Dutch offenders who purchased and/or facilitated OSEC in countries other than the Philippines were identified in this study. This section focuses on identified cases of Dutch offenders who conducted OSEC crimes in other countries to highlight emerging themes.

2.2.1. Offender profile

In all of the five cases, the offenders were male and aged between 32 and 40 years old, with an average age of 38. All cases involved one person as a single perpetrator. All the offenders were located in the Netherlands. The publicly available data did not include any information as to whether any of the offenders in these cases had previous convictions related to sexual crimes against children.

2.2.2. Victim profile

Child victims in these five OSEC cases were from different countries, including Belgium, Canada, the Netherlands, Norway, the United Kingdom, and the United States. Child victims in these cases were aged between 8 and 17 years old. Children were both males and females, with four cases involving more than one child victim.

Text box 8: Example victim profile

The offender is suspected of forcing dozens of young women from as far as Britain, Canada, Norway, and the United States into performing sex acts in front of their webcams.

(Netherlands - Case No. 12)

2.2.3. Facilitator Profile

Of five OSEC cases, only one included information with respect to the facilitator of the OSEC. In this case, it was reported that facilitators were the parents of a child victim. Both parents were present when sexual abuse was conducted on their child. In the remaining five cases, there was no information as to the presence or characteristics of facilitators.

Text box 9: Example of Facilitator Profile

A 44-year-old father and a 43-year-old mother from Hardinxveld-Giessendam offered their 8-year-old daughter to a 32-year-old man for sex, to pay their loan.

(Netherlands – Case No. 2)

2.2.4. Payment for OSEC

The majority of cases involving Dutch offenders who purchased and/or facilitated OSEC in countries other than the Philippines did not include information with respect to payment methods used by offenders to purchase OSEC.

In one case, the offender was exclusively accepting cryptocurrencies, including Bitcoin, Coinbase, Binance, and Ethereum (Netherlands – Case No. 1). The case was jointly investigated by US and Dutch law enforcement agencies and reported as ‘Dark Scandals’ (Berwick & Wilson, 2022). It was found that the offender received cryptocurrency worth up to €115,000.

Text box 10: Dark Scandals²

Dark Scandals was a website operating in the Darknet, selling OSEC and CSAM via cryptocurrency. It was taken down in 2020 through a joint international investigation by US and Dutch law enforcement agencies. During the investigation and prosecution, it was found that the site operator, Michael Mohammad, had been charging his customers in cryptocurrency since 2013 for the purchase of child sexual exploitation materials. Customers of Dark Scandals paid up to €200 EUR (\$205 USD) in cryptocurrency to download video packs made up of hundreds of clips showing child sexual exploitation.

When the IRS-CI investigators came across Dark Scandals, their undercover officers sent a payment worth \$25 USD in Bitcoin to a Dark Scandals wallet. Upon this payment, the officers received a download link via email. The context of this link included two videos depicting children being sexually abused. Then, the investigators located and accessed Mohammad’s email account and found that it contained messages about payments to the site’s service providers, which were in Mohammad’s name. In March 2020, Mohammad was arrested in in Barendrecht, the Netherlands.

Transactions data showed that the customers of Dark Scandals used 47 different cryptocurrency exchange platforms, including Coinbase, Finland-based LocalBitcoins, and Binance. It was found that cryptocurrency worth a total of \$22,000 USD moved through Coinbase and LocalBitcoins between 2013 and 2019. It was further identified that to stay anonymised, customers moved to Binance and another exchange called ShapeShift when other platforms tightened their identity checks process. During its operation, Dark Scandals received cryptocurrency worth up to €115,000 EUR. The investigation team managed to trace payments made to Dark Scandals to more than 300 accounts on eight different cryptocurrency exchange platforms. However, it was found that many customers paying to Dark Scandals used accounts opened with either no documents or false details to remain anonymous.

2.2.5. Sentencing

Offenders were prosecuted and convicted under the Dutch Criminal Code. Sentences imposed on offenders ranged from 2.5 years to 8 years’ imprisonment. One offender sentenced to six years in prison was also given TBS compulsory treatment and ordered to pay a total of €40,000 as compensation to victims (Netherlands – Case No. 11).

Text box 11: Example sentencing

The offender was sentenced to six years in prison and TBS with compulsory treatment. The court also sentenced the offender to pay compensation totalling 40,000 euros to a number of victims for immaterial damage.

(Netherlands – Case No. 11)

² (Berwick & Wilson, 2022).



3. Investigation and prosecution of OSEC cases in the Netherlands

In the Netherlands, 1,300 children were identified to be the potential victims of sexual exploitation between 2014 and 2018 (Huls, 2020). This figure does not represent the actual number of child victims because sexual exploitation often remains unreported (ibid). Further, there is no data specifically recording OSEC cases. Therefore, the number of OSEC victims remains unknown. However, the available data on recorded indecent images of children and reported cases of online child sexual abuse indicates that there is an increasing trend in OSEC-related cases in the Netherlands (see Table 2 below).

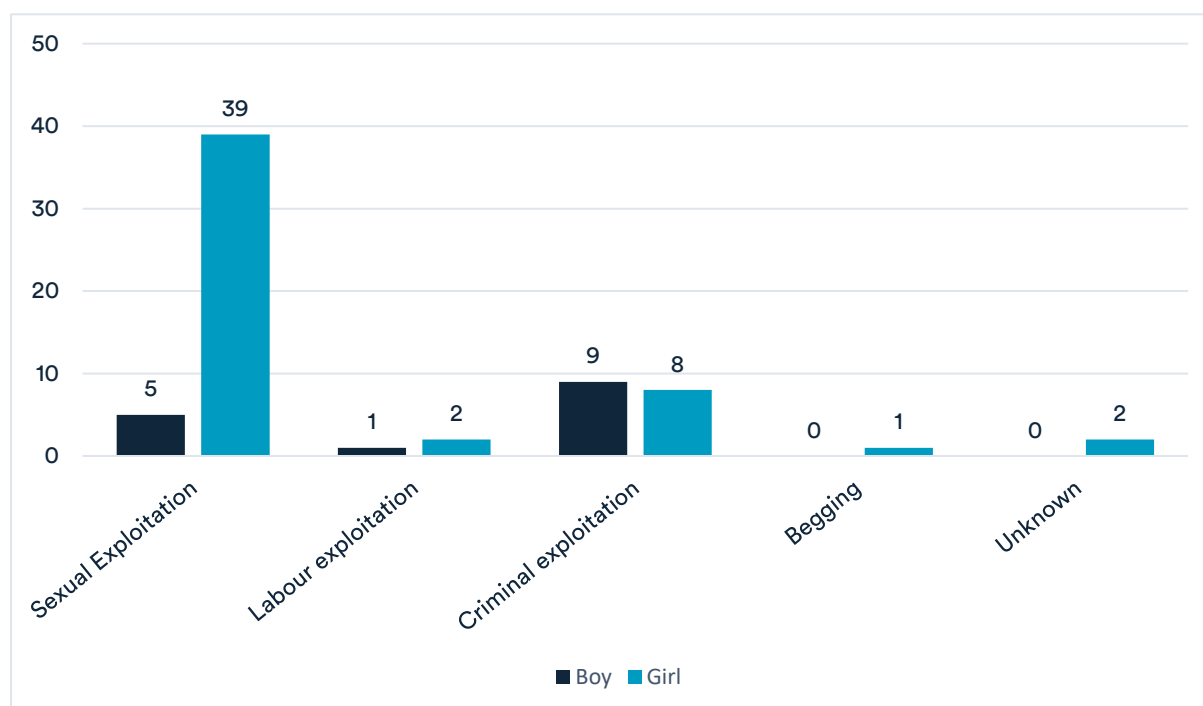
Table 3: Reported cases of child sexual offences or incidences³

	2012	2013	2014	2015	2016	2017	2018	2019	2020
Child victims of human trafficking	223	260	283	292	248	195	62	109	67
Reported indecent images of children	19,872	23,278	28,960	63,056	100,478	154,897	224,173	308,430	742,022
Reported cases of online child sexual abuse	640	750	1,331	1,552	1,869	1,709	1,616	2,401	6,318
Reported cases of child sex tourism	36	22	13	43	33	17	48	36	20

In 2020, 1,013 people were referred to CoMensha (National Coordination Centre for Human Trafficking in the Netherlands) as potential victims of human trafficking (Defence for Children – ECPAT the Netherlands, 2020). Of these, 67 were children. Figure 1 below shows the exploitation types of child human trafficking in the Netherlands in 2020.

³ This data is reproduced from Defence for Children – ECPAT the Netherlands (2020).

Figure 1: Exploitation types of child human trafficking in the Netherlands, 2020⁴



As can be seen from Figure 1, sexual exploitation is the most common type of exploitation in child human trafficking in the Netherlands. This is followed by criminal exploitation of children. However, it should be noted that the figure for sexual exploitation is not further qualified in terms of whether the exploitation took place online or offline. Therefore, the number of victims of online child sexual exploitation remains unknown.

3.1. Law enforcement agencies

In the Netherlands, the investigation of OSEC crimes is carried out by the police units named Teams Combating Child Pornography and Child Sex Tourism (*Teams Bestrijding Kinderpornografie en Kindersekstoerisme* - TBKKs). The Directorate General Justice and Law Enforcement (*Directoraat-Generaal Rechtspleging en Rechtshandhaving*) stated that every police unit has a TBKK team working on child sexual abuse online and offline (Directoraat-Generaal Rechtspleging en Rechtshandhaving, 2022). In recent years, more police officers have been recruited in TBKK units to increase their capacity, totalling 152 officers in 2022. Further, TBKK units are closely working with other specialised units within the police such as High-tech Crime Units and Digital Investigation Units (*de Teams High Tech Crime en de teams digitale opsporing*) to improve investigative techniques in dealing with OSEC crimes (ibid).

The police in the Netherlands also appoint liaison officers in other countries, including the Philippines, to better collaborate with foreign law enforcement agencies (ECPAT, 2016). These liaison officers act as a national and international point of contact. Since 2014, Dutch police have been collaborating with Filipino law enforcement agencies to combat online child sexual abuse. Liaison officers operating in the Philippines have contributed to the successful investigation and prosecution of OSEC crimes, and the rescue of child victims (POLITIE, 2021).

⁴ This data is reproduced from Defence for Children – ECPAT the Netherlands (2020).

Directorate General Justice and Law Enforcement stated that liaison officers make ‘a flexible and dynamic international information exchange possible’ and ensure ‘an effective approach to current criminal investigations that is in line with the culture and authorities of the focus countries and with other authorities and private parties that are committed to combating child sexual abuse there’ (Directoraat-Generaal Rechtspleging en Rechtshandhaving, 2022).

Since October 2021, the Dutch police have been using liaison officers in the Philippines and participating in the international partnership of the Philippine Internet Crimes Against Children Center (PICACC) (IJM, 2021). The aim of PICACC is to tackle live streamed child sexual abuse in the Philippines (Australian Federal Police, 2020). Given that the Netherlands is one of the demand countries for live streamed child sexual abuse, Directorate General Justice and Law Enforcement decided to appoint extra liaison officers in the Philippines (Defence for Children – ECPAT the Netherlands, 2020).

In practice, liaison officers helped both Dutch and Filipino law enforcement to conduct effective investigations into OSEC crimes. For example, in 2018, a Dutch liaison officer working in the Philippines provided intelligence to the Filipino authorities to initiate an investigation against a 34-year-old suspect who was abusing two girls aged eight and eleven (NL Times, 2018).

Dutch law allows for extraterritorial jurisdiction for police and prosecutors to investigate and prosecute Dutch nationals and foreign nationals with permanent residence or residence in the Netherlands for child sexual offences committed abroad. According to the Rules of Implementation, the Public Prosecution Service of the Netherlands can initiate a criminal investigation for the crimes under Articles 240b and 248e:

- If the offense was committed in the Netherlands;
- If the act was committed by a Dutch national abroad;
- If the offense was committed by a foreign national abroad who has a permanent place of residence in the Netherlands or who has acquired a permanent place of residence in the Netherlands after the commission of the act; or
- If the offense was committed abroad against Dutch nationals or persons who have a permanent place of residence in the Netherlands (Rules of Implementation, n.d.).

Extra-territorial jurisdiction enables offenders from the Netherlands to be prosecuted and convicted for OSEC crimes when child abuse is carried out abroad. Further, the Dutch legal system has mechanisms in place for international cooperation in criminal matters. For example, the National International Legal Assistance Center and the Department of International Legal Assistance in Criminal Matters allow Dutch law enforcement agencies to make international legal assistance requests to ask other countries for assistance in criminal investigation and prosecution of criminal offences (Openbaar Ministerie, n.d.).

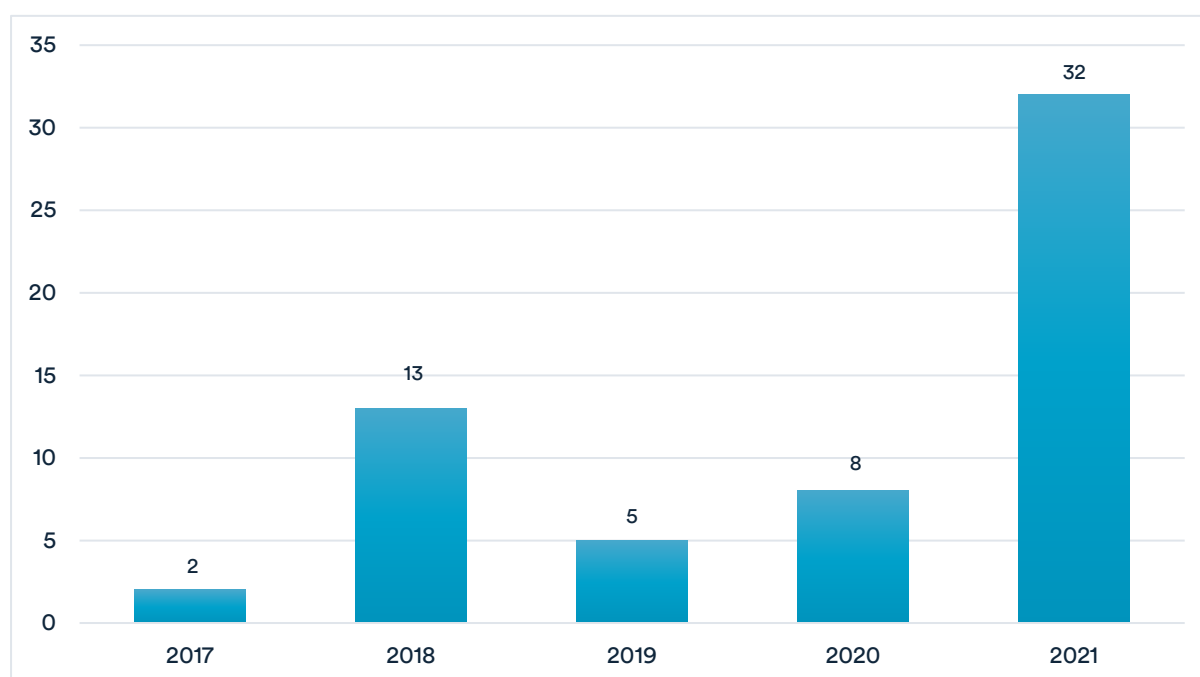
3.2. Investigation of financial transactions in OSEC cases

Prosecuted cases in the Netherlands show that offenders pay for online child sexual abuse carried out by facilitators in the Philippines. Payments for OSEC crimes in the Netherlands were recorded as early as 2011. For example, an offender aged 37 was found to have used his credit card in 2011 to make payments for live streamed child sexual abuse in the Philippines (AT5 News, 2011). Another case showed that in 2012, an offender from the Netherlands communicated with facilitators in the Philippines over Skype. The offender transferred ₱2,179.69 PHP (equivalent to €41.69) to buy online child sexual abuse materials (Netherlands – Case No. 6).

Financial flows involved in OSEC cases can be investigated under the Anti-Money Laundering and Anti-Terrorist Financing Act (*Wet ter voorkoming van witwassen en financieren van terrorisme*). This legislation requires the private sector—including banks, accountants, lawyers, and tax consultants—to report unusual transactions to the Financial Intelligence Units (FIUs) (Coster van Voorhout, 2020). The Netherlands' FIU operates as an independent body within the National Police and is responsible for receiving and analysing unusual transactions reports.⁵ Where unusual transactions are determined as 'suspicious' by the FIUs, they are then classified as 'suspicious transactions' and reported to special investigation, intelligence, or security services. Suspicious transactions are important because they can be used to initiate an investigation or be part of the evidence in a criminal case (Financial Intelligence Unit – the Netherlands, 2021, p. 8).

Working on suspicious transactions, the Netherlands' FIUs create case files where there is a coherent body of information to provide sufficient reason for money laundering structures, criminal or terrorist networks, terrorist financing, or other criminal activities such as exploitation (Financial Intelligence Unit – the Netherlands, 2020). A case file may contain only one transaction, but it could just as well be thousands. Figure 2 below shows the number of case files linked to child pornography between 2017 and 2021.

Figure 2: Number of case files linked to child pornography⁶



In 2021, the Netherlands' FIUs created a total of 32 case files consisting of suspicious transactions associated with child pornography (Financial Intelligence Unit – the Netherlands, 2021, p. 11). These 32 case files contained a total of 1,021 suspicious transactions linked to child pornography. However, it is unknown how many of them were specifically associated with OSEC or linked to overseas accounts.

⁵ Other jurisdictions use slightly different terms such as 'suspicious transaction reports'.

⁶ (Financial Intelligence Unit – the Netherlands, 2020); (Financial Intelligence Unit – the Netherlands, 2021).

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Annex I: Summary of Prosecuted OSEC Cases in the Netherlands

Netherlands Case #1	Summary	The offender distributed thousands of photos and videos of child abuse through his website (Dark Scandals, operating since 2012). He forced dozens of girls under the age of 16 to penetrate themselves and recorded them. The offender was only accepting cryptocurrencies. He received payments of around 200 euros for each download, for a total of approximately 115.000 euros. The case was investigated by the US, with the assistance of the Dutch and German National Police.
	Offender Characteristics	Male, 32
	Year of Offence	2012-2020
	Year of Sentencing	2022
	Payment (Method/Total)	Cryptocurrencies worth up to €115.000 PayPal (until 2013), then cryptocurrencies (Bitcoin, Ethereum)
	Communication Platform	Dark Scandals website
	Court	US Federal Grand Jury, District of Columbia
	Laws	US Law 18 U.S.C. § 225(a)(2), 1465, 1466, 1956(a)(2)(A)
	Charges/Convictions	Indictments, including: <ul style="list-style-type: none"> • Distribution of child pornography • Production and transportation of obscene matters for sale or distribution • Engaging in the business of selling or transferring obscene matter • Laundering of monetary instruments
	Sentencing	8 years in prison
	Source	<ul style="list-style-type: none"> • US Immigration and Customs Enforcement: https://www.ice.gov/news/releases/dutch-national-charged-takedown-obscene-website-selling-over-2000-real-rape-and-child • US District of Columbia Court: https://www.justice.gov/usao-dc/press-release/file/1257641/download • Reuters: https://www.reuters.com/investigates/special-report/fintech-crypto-abuse/ • The Daily Swig: https://www.reuters.com/investigates/special-report/fintech-crypto-abuse/ • Block Chain News: https://blockchain.news/PostAMP?id=mr-darks-depraved-rape-and-child-porn-site-brought-down-by-blockchain-analysis
Netherlands Case #2	Summary	The parents of an eight-year-old girl offered her for sex on the Internet in exchange for a payment to a 32-year-old man. Dozens of photos were exchanged by email. The parents were also negotiating the price the 32-year-old man should paid.
	Offender Characteristics	Male, 32
	Year of Offence	2011
	Year of Sentencing	2012
	Payment (Method/Total)	Payment not finalized.
	Communication Platform	Email
	Court	Unknown
	Laws	Unknown
	Charges/Convictions	Unknown
	Sentencing	Unknown
	Source	<ul style="list-style-type: none"> • AD News: https://www.ad.nl/binnenland/ouders-bieden-dochter-van-8-aan-voor-seks~a24cf382/?referrer=https%3A%2F%2Fwww.google.com%2F • RTL Nieuws: https://www.rtlnieuws.nl/nieuws/artikel/2962606/vader-gestraft-om-aanbieden-dochter-voor-seks • Het Parool:

		<p>https://www.parool.nl/nieuws/celstraf-voor-vader-om-aanbieden-dochter-voor-seks~bf0ab2f5/?referrer=https%3A%2F%2Fwww.google.com%2F</p> <ul style="list-style-type: none"> • NU NI: https://www.nu.nl/binnenland/2535759/ouders-bieden-8-jarige-dochter-seks.html • Vrouwblog: https://www.vrouwblog.nl/ouders-bieden-8-jarige-dochter-voor-seks/
Netherlands Case #3	Summary	A man confessed he has seriously abused 87 young children, recorded the abuses on photo and videos, and shared the files via the internet. He paid for the films via PayPal and watched child sexual abuse live via a webcam from the Netherlands. He also paid a woman in the Philippines to sexually abuse two children under the age of four years. The offence allegedly took place during a chat session in which the suspect was able to watch the two children via the webcam. He also physically abused a child (in the Netherlands) less than a year-old in exchange of 50 euros. He was also found possessing and distributing child pornography. The arrest of the man occurred after the footage of one of his victims turned up in a US investigation into child pornography. His partner (27-year-old) was convicted for complicity and possession of pornography.
	Offender Characteristics	Male, 41, recidivist Male, 27
	Year of Offence	2010
	Year of Sentencing	2012
	Payment (Method/Total)	PayPal
	Communication Platform	Unknown
	Court	Court of Amsterdam
	Laws	Dutch Criminal Code
	Charges/Convictions	<ul style="list-style-type: none"> • Production, possession, and distribution of child pornography • Commission of sexual acts with minors
	Sentencing	18 years in prison and TBS with compulsory treatment (male, 41) 6 years in prison (male, 27)
Source	<ul style="list-style-type: none"> • Ad News: https://www.ad.nl/binnenland/robert-m-en-richard-van-o-krijgen-vonnis-te-horen~a18806e3/ • NU NI: https://www.nu.nl/binnenland/3602543/richard-van-o-wil-scheiden-van-robert-m.html • RTL Nieuws: https://www.rtlnieuws.nl/nieuws/artikel/2941836/rechtbank-gaat-verder-met-amsterdamse-zedenzaak 	
Netherlands Case #4	Summary	A man and his roommate watched the abuse of two Filipino young children live from the Netherlands, after making a payment with their credit card. Two women involved in the facilitation of the sexual abuse of the two children were tracked down by the police of the Philippines. They were also found in possession of child pornography. The 37-years old also abused ten-month-old baby after the payment of 50 euros.
	Offender Characteristics	Male, 37 Male, 32
	Year of Offence	2011
	Year of Sentencing	2012
	Payment (Method/Total)	50 euros in one case Credit Card
	Communication Platform	Unknown
	Court	Court of Amsterdam
	Laws	Dutch Criminal Code
	Charges/Convictions	<ul style="list-style-type: none"> • Commission of sexual acts with minors (male, 37) • Possession and distribution of child pornography
Sentencing	<ul style="list-style-type: none"> • 3.5 years (male, 37) • 9 months (male, 32) 	

	Source	<ul style="list-style-type: none"> • AT5 News: https://www.at5.nl/artikelen/73167/filipijnse-vrouwen-zedenzaak-opgepakt • AD Nieuws: https://www.ad.nl/binnenland/rechtszaak-flovin-o-deels-vertraagd~a97b564f/; https://www.ad.nl/binnenland/twee-amstelveners-in-zedenzaak-naar-rechter~a06f911b/ • De Volkskrant: https://www.volkskrant.nl/nieuws-achtergrond/kinderporno-van-ergste-soort~b7d12798/?referrer=https%3A%2F%2Fwww.google.com%2F
Netherlands Case #5	Summary	A man was abusing children in the Philippines live via webcam for about ten years. Children had to perform sexual acts on themselves in front of a camera. Child pornography material was also found on the man's computer. The man has also smuggled child pornographic material into the detention centre on a USB stick.
	Offender Characteristics	Male, 72
	Year of Offence	2013-2018
	Year of Sentencing	2018
	Payment (Method/Total)	Unknown
	Communication Platform	Unknown
	Court	Court of Rotterdam
	Laws	Dutch Criminal Code
	Charges/Convictions	<ul style="list-style-type: none"> • Sexual abuse of children via webcam • Production and possession of child pornography
	Sentencing	Unknown
	Source	<ul style="list-style-type: none"> • NU: https://www.nu.nl/binnenland/5248601/nederlander-72-misbruikte-kinderen-filipijnen-via-webcam.html • RTL Nieuws: https://www.rtlnieuws.nl/nieuws/nederland/artikel/4308306/verdachte-misbruik-had-usb-stick-met-kinderporno-cel; https://www.rtlnieuws.nl/nieuws/nederland/artikel/4170796/72-jarige-gaat-ruim-tien-jaar-zijn-gang-met-jonge-kinderen
Netherlands Case #6	Summary	A Dutch man living in Thailand sexually abused and photographed indecently several children in the Philippines and in Thailand, taking advantage of the extreme poverty in which, his victims and their families lived and making promises of taking care of their families. The man was checked by customs at Schiphol because he was internationally recognised as a child abuser.
	Offender Characteristics	Male, 77, recidivist, living in Thailand
	Year of Offence	2012-2015
	Year of Sentencing	2018
	Payment (Method/Total)	Small amount of money in each case
	Communication Platform	Unknown
	Court	Court of Overijssel
	Laws	Dutch Criminal Code, Articles 240ter; 247 and 254 bis
	Charges/Convictions	<ul style="list-style-type: none"> • Sexual abuse of children • Production and possession of child pornography • Importing animal pornography
	Sentencing	<ul style="list-style-type: none"> • 4 years in prison (2 years suspended); 2000 euros compensation to each victim
	Source	<ul style="list-style-type: none"> • De Rechtspraak: https://uitspraken.rechtspraak.nl/#!/details?id=ECLI:NL:RBOVE:2018:4217 • Defence for Children: https://www.defenceforchildren.nl/actueel/nieuws/seksuele-uitbuiting/2018/nederlander-voor-de-rechter-vanwege-kindermisbruik-in-de-filipijnen-en-thailand/

		<ul style="list-style-type: none"> Het Parool: https://www.parool.nl/nieuws/amsterdammer-77-krijgt-celstraf-voor-misbruik-thaise-kinderen~b9b092bd/ Nh Nieuws: https://www.nhnieuws.nl/nieuws/234447/amsterdammer-77-krijgt-vier-jaar-cel-voor-misbruik-vier-thaise-kinderen NOS Nieuws: https://nos.nl/artikel/2258180-amsterdammer-77-cel-in-voor-maken-kinderporno-met-thaise-meisjes
Netherlands Case #7	Summary	A 49-years-old Dutch man was identified as paying to sexually abuse children online. A Filipino man, uncle of one of the girls, was offering two young girls to people around the world (the Netherlands, New Zealand, Canada, UK, Germany, Australia, and Scandinavia) for online sexual abuse. An investigation conducted since 2016 by the Dutch police enabled to identify the person who offered the girls online and helped the police in the Philippines to arrest the man in 2018.
	Offender Characteristics	Male, 49
	Year of Offence	2016
	Year of Sentencing	Unknown
	Payment (Method/Total)	Unknown
	Communication Platform	Unknown
	Court	Court of Rotterdam
	Laws	Dutch Criminal Code
	Charges/Convictions	<ul style="list-style-type: none"> Abuse of children online Possess of child pornography
	Sentencing	Unknown
	Source	<ul style="list-style-type: none"> NL Times: https://nltimes.nl/2018/12/13/dutch-investigation-helped-identify-two-child-sex-abuse-victims-philippines RTL Nieuws: https://www.rtlnieuws.nl/nieuws/artikel/4515171/meisjes-cyberseks-filipijnen-nederlandse-politie AD Nieuws: https://www.ad.nl/buitenland/filipijnse-slachtoffertjes-kinderporno-gered-door-tip-uit-nederland~afe1d839/
Netherlands Case #8	Summary	Two men were involved in child sexual abuse through a webcam. They were arrested at Schipol Airport, about to leave for Thailand, on suspicious of involvement in child pornography and child sex tourism. The investigation also focused on the possible abuse of children by the suspects in Southeast Asia and the Gambia. During the search of their home, large amounts of child pornography were also seized.
	Offender Characteristics	Male, 57 Male, 59
	Year of Offence	2017
	Year of Sentencing	2019
	Payment (Method/Total)	Dozens of payments of thousands of euros over a period of seven years.
	Communication Platform	Unknown
	Court	Court of Rotterdam
	Laws	Dutch Criminal Code
	Charges/Convictions	<ul style="list-style-type: none"> Child sexual abuse via a live stream Child sex tourism Production and possession of child pornography
	Sentencing	<ul style="list-style-type: none"> Two years in prison
	Source	<ul style="list-style-type: none"> PZC: https://www.pzc.nl/nieuws/twee-mannen-gepakt-om-livestreams-kinderporno~abcb9f26/

		<ul style="list-style-type: none"> Openbaar Ministerie: https://www.om.nl/actueel/nieuws/2016/05/20/twee-mannen-aangehouden-vanwege-livestreams-kinderporno NH Nieuws: https://www.nhnieuws.nl/nieuws/243833/twee-mannen-veroordeeld-voor-kindermisbruik-via-webcam
Netherlands Case #9	Summary	A man abused two young boys in Thailand in 2012 and watched the abuse of several young boys in the Philippines and Germany via Webcam. The man paid at least once for such a film, in which a boy in the Philippines was abused and actions were performed at his request. He also made and distributed child pornography himself. The victims were in the Philippines in the home of a cybersex organization.
	Offender Characteristics	Male, 43
	Year of Offence	2016
	Year of Sentencing	2017
	Payment (Method/Total)	Unknown
	Communication Platform	Unknown
	Court	Court of Amsterdam
	Laws	Dutch Criminal Code
	Charges/Convictions	<ul style="list-style-type: none"> Sexual child abuse in person and via webcam Possession, production and distribution of child pornography
	Sentencing	<ul style="list-style-type: none"> 4 years in prison (two suspended) 500 euros compensation to each victim for abusing children and making and distributing child pornography. Reporting and treatment obligation. Obligation to submit computer to regular checks. Prohibition to work with minors.
Source	<ul style="list-style-type: none"> Parool: https://www.parool.nl/nieuws/amsterdammer-krijgt-4-jaar-cel-voor-misbruik-en-kinderporno~bd5336ea/ Amstelveenz; https://www.amstelveenz.nl/nieuws/amstelvener-43-verdacht-van-bezit-en-verspreiding-kinderporno.html 	
Netherlands Case #10	Summary	A Dutch man persuaded several young girls and five gay men to pose naked online and perform sexual acts before a webcam, before blackmailing them. The man faces a separate trial (in Canada) about the cyberbullying of Amanda Todd, a 15-year-old girl who committed suicide in 2012.
	Offender Characteristics	Male, 38
	Year of Offence	Unknown
	Year of Sentencing	2017
	Payment (Method/Total)	Unknown
	Communication Platform	Unknown
	Court	Court of Amsterdam
	Laws	Dutch Criminal Code
	Charges/Convictions	72 charges, including: <ul style="list-style-type: none"> Making and possessing child pornography Sexual abuse of children via webcam Internet fraud Extortion Blackmail Hard drug possession
Sentencing	<ul style="list-style-type: none"> 10 years and 243 days in prison 	

	Source	<ul style="list-style-type: none"> • Daily Mail: https://www.dailymail.co.uk/news/article-4156372/Dutchman-accused-global-cyber-bullying-racket.html • TheGuardian: https://www.theguardian.com/world/2017/mar/16/aydin-c-netherlands-webcam-sex-acts-blackmail-amanda-todd • CBC News: https://www.cbc.ca/news/canada/british-columbia/aydin-coban-sentenced-netherlands-online-fraud-blackmail-1.4027359 • News24: https://www.news24.com/news24/dutch-court-upholds-maximum-sentence-for-cyberbully-20181214 • Reuters: https://www.reuters.com/article/us-netherlands-cyber-bullying-idINKBN16N29I
Netherlands Case #11	Summary	A man seduced several teenage girls in the Netherlands and Belgium to commit sexual acts in front of the webcam and arranged a number of physical encounters with them. The man was found in his car with a 12-year-old girl from the province of Groningen. The detectives then found 26,000 videos, 144,000 photos and an enormous amount of chat conversations.
	Offender Characteristics	Male, 39
	Year of Offence	2011-2013
	Year of Sentencing	2014
	Payment (Method/Total)	Unknown
	Communication Platform	Unknown
	Court	Court in Assen
	Laws	Dutch Criminal Code
	Charges/Convictions	Charges, including: <ul style="list-style-type: none"> • Rape • Fornication • Grooming • Possession and production of child pornography • Abuse of the integrity of underage girls • Violation of healthy sexual development
Sentencing	<ul style="list-style-type: none"> • 6 years in prison • TBS compulsory treatment • A total of 40,000 euros as compensation. 	
Source	<ul style="list-style-type: none"> • RTV Nooer: https://www.rtvnoord.nl/nieuws/135958/zes-jaar-en-tbs-met-dwangverpleging-voor-frank-r • NU NI: https://www.nu.nl/groningen/3781766/frank-r-had-verregaand-seksueel-contact-met-slachtoffers.html • Omroep Brabant: https://www.omroepbrabant.nl/nieuws/1831164/frank-r-uit-cuijk-verdacht-van-meer-zedendelicten • AD Nieuws: https://www.ad.nl/binnenland/frankennbsp-r-ennbsp-konennbsp-8-jaar-als-roofdier-op-meisjes-jagen~a166931b/#:~:text=Als%20ervaren%20zedenrechercheurs%20geen%20fout,veroordeeld%20voor%20dreigen%20met%20verkrachting. • L1mburg: https://l1.nl/frank-r-had-seks-met-minderjarige-in-roermonds-hotel-23312 	

Netherlands Case #12	Summary	A man abused around 400 children via webcam. He would also have threatened to put images on the internet or to pass them on to acquaintances of the child, such as classmates or family. He was also accused of possessing and distributing child pornography.
	Offender Characteristics	Male, 40
	Year of Offence	2013
	Year of Sentencing	2014
	Payment (Method/Total)	Unknown
	Communication Platform	Unknown
	Court	Court of Amsterdam
	Laws	Dutch Criminal Code
	Charges/Convictions	<ul style="list-style-type: none"> Abuse of hundreds of children via webcam. Possessing and distributing child pornography.
	Sentencing	<ul style="list-style-type: none"> 12 years in prison - 3 year extended on license.
Source	<ul style="list-style-type: none"> RTL Nieuws: https://www.rtlnieuws.nl/nieuws/nederland/artikel/2145041/man-vast-voor-misbruik-400-kinderen-webcam NOS: https://nos.nl/artikel/595707-honderden-kinderen-misbruikt-via-webcam NU NI: https://www.nu.nl/binnenland/3800447/ruim-300-kinderen-beeld-in-webcamzaak.html Het Parool: https://www.parool.nl/nieuws/verdachte-in-misbruikzaak-wil-behandeling~bc035905/ BN DeStem: https://www.bndestem.nl/overig/man-verdacht-van-misbruik-400-kinderen-via-webcam~a5532338/ 	
Netherlands Case #13	Summary	A man allegedly forced a sex show for an amount of 29 euros in which underage Filipino girls had to perform various sexual acts online. He also had a collection of child pornography on his computer.
	Offender Characteristics	Male, 46
	Year of Offence	2015-2016
	Year of Sentencing	2020
	Payment (Method/Total)	29 euros for one online show
	Communication Platform	Unknown
	Court	Court of Overijssel
	Laws	Dutch Criminal Code
	Charges/Convictions	<ul style="list-style-type: none"> Commission of sexual acts with minor (Article 248) Possession of child pornography (Article 240b)
	Sentencing	<ul style="list-style-type: none"> 18 months and 3 days in prison (suspended) 240 hours community service.
Source	<ul style="list-style-type: none"> RTVA: https://rtva.nl/2020/03/voorwaardelijke-straf-voor-46-jarige-amstelveense-pedoseksueel/ De Rechtspraak: https://uitspraken.rechtspraak.nl/#!/details?id=ECLI:NL:RBOVE:2020:1249 	







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