Chapter 2: Victims of loverboys

In this chapter, we shall take an in-depth look at the problem of loverboy victims who are exploited in Belgium. Loverboys recruit their victims through seduction. They sometimes use it to keep victims they already have recruited under control, and even to encourage them to commit criminal acts. In Belgium, loverboys are still primarily active in the prostitution sector, but they are currently also found in other sectors[130]*.*

We shall deal (will treat three aspects?) with three aspects. We shall begin by providing an overview of the phenomenon of victims of loverboys in Belgium based on examples of case studies and literature. In the second part, we shall review several key points such as the importance of adapting the law relating to human trafficking, the specific needs of this vulnerable group of victims and the problems that exist in terms of detection. For this purpose, we shall refer above all to the literature and experiences in the Netherlands regarding the management of the phenomenon, as well as interviews with judges and specialised centres. In the last part, we shall examine in greater depth the principle of non-punishment of the victims of loverboys. For this purpose, we shall refer to the *Trafficking and Smuggling in Human Beings, Annual Report 2012*[131] and case studies.

1. Overview of the phenomenon of victims of loverboys

The victims of loverboys are generally recruited in their country of origin and then brought to Belgium, with or without prior transit. They are essentially girls who are subsequently sexually exploited here. Another possibility consists of loverboys recruiting and exploiting the victims in Belgium itself. In this case, the victims are usually of Belgian nationality. But they can also be girls staying in Belgium legally or illegally. These are the two basic profiles of loverboys. They are similar in many ways but there are a number of differences (all the same).

1.1. Recruitment in the country of origin

The loverboy starts a relationship with the victim in the latter's country of origin. This happens above all in Romania, Bulgaria, Albania[132] and Nigeria. The initial contact between the loverboy and the victim occurs in different ways, but the victims targeted are always vulnerable young girls, with low self-esteem[133].

Social networks such as Facebook[134] are among the means used by loverboys to make contact. During chat sessions, they pay a lot of attention to the young girls and raise their self-esteem so that they fall madly in love with them.

In other cases, the loverboy and the victim have known each other for years because they belong to the same community, such as the Roma. The family plays a major role because they consider this as a good opportunity to ensure the economic future of their daughter.

In the Hungarian case, which will be dealt with in more detail in this annual report[135], we found that several young girls were recruited in youth institutions. During the period of seduction, the loverboy also behaves as a father or mother figure by offering his support and protection. Many of these victims a re of Roma origin and have been left to their fate by

[130] National Rapporteur on human trafficking (2009), *The seventh report of the National Rapporteur on Trafficking in Human Beings*, The Hague: BNRM, October 2009.
[131] Trafficking and Smuggling in Human Beings, Annual Report 2012, *Building Trust*, pp. 9-40.
[132] See also part 2, Chapter 4 (overview of case law), point 1.1. (Albanian loverboy).
[133] See also part 1, external contribution "La méthode du *loverboy* en Roumanie".
[134] Human Trafficking, Annual Report 2013, *Building Bridges*, p. 64.
[135] See part 2, Chapter 2, point 1.1.1.

the Hungarian authorities. The first contact takes place in the immediate surroundings of this type of youth institution, where loverboys knowingly hang out in order to establish initial contact with young girls who are nearly 18 years old and quickly will have to leave the institution. They give their victims the necessary attention and feeling of security so that they feel protected.

Passing through a transit country and sold as sex slaves

In this Romanian case , minors were contacted and recruited via Facebook.

One victim stated that she had had a relationship with a certain A. in Romania in April 2011 and that she had gone to Portugal with him to work in the agricultural sector. She was 16 years old at the time. In Portugal, one of A's friends convinced her to come and work as a waitress in a café to earn more money. The victim accepted and she was taken to a bar. There, she was forced to accept sexual relations with customers. In the beginning, she refused, but she was threatened with a weapon and beaten.

It turned out that A's friend had bought her for EUR 3,000 and that she had to pay back this sum. In March 2012, the victim was brought to Belgium and placed in a bar in Saint-Trond. If the girls refused to cooperate, they were intimidated and beaten. They also had to accept to have sexual relations without contraceptives, because unprotected sex paid more. This led to venereal diseases and forced abortions.

After having created a sufficient emotional tie with the victim through the pseudo romantic relationship, the loverboy takes her abroad with him, in search of a respectable job. Sometimes, they come directly to Belgium, but in several cases, they firstly go via a transit country , where the young girl is forced to prostitute herself for the first time. Portugal and Italy are often mentioned as transit countries in the cases[136]. The victims are brutally confronted with the truth of the matter. In some cases, they are even sold by their loverboy, thus bringing their pseudo romantic relationship to an end.

Many victims remain under the yoke of their loverboy, who continues to exploit them in Belgium. Victims who have transited through another country before coming to Belgium have already been subjected to the necessary experience in terms of prostitution. Some girls start taking drugs so they can work "better" or block out their pain and disgust.

In Belgium, the loverboys assure their victim that they are the love of their life. The victims think that they have to give all their earnings to their beloved. Some loverboys try to seal the emotional bond by having a child with them, often with several girls at the same time (see the Hungarian loverboy box). Several victims are also forced to have an abortion. Loverboys also use a technique aimed at further strengthening the bond with the girls by treating them nicely on one occasion, and badly the next, in order to optimise their earnings from prostitution and reinforce their loyalty. They are quite prepared to use violence to achieve this.

The relationship victims have with is often one of emotional dependency, they even come to hearings to morally support their "boyfriend".

Despite this behaviour, the majority of victims don't hold this violence against their loverboy. On the other hand, they aren't prepared to forgive his infidelity. The victims often continue to consider the loverboy as their romantic partner and even come to hearings to morally support their "boyfriend". This proves that the relationship victims have with their loverboy is often one of emotional

[136] Trafficking and Smuggling in Human Beings, Annual Report 2012, *Building trust*, pp. 51-53; see hereafter the external contribution: "La méthode du *loverboy* en Roumanie".

dependency: they aren't aware that they are victims and continue to regularly protect their pimp[137].

The love of some victims is so blind that they are even prepared to commit criminal offences to retain the favour of their loverboy, such as acting as a bottom girl to collect the money earned from prostitution by their colleagues for the loverboy (see box devoted to the Hungarian loverboy).

The Hungarian loverboy and his manipulation techniques

The Hungarian case, also dealt with in greater detail in this report, is a good illustration of the manipulation techniques employed by loverboys. The victims are seduced and recruited in Hungary and, once in Belgium, their loverboy forces them to prostitute themselves. During a tapped phone conversation, a Hungarian loverboy described how he emotionally manipulated young girls. At the same time, he was very violent with his victims . He already had three children with three different victims, and a fourth victim was pregnant by him.

During a conversation between the loverboy and the pregnant young girl, the latter said she wanted to keep the baby. He said she could keep the child as long as she stayed with him. But he told an associate a completely different story barely half an hour later: "There won't be a baby, but I made her believe it to encourage her to work". This is how the victim was manipulated to continue to prostitute herself, so he could calmly continue to benefit from it.

The situation then deteriorated and he threatened the young girl. He said that he would make her lose the child, which he did so by striking her in the stomach. A week earlier, she had told him she was pregnant by him. But after this attack, he said he was sure she hadn't been pregnant seeing as she wasn't bleeding.

He already had abused the victim. She had forbidden him to go and see his other woman. He had responded by striking her several times, causing concussion. At the time, the victim had taken photos of her face with her mobile phone, which clearly showed her face swollen as a result of the blows.

She returned to Hungary, not because she was angry with him for hitting her, but because she learnt from the other girls that he was constantly cheating on her.

When this loverboy appeared in court , the room was full of victims who, despite the acts of violence committed against them, had come to offer him moral support and were appalled that he was put on trial.

Criminal organisations also operate on an international level and also use the loverboy method with victims who are minors. Originally, these loverboys were mostly Albanian pimps, but nowadays, they can be found in organised Romanian, Bulgarian and Nigerian networks. Many of these criminal organisations are not only active in prostitution, but also in drug trafficking.

[137] Human Trafficking, Annual Report 2013, *Building bridges*, p. 34.

In a Bulgarian case[138], a defendant had a relationship with two underage victims who were forced into prostitution in different countries. His victims were intercepted in Belgium, Holland and Germany. One of them had fake identity papers, making her out to be an adult. In reality, she was only 17 years old. She also told the police that she was married to the defendant.

In another Bulgarian case[139], several victims, including minors, were recruited through seduction techniques. The loverboy had set up a whole criminal network with accomplices in Belgium and Bulgaria and he managed a financial institution in the coastal town of Varna, in Bulgaria, where he benefited from protection. He placed his money in land and real estate and owned a massage parlour in Varna. According to a victim in Bulgaria, the loverboy provided "services" to police officers, public prosecutors and judges. He organised sex parties in Varna, among other things. He had many contacts among the Bulgarian police, who alerted him whenever a police check was planned for his massage parlour.

In a wide-scale Nigerian prostitution case[140], the sons of the defendants served as loverboys to seduce young girls in Nigeria and then keep them under their control in Belgium. If necessary, they used physical violence against the victims if they didn't earn enough money.

Within Romanian Roma criminal groups, the loverboys are not only guilty of pimping and drug-related crimes, but also the exploitation of organised begging[141] and forcing victims to commit acts of theft. In a Romanian case concerning forced acts of theft and prostitution[142], the loverboy method was also used to recruit young Romanian girls in order to force them to prostitute themselves in Belgium. One victim was intercepted by the police and was granted the status of victim of human trafficking after having told her story (see box *Victim of a Romanian criminal organisation*).

Victim of a Romanian criminal organization

In the beginning, the victim of prostitution was detained with her "chaperone" as she was suspected of being a member of a criminal organisation guilty of acts of theft.

The young girl immediately declared herself a victim, who was forced to prostitute herself. She had no money on her and was scantily dressed. She was scared of her chaperone. According to her statements, she was abused, imprisoned and constantly watched by her chaperone. She had to sleep on the floor without any covers. All her earnings from prostitution were taken away from her. Both she and her family in Romania were the victims of threats.

During her hearing, the victim summarised the story of her life. She had been abused in the past, when she lived in a Romanian orphanage. She still bore the scars on her legs.

[138] Trafficking and Smuggling in Human Beings, Annual Report 2012, *Building Trust*, pp. 70-71 and 19; Liège Crim. Court, 26 September 2012, 8th ch., confirmed by Liège, 23 April 2013 (available at www.myria.be).

[139] Trafficking and Smuggling in Human Beings, Annual Report 2007, *Une politique publique vue par un rapporteur national*, pp. 84-88; Trafficking and Smuggling in Human Beings, Annual Report 2008, *Enlisting people and resources to combat the phenomenon*, p. 61; Brussels Crim. Court, 9 April 2008, 54the ch. and Brussels, 12 August 2008, 11th ch. (available at www.myria.be).

[140] Trafficking and Smuggling in Human Beings, Annual Report 2010, *Combating social fraud to prevent trafficking in human beings,* pp. 43-44 and 73; Turnhout Crim. Court, 17 November 2010, 13th ch. (available at www.myria.be).

[141] Trafficking and Smuggling in Human Beings, Annual Report 2006, *The victims under the spotlight*, pp. 32-33; [Court of Appeal] Brussels, 21 February 2007, 11th ch. (available at www.myria.be).

[142] Trafficking and Smuggling in Human Beings, Annual Report 2012, *Building trust*, pp. 59-62 and 79-80; Turnhout Crim. Court, 17 October 2012, 13th ch. and Antwerp, 24 January 2013, 14th ch. (available at www.myria.be).

The children at the orphanage stole food from each other to survive. At the age of seven, a family adopted her. She received a good education and was able to do a course. After her studies, she went to live alone in the town of Oradea. She worked as a cleaner. She fell in love with the main defendant's nephew and began a relationship with him. In the beginning, she considered him as her partner, but he turned out to be a loverboy. He asked her to come to Belgium with him and promised to find her a job in a clothes shop. He also presented her to the main defendant, who asked her to trust him and promised he would arrange everything for her in Belgium.

The victim accepted this offer. She left Romania by car and arrived in a café on the Sint-Jansplein in Antwerp. Here, she was presented to the son of the main defendant and his girlfriend, her future "chaperone".

The latter suggested she work in the sex industry, like her. She refused from the beginning and wanted to go to the police. However, her identity papers had been taken away from her and her boyfriend said she had to pay back the travel costs and car hire by working the streets close to a hotel used by prostitutes in Antwerp.She had to receive three to four customers a day. When she was suspected of keeping the money from a customer, she was beaten and pulled by her hair. Her loverboy, the main defendant's nephew, confirmed during the hearing that the young girl was humiliated and beaten, both by her chaperone and the main defendant's son (Junior). "I still remember Junior beating the girl one Sunday morning with a telephone and his fists".

1.2. Recruitment in Belgium

Several victims are seduced and begin a romantic relationship with the loverboy in Belgium. In general, the victims are Belgian, but the girls can also be of another nationality, staying in Belgium legally or illegally.

The victims are isolated young girls, with low self-esteem who find it difficult to cope (who have difficulties dealing with it). Their social origins are diverse and they are from (derive) all levels of society. These are emotionally fragile children who risk becoming completely isolated. Sometimes, they try to forget their problems by taking various drugs. In addition, most of them have family problems.

Belgian victims with psychological problems

In this case , a Belgian-Moroccan drug dealer sexually exploited several young Belgian girls. The victims were several young Belgian women in a precarious situation. They were forced to indulge in depraved and humiliating practices. The majority of victims had psychological or financial problems. One of them had already been traumatised in the past by acts of incest inflicted upon her between the age of 10 and 15 years old.

The case was opened on the basis of information gleaned from the drug scene. The defendant sold drugs to the young women and took advantage of their dependence and addiction. In exchange for drugs, the victims allowed themselves to be sexually exploited and abused. The acts generally took place at the defendant's home, but also in other people's home or in bars, sometimes on an individual basis but also as part of sex parties. Some of the victims maintained a relationship with the defendant.

The victim described in detail how her loverboy forced her to indulge in certain sexual practices such as anilingus, urophilia, coprophilia and threesomes with her sister. The court unequivocally stated in its judgement: “that "J" always wanted to test everything in the sexual relations he wanted to have with her, which consisted in particular of sodomy and urophilia, where sex and drugs were often combined; by urophilia we refer in particular to the fact that she had to lie down on the bed or in a bath, after which he urinated on her, or he urinated in a glass which she then had to drink, that on some days he wanted her to eat his faeces in exchange for a reward of “freebasing coke”, i.e. smoking cocaine; that he recuperated his faeces in the toilet and put them on a plate, which he then presented to the young girl on a table; that she was nevertheless incapable of doing so and that he had therefore added mayonnaise; that she had drunk a lot, especially wine and port, and that she was drunk”.

At first, the defendant provided drugs for free, but once she became addicted, she was forced to pay for them in kind. If she disobeyed, she was locked in a room. The defendant was violent towards her and the victim was in fact hospitalised with signs of battery and assault. However, she never filed a complaint. In fact, the defendant had her completely under his control. He used her bank card, took out three EUR 2,500 loans for which the victim had to act as guarantee every time.

The Antwerp Court of Appeal convicted him for human trafficking . The court subsequently didn’t take into account the “relationship” the defendant maintained with the victims for a time. Not so much because the sexual exploitation continued after the end of the “relationship”, but above all because one may wonder to what extent it was a real relationship given the manner in which he treated the women, whom he treated as sexual objects.

The loverboy method can be subdivided into four stages for the victims in Belgium[143]: recruitment, grooming, emotional dependency, exploitation.

During the recruitment stage, the loverboy makes the first contact via the internet[144] (social networks such as Facebook, websites for young people, chat boxes), at places where young people meet physically, such as playgrounds, cafés for young people or in the area around institutions for young people[145]. The loverboy makes contact with a potential victim and tries to impress them by showing them a nice car, talking to them and making compliments.

During the grooming stage, he pays the young girl a lot of attention. He listens to her and gives her nice gifts. He pretends to be in love with her and tries to get her to succumb to his charms. He gives her emotional security and tells her about the wonderful future they could have together. The loverboy knows exactly where her weak (spot) is and plays on this aspect very skilfully. Sometimes, the victims have run away from home and don’t know where to go. In some cafés, they are offered assistance and temporary shelter.

During the emotional dependency phase, the loverboy does everything he can to make the young girl fall madly in love with him so that she becomes totally dependent. The loverboy

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[143] *Aanpak loverboyproblematiek* (Approach to the loverboy problem), Dutch Centre for Crime Prevention and Safety, Utrecht 2012. This subdivision was confirmed in the analysis of the Belgian cases.

[144] To find out more about best practices in the police approach to loverboys via the internet, read the study *Loverboys zijn laffe boys, Beschrijvend onderzoek pilot loverboys* (Loverboys are cowards, a descriptive pilot study of loverboys), Police Rotterdam-Rijnmond, April 2012.

[145] Verwey-Jonker-instituut, *Loverboys en hun slachtoffers, inzicht in aard en omvang problematiek en in het aanbod aan hulpverlening en opvang* (Loverboys and their victims, an overview of the nature and extent of the problem and the offering in terms of assistance and care), Breda 2011; *Loverboyproblematiek, factsheet*, Expertisecentrum voor jeugd, samenleving en ontwikkeling (The loverboy problem, factsheet, Expert centre for youth, society and development), Gouda.

tries to isolate her from her social network and cut all family ties so that she depends on him not only emotionally, but also financially. He will gradually gain control over her and change his behaviour towards her, being aggressive one day, kind the other. He nearly always forces her to push back her limits and encourages her to take drugs, so that she also becomes addicted. He also encourages her to have sexual relations with his friends.

Emotional dependency

In a case in Liège , the defendant was seeking to recruit young Belgian girls in need, often without an income or a job. He would then pretend to start a romantic relationship with them (loverboy) to make them dependent both emotionally and financially. Ultimately, they would end up in the world of prostitution, where he monitored all their comings and goings. Gradually, the young girls would abandon their family and had to hand over their bank card and identity papers. They had to give him all their earnings from prostitution. Those who didn't earn enough money or didn't want to obey were beaten or threatened.

Once of the victims had spent all her life in care centres. She had been taken away from her alcoholic mother at birth and had been taken in by a foster family. She had never experienced the warmth of a home and left the foster family when she was 18 years old.

The exploitation phase begins when the victim is totally dependent. The loverboy makes them clearly understand that they have to work to pay back the costs and forces them into prostitution. He exercises psychological pressure over them by making them feel guilty. He claims to have problems and that they can help him by paying his debts for him "in kind". Sometimes, they have to pay back the costly price of the gifts they have received or the cost of their stay. The easiest solution is prostitution. And if that doesn't work, the loverboy uses violence and blackmail. The victim also has to reimburse the debts associated with her drug addiction by prostituting herself.

Belgian victim in conflict with her parents

This case involves a Belgian victim who met a young Turk at the age of 16 and started going out with him. In fact, he was a loverboy who had contacts in the drugs scene and managed to get her addicted. When her parents found out, she was forced to leave home and she moved in with him. The loverboy had money problems and forced her to prostitute herself, first with his friends, then with strangers. The charge was EUR 50 per customer. The victim didn't dare refuse because he would hit her. When she was 17 years old, he forced her to work in a bar where she had to offer her services. She sometimes earned between EUR 600 and 700 there. As soon as the bar manager gave her the money, she had to give it all to the loverboy. The money was used to buy drugs for her and her boyfriend. When she earned too little to buy her drugs, she had to prostitute herself to the dealers, who were friends of her Turkish pimp. She wasn't only used as a means of payment for the cocaine, she was also the victim of a gang rape in some woods in return for wiping off a debt. Sometimes, after buying drugs in Maastricht (Netherlands), she was left there by her loverboy to reimburse the debt in kind.

Loverboys also use their seduction techniques indirectly, by manipulation, through what are known as 'lovergirls'. Their status and their aura make some loverboys so attractive that some girls would do anything to please them.

The lovergirls are themselves victims of loverboys. They commit crimes to stay in their loverboy's good books (see point 3 for more details). They approach and recruit other girls

for their loverboy, for their consequent exploitation. To achieve this, they first form friendships, then attempt to win their trust. The lovergirl wants to play a leading role for her loverboy and go up in his esteem. This gives her prestige and confirms her relationship with her loverboy.

2. Focal points

2.1. Prosecution of loverboys acting individually

Legislative amendments in 2013[146] expanded the definition of human trafficking for the purposes of sexual exploitation. The purpose of sexual exploitation no longer makes reference to specific articles of the Criminal Code but is more generally aimed at the purpose of "exploitation of prostitution or other forms of sexual exploitation"[147]. Hence, the purpose of sexual exploitation now also covers the notion of sexual slavery. Several reasons persuaded the legislator to introduce this amendment. The objective of one of them was to put an end to a legal controversy. Difficulties arose in the field concerning the interpretation of the respective areas of application of the (former) Article 433*quinquies* of the Criminal Code[148] (human trafficking) and Article 380 of the Criminal Code (recruitment and exploitation of prostitution). According to certain case law, based on the explanatory memorandum of the Law of 10 August 2005[149], but contrary to the *ratio legis* of the law, there is only human trafficking if there is a network. For instance, this excluded loverboys acting alone from the scope of Article 433*quinquies*. The purpose of such an interpretation was to impose an extra condition and differentiate between other forms of exploitation. Henceforth, it should no longer be a problem to prosecute loverboys acting outside the framework of a network.

2.2. Vulnerable group, with specific needs

In the previous annual reports[150], Myria, as the Centre for Equal Opportunities and Opposition to Racism, already requested that greater attention should be paid to young girls of Belgian or foreign origin who were in a precarious social position and at greater risk of falling prey to loverboys. It emphasised the need for an adapted approach to this vulnerable group of minors in terms of detection and support.

In the abovementioned Romanian prostitution case (see box *Passing through a transit country and being sold as sex slaves*), the feeling of insecurity among underage victims when they turn 18, at a point where they risk falling into the abyss because they have to leave the centre for minors, is very clear (see box *What will happen when I'm 18?*). The centres for minors have already expressed their concerns over these failings several times. A judge even mentioned, during interviews, having the impression that centres for minors were somewhat forgotten and that they had no-one to go to to solve their problems.

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[146] See the Law of 29 April 2013 amending Article 433*quinquies* of the Criminal Code with a view to clarifying and extending the definition of human trafficking, *Belgian Official Gazette*, 23 July 2013.

[147] Article 433*quinquies* of the Criminal Code states: "The crime of human trafficking involves the recruitment, transportation, harbouring or receipt of persons, taking or transferring the control over that person:
1° for the purposes of the exploitation of prostitution or other forms of sexual exploitation
(...)".

[148] The difficulty lay in the use of the term "allow" in (former) Article 433 *quinquies*. This article was worded as follows: "The crime of human trafficking involves the recruitment, transportation, harbouring or receipt of persons, exchange or transfer of control over that person: 1° to allow the offences provided for in articles 379, 380, §1er and §4 and 383bis, §1 to be committed against this person".

[149] The Law of 15 August 2005 amending various provisions with a view to reinforcing the fight against the trafficking and smuggling of human beings and the practices of slumlords introduced Article 433*quinquies* in the Criminal Code.

[150] Trafficking in and Smuggling of Human Beings, Annual Report 2010, *Combating social fraud to prevent trafficking in human beings*, pp. 130-131.

What will happen when I'm 18?

In this Romanian case , an underage victim was taken in by a reception centre for minors. During her hearing with the police, she was assisted by her chaperone. But the victim first asked for specifications regarding her situation: "Before starting the hearing, I would like to point out that I am very frightened of the organisation of which I am a victim. I will soon turn 18 and I will no longer be able to stay in this establishment. You have told me that having the victim status means I that I will stay here until I am an adult. Afterwards, when I am 18, I will be monitored by another organisation that will offer me the same protection. Actually, I would like to live my life as I see fit when I become an adult. Please explain the procedure once again, what will happen to me afterwards. I understand your explanation and I shall continue to collaborate with you fully in this affair. I have also been told that assistance can be extended after I turn 18".

Furthermore, the victims of loverboys need a specific type of support, where someone is always permanently available to them. The victims often suffer from nightmares and also need to be able to talk during the night to restore their confidence. This is why these victims have a significant need for a family environment and a feeling of safety, which can help build their confidence. This requires considerable means, and this kind of availability can't be provided for the time being by centres specialising in the reception of victims of human trafficking. For loverboy victims, it is equally important to be able to share their experiences with people of the same age who have gone through the same thing. This way, they can regain confidence together.

We also observed that the victims of loverboys are sometimes knowingly drugged by their pimp to maintain their complete physical and psychological dependence. These victims, who have become addicted to drugs, need specialised support programmes. Among them are also several Belgian victims, for whom the conditions of support offered to those with the status of victim of human trafficking are less applicable[151] (see also the box earlier in the report on *Belgian victims with psychological problems*). The specialised centres aren't equipped to receive these groups of drug-addicted victims and subsequently work in collaboration with other help centres.

However, the victim assistance system could be refined and more focused on the specific needs of the different profiles of victim[152], such as the victims of loverboys. Hence, victim status doesn't pay enough attention to the specific problems of vulnerable and drug-addicted Belgian victims.

Schools and youth organisations also play a decisive role concerning these victims' needs[153]. School isn't the only place where young people meet. Social control, through one's circle of friends, can also act as a restraint, helping the person to see the situation for what it is or to strengthen the action. Hence, a young girl who belongs to a youth movement will normally be (more capable) to defend herself against the behaviour of loverboys, and the disapproval of her friends will more easily open the eyes of a young underage girl regarding the abusive seductive techniques of a loverboy. Payoke, the specialised victim reception centre, has

Schools and youth organisations also play a decisive role concerning these victims' needs

[151] Trafficking in and Smuggling of Human Beings, Annual Report 2011, *The money that matters*, pp. 88 and 116; Trafficking and Smuggling in Human Beings, Annual Report 2009, *An appearance of legality*, p. 36.

[152] Human Trafficking, Annual Report 2013, *Building bridges*, p. 77.

[153] Verwey-Jonker-instituut, *Loverboys en hun slachtoffers, inzicht in aard en omvang problematiek en in het aanbod aan hulpverlening en opvang* (Loverboys and their victims, an overview of the nature and the extent of the problem and the offering in terms of assistance and care), Breda, 2011.

received many questions from schools and published an informative magazine and a brochure in 2014 aimed at raising awareness in schools concerning the problem of loverboys and their victims, with the help of a check-list among other things. We should also mention that within the framework of the proposed national action plan 2015-2019[154], the federated entities are planning, in cooperation with the Office of the Interdepartmental Coordination Unit against the Smuggling and Trafficking of Human Beings, to organise initiatives to raise awareness among the general public. The school sector could therefore act as a base for the first initiatives. In its contribution, the Romanian National Rapporteur also mentions this type of prevention campaign in the education sector[155].

The Netherlands already has a great deal of expertise in the area, based on experiences in the field[156]. In 2011, a national action plan was elaborated on the approach to loverboys[157]. This is a joint publication compiled by the ministries of justice, education and well-being, among others. It also pays a great deal of attention to the information material aimed at schools.

The Dutch youth institute also drew up an action plan with several key points aimed at optimising support and treatment for victims of loverboys[158]. Above all, it is the cohesion between these key points which is important. The goal is to ensure the victim's physical and psychological safety; it goes without saying that the necessary acute medical care, such as trauma treatment, is a major element. Parents and the victim's social network must always be involved. The treatment aims to increase the victims' self-esteem. Resilience training can be organised for this purpose. An individualised analysis of the risks, needs and strong points must be carried out for each victim. Attention will be paid to her schooling and future life, including establishing healthy relationships.

Another key element: the treatment must be introduced in stages. "The first stage of the treatment involves a very clear structure, and confrontation with risks within the network is minimised or non-existent. It is essential to guarantee the person's safety at this point. During this stage, use of the internet, social networks and the phone is very restricted. When it is authorised, it is done under surveillance, to ensure the loverboy can't take advantage of any weak points. Contact with the network is gradually increased so that when the last stage is reached, the person has greater autonomy and more opportunities to exercise it. Contact with boys is also taken into account during the various stages. The question is knowing when the young girl is ready for this, and the answer is assessed on a case by case basis. If the treatment is given as outpatient care, the approach must involve very clear stages, with attention paid to safety, health, treatment and the gradual renewal of contact with people"[159].

In the Netherlands, a great deal of attention is paid to proper monitoring to prevent a young girl from falling victim to a loverboy again.

[154] The 2015-2019 action plan was adopted in July 2015 (on this subject, see Myria's website: www.myria.be).
[155] See hereafter, the external contribution "La méthode du *loverboy* en Roumanie".
[156] At the beginning of July 2015, proceedings were still ongoing in Maastricht (NL) against a loverboy and 21 customers including several elderly persons, concerning a 16-year-old girl who had been sexually abused in a hotel in Valkenburg. (De Standaard, 11/07/2015). The loverboy was sentenced to two years in prison without remission for human trafficking. The customers were sentenced for six months (three months suspended), five months (three months suspended), and ten sentences of one day in prison accompanied by 120 to 240 hours of community work (De Morgen, 24/07/2015).
[157] Ministerie van Veiligheid en Justitie, *Rijksbrede aanpak loverboyproblematiek*, Actieplan 2011 - 2014 (Ministry of Security and Justice, national approach to the problem of loverboys, action plan 2011-2014).
[158] "Hun verleden is niet hun toekomst", Actieplan Aanpak meisjesslachtoffers van *loverboys*/mensenhandel in de zorg voor jeugd, 2014, Nederlands Jeugdinstituut ("Their past is not their future", action plan concerning the approach to female victims of loverboys/human trafficking in youth care, Netherlands Youth Institute).
[159] *Ibid.*

Different initiatives exist to support young girls during and after their treatment: “For instance, there are 'maatjesprojecten' (literally “buddy projects”) and 'lotgenotengroepen' (victim support groups). In a “buddy project”, a young girl is provided with a friend who has been specially chosen for her. This friend can help the young girl to make a new start. For instance, the young girl can go the pictures with this friend, cook or go out for a walk round town. It is essential that young girl returns to a healthy social life. A victim support group offers victims (and parents of victims) a safe place where they can share their experiences with other young girls who have been subject to the same thing, and talk openly”[160].

2.3. Problem of detection within youth care environments and juvenile judges

In the previous annual report[161], we found that very few individual cases of underage victims of loverboys had been detected in Belgium. However, it emerges from the overview of the phenomenon that young underage girls are a vulnerable target group for loverboys. We are also faced with the problem of vulnerable Belgian victims who are not easily perceived as victims of human trafficking, a status generally attributed to victims of foreign origin.

Belgian victims are not easily perceived as victims of human trafficking

The local police’s youth offending teams have little knowledge of human trafficking indicators. As a result, they aren’t always inclined to consider minors who are the victims of vice as victims of human trafficking. Sometimes, these underage victims even risk being stigmatised as problem children and are even considered responsible for acts of vice. As a result, they are considered guilty.

A lack of knowledge of the human trafficking indicators and the status of victim of human trafficking was also observed among juvenile judges[162]. The authorities have learnt their lesson and taken an important new measure. According to the new COL[163] joint circular, juvenile judges and reference judges in the field of human trafficking must better work together to detect and protect underage victims of human trafficking[164]. positive is that in the future, the youth division of the public prosecutor’s office will be systematically invited to the coordination meetings relating to human trafficking within the judicial district.

The communities play a key role in providing minors with care and protection. The assessment of the national referral mechanism[165] shows that staff in community structures aren’t sufficiently aware of the status of victim of human trafficking and the stakeholders they should contact. This state of affairs was again sadly illustrated at the end of June 2015, when we learnt through the media that a 14-year-old girl, who was the victim of a loverboy, had to spend the night in prison as there were no available places in the Flemish reception centres[166]. The Flemish Minister for Welfare consequently organised a consultation with several players with expertise in victims of loverboys.

It is equally important that the youth care sector is made aware of human trafficking indicators. This is a link in the chain that is

[160] *Aanpak loverboyproblematiek* (Approach to the loverboy problem), Dutch Centre for Crime Prevention and Safety, Utrecht 2012, websites: www.humanitas.nl and www.stichtingstade.nl.
[161] Human Trafficking, Annual Report 2013, *Building bridges*, p. 32.
[162] Human Trafficking, Annual Report 2013, *Building bridges*, p. 67.
[163] COL 01/2015 relating to the investigation and prosecution policy with regard to human trafficking.
[164] See part 2, Chapter 1, point 2.2.
[165] The national referral mechanism was the subject of an assessment (general section in 2011 and minors section in 2014) by the Office of the Interdepartmental Coordination Unit against the Trafficking and Smuggling of Human Beings. See Human Trafficking, Annual Report 2013, *Building bridges*, p. 67.
[166] Newspapers, 25 June 2015.

totally missing in the fight against loverboys. The goal is to prevent, at all costs, the young victims of becoming victims again by making them feel guilty or by stigmatising them for deviant behaviour. This kind of approach would indeed be entirely counter-productive.

The current course of affairs proves that this problem must be quickly taken in hand because the situation continues to be of serious concern in the field. For instance, the next case we shall look at reveals that youth care sometimes facilitates circumstances for the lucrative business of loverboys. The acts were revealed by chance following a complaint after an incident.

According to the Ghent Criminal Court[167], a 13-year-old Belgian girl staying at an institution was seduced by a loverboy and forced to prostitute herself between 2012 and 2014. The same institution also appeared in the Hungarian prostitution case as a target for loverboys (see box *A youth institution targeted by loverboys*). The charms of the 13-year-old victim were offered by her loverboy to all the male customers in a café he regularly frequented. He charged anything between EUR 10 and 500 and accepted payments in drugs as well.

The acts came to light when the loverboy suggested to another young girl at the same institution that she could "earn money" by prostituting herself. He proudly told this young girl that her 13-year-old friend in misfortune earned EUR 110 in one night by sleeping with three different men. The young girl told her boyfriend everything, who sent a furious text message to the loverboy. One day, they took the bus together and bumped into the loverboy. During the confrontation, the loverboy threatened and hit the young girl's boyfriend with a weapon. Afterwards, they went to the police to file a complaint against the loverboy. When the filed the complaint, they also spoke about the 13-year-old girl who had to prostitute herself upon the loverboy's request, during the week and at the weekend, both in bars and at customers' homes. They explained how the defendant behaved as a loverboy. The loverboy did everything he could to make the young girls fall in love with him, by offering them gifts, money and drugs. He used fear tactics and threats to ensure these young girls did everything he asked of them.

The 13-year-old's hearing was filmed[168]. In the beginning, all she would say in her statement was that she was in love with him. After that, she didn't want to say anymore as she was scared there would be repercussions for her parents. He owned quite a number of weapons and she had no doubt that he would use them if necessary. During a second hearing, she stated that he wanted her to "earn a bit of money": "He told others in a café that they could sleep with her for EUR 40. In the café, he slipped her a condom and put one in her bra and told her, "you see that guy, he's your first customer". She finally accepted, but when she came out of the toilets, three others were waiting. She saw nothing of the EUR 300 she earned. When she later told him that she no longer wanted to do this, he managed to convince her to continue. He also told her that something would happen to her if she didn't. She had sex for EUR 40, 20 or 30 times but was never given a cent".

The victim's father said that his daughter had been placed in various institutions over the past few years, that she suffered from psychological problems and would regularly run away. Since the last time she ran away, her behaviour had completely changed, also sexually. The last few times she came home, she had new, expensive clothes. She told her brother that someone had asked her to sell her body. She also had problems with drugs. On Facebook, a young man of 19 revealed that he had had sex with her in a bar, with his friends.

The main defendant, who was a minor when the acts began, was sentenced to four years in prison for exploitation of debauchery or

[167] Ghent Crim. Court, 21 January 2015, 28th ch.

[168] Video-recorded hearing.

prostitution of a minor and for violation of the law on firearms. Incrimination was limited to the period as of which the main defendant became an adult. He wasn't prosecuted for human trafficking.

The victim filed a civil suit through her legal representative and received a provisional sum of EUR 1 500. Furthermore, the court ordered an expert report concerning the victim to rule on other damages.

A youth institution targeted by loverboys

In the Hungarian case dealt with in our case studies , and in the overview of this phenomenon , there was also explicit mention of the activities of loverboys close to a care home for young underage girls.

"According to the police's findings, there is a strong assumption and indicationthat young girls in the care of the not-for-profit association (...) are the victims of 'loverboys'. It would appear that these 'loverboys' exploit the vulnerable position of these minors in order to encourage them to prostitute themselves. They "recuperate" young runaway girls and provide them with shelter before forcing them to have sex and/or to prostitute themselves. Actual victims came forward (and signed a statement). Suspicious vehicles, which would come to pick up/drop off girls at regular intervals, were seen in the area. Some victims suddenly disappeared after receiving a phone call from their "boyfriend", and only reappeared several days later. A vehicle (...) had already been noticed in the past, driving particularly slowly, on several occasions, in front of the not-for-profit association (...). There were several men in the vehicle."

It is clear that we still have a lot to learn from the approach in the Netherlands, where youth care has developed an instrument to assess the risks[169] of deviant sexual behaviour, thus allowing professionals to detect potential victims of loverboys. The Dutch body Scharlaken Koord, which specialises in the problem of loverboys, has drawn up a loverboy check-list based on several basic questions, allowing a loverboy to be detected:

- *Where did the young girl meet her "boyfriend"? Over the internet? When she went out somewhere?*
- *Is he trying to blackmail her with photos on the internet or taken with a webcam?*
- *Does he speak badly of people who are important to the young girl?*
- *How come he has so much money/expensive clothes?*
- *Does he give her expensive gifts (clothes/perfume)?*
- *What is his financial status?*
- *Has he asked her to take a loan out for him in her name?*
- *Has he asked her to take out several phone subscriptions in her name?*
- *Does he deal in or use drugs/weapons?*
- *Does he some sometimes take her to red light districts?*
- *Does he know girls who work in prostitution?*
- *Does he sometimes watch pornographic films with her?*
- *Has she already caught him lying?*
- *Is he very jealous/possessive?*
- *Has he asked her to get a tattoo?*
- *Has he asked her to get a breast enhancement?*
- *Does she know this boy's family and friends?*
- *What is this boy's job?*

[169] *Toelichting bij instrument risicotaxatie seksueel grensoverschrijdend gedrag* (Instructions for the risk assessment tool for sexually deviant behaviour), Nederlands Jeugd Instituut (Netherlands Youth Institute), Utrecht, October 2014.

The Netherlands Youth Institute's action plan[170] also pays a great deal of attention to reporting victims of loverboys. It is essential for youth care professionals to be familiar with and aware of the loverboy problem. They must also recognise and report evidence. For this purpose, they can use the risk assessment tool. After having reported the evidence, professionals must also know what steps to take to continue the investigation, report the facts and provide help. To this effect, they must try to discuss the evidence with the victim. They must check to what extent the parents and the young girl's social network can be involved.

Beware of loverboys, a Dutch brochure provided by Scharlaken Koord, gives tips on how to approach a suspected victim of a loverboy and how to broach the subject with her: "If, as a parent, teacher or assistant, you see signs that someone is a (potential) victim, it is important to remain in contact with the young girl. Therefore, take the following points into account:

- Try to remain close to her and keep the communication channels open.
- Don't criticise her, she is a victim above all.
- Don't shoot her "boyfriend" down in flames, he is her identity.
- Show her respect, even if what she does disgusts you.
- Be patient with her, leave her a bit of space to make her own choices.
- Be aware of changes in feelings and decisions.
- Don't be frightened of lies or manipulative behaviour.
- Don't do anything behind her back[171].

[170] "Hun verleden is niet hun toekomst", Actieplan Aanpak meisjesslachtoffers van *loverboys*/mensenhandel in de zorg voor jeugd, 2014 Nederlands Jeugdinstituut ("Their past isn't their future", action plan concerning the approach to female victims of loverboys/human trafficking in youth care, Netherlands Youth Institute).

[171] *Aanpak loverboyproblematiek* (Approach to the loverboy problem), Dutch Centre for Crime Prevention and Safety, Utrecht 2012; Beware of *Loverboys* brochure, Scharlaken Koord.

3. Principle of non-punishment for victims of loverboys

In the *Trafficking and Smuggling in Human Beings Annual Report 2012,* Myria, which was still the Interfederal Centre for Equal Opportunities and Opposition to Racism at the time, devoted its report to the principle of non-punishment of victims of trafficking[172].

The central ideal behind the concept of non-punishment is that, despite committing a crime, the victim didn't really act independently, whether this is owing to the degree of control exercised by the traffickers, or the methods used by the latter[173].

In concrete terms, this means that the states[174] must guarantee that victims won't be punished for crimes committed within the framework of or as a result of human trafficking.

While examining the cases, we found that some victims of loverboys allow themselves to be dragged into criminal situations owing to their emotional dependency. Sometimes, they are clearly a victim but in other cases, they appear more like accomplices. For instance,

[172] Trafficking and Smuggling in Human Beings, Annual Report 2012, *Building trust*, pp. 9-40.

[173] OSCE, *Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking*, 22 April 2013.

[174] The principle of non-punishment of victims is a specific provision for the State Parties to the Council of Europe's Convention on Human Trafficking and for the Member States of the EU. It has also been part of the OSCE's solemn commitments since 2000. See Trafficking and Smuggling in Human Beings, Annual Report 2012, *Building trust*, pp. 12-13.

they act as bottom girls[175]. In this case, it is up to the judge and the court to decide on this issue, on a case by case basis. In these cases, it is often difficult to clearly differentiate between the perpetrators and the victims. Furthermore, it isn't easy either to determine to what extent the victims were obliged to act or not. It is also worth checking whether or not such reprehensible acts are actually the result of a survival instinct, rather than just dependency[176].

Among the victims of loverboys who prostitute themselves, three profiles can be established within the Belgian context: the victims, the grey area and the perpetrators. We should also mention that abroad, there are also victims who are forced by their loverboy to commit crimes.

3.1. First profile: the victim

The first profile clearly relates to victims, and the court explicitly recognises them as such.

A loverboy from the Hungarian prostitution case, which is dealt with in greater detail in this annual report[177], had a child with three victims and had got a fourth victimpregnant (see box containing an overview of the phenomenon: *The Hungarian loverboy and his manipulation techniques*). He had forced the four girls to prostitute themselves. Two of them were recognised as victims of human trafficking, including the young girl who had committed punishable acts. After her loverboy was arrested, she visited him in prison and later arranged appointments for him to place other young girls in prostitute windows. Phone taps revealed that after her loverboy's arrest, she also recommended to another young girl not to say anything to the police.

3.2. Second profile: the grey area

In the second profile, the victims of loverboys are situated in a broader grey area, between victim and perpetrator, where the court no longer recognises them as victims, but not as perpetrators either. Following, are three different typical examples. In the first example, the reference judge strips the victim of her status of victim during the investigation. In another example, the victim of the loverboy is presented by the public prosecutor as a victim, but the court refuses to recognise her as such. In the final example, the public prosecutor prosecutes the victim of the loverboy as a co-defendant, but the court refuses to convict her for human trafficking.

In the Nigerian case, which is dealt with in detail in this annual report[178], a young underage Nigerian girl benefited from the status of victim of human trafficking in the beginning, but this decision was later reversed by the reference judge as regards human trafficking.

In the beginning, she had been recruited in Nigeria to come and work as a prostitute. She was promised that she would earn a lot of money. Just before she left, she was subjected to a voodoo ritual, during which she promised to fulfil all her obligations. When she arrived in Belgium, she was told she had to reimburse

[175] Bottom girls play a crucial role in prostitution. They are (or were) prostitutes who have to supervise their colleagues, monitor the bars, collect the money from prostitution and arrange contacts. The role of these bottom girls is situated in a grey area. On the one hand, they play the role of intermediary in the criminal system. When a girl leaves, they are the ones who contact a pimp to get a new girl, so that they themselves don't suffer from a loss of income. By collaborating closely with the pimps, they end up knowing them all. On the other hand, they represent a form of protection for the prostitutes. They are attentive, make sure they are safe and sort out their administrative affairs.

[176] National Rapporteur on human trafficking (2009), *Human Trafficking – Seventh Report of the National Rapporteur*, The Hague: BNRM, October 2009; Siegel, D. & Blank, S. de. (2008). *Vrouwen die in vrouwen handelen: de rol van vrouwen in mensenhandelnetwerken* (Women who trade in women: the role of women in human trafficking networks). Revue de criminologie, 1(50), pp. 35-48.

[177] See part 2, Chapter 2, point 1.1.1. and Chapter 4, point 1.1., also see this chapter above, point 2.

[178] See part 2, Chapter 2, point 1.1.2.; Trafficking and Smuggling of Human Beings, Annual Report 2012, *Building trust*, pp. 69-70; Brussels Crim. Court, 24 February 2012, 46th ch. (available at www.myria.be) and Brussels, 31 October 2012, 13th ch.

a supposed debt of EUR 25,000 to gain her freedom. The main defendant was a loverboy who had seduced her to make her fall in love with him and go out with him. Here, the loverboy technique was used not to recruit her, but to exercise additional control over her and make the victim even more dependent in Belgium.

The loverboy managed to encourage her to commit punishable acts and to involve her in the exploitation of other victims of prostitution. The latter later stated that this girl, the underage victim of the loverboy, was waiting for them at Midi station and assigned them to their place of prostitution upon the loverboy's request. Moreover, phone taps revealed that she was already responsible in Nigeria for recruiting new underage victims who were supposed to take her place and come and work for her. This indicated to the reference judge that she was starting to behave as a "Nigerian madame" [179] and that she could be a threat to real victims of human trafficking. This is why she was excluded from victim status.

In the Bulgarian Sliven case[180], the public prosecutor also took into account the prostitution of a minor, among the charges against the loverboy, but the court refused to recognise the victim.

The file was opened in 2011, after an 18-year-old girl escaped from the grip of her loverboy and informed the police through her mother. During the investigation, it turned out that the same defendant had been observed a few years earlier, when the Brussels federal police carried out a check, in the company of another 18-year-old girl who was prostituting herself in a bar. This young girl had begun a relationship with the defendant when she was a minor and had come to Brussels with him. She stated that she managed her own income and that she didn't have to give money to the defendant, and that the latter didn't supervise her work either. None of the elements in the investigation proved the contrary.

In the meantime, she was active herself in the prostitution network in 2011 and upon the defendant's request, she gave the new victim a key place to prostitute herself. Furthermore, she transferred suspicious sums of money to several people in Sliven through a money transfer agency. In its summing-up for the prosecution, the public prosecutor mentioned her as a victim, but this wasn't followed up by the court[181]. For the acts committed against the other young woman, the court granted her the benefit of the doubt and acquitted the defendant.

Finally, in another Bulgarian case[182], a victim of a loverboy was prosecuted by the public prosecutor as co-defendant for her involvement as a bottom girl.

The loverboy, i.e. the main defendant, obliged the bottom girl to supervise the other victims of prostitution. She was part of a criminal exploitation system where violence played a key role. She herself was physically threatened by her loverboy and was forced to continue prostituting herself.

She was prosecuted as co-defendant for different offences: human trafficking, hiring and exploitation of debauchery, participation in a criminal organisation and illegal residence. In the detailed statement, the court highlighted the responsibility and the role of every defendant. As regards the bottom girl in question, it emerged from the phone taps that her loverboy controlled her. He forced her to work, even when she was tired; she wasn't allowed a day off. He also criticised her for not earning as much as another prostitute and threatened her if she returned without any money. At the same time, she was made

[179] See part 2, Chapter 2, point 1.1.2, a).

[180] Trafficking and Smuggling of Human Beings, Annual Report 2012, *Building trust*, p. 19; Trafficking and Smuggling of Human Beings, Annual Report 2011, *The money that matters*, pp. 86-88.

[181] Brussels Criminal Court, 30 May 2012, 54th ch. See: Annual Report 2011, *op. cit*., pp. 115-116.

[182] Trafficking and Smuggling of Human Beings, Annual Report 2012, *Building trust*, p. 19; Liège Crim. Court, 26 September 2012, 8th ch., (available at www.myria.be), confirmed by Liège, 23 April 2013.

responsible for collecting money from another prostitute. The court considered that the charge of human trafficking hadn't been established in her case, because she didn't have sufficient control over the young girls to encourage their debauchery or their prostitution. She herself had entered the prostitution market through her companion, to whom she was submissive and completely dependent[183].

3.3. Third profile: perpetrator

The third profile is comprised of former victims of loverboys who, over time, have evolved and have become actual perpetrators themselves. They use their past as a defence strategy[184] and present themselves at the outset as a victim. Despite all, the court deals with them and convicts them as defendants.

In a Romanian case[185], Roma victims were recruited in Romania through the loverboy method and then sold abroad as sex slaves (see box *Passing through a transit country and sold as sex slaves*).

A co-defendant was also forced to prostitute herself when she was 16 years old through the loverboy method and had since carved out a place for herself in the prostitution network. She had been working in it for eight years and was married to the main defendant. In the beginning, she was also presented as a victim of the main defendant: when she was intercepted during the search of the bar where she prostituted herself, she pretended she was an exploited victim, just like the real victims of prostitution. However, she wasn't interested in the status of victim of human trafficking after the police had explained and offered it to her.

She acknowledged having assumed certain responsibilities in a prostitution organisation that recruited girls, but according to what others said, she was forced to by the main defendant. She prostituted herself as well and still had to give him her money. She swore that he threatened her and still controlled her. Recently, she secretly had to control the other girls upon his request.

During the investigation, her role in the prostitution network was revealed by the victims' statements and phone tapping. It was shown that she exercised authority over the girls and that she took part in negotiations concerning their sale price as sex slaves. She invited the victims to take cocaine in order to be able to continue to work and she forced them to have unprotected sex because it brought in more money. She also arranged for the forced abortion of a minor who was six months pregnant by her husband, the main defendant. The baby was born alive and was killed (see box *Forced abortion*).

During the subsequent inquiry, the co-defendant went back on her initial statements and admitted that she wasn't a victim and that she did everything of her own free will.

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[183] Trafficking and Smuggling of Human Beings, Annual Report 2012, *Building trust*, pp. 70-71.
[184] Trafficking and Smuggling of Human Beings, Annual Report 2012, *Building trust*, p. 20.
[185] Human Trafficking, Annual Report 2013, *Building bridges*, pp. 17, 60 and 108; Louvain Crim. Court, 4 July 2013, 17th ch. (available at www.myria.be).

Forced abortion

The Romanian case contains two witness statements concerning this event in which the co-defendant, who presented herself as a victim, played a major role. A witness stated: "The young girl was obliged to have an abortion, she was five or six months pregnant, she was given pills to take; the birth was induced and the child was born and fell on the floor. I wasn't there, but I saw the blood on the floor, I wasn't there when it happened. The child was still alive. The wife of I. (the main defendant) put the baby in a bag and tied it shut. We heard that the baby was also I.'s (the main defendant) and that is why his real wife took care of the abortion".

This is what the victim said about her abortion: "For the second pregnancy (the hearing was suspended for several minutes because the injured party started crying), the second abortion took place in the bathroom and I was helped by (...), then N. (the co-defendant, the main defendant's wife) turned up as well. The bathroom had a tiled floor and had a shower. When the baby came out, I was in front of the toilet bowl and it fell on the floor, on the tiles, I was in shock. It was (...) who helped me, she cut the umbilical cord with scissors and she wrapped the baby in a small towel. I lost a lot of blood. N. (co-defendant) picked up the baby and (...) helped me to get dressed to take me to the hospital. I don't know who cleaned up the blood in the bathroom. I left the baby for 15 to 20 minutes to get dressed so that I could go to hospital. The baby was alive when I left the bathroom, because his little hands were moving, and then I found out it was a little boy. I cried a lot when the baby was born. Afterwards, I was told the baby was dead".

Victims of loverboys forced to commit crimes

Several studies[186] also mention victims of loverboys exploited outside the prostitution sector. In this case, the loverboys can also encourage their victims to commit crimes, such as transporting drugs and acts of theft committed under duress. The Dutch rapporteur on human trafficking refers to cases where the victims were first made to work as prostitutes, then transport drugs, as well as mentioning victims who had never worked in prostitution before[187].

3.4. Conclusion

This brief analysis shows that the approach of the principle of non-punishment among loverboys and their victims shines an interesting light on the strategies adopted by prostitution networks. It is highly instructive to study the phenomenon and it gives us a better overview of the victims who end up making themselves guilty of punishable acts, to a lesser or greater degree, and the reasons that push them to do it. This allows adjustments to be made to the political approach to this subject. Furthermore, it is essential for judges to analyse each case separately in order to take the correct decision.

[186] Verwey-Jonker-instituut, *Loverboys en hun slachtoffers, inzicht in aard en omvang problematiek en in het aanbod aan hulpverlening en opvang* (Loverboys and their victims, overview of the nature and the extent of the problem and the offering in terms of assistance and care), Breda 2011; National Rapporteur on Trafficking in Human Beings (2009), *Human Trafficking – Seventh Report of the National Rapporteur*, The Hague, BNRM, October 2009.

[187] National Rapporteur on Trafficking in Human Beings (2009), *Human Trafficking – Seventh Report of the National Rapporteur*, The Hague, BNRM, October 2009.

EXTERNAL CONTRIBUTION: SOS CHILD VICTIMS OF HUMAN TRAFFICKING

Johan Vangenechten, team member at the not-for-profit association Minor-Ndako

For the past few years, the number of unaccompanied minors who are the victims of human trafficking has been particularly low. The majority of minors recorded are in fact the children of adult victims. This overview[188] of new cases of child victims provided by the Immigration Office confirms this.

Year	Total number of cases	Child victims	Unaccompanied minors
2011	149	20	8
2012	157	19	8
2013	129	5	2
2014	156	10	4

Several factors explain this low figure.

- Unaccompanied minors who are victims of human trafficking are not obliged to cooperate in the judicial inquiry to benefit from support and protection. In all cases, they can benefit from aid for unaccompanied minors until they reach adulthood. The situation is completely different for cases concerning adult victims.
- Many victims don't dare tell their story for fear of reprisals against them or their family.
- Sometimes, the victims are unable to provide useful information owing to their very young age. This is especially the case for children aged five to six years old accompanied by a smuggler.
- During smuggling or the exploitation of young minors, the family is often involved in one way or another. For instance, there are parents who entrust their child to a smuggler, and the children have to beg or steal on behalf of a network run by an uncle or a grandparent. Consequently, it is particularly difficult to ask the victim to make a statement. This is equal to asking them to turn against their family.

At the same time, we can't hide the fact that the detection of child victims is of great concern. Every Flemish province has an aid network in place in case of a crisis and Minor-Ndako is part of an aid network addressing this type of crisis. One of its departments (age group for children between 0 and 12 years old) always has two beds available in case of a crisis. In the other departments (residential), support is offered in case of a crisis according to the places available.

This crisis support allows us to consolidate our experience with potential victims of human trafficking but, unfortunately, we are also faced with many worrying issues:

- **Negligence**. Children are caught burgling houses. The case is rapidly closed and some adults came to fetch the children. The identity of these adults isn't recorded. A truck carrying a group of people on board, including a 13-year-old, is intercepted. The officer notes on the report sheet that the youngster has a mobile phone. There is no attempt to obtain the number. Two days later, the youngster disappears. The phone number might have helped to track him down.
- **Failure to respect the recommended procedures**. During actions carried out against human smuggling, the competent authorities (public prosecutor's office, Immigration Office/Guardianship Service) aren't always notified of the presence of minors (according to the recommended procedure). The minors involved receive a letter telling them they must come to the Guardianship Service in Brussels the next day (but they aren't provided with a ticket or any support enabling them to get there).

[188] Information from the Immigration Office, partly extracted from published documents, partly obtained from the Minteh unit.

- **Lack of protection**. A man and a child are arrested at the airport. According to the travel documents, they are father and daughter but the child at border control clearly isn't the one shown on the passport. The police launches an investigation and looks for somewhere to place the child. The public prosecutor for youth protection isn't involved. The child stays at an open centre with no intervention by a child placement authority. A criminal network would have no problem recuperating the child.
- **No protection, no investigation**. Four girls aged between nine and eleven years old are arrested during break-ins in a residential area. The case is immediately dismissed owing (=due) to a lack of proof. Three girls are recuperated by their family, but not the fourth one. Finally, a place is found for her and a guardian is appointed. During the next few days, several alarming elements are revealed. The case can't be reopened. No juvenile judge is appointed. The girl is taken into care on a voluntary basis so anyone can recuperate her. "Grandparents" (with no documents to prove this) come forward to recuperate her.
- **Division of competences**. Children intercepted at the airport in cases of suspected human smuggling are generally placed in the care of the Fedasil network. Wouldn't it be preferable for a juvenile judge to place these children in a youth care centre? The latter could offer them care adapted to their age, in small-sized groups, and better protect them against external persons. If so, what is the communities' capacity for these children (often young ones)?
- **Frontline training**. Children who commit acts of organised theft can be considered as perpetrators or as potential victims. Have the services involved in providing crisis support done training in order to understand this potential aspect of victimhood? Do establishments have the means to provide the appropriate care for these children?
- **No adequate plan for support**. Thirteen-year-olds who slip into a lorry's cargo area, children who steal on behalf of someone else, young girls who end up in prostitution: these children and young persons can't be considered as perpetrators. But receiving and supporting them in an entirely open structure isn't perhaps a sufficient solution. Minor-Ndako endeavours to work in an insistent manner and, by offering secure yet open facilities, does its utmost to prevent an impulsive departure. The handful of places we can offer is too restricted (only crisis support, or as long as there are places available) and has its limits. We remain an open structure. The people in the group maintain contact with the outside world through the internet and mobile phones (possibly through other occupants). In some cases, it is preferable to exercise control over communication with the outside world.

To avoid any ambiguity, the aim is not to have as many victims as possible in the special protection procedure. The primary concern must be the eradication of the exploitation of minors. The legislator stressed the importance of this by trebling the punishments when the victim of human trafficking or smuggling is a minor. The fight against exploitation can't depend on statements from minors or participation in the criminal investigation. The family is often involved, knowingly or unknowingly, in the exploitation. We can't expect the children to make statements against the adults who have taken care of them. Neither can we blame them for trusting people who abuse this trust. We have to find ways to put an end to this exploitation and manipulation and offer the children who are potentially victims of these practices adequate protection, even when they are not in a position to collaborate in a criminal investigation.

The investigations and prosecutions are of course an important part, but the abovementioned list shows that there is still a great deal to be done in terms of frontline collaboration. Diligence, one-to-one and functional procedures, reflection on adequate support, collaboration between the levels of power to solve the problem, etc. There is nothing new about it. The 2012 – 2014 action plan states[189]:

"*Despite the existence of these measures, the issue of the protection of minors continues to pose a problem in practice owing to the complex architecture of the youth protection system, the guardianship system and specific procedures in terms of human trafficking."* (p. 23)

"*Furthermore, special attention must be paid to the issue of the exploitation of minors in general (begging and coercion to commit crimes). A specific incrimination was adopted to this effect in 2005. Moreover, very young minors are more likely to be used than others for the purpose of begging. However, little is still know of this phenomenon. Subsequently, it would be useful to examine this issue and to see what solutions can be found."*

"Finally, we should be very attentive to the fact that some minors escape the guidance measures in place, which increases the risk of them being exploited again. It is therefore important to ensure these situations are carefully monitored and to envisage solutions aimed at preventing this risk." (p. 24)

Belgium is part of the European Union and is known beyond its borders for its role as a frontrunner in the fight against human trafficking. We have effective legal instruments, a professional detection system and a human approach to victims (care and protection of persons cooperating in a criminal investigation). The combination of these three elements provides good results. On the other hand, we are still far behind as regards the fight against the exploitation of minors. Things are in need of urgent change. A police inspector, a public prosecutor or a person responsible for providing care doesn't have the power to do this alone. A new impetus is necessary to tie all the links and form a solid chain.

[189] Source http://www.dsb-spc.be/doc/pdf/ACTIEPLAN_C_MH_FR_2012.pdf

Secure but open care

In 2011, Minor-Ndako was faced with the disappearance of a vulnerable minor from the crisis centre. Disappearances are extremely rare in our establishment. We thought it would be a good opportunity to assess what we could do to avoid this type of impulsive departure.

We consequently sought advice from Esperanto, a care centre for young people in Wallonia which takes in child victims of human trafficking. Esperanto is also an open centre, but the security aspects and the prevention of impulsive departures are intrinsically linked to the educational concept.

Here are the main elements:

- Avoid boredom by offering small activities (meals, showers, medical examinations, doing the laundry, contact with an interpreter or a specialist (legal expert, psychologist, etc.));
- Appointment of a key person who follows up everything concerning this minor and ensures they don't get bored;
- Supervising communication with the outside world;
- Attitude of the support staff: above all, the support worker shows empathy, provides all sorts of information and passes on the young person's requests to the legal authorities, without acting as a substitute for them (police, juvenile judge, etc.);
- The reception procedure takes into account the data necessary to report a disappearance.

The first 48 hours are crucial, with the risk of disappearance gradually falling thereafter.

On the basis of these elements, Minor-Ndako has elaborated its own approach. It isn't as advanced as Esperanto's, and that is normal. For Minor-Ndako, the potential victims of human trafficking are one target group among others.

A brief comparison

	Esperanto	Minor-Ndako
Education	Education provided on site in the first few months	Education always off site
Access to a mobile phone/ internet	The residents don't have their own mobile phone, and only access to internet during classes on site + under supervision	The majority of residents have a mobile phone, a laptop is available in the group, free Wi-Fi
Place where the victims are housed	Secluded location Secret address	Urban location No secret address

The issue of knowing how to prevent an impulsive departure from an open structure concerns all the services offering frontline care. Every establishment can reflect upon its own limits and act within this framework. By doing so, when a secure care request is submitted, the establishment will be able to give information concerning its possibilities and limitations in the matter. This request falls under the scope of human trafficking, as well as other problematic situations, such as honour crimes or early marriages.

Minor-Ndako is a Flemish Community youth care service. The association was set up in 2002 with the goal of offering small-scale quality care for the most vulnerable unaccompanied minors. Minor-Ndako is currently a medium-sized establishment with more than 80 employees working at four sites (Aalst, Anderlecht, Asse, Brussels), offering a range of support. We offer care and support services for 66 unaccompanied minors, as well as 44 families and children in Brussels and Flemish Brabant.

We want to facilitate access for minors to youth care. This is why we have a place for registrations which minors and their guardian can come to for a presentation session. We have also set up various complementary projects with no link to youth care. Lisanga is the most long-term project. It offers accommodation for 30 unaccompanied minors benefiting from the status of refugee protection. Karavenserai is an accommodation project where refugees live alongside students. We are also looking for support teams for children and adolescents with a very small social network. There is a running club and football club, schools where we go and speak, etc.

The name Minor-Ndako was thought up a long time ago. Minor means "young" and Ndako "accommodation". A combination of Latin and Lingala, the name perfectly conveys our ambition: to ensure harmonious cohabitation between persons from different backgrounds.

EXTERNAL CONTRIBUTION: ASPECTS ABOUT LOVER-BOY METHOD IN ROMANIA

Irina Ionela DIN, police officer,
National Agency Against Trafficking in Persons

A recent trend in the modus operandi of the criminals involved in human trafficking and the exploitation of victims, is to abandon physical violence against the victims and establish their docile acceptance of the networks of traffickers / exploiters instead. Either they choose to involve the victim on a material level by giving them part of the money they have earned, or they obtain the victim's consent through emotional blackmail. The 'loverboy' method is one of the traffickers' preferred methods of recruitment.

For a better understanding of this recent method of recruitment, we shall first define what a loverboy is. A loverboy is a man who intentionally exploits a woman's emotional attachment to him with the goal of making her prostitute herself. The loverboy does his utmost to exert complete control over the girl so that she will only listen to him. She actually falls in love with him without realising that he controls her. In most cases, after a short period of time, he will invent some debts or problems that have to be solved and will consequently ask her to have intercourse with one of his friends to whom he or she owes money, or with another person in order to earn money. By accepting to do this, she believes she is saving him, but for the loverboy, this is just business.

The loverboy method involves a number of specific steps:

- The loverboy introduces himself into the victim's circle of friends or makes direct contact with the victim in order to win her trust;
- The two begin a relationship and he constantly manipulates her with expensive gifts, affection and love, talking about a serious relationship and making her believe they will soon get married and have a better life;
- After a while, they decide to move in together and either go abroad to work - where the dream is then shattered, or the loverboy begins to reveal various financial problems that can only be solved by the victim's prostitution.

Remarkably is that the different steps will quickly follow each other, so the victim is not aware of the situation.

To achieve his objective, the loverboy uses some of the following techniques:

- The loverboy is always well presented, well dressed and speaks impeccably. For the girl, he is the ideal person (and one she would never have dreamed of meeting), so when he shows an interest in her, she thinks her dream has come true.
- In most cases, the loverboy has an entire criminal network behind him so he always has access to money. He uses expensive gifts to seduce the girl. At the same time, these gifts seal the relationship because it is difficult to leave someone who gives you expensive presents. Moreover, for many girls recruited by this type of method, it provides them with access to a world that was previously inaccessible to them.
- The loverboy usually creates a relationship based on dependency, where the girl will do anything for him. He uses her feelings to control her, because she isn't mature enough to realise what is happening. What she believes to be love is in fact control; he guides her in the direction he has chosen. This makes it extremely hard for her to ever leave. She really loves him and depends on him. Her emotions are very powerful and she doesn't realise what is happening. She eventually falls victim to trafficking and prostitution, and it is very difficult to escape from the hands of the traffickers. She may also feel so ashamed that she daren't return to her family or her friends[190].

[190] www.abolishion.org/lover-boy-part-4/

Following the analysis of cases monitored by the National Agency against Trafficking in Persons, a number of hypotheses were put forward regarding the profile of vulnerable persons who may be recruited by such a method:

In most cases, the victim is recruited by someone they don't know. The focus is on young underage girls whose sense of judgement is still developing, with a low level of education and from a low-income single-parent or two-parent family. Regarding two-parent families, it should be noted that in most cases, these are families characterized by a lack of parental involvement in their children's' lives, strained relations, domestic violence, alcohol or drug consumption, so the child sees the life promised by the loverboy as an escape route. These elements underline to what extent the family environment, financial situation and level of education determine a victim's vulnerability to trafficking through this method.

Below is a presentation of a number of cases of victims recruited by this method, which highlight the abovementioned issues:

Case 1: Victim B.C. is from a broken home (single-parent family, divorced mother who is living with her partner). She was entrusted to her maternal grandparents at the age of one, when her mother went to work in Italy. The family was poor and the only source of income was the grandmother's sickness allowance and state benefits. The child attended school for a while and even had good results, but she dropped out after completing the sixth grade.

The mother tried to take her to Italy during the 2012-2013 academic year, but she didn't adapt and chose to return home after a few months. She was left in the care of her maternal grandparents. She was increasingly absent from home and missed school.

She repeatedly ran away from home and the survival strategies adopted during these periods made her an easy target as a victim of sexual exploitation, especially when these episodes became more frequent and public. Family problems, lack of family communication and social disintegration substantially increased the child's vulnerability.

In early February 2014, the 12-year-old girl ran away from her grandmother again and went to stay with her best friend, a minor of the same age and the daughter of M.U. Between February and mid-September 2014, M.U. persuaded the girl to have continuous sexual relations with him, promising to divorce his wife (a young 20-year-old living in England) and marry her.

During the same period, he made false promises of marriage and took advantage of her particularly vulnerable situation. He recruited her and took her into his home for the purposes of sexual exploitation, forcing her into prostitution to earn money, supposedly to pay for their wedding and to buy a house. Initially, M.U. gave her various amounts of money to win her trust.

"Lured into the trap of feeling that she was in control of her life and not dependent on adults (parents, grandparents), responsible for herself, benefiting from total freedom, including financially, by earning an income, however small, from the sex trade, and by trying to prove her maturity as a young adult, the minor became the perfect victim for the defendant M.U." the prosecutors from the Directorate for Investigating Organized Crime and Terrorism concluded.

During the time the underage girl was staying at M.U.'s home, H.V. recorded her with a mobile phone while she was having sex with M.U. The film was then shown to other people.

During the same period, following an agreement with U.A.C., M.U.'s wife, he encouraged the 12-year-old girl to have sexual intercourse with him in front of the webcam while talking to his wife on Skype. This film was sold by his wife in England for GBP 200.

On another evening, M.U. asked the underage girl, who was his daughter's friend, to sit down

with him and some friends, including H.V., and two other strangers. Taking advantage of the fact that his daughter had gone to her room, M.U. offered the young girl alcohol. The four men encouraged her to get drunk and took advantage of the situation. Each of them had sexual relations with the 12-year-old girl, while the others watched.

Even after his friends had left, the defendant wouldn't allow the girl to contact her grandmother, and locked her up in his house. She was only released from there after the police intervened.

Case 2: P.M.C. is from a two-parent family. She was the youngest of two children and lived in her parent's apartment located in a town in the centre of Romania. Her parents and older sister had been living and working in Italy for several years. In her relationship with her family, the victim had no real communication with them and no psychological support, so the only help from the family was material (financial).

There was no reported history of violence in her family. The victim was supported financially by her family when required because she only did seasonal jobs that didn't provide a regular income. The victim left after the twelfth grade without passing the final exam.

In the summer of 2007, the victim was living alone in her parent's apartment, while they were working in Italy. The victim's sister was a student and lived in another town.

During this period, she met C.D. by chance and began a relationship with him. He won her trust and their feelings appeared to be mutual, so they began making plans for the future.

In February 2008, C.D. invited the victim to go on holiday to Italy and since the two had been together for six to seven months, this suggestion seemed quite normal and she didn't think anything of it. At the end of February 2008, P.M.C. and C.D. went to Bucharest in a car driven by C.D.

At the airport, C.D. pretended there was a problem and told the victim that she would have to go to Italy alone because he was forced to postpone his departure for a day. He said that he would come to Italy the following day. He reassured her saying that he had spoken to some people he knew there and that they would be waiting for her at the airport in Venice.

In Italy, P.M.C. was met by two girls at the airport who took her to an apartment, where they had to stay together until the arrival of C.D. On the first day, the two girls told the victim why she had been sent to Italy, namely to prostitute herself for the benefit C.D. Surprised by the situation, P.M.C. asked C.D. to explain himself. He played the victim, said that he was desperate, had debts that he couldn't pay and that she was his only hope.

Faced with this blackmail and having no money to return home, the victim agreed to work as a prostitute. She worked the streets for three to four weeks, and the money was sent to C.D. in Romania.

Following an intervention by the Italian police, P.M.C. was forced to stop work and return to Romania. C.D. met her at the airport and took her to a rented apartment in Bucharest.

The victim was emotionally blackmailed and prostituted herself in Bucharest for approximately five months. During this period, the victim intended to disobey C.D. and end their relationship. The control of the trafficker and his entourage had over her then transformed into threats and physical violence, and she was forced to comply.

In August 2008, the victim was taken to Switzerland where she worked as a prostitute for only one week because the Swiss authorities intervened. From there, she was taken to Germany, where she worked as a prostitute in several clubs, from September 2008 to January 2010. In these clubs, the victim said that she was always supervised by one of the girls who worked there.

During this period, the victim claims to have waited for an opportunity to escape from the traffickers so that she could be sure they would leave her alone and that she wouldn't have any problems with them.

In January 2010, when she returned to Romania to seek care for a health problem, the victim contacted B., a former client of hers who intervened and put pressure on C.D. to leave her alone.

We should mention that among the indicators set by the National Agency against Trafficking in Persons to gather statistical data regarding the victims of human trafficking, there is no special indicator for victims recruited via this method. However, by analyzing the available data and information[191], it was found that the most vulnerable category in human trafficking is women (74 % of the total number), both adults and underage girls. It was also found that sexual exploitation is still one of the most widespread forms of exploitation among victims of trafficking (63 % in total), and that poor performance at school strongly influences the likelihood of someone becoming a victim of trafficking. Thus, 47 % of all identified victims had only completed the first stage of secondary education[192] when they became the victim of trafficking, while 32 % were going to or had completed secondary education or professional studies when the human trafficking offence was committed. Also, by analysing the data concerning the social relationship between the recruiter and the victim, as well as the data regarding the recruitment method, it appears that the recruiter used a direct approach to recruit the majority of the victims, i.e. in 89 % of the cases (671 of the 757 victims were directly approached by the recruiter). In the same period, 47 % of the victims were recruited by someone they knew and 39 % by a stranger.

Therefore, although the victims recruited through the loverboy method aren't identified as a specific category, the individualisation of the specific characteristics of this method among a growing number of victims led to an awareness-raising campaign on the potential risks of this method. This is why the Agency[193] initiated and implemented the campaign "Your boyfriend may be a loverboy", in 2011, with the goal of informing the public, particularly young women aged between 17 and 26 years old, of the existence of this method used by traffickers to recruit victims. The aim was also to provide the target audience with the means to protect itself.

Prevention sessions were organized in over 130 universities, high schools and middle schools, attended by over 11,000 students and teachers. These events had a considerable impact.

Incidentally, this method of recruitment inspired the Romanian film director Catalin MITULESCU to make the film entitled *Loverboy*. The topics addressed in the film provided ANITP with another opportunity to emphasize concrete aspects of the loverboy method and the effects of human trafficking on the younger generation, through a number of meetings with representatives from the target groups.

[191] The analysis relates to statistical data on victims identified in 2014

[192] A victim belonging to a specific educational category represents a victim who has completed or is in the process of completing the studies corresponding to this specific category when the trafficking occurred.

[193] National Agency against Trafficking in Persons.