



Doc. 13065

06 December 2012

Serious violation of the Lanzarote Convention by the Netherlands

Written question No. 621 to the Committee of Ministers

by Mr Luca VOLONTÈ, Italy, Group of the European People's Party

In 2008 and 2010, two young Turkish men pressed criminal charges against the recently retired Secretary General of the Ministry of Justice in the Netherlands, Mr J.D. The men claim that they and numerous other Turkish boys were raped and sexually abused by J.D. when they were only 12 and 14 years old. Despite an overwhelming number of available primary witnesses, the claims of these Turkish men never led to an official criminal investigation as defined in the Dutch Code of Criminal Procedure. Only a so-called “exploratory” investigation was conducted in the Netherlands, while J.D. remained in office and in the position to easily influence the prosecution and police.

Recently, the two men lodged an appeal to the High Court in the Hague, calling for the indictment of J.D. They claim that the refusal of the Dutch National Public Prosecution Service's to investigate their claim is in violation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, “Lanzarote Convention”). Since their first reports, the men have been repeatedly harassed and seriously mistreated in Turkey to make them drop the charges against J.D.

This was not the first time that complaints of child abuse against this senior civil servant were not properly investigated in the Netherlands and that the victims were intimidated.¹

The Netherlands has signed and ratified the Lanzarote Convention which stipulates that victims shall be protected from intimidation and their accusations treated as priority and investigated even if the victim withdraws his or her statement.

Mr Volontè,

To ask the Committee of Ministers

- Does it agree that the Netherlands has seriously violated its obligation to implement the Lanzarote Convention with the continuous refusal to initiate official inquiries into the numerous charges of child abuse against this senior Dutch official? Does it agree that this is scandalous, especially in view of the influential position of the accused person?
- Does it agree that an impartial investigation with international expertise must be conducted in this particular case?

1. In 1998, an Amsterdam police investigation was conducted into a paedophile network of influential Dutch customers of brothels with underage boys: the Rolodex case. The investigation targeted high-ranking Dutch officials and politicians suspected of abusing young boys in Amsterdam brothels. A Dutch victim was one of the key witnesses in that investigation. And one of the suspects in that investigation was Mr J.D. But according to leading investigators in that case, as soon as J.D. became a person of interest in the case, the investigation was closed. The key witness claims someone threatened to shoot him.

In 2003, another Dutch victim claimed to have been sexually abused as a minor by J.D. This victim withdrew his charges however after being interrogated by the Dutch police. He was subsequently convicted of making false declarations. To this day, however, also this victim insists that he was sexually abused by J.D.

- Is it willing to ask the Dutch authorities to launch an impartial investigation with independent investigators from different countries?