

## **U.S. Helsinki Commission Briefing on Child trafficking 4 October 2012**

Mr Chairman and members of the Commission.

### **Introductory**

First of all I want to thank your commission for the invitation to inform you about four child abuse cases we are working on for so many years already.

I myself represent two Turkish victims who were raped and sexually abused when they were 11 and 14 years old. The perpetrator was a high ranking Dutch government official, nowadays Secretary-General of the Dutch Ministry of Security and Justice, Mr. Joris Demmink. I also represent B., who is present today to answer your questions. B. was a victim of the same Dutch high ranking official Mr. Demmink at the time that he, as a young boy of 15 years old, was forced to work in a brothel.

I was informed about the crimes committed by Mr. Demmink in Turkey by official Turkish sources. They informed me that Mr. Demmink in 1995 was caught in the act of sex with minors, in Turkey, while attending a party in Bodrum. At this party, minors were sexually abused. One of the boys tried to escape and created a great deal of commotion, which brought the police. Mr. Demmink was arrested and subsequently released, after which his criminal file was used to blackmail the Dutch authorities to take action in a case against a Kurdish activist who at the time stayed in the Netherlands. I am also the attorney of this Kurdish businessman, named Mr. Baybasin.

The two well documented criminal charges that were filed against Mr. Demmink by the two Turkish boys Osman B. and Mustafa Y. were never investigated according to Dutch criminal investigative procedures. The same goes for the criminal charges filed by my other client Mr. Baybasin against Mr. Demmink. The victim, who is present today, was in 1998 a key witness in the so called Rolodex investigation. His statements never led to an investigation, prosecution or conviction of the real perpetrators, the high ranking customers (the Dutch Super Elite) of the numerous minor brothels in our capital Amsterdam, at the time.

The question arises what is going on in the Netherlands? In your 2012 report on human trafficking, you recognized the Netherlands as a tier 1 status country, in full compliance with the minimum standards to combat trafficking in persons. My experience in the four cases I represent is completely different. High ranking government officials and politicians in the Netherlands seem to form a privileged elite, who are above the law when they sexually abuse minors, and will never be arrested, tried or convicted.

### **Rolodex investigation**

In 2000, the Guardian described in a well-informed article, the Netherlands and especially Amsterdam as a paradise for pedophiles where the police seemed to be powerless to act.<sup>1</sup> We now understand why.

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<sup>1</sup> see appendix 1: article of Nick Davies, Guardian, 27 November 2000: Amsterdam as a center for pedophiles



In 1998, an Amsterdam police investigation, called the Rolodex Affair, was conducted into a pedophile network of influential Dutch customers of boys brothels. The investigation targeted high-ranking Dutch officials and politicians suspected of abusing young boys in Amsterdam brothels. As a victim, B. was one of the key witnesses in that investigation. One of the suspects in that investigation was Mr. Demmink. But according to leading investigators in this case, as soon as Demmink became a person of interest in this matter, the investigation was shut down. Information about intended actions by the investigating police was leaked. A policeman who worked on this investigation said that he arrived at the location and the “middle man” of this network, Professor Van Roon, was waiting for the police team. Not surprisingly, all video evidence was missing and all telephone communication between the suspects suddenly stopped. Law enforcement officials on the case were forced to sign non-disclosure agreements and were sworn to secrecy regarding all information pertaining to the involvement of Demmink and other high ranking officials in this shocking behavior.

Our present State Secretary of Justice, Fred Teeven, was one of the leading prosecutors in the Rolodex investigation. In 2007, he expressed his frustration about the blocking of the investigation in a closed court hearing under oath. He then told the court that this investigation indeed targeted high ranking representatives of the Dutch government, who were sexually abusing minors. He also stated that this investigation never has led to the prosecution of these suspects because of certain contra-actions.<sup>2</sup>

When a Dutch publication in the Gaykrant accused Mr. Demmink in 2003, of being involved in the abuse of minor boys in a park in the south of the Netherlands, the newspaper was forced to withdraw its accusations under threat of bankruptcy by Demmink’s lawyer. The editor of the Gaykrant, Henk Krol, was told by Demmink in a private meeting, that he indeed has had sex with young boys without asking their age. But Demmink let Mr. Krol know during that meeting: “Remember well, Mr. Krol, that we are the ones who make the laws in this country”.

### **The Turkish victims**

In 2008 and 2010 I filed three well documented criminal charges against Mr. Demmink on behalf of my Turkish clients Osman B. and Mustafa Y. for rape and sexual abuse of minors under the age of sixteen.

The criminal charges filed by Mustafa against Demmink were never investigated. The Dutch authorities dismissed the allegations, after demanding that Mustafa first had to travel to the Netherlands to officially answer their questions. Meanwhile the boy was heavily threatened and abused in Turkey (his tongue was cut with a razor blade), in an effort to quash his complaint.<sup>3</sup> The boy was approached by the then high ranking police chief Emin Arslan who offered him a good life in case he withdrew his charges against Demmink. If not, the boy’s life would be destroyed. The boy was frightened to death but never withdrew his charges

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<sup>2</sup> Appendix 2: report of the hearing of Fred Teeven on 12 April 2007 in the District Court of the Hague in the case Paul H./OM, file number: 09/754023-06

<sup>3</sup> see: <http://www.bs-foundation.nl/the-story-of-mustafa-with-some-excerpts-from-his-video-interview/>



against Demmink. He had his experience in Turkey where you don't have any right in front of such high-ranking officials. As a result of what happened to Mustafa I asked the prosecutor to

arrange official security for Mustafa during his stay in the Netherlands to give his statement. I also asked to allow his lawyer to be present during the police interview. Those requests were consequently refused despite the terrifying experiences Mustafa went through. Mustafa did not travel to Holland to answer questions about his accusations against Demmink. He offered again and again to answer all questions the Dutch police and prosecutors still might have, in Turkey in an official inquiry hearing. Such an inquiry has never occurred..

The second Turkish boy Osman traveled to the Netherlands, where he was interrogated by Dutch investigators, in February 2011. However, a thorough criminal investigation was never initiated in his case. Five witnesses with direct knowledge about this crime were waiting in Turkey to be interviewed by Dutch prosecutors, but they were ignored, until now. The Turkish policeman Mehmet Korkmaz who was Demmink's security officer during the Secretary-General's visits to Turkey and who has since admitted kidnapping minor boys for Demmink to abuse, offered to be heard by Dutch police in Turkey, despite risks to his personal safety. No one ever contacted him. His testimony can be seen on the video presented to this hearing and on our website<sup>4</sup>. The same goes for the former chief of the Istanbul police, Necdet Menzir (also former Minister of Transport in Turkey), who was also willing to testify about Demmink's visits to Turkey in the 1990s and the fact that his police officers were ordered to protect Demmink. No one ever contacted him, either. Subsequently also the offer of a third Turkish boy, Yacine, who said to have been sexually abused by Demmink, in 1995 in Bodrum, was ignored by the Dutch authorities.

Despite this overwhelming amount of available primary witnesses, the criminal charges filed by Osman and Mustafa never led to an official criminal investigation as defined in the Dutch Code of Criminal Procedure. The prosecutors persisted that there were insufficient grounds to call Mr. Demmink a suspect and to start an official criminal investigation against him. Only a so-called 'exploratory' investigation was conducted, that is not accepted by the Dutch code of criminal procedure. And without an official criminal investigation based on the Dutch Code of Criminal Procedure, the "hands of the prosecutors were completely tied", according to their own words. Without an official suspect and criminal investigation, the prosecutors lacked the authority to travel to Turkey to interrogate the available witnesses and to properly investigate the data of Demmink's official and non-official trips in the 1990s.

In the Netherlands, where it only takes an anonymous tip to initiate not only a criminal investigation, but also police actions such as arrest and house searches, the reaction of the prosecutor on this matter can be called quite absurd.

### **Travel dates**

Instead of performing its own research, the prosecutor's office has simply taken for granted Demmink's "alibi" - that he never visited Turkey since 1987.

A Dutch research journalist however who asked the Ministry of Security and Justice to be provided with all the travel dates of their high ranking officials in the nineties, was told that

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<sup>4</sup> See: <http://www.bs-foundation.nl/english-subtitled-version-video-policeman-mehmet-korkmaz/>



all travel documentation older than five years was destroyed. That is why the final conclusion of the prosecutor in Osman's case in February 2012 was that it could not be confirmed that Demmink traveled to Turkey in the nineties.

Moreover, Turkish authorities have leaked documents proving that, notwithstanding his denials, Joris Demmink did indeed enter Turkey in the 1990s.<sup>5</sup> At the time Mr. Demmink was Director-General of International Affairs of the Dutch Ministry of Justice and as a member of the EU K4 committee specially responsible for the Kurdish-Turkish conflict. Even without the Turkish documents we received, it is inconceivable for the Dutch to claim that a high-ranking European official with duties specifically focused on Turkey's conflict with the Kurds would not have visited Turkey during the 1990s. That would be equivalent to an American Ambassador of Turkey based in Washington who never visited Turkey. Besides that, it is a fact that the Dutch authorities who received copy of this Turkish list of travel dates of Mr. Demmink, never did any effort to check the status of this document in Turkey itself or the entry dates it mentions.

The travel dates of Joris Demmink are stored in the computers of the intelligence agencies in Turkey. Several sources confirmed, that they have seen this information available. The latest information confirming Demmink's travel dates, we received from the Turkish prosecution office in Diyarbakir. This office has started an investigation against Demmink and two of his Turkish allies (in corruption and child abuse): the former Minister of Interior Mehmet Agar and the former police and intelligence chief Emin Arslan who was the one threatening Mustafa after he filed his first criminal charge. One of the first results of the recent Turkish criminal investigation is that Demmink used three different aliases to enter Turkey at the time.

The validity of Demmink's travel dates to Turkey are also confirmed by sources including the "EK RAPOR" (report) of the senior Turkish intelligence official Huseyin Celebi. Celebi introduces himself in his letter of February 2010 as the Turkish Intelligence official who wrote the EK RAPOR in 2006 to inform the highest (military, political and juridical) level officials in Turkey.<sup>6</sup> In his report, he was the first to reveal what Demmink did, travel to Turkey during the mid-1990s and how these criminal acts were used to blackmail the Netherlands in order to force the prosecution and conviction of the Kurdish activist Huseyin Baybasin for non-existent crimes, with the help of falsified telephone recordings.

In his EK RAPOR Celebi wrote literally :

"Demmink also participated in similar (pedophile) parties in Turkey. Because a gun went off during a party in Bodrum in 1995, the police arrived.(---) Joris Demmink, who was especially occupied with the case against Huseyin Baybasin in the Netherlands, visited Turkey as a tourist in 1995 and for an international meeting in Antalya in June 1996. Besides that, he entered and left Turkey in the years 1997, 1998, 1999, 2000, 2001, 2002, 2003 and in most of

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<sup>5</sup> Attached appendix 3: the list of dates , received from the MIT, with the dates that Demmink entered the country.

<sup>6</sup> Huseyin Celebi works for the Turkish State Security Counsel, the military wing of the Turkish Intelligence Service. Since 1980 Celebi was special security adviser for among others the Turkish Minister of Interior. See appendix 4: letter of 5 February 2010 of Celebi to the President of the Dutch Investigation Committee, the TCEAS, prof. Y. Buruma.



the cases he wiped his tracks. This information is collected by official and special Intelligence Services. It is also known that he entered Turkey under different names.”<sup>7</sup>

The Dutch Prosecution Office never investigated the sources of the EK RAPOR either. This is surprising, because the information of the EK Rapor is confirmed in an old document of the

Ministry of Justice in the Netherlands, in which is said that “*the Baybasin case is used as leverage in order to get something done from the Turkish authorities in another case*“ and that the responsible official was Joris Demmink.<sup>8</sup> The first reaction of the Public Prosecutor on the EK report was that in his view Hüseyin Celebi was a non-existent person. Hüseyin Celebi then wrote his letter of February 2010 (together with a photo of him in the company of a high ranking Turkish politician of the ruling Turkish AK party) to the Dutch authorities offering 'them to answer their questions regarding his report and accusations. Also this offer was subsequently ignored by the Public prosecution Office.’<sup>9</sup>

## **Conclusion**

All these facts lead to only one conclusion. The criminal charges filed by the two Turkish boys Mustafa and Osman against Demmink were never investigated. The travel movements of Demmink in the nineties were never examined. None of the witnesses presented in Turkey were heard. During the ‘orienting’ investigation Demmink simply maintained his position as highest ranking official of the Ministry of Security and Justice. And on the base of this non-existent criminal investigation the Turkish criminal charges against Demmink were dismissed.

It seems to be a repetition of what happened in the Rolodex investigation in 1998.

At the moment I am preparing an appeal against the decision of The Dutch National Prosecution Office not to prosecute Mr. Demmink for the crimes committed in Turkey and the Netherlands against my clients Mustafa, Osman and Baybasin. I am still waiting for a copy of the official file of the Turkish prosecutor who collected the entry dates of Demmink in the nineties and the aliases he used. But according to my Turkish sources, there is considerable pressure exerted on the Turks by the Dutch not to reveal the truth.

One important issue to keep in mind is, that the media have not been very supportive in informing the Dutch public about this horrific story. Most of the large mainstream media have not written anything for several years about Demmink. This weekend a large national newspaper is finally going to publish new material about Demmink. The power elite in the government we are told have muzzled the leading editors not to write about this story.

I am born and educated in the Netherlands. I am proud of the values of democracy and Rule of Law that govern our society. I am here because some of our leading officials seem to have hijacked our system, abusing all their official power to cover up their ugly behavior towards young people and others. That is terrifying. Nobody should be above the law when he

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<sup>7</sup>Appendix 5: the original EK RAPOR of January 2007

<sup>8</sup> Appendix 6: Memo of the Dutch Ministry of Justice, 15 July 1997

<sup>9</sup> Very recent however the Attorney-General of the Supreme Court requested to reinvestigate the telephone recordings that constituted the evidence in the Baybasin case, for possible manipulation.

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sexually abuses minors or abuses his official government position to cover this up. We only search for justice and we ask your commissions help and advice to reach this.

In conclusion, I would like to ask for two things:

-The State Department should remove the Tier 1 Status from the Netherlands, as they don't deserve it.

-The Helsinki Commission or US State Department, should put maximum pressure to have the official dates released which prove that Demmink was in Turkey in the 1990s.

Thank you for your attention.

Adèle van der Plas