

To: the Voorzitter van de Tweede Kamer der Staten Generaal
(To: the Chair of the Lower House of Parliament)

Dated: 26 March 2019

Subject: Response to the 'white paper' initiative ('initiatiefnota') 'A good intention is not always a good idea: a proposal to combat orphanage tourism'

('Een goede bedoeling is niet altijd een goed idee: een voorstel tot bestrijding van weeshuistoerisme')

Dear Chairman,

On Wednesday 27 March a round table discussion will take place in the Lower House about the initiative paper from member Van Haga "A good intention is not always a good idea; a proposal to combat orphanage tourism" (TK 2018-2019, 35 069, no. 2), hereinafter referred to as "the paper". The government has taken note of this paper with interest. The Committee on Foreign Trade and Development Cooperation requested a response to this note prior to the round table discussion. With this letter I comply with this request.

The problems and concerns raised by the paper are not unknown. Children are vulnerable and deserve the best possible care. In low and low-to-middle income countries, in particular, good care for (orphaned) children is not a given. Care for orphaned and other vulnerable children should preferably take place in a family context. However, care in the form of orphanages and children's homes also exists. In all events, it is important that children can count on reliable and professional care. Despite good intentions, the short-term and rapidly changing efforts made by volunteers often have a negative effect on children.

Furthermore, the paper notes that there are often malicious practices surrounding orphanages, including in some cases child sex tourism and child trafficking, which are very serious violations of children's rights. The cabinet is sympathetic to the concerns raised by the member Van Haga in the paper, the subject of which was also raised [in parliamentary questions] by the member Becker in 2018 (TK 2017-2018, 1374) and the member Van Laar in 2014 (TK 2014-2015, 719).

International volunteers and the role of the government

Before going further into the issue of international volunteering involving caring for children and orphans, it is important to reflect on the social value of volunteering and to express appreciation for it. It is good that young people broaden their horizons, gain international and intercultural experience and show commitment to the alleviation of poverty and more inclusive, sustainable development. Having said that, the Dutch government has only a very limited role in international volunteering. Its role is limited to awareness-raising. First and foremost, it is the responsibility of young people and volunteers to properly orientate and prepare themselves. The Ministry of Foreign Affairs tries to disseminate available information as widely as possible. For example, it warns about the negative effects of volunteering abroad through the website <https://www.nederlandwereldwijd.nl/>. It is also in

regular contact with, among others, the Better Care Network (BCN), which addresses this issue through information and awareness-raising activities. The Movisie knowledge institute, funded by the Ministry of Health, Welfare and Sport, has resources on the subject of volunteering on its website. The social media channels and the embassy network of the Ministry of Foreign Affairs are also used to spread awareness-raising information.

The mandate of the Ministry of Foreign Trade and Development Cooperation

Many of the problems in the countries mentioned in the paper arise from structural causes such as poverty, lack of adequate care facilities and differences in power relations as well as the lack, or malfunctioning, of infrastructure with independent checks and balances. In many cases, laws and regulations concerning orphanages and children's homes are lacking, as well as access to independent justice in cases of abuse. For this and other reasons, the government attaches great importance to improving access to justice, in particular for marginalised groups in developing countries (reflected in SDG16). The policy document "Investment in Perspective" ['Investeren in Perspectief'] is grounded in a human rights approach and represents a prevention agenda to combat the underlying causes of poverty and inequality. Based on this mandate, the government is working towards sustainable, structural solutions that (in)directly contribute to the prevention and combating of the abuses mentioned in the paper.

This, of course, requires attention to the rights and well-being of children, especially children growing up in especially vulnerable situations. The International Convention on the Rights of the Child takes the lead in this regard, with the responsibility for compliance with the Convention primarily falling on national governments. We work together with organisations such as UNICEF that foreground and promote the rights of the child. Various organisations financed from the budget of the Ministry of Foreign Trade and Development Cooperation also focus on combating child sex tourism and child trafficking. An example of this is "Down to Zero", a partnership financed from the Ministry budget that is committed to reducing child abuse. Financing orphanages and children's homes is not a specific goal of Dutch development policy.

Response to the paper's proposals and recommendations

In the initiative paper, the member Van Haga makes seven proposals in which a role for the government is envisaged. These proposals are discussed briefly below.

1. Introducing regulations for providers of volunteer programs working with children

The Ministry of Foreign Affairs has held extensive discussions with the travel industry about the potential added value of an International Social Responsibility in Business covenant for the tourism sector (IMVO-covenant). On March 19, the Dutch trade association ANVR [Algemene Nederlandse Vereniging van Reisonderningen] informed its stakeholders that it does not consider this added value measure to be necessary in view of the relevant steps that have already been taken with regard to the implementation of, and compliance with, the OECD guidelines on Social Responsibility in Business, and the constructive cooperation that already exists with civil society organisations. By way of the internationally-recognised

Travelife certification, the ANVR monitors progress in the integration of OECD guidelines. There is regular consultation in this regard with the Ministry of Foreign Affairs. The industry also works with the Ministry of Justice and Security on promoting human and children's rights in tourism. In addition, the Minister of Justice and Security has already launched various campaigns to raise awareness of (child) sex tourism (TK 2018-2019, 31015, no. 157). The government also refers to the aforementioned websites, partners and campaigns about responsible international volunteering.

2. 'Orphanage tourism' and the policy of the Ministry of Foreign Trade and Development Cooperation

Dutch foreign trade and development cooperation policy contributes directly and indirectly to combating the root causes of poverty, migration, terrorism and climate change. Guided by the SDGs, the Netherlands is working towards improving the well-being and prosperity of, in particular, girls and women and vulnerable groups such as children. In this respect, impact and sustainable results are achieved when the Netherlands brings added value. As stated above, the financing of orphanages and children's homes is not an integral part of the government's approach.

3. Preventing tax-payers' money from supporting orphanages

I refer to the answer above with regard to bilateral efforts. Regarding possible support for voluntary work in orphanages and children's homes through the European Erasmus + programme, this is not an explicit policy objective of the European Commission. The government will check with the European Commission to find out what it is doing to prevent and combat these forms of volunteering. If this conversation reveals that the European Commission is not taking sufficient action in this regard, the government will encourage the European Commission to take additional steps.

4. Launching awareness-raising campaigns to warn (would be) volunteers and travellers of the dangers of orphanage tourism

This matter has already been addressed at various points in this letter. The Ministry of Foreign Affairs regularly identifies the risks and possible negative effects of volunteering abroad via its own website, social media channels and network of embassies. I will investigate whether this information can be drawn together in a more structured way on the websites of embassies in the countries where the problem of orphanage tourism occurs most frequently. This will make information more accessible to travelers and potential international volunteers. Collaboration already exists with various forums that publish information about international volunteering.

5. Treat 'orphanage tourism' at the international level as a form of human trafficking

There are various international conventions and agreements to protect children from exploitation and abuse. There is, of course, the aforementioned Convention on the Rights of the Child. Other international human rights instruments include the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* of July 2000 and

the Council of Europe Convention on Trafficking in Human Beings of May 2005. When the situation in an orphanage or children's home is such that children are exploited or their rights are violated, the above and other international conventions will apply. In the case of human trafficking, existing international agreements already provide a solid framework. The government does not see the added value of an extra treaty or resolution. The responsibility for compliance with international treaties lies primarily with the national governments involved. The Netherlands engages in dialogue with affected countries to promote compliance with the international legal framework. Where appropriate, support in the area of rule of law development is offered.

6. Warn travellers more actively of the dangers of 'orphanage tourism'

I would like to refer here to my answer to point four. An addition to this is that the travel advice on the website of the Ministry of Foreign Affairs aims primarily to inform Dutch people about the security situation abroad, in order to enable people to be well prepared when they travel. The aim is to prevent Dutch citizens from getting into trouble abroad. Travel advice is not political and should not be used for such purposes. Nor should it be an instrument for social advice or advice about tourism.

7. Promote self-regulation in the travel sector

I refer to my answer to point 1 above.

With this letter I hope I have given a satisfactory response to the proposals and recommendations mentioned in the paper. I look forward to discussing this further in the consultations already scheduled.

Minister for Foreign Trade and Development Cooperation

Sigrid A.M. Kaag

