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Commissioner for Human Rights in accordance with  
paragraph 5 of the annex to Human Rights Council  
resolution 16/21**

**Netherlands\***

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and the Office of the High Commissioner for Human Rights (OHCHR) and other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* Late submission.

## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

#### Universal human rights treaties<sup>2</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1971)	OP-CAT (2010)	ICRMW
	ICESCR (1978)	OP-CRC-AC (2009)	CRPD (signature only, 2007)
	ICCPR (1978)	CED (2011)	
	ICCPR-OP 2 (1991)		
	CEDAW (1991)		
	CAT (1988)		
	CRC (1995)		
	OP-CRC-SC (2005)		
<i>Reservations, declarations and/or understandings</i>	ICESCR (reservation, art. 8);	-	-
	ICCPR (declaration and reservations, arts. 10; 12, paras. 1, 2, 4; 14, paras. 3 (d), 5, 7; 19, para. 2; and 20, para. 1)		
	CEDAW (declaration, preamble)		
	CAT (declaration, art. 1)		
	CRC (reservation, arts. 26, 37, 40 and declaration, arts. 14, 22 and 38).		
<i>Complaint procedures<sup>3</sup></i>	ICERD, art. 14 (1971)	OP-ICESCR	OP-CRPD
	ICCPR-OP 1 (1978)	(signature only, 2009)	ICRMW art. 77
	OP-CEDAW (2002)	CED, art. 31 (2011)	
	CAT, art. 22 (1988)		
	ICCPR, art. 41 (1978)		

1. The Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Elimination of Racial Discrimination (CERD) encouraged the Netherlands to consider ratifying ICRMW.<sup>4</sup>

2. The Committee on Economic, Social and Cultural Rights (CESCR) encouraged the Netherlands to consider ratifying OP-ICESCR,<sup>5</sup> ICRMW and CRPD.<sup>6</sup>

3. The Committee on the Rights of the Child (CRC) recommended that the Netherlands withdraw its reservations to the Convention<sup>7</sup> as well as its declaration concerning article 22.<sup>8</sup>

4. CRC recommended that the Netherlands ratify CRPD and the Optional Protocol thereto, signed in 2007.<sup>9</sup> It also recommended that the Netherlands ratify ICRMW, CED, OP-CAT, and OP-ICESCR.<sup>10</sup>

5. The Human Rights Committee (HR Committee) recommended that the Netherlands withdraw its reservation to article 10 and consider withdrawing its other reservations to the Covenant.<sup>11</sup>

#### Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide	-	ILO Convention No. 189 concerning Decent Work for Domestic Workers
	Rome Statute of the International Criminal Court		
	Refugee and stateless persons <sup>12</sup>		
	Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>13</sup>		
	ILO fundamental conventions <sup>14</sup>		
	UNESCO Convention against Discrimination in Education		
	Palermo Protocol <sup>15</sup>		
	ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries		

## B. Constitutional and legislative framework

6. CEDAW regretted that the question of the direct applicability of the provisions of the Convention continued to be determined by domestic courts and was therefore subject to divergent opinions.<sup>16</sup>

7. CESCR was concerned that some provisions of the Covenant were not self-executing and enforceable in the Netherlands. It reiterated that the Netherlands has the obligation to give effect to the rights contained in the Covenant.<sup>17</sup>

8. CRC appreciated the efforts of the Netherlands to harmonize its national legislation with the Convention.<sup>18</sup>

## C. Institutional and human rights infrastructure, policy measures

<i>National human rights institution<sup>19, 20</sup></i>	<i>Status during previous cycle</i>	<i>Status during present cycle</i>
Equal Treatment Commission (ETC)	B (2004)	B (2010)

9. In 2009, the Subcommittee on Accreditation (SCA) of the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights commended the pledge made by the Netherlands before the Human Rights Council regarding the establishment of a national human rights institution (NHRI) based on the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). It recognized the efforts undertaken to establish such an institution, by merging the ETC with a proposed broad-mandate institution. The SCA encouraged the ETC to seek advice and assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the European Coordinating Committee in its efforts to ensure that the enabling legislation would be in full compliance with the Paris Principles.<sup>21</sup>

10. The SCA encouraged the ETC to interact effectively and independently with the international human rights system. It further encouraged the proposed joint ETC-NHRI to apply for accreditation once it was established.<sup>22</sup>

11. In 2010, CESCR expressed its concern that there were no human rights institutions that complied fully with the Paris Principles in the Netherlands. It called on the Netherlands to continue its efforts to establish national human rights institutions compliant with the Paris Principles.<sup>23</sup>

12. CRC welcomed the draft bill on the creation of a children's ombudsman within the office of the Netherlands Ombudsman. However, it was concerned that there were no human rights institutions or ombudsmen for the Netherlands Antilles or Aruba.<sup>24</sup>

## II. Cooperation with human rights mechanisms

### A. Cooperation with treaty bodies<sup>25</sup>

#### 1. Status of reporting

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	March 2004	n/a	February 2010	Combined nineteenth to twenty-first reports due in 2013
CESCR	November 2006	2008	November 2010	Sixth report due in 2015
HR Committee	July 2001	n/a	July 2009	Fifth report due in 2014
CEDAW	January 2007	2008	January 2010	Sixth report due in 2014
CAT	May 2007	2012	-	Pending consideration
CRC	January 2004	n/a	January 2009	Fourth report due in 2012; initial OP-CRC-

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
				SC report submitted in 2007; OP-CRC-AC report submitted in 2011
CED	-	-	-	Initial report due in 2013

## 2. Responses to specific follow-up requests by treaty bodies

### *Concluding observations*

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
HR Committee	2010	Euthanasia and assisted suicide, asylum procedures, prison conditions in the Netherlands Antilles	2011 (partially satisfactory)
CEDAW	2012	Domestic violence, human trafficking	-
CERD	2011	Plan of action to combat discrimination, racist and xenophobic speech from political parties, offences involving discrimination	2010

### *Views*

<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>
HR Committee	2 <sup>26</sup>	Follow-up dialogue is ongoing <sup>27</sup>

13. CESCR and CERD invited the Netherlands to update its core document.<sup>28</sup>

14. CERD regretted that no reports had been submitted on the implementation of the Convention in Aruba and the Netherlands Antilles.<sup>29</sup>

## B. Cooperation with special procedures<sup>30</sup>

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	Yes	Yes
<i>Visits undertaken</i>	Special Rapporteur on toxic waste (18–29 October 1999)  Special Rapporteur on the sale of children, child prostitution and child pornography (30 November–4 December 1998),  Special Rapporteur on violence against women (2–12 July 2006)	Special Rapporteur on toxic waste (26–28 November 2008) <sup>31</sup>

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<i>Visits agreed to in principle</i>	None	-
<i>Visits requested</i>	None	-
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, one communication was sent, to which the Government did not reply.	

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### C. Cooperation with the Office of the High Commissioner for Human Rights

15. The Netherlands contributed financially to OHCHR from 2008 to 2011, including to the United Nations Voluntary Fund for Victims of Torture in 2008 and 2009.<sup>32</sup>

## III. Implementation of international human rights obligations

### A. Equality and non-discrimination

16. CEDAW remained concerned about the persistence of gender-role stereotypes, in particular about migrant women and men.<sup>33</sup> The Committee urged the Netherlands to intensify its efforts to eliminate discrimination against migrant, black, Muslim and other minority women, who still face multiple forms of discrimination with respect to education, health, employment and social and political participation.<sup>34</sup>

17. CERD was concerned that the current policy on integration had shifted the primary responsibility for integration from the State to immigrant communities. It recommended that the Netherlands proceed with the preparation and implementation of a plan of action to address discrimination and ensure that its integration policies reflect an appropriate balance between the responsibilities of the State and of immigrant communities.<sup>35</sup> Noting information provided by the Netherlands that its anti-discrimination policies are not aimed at specific groups, CERD expressed concern that that might result in insufficient attention being paid to the needs and concerns of groups which might be particularly susceptible to discrimination.<sup>36</sup>

18. CERD noted with appreciation the enactment of the Municipal Anti-Discrimination Services Act; the new Instructions on Discrimination to the Police and Public Prosecution Service; and the “Discrimination? Call now!” campaign.<sup>37</sup> However, the Committee was concerned at the prevalence of discrimination in the admissions policies and practices of fitness centres, catering establishments and places of entertainment.<sup>38</sup> CERD recommended that the Netherlands intensify its efforts to combat the dissemination of ideas based on racial superiority through the Internet as well as other media, including racist speech by political parties.<sup>39</sup>

19. CERD took note of information indicating that rates of unemployment in ethnic minority groups were significantly higher than average. It was also concerned at the underrepresentation of ethnic minorities in senior positions in public and private sectors.<sup>40</sup> The HR Committee expressed similar concerns.<sup>41</sup> In 2009, the ILO Committee of Experts on the Application of Conventions and Recommendations stated that employment data had continued to show a mainly negative trend in the employment and education of persons belonging to ethnic minorities. It requested the Netherlands to increase its efforts to address discrimination against ethnic minority groups and to provide information on policies and measures to stimulate the labour participation of non-Western minorities.<sup>42</sup>

20. CESCR called on the Netherlands to implement targeted policies and programmes to improve the situation of migrants and persons from ethnic minorities in accessing employment, housing, health and education; to take all necessary measures to combat racism and xenophobia; and to enforce effectively the legal prohibitions against discrimination in the enjoyment of economic, social and cultural rights.<sup>43</sup>

21. CRC urged the Netherlands to ensure full protection against discrimination, strengthen its awareness-raising and other preventive activities against discrimination and, if necessary, take affirmative action for the benefit of vulnerable groups of children, asylum-seeking and refugee children and children belonging to minority groups.<sup>44</sup>

22. CESCR called on the Netherlands to ensure that the new legislation integrating the four Equal Treatment Acts to be introduced in the Netherlands and the new equal treatment enactments to be adopted by Curaçao and St. Maarten would provide comprehensive protection of the rights to equality and non-discrimination.<sup>45</sup>

## **B. Right to life, liberty and security of the person**

23. The HR Committee was concerned at reports of extremely harsh conditions in Bon Futuro Prison and Bonaire Remand Prison, and of physical ill-treatment and verbal abuse by the police at those prisons and at the prison for irregular migrants (*"Illegalen Barakken"*). The Netherlands should prevent and punish the ill-treatment of detainees and ensure that detention conditions are improved.<sup>46</sup>

24. CESCR expressed concern at the existence of compulsory labour for detainees in the Netherlands, including work for private entities at very low wages. It urged the Netherlands to take measures so that detainees are not subjected to any form of compulsory labour.<sup>47</sup>

25. CESCR called on the Netherlands to enact a specific offence of domestic violence in the Netherlands.<sup>48</sup> CEDAW urged the Netherlands Antilles and Aruba to promptly enact legislation providing for temporary restraining orders to be imposed on perpetrators of domestic violence.<sup>49</sup>

26. The HR Committee remained concerned at the extent of euthanasia and assisted suicides in the Netherlands, and urged that the legislation be reviewed in the light of the Covenant.<sup>50</sup> CRC recommended that the Netherlands evaluate the regulations and procedures relating to the termination of life on request, in order to ensure that children, including newborn infants with severe abnormalities, enjoy special protection.<sup>51</sup>

27. CRC was concerned that in the Netherlands Antilles, the minimum age of 15 years for the worst forms of child labour was too low.<sup>52</sup>

28. CESCR regretted that corporal punishment was not prohibited in Aruba and urged the Netherlands to introduce a statutory prohibition thereof.<sup>53</sup> CRC made similar recommendations.<sup>54</sup>

29. CRC was concerned about the existence of child sex tourism involving Dutch nationals, and about the lack of an adequate response.<sup>55</sup>

30. The HR Committee noted that medical experimentation involving minors was currently permissible in the Netherlands. It remained concerned that the law did not contain adequate safeguards in relation to medical experimentation requiring the involvement of children.<sup>56</sup>

31. CRC was concerned at the lack of a comprehensive national strategy to prevent trafficking and sexual exploitation, specifically of children.<sup>57</sup> However, it welcomed that the Netherlands provided permanent residency permits to child victims of sale and

trafficking and only repatriated victims if repatriation was determined to be in their best interest.<sup>58</sup>

32. CEDAW expressed concern that anti-trafficking legislation had not yet been enacted in the Netherlands Antilles and that victims of trafficking continued to be detained in alien detention centres. It urged the Netherlands Antilles to adopt without delay legislation criminalizing all forms of human trafficking.<sup>59</sup> The HR Committee noted with concern that human trafficking was not a separate criminal offence under Antillean law.<sup>60</sup>

### **C. Administration of justice**

33. The HR Committee noted that, in the Netherlands, a person suspected of involvement in a criminal offence had no right to have legal counsel present during police questioning.<sup>61</sup>

34. The HR Committee was concerned that pretrial detention in the Netherlands might last for up to two years, a situation aggravated by the restricted right of access to counsel.<sup>62</sup>

35. CRC recommended that the Netherlands ensure the full implementation of juvenile justice standards; consider reviewing its legislation with the aim of eliminating the possibility of trying children as adults; eliminate life imprisonment sentences for children; and ensure that the deprivation of liberty of juvenile offenders is used only as a measure of last resort and for the shortest appropriate period of time.<sup>63</sup>

### **D. Right to family life**

36. CRC recommended that the Netherlands take all necessary measures to prevent cases of illegal adoption.<sup>64</sup>

### **E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

37. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that, although the Netherlands had a long tradition of protecting freedom of expression and press freedom, religious extremism and intolerance had emerged as an issue.<sup>65</sup> It recommended an open and democratic discussion among different stakeholders to address the effect of extremism on freedom of expression.<sup>66</sup>

38. The HR Committee noted the intention of the Netherlands to abolish the article on blasphemy in the Criminal Code, while at the same time revising its anti-discrimination provisions. Any legislative reform in this area should be monitored to ensure that it is compatible with the Covenant.<sup>67</sup>

39. CERD was concerned at the incidence of racist and xenophobic speech emanating from a few extremist political parties, the continuing incidence of manifestations of racism and intolerance towards ethnic minorities, and the general deterioration in the tone of political discourse around discrimination. It urged the Netherlands to take more effective measures to prevent and suppress manifestations of racism, xenophobia and intolerance and to encourage a positive climate of political dialogue, including at times of local and national election campaigns.<sup>68</sup>

40. CEDAW was concerned that women were underrepresented in Parliament and in the Islands' Councils, in municipal councils and local and provincial governments, and in high-ranking posts, especially in the diplomatic service and the security and defence sectors. It



regretted that the adoption of quotas aiming at gender balance was not envisaged.<sup>69</sup> The HR Committee similarly noted the low participation of women in public office.<sup>70</sup>

## **F. Right to work and to just and favourable conditions of work**

41. CEDAW expressed concern about insufficient progress made in combating structural inequality and disadvantages that women continued to experience in the labour market. It was particularly concerned about the low number of economically independent women.<sup>71</sup>

42. CESCR remained concerned at the wage gap between men and women, the underrepresentation of women in the labour market and their concentration in part-time employment.<sup>72</sup>

43. CEDAW called upon the Netherlands to ensure that women domestic workers are not deprived of social security or other labour benefits.<sup>73</sup>

44. CESCR was concerned that, in the absence of an explicit legislative recognition of the right to strike, the exercise of that right had been made subject to the scrutiny of the courts. It noted that in Curaçao and St. Maarten a ban on the right to strike was still in force.<sup>74</sup>

45. In 2011, the ILO Committee of Experts recalled its invitation to the Government of the Netherlands to initiate discussions with the most representative employers' and workers' organizations with a view to identifying appropriate means for addressing the issue of the protection against acts of anti-union discrimination other than dismissal, for example transfer, relocation, demotion and deprivation or restriction of remuneration, social benefits or vocational training, of trade union members who were not trade union representatives. The Committee of Experts noted the indication of the Netherlands that those discussions were to be concluded by the end of 2010.<sup>75</sup>

## **G. Right to social security and to an adequate standard of living**

46. CESCR noted with concern that pockets of poverty existed in all the constituent countries of the Netherlands.<sup>76</sup> CEDAW expressed concern at the increased poverty and isolation of older women and single mothers.<sup>77</sup>

47. CESCR urged the Netherlands to ensure the equal enjoyment of economic, social and cultural rights by all individuals and groups under its jurisdiction.<sup>78</sup>

48. CESCR called on the Netherlands to adopt remedial measures to bring the rights and benefits accorded to domestic workers in line with those afforded to other workers.<sup>79</sup> It urged the Netherlands to continue taking all necessary measures to ensure that all individuals and households in need of social assistance have effective access thereto.<sup>80</sup>

49. CESCR recommended that the Netherlands adopt a national plan of action to combat the rise in homelessness.<sup>81</sup>

## **H. Right to health**

50. CESCR was concerned at reports that many older persons were denied appropriate care, including in nursing homes, due to the insufficient number of caregivers, the lack of sufficiently trained personnel and the absence of a comprehensive enactment on geriatric health care.<sup>82</sup>

51. CESCR was also concerned at information that a large proportion of prisoners with mental health problems did not receive the required health assistance, owing to a shortage of trained personnel in penal institutions and a lack of monitoring of adequacy and quality of care.<sup>83</sup>

52. CESCR urged the Netherlands to review the legislation in Curaçao and St. Maarten with a view to providing for exceptions to the prohibition on abortion in cases of therapeutic abortion or pregnancies resulting from rape or incest.<sup>84</sup>

## **I. Right to education**

53. CESCR was concerned that, while education was compulsory for all children, regardless of their legal status, undocumented children opting to enrol in vocational education programmes were not yet able to complete their apprenticeships because of work permit requirements in the Netherlands.<sup>85</sup>

54. CRC recommended that the Netherlands provide support for ethnically diverse schools and networks of cooperation among schools; facilitate enrolment of children with missing or incomplete documents; improve the safety situation at schools experiencing difficulties in that regard; and make sure that human rights and child rights education is included in school curricula at all levels.<sup>86</sup>

55. CRC welcomed the introduction of compulsory education in the Netherlands Antilles and the measures taken to give all children access to school, decrease dropout rates and increase the transition rate to secondary education.<sup>87</sup>

56. CRC recommended that the Netherlands make education compulsory in Aruba and strengthen its efforts to ensure that all children, including immigrant children, attend school.<sup>88</sup>

## **J. Cultural rights**

57. UNESCO indicated that The Netherlands was very active in promoting and implementing the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage. The private sector, local communities and NGOs were also involved in the definition of heritage safeguarding policies and in conservation efforts. However, education and international exchange of information on cultural heritage could be enhanced.<sup>89</sup>

## **K. Persons with disabilities**

58. CESCR called on the Netherlands to continue its efforts to promote the integration of persons with disabilities in the labour market and to facilitate their access to education.<sup>90</sup>

59. CRC recommended that the Netherlands take all necessary measures to ensure that legislative protection for persons with disabilities, as well as programmes and services for children with disabilities, are effectively implemented; and that early identification and intervention programmes are developed and strengthened.<sup>91</sup>

## **L. Minorities**

60. CERD noted information that a significant number of persons belonging to ethnic minorities experienced social marginalization and discrimination, particularly in the areas of education, health and housing.<sup>92</sup>

## M. Migrants, refugees and asylum-seekers

61. The HR Committee noted that under the “accelerated procedure” for the review of asylum applications, claims were evaluated within 48 working hours. It was concerned that the regular “eight-day” procedure might not allow asylum-seekers the opportunity to adequately substantiate their claims and might leave them open to being expelled to a country where they might be at risk.<sup>93</sup>

62. CEDAW expressed concern that the accelerated asylum procedure places women at a high risk of refoulement if they do not report immediately the violence or sexual persecution they have experienced. The Committee was concerned that appeals under the accelerated procedure did not have suspensive effect and that applicants must leave the country. It noted that, although temporary resident permits might be provided to victims of domestic violence on humanitarian grounds, domestic violence was still not formally recognized as a ground for asylum.<sup>94</sup>

63. CEDAW also expressed concern at the maternal mortality risk for female asylum-seekers, which was four times higher than for native Dutch women. It noted that undocumented female immigrants faced great difficulties in accessing the health services to which they were formally entitled, mainly because of a lack of appropriate information.<sup>95</sup>

64. CESCR was concerned that the requirement of a long period of affiliation to receive the full public pension was discriminatory to migrant workers.<sup>96</sup>

65. CESCR was concerned at long detention periods for asylum-seekers and unaccompanied minors. It also regretted that undocumented migrants, including families with children, were not entitled to a right to shelter and were rendered homeless after their eviction from reception centres.<sup>97</sup> CERD expressed similar concerns.<sup>98</sup>

66. CRC recommended that the Netherlands further reduce the use of aliens’ detention for families with children and unaccompanied children, strengthen measures to prevent the disappearance of asylum-seeking children, and provide culturally sensitive family services.<sup>99</sup>

67. CERD noted that, under the Civic Integration (Preparation Abroad) Act, migrants from certain countries requiring a temporary residence permit to enter the Netherlands for family formation or unification must pass a civic integration examination. It was concerned that the application of the Act resulted in discrimination on the basis of nationality, particularly between so-called “Western” and “non-Western” State nationals.<sup>100</sup> CEDAW expressed similar concerns.<sup>101</sup> The ILO Committee of Experts, noting that the Civic Integration ([Preparation] Abroad) Act was under review, encouraged the Netherlands to ensure that permanent migrant workers from non-Western countries do not face unreasonable hardship with respect to family reunification.<sup>102</sup>

## N. Right to development and environmental issues

68. In 2009, the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights recommended that the Government and relevant State actors harmonize and strengthen existing legislation on the prevention of marine pollution and environmental management in order to ensure more rigorous inspection.<sup>103</sup>

## O. Human rights and counter-terrorism

69. The HR Committee was concerned that, as part of measures to combat terrorism, local mayors may issue administrative “disturbance orders”, under which an individual may be subjected to house calls and similar interference in his daily life. Since disturbance orders do not require judicial authorization or oversight, the Committee was concerned at the risk that their application might be inconsistent with the right to privacy.<sup>104</sup>

### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 1 April 2009* (ST/LEG/SER.E/26), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org>. Please also see the United Nations compilation on the Netherlands from the previous cycle, prepared by OHCHR for submission to the Working Group on the Universal Periodic Review at its first session.

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>3</sup> In the previous compilation a table contained information on the recognition of specific competences of treaty bodies, namely, Individual complaints: ICERD, art. 14, CAT, art. 22, ICRMW, art. 77, and CED, art. 31; Inquiry procedure: OP-CEDAW, arts. 8 and 9, CAT, art. 20, OP-CRPD, arts. 6 and 7; Inter-State complaints: ICCPR, art. 41, ICRMW, art. 76, and CED, art. 32.

<sup>4</sup> Concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/NLD/CO/5), para. 50; Concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/NLD/CO/17-18), para. 16.

<sup>5</sup> Concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/NLD/CO/4-5), para. 40.

<sup>6</sup> *Ibid.*, para. 41.

<sup>7</sup> Concluding observations of the Committee on the Rights of the Child. CRC/C/NLD/CO/3, paras. 10 and 11.

<sup>8</sup> *Ibid.*, paras. 69 and 70.

<sup>9</sup> *Ibid.*, para. 50.

- <sup>10</sup> Ibid., para. 82.
- <sup>11</sup> Concluding observations of the Human Rights Committee (CCPR/C/NLD/CO/4), para. 4.
- <sup>12</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- <sup>13</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); and Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); and Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).
- <sup>14</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- <sup>15</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- <sup>16</sup> CEDAW/C/NLD/CO/5, paras. 12 and 13.
- <sup>17</sup> E/C.12/NLD/CO/4-5, para. 6.
- <sup>18</sup> CRC/C/NLD/CO/3, para. 12.
- <sup>19</sup> According to article 5 of the rules of procedure for the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights Sub-Committee on Accreditation, the different classifications for accreditation used by the Sub-Committee are: A: Voting Member (Fully in compliance with each of the Paris Principles), B: Non-Voting Member (Not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); C: No Status (Not in compliance with the Paris Principles).
- <sup>20</sup> For the list of national human rights institutions with accreditation status granted by the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/16/77, annex.
- <sup>21</sup> Report and recommendations of the session of the Sub-Committee on Accreditation, Geneva, 29 March–1 April 2010, para. 3.5.
- <sup>22</sup> Ibid.
- <sup>23</sup> E/C.12/NLD/CO/4-5, para. 10.
- <sup>24</sup> CRC/C/NLD/CO/3, paras. 16 and 17. See also CRC/C/OPSC/NLD/CO/1, paras. 18-19.
- <sup>25</sup> The following abbreviations have been used for this document:
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| CERD         | Committee on the Elimination of Racial Discrimination        |
| CESCR        | Committee on Economic, Social and Cultural Rights            |
| HR Committee | Human Rights Committee                                       |
| CEDAW        | Committee on the Elimination of Discrimination against Women |
| CAT          | Committee against Torture                                    |
| CRC          | Committee on the Rights of the Child                         |
| CED          | Committee on Enforced Disappearance                          |
- <sup>26</sup> CCPR/C/102/D/1564/2007, CCPR/C/99/D/1797/2008.
- <sup>27</sup> *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 40*, vol. II (A/66/40 (Vol. II)), and *ibid.*, *Sixty-fifth Session, Supplement No. 40*, vol. II (A/65/40 (Vol. II)).
- <sup>28</sup> E/C.12/NLD/CO/4-5, para. 42; CERD/C/NLD/CO/17-18, para. 20.

- <sup>29</sup> CERD/C/NLD/CO/17-18, para. 15.
- <sup>30</sup> Abbreviations used follow those contained in the communications report of special procedures (A/HRC/18/51 and Corr.1).
- <sup>31</sup> A/HRC/12/26/Add.2.
- <sup>32</sup> OHCHR, *2008 Annual Report: Activities and Results*, pp. 174, 176, 178-180, 185 and 199; OHCHR, *2009 Annual Report: Activities and Results*, pp. 190, 192, 194-196, 199 and 211; OHCHR, *2010 Annual Report: Activities and Results*, pp. 79, 83, 84, 87, 233, 240, 258, 274 and 286; OHCHR, *2011 Annual Report: Activities and Results* (forthcoming).
- <sup>33</sup> CEDAW/C/NLD/CO/5, paras. 24 and 25.
- <sup>34</sup> *Ibid.*, paras. 42 and 43.
- <sup>35</sup> CERD/C/NLD/CO/17-18, 25 March 2010, para. 4.
- <sup>36</sup> *Ibid.*, para. 6.
- <sup>37</sup> *Ibid.*, para. 3.
- <sup>38</sup> *Ibid.*, para. 13.
- <sup>39</sup> *Ibid.*, para. 9.
- <sup>40</sup> *Ibid.*, para. 12.
- <sup>41</sup> CCPR/C/NLD/CO/4, para. 19.
- <sup>42</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 062009NLD111, third and sixth paragraphs.
- <sup>43</sup> E/C.12/NLD/CO/4-5, para. 12.
- <sup>44</sup> CRC/C/NLD/CO/3, para. 27.
- <sup>45</sup> E/C.12/NLD/CO/4-5, para. 11.
- <sup>46</sup> CCPR/C/NLD/CO/4, paras. 23 and 24.
- <sup>47</sup> E/C.12/NLD/CO/4-5, para. 15.
- <sup>48</sup> *Ibid.*, para. 21.
- <sup>49</sup> CEDAW/C/NLD/CO/5, paras. 26 and 27.
- <sup>50</sup> CCPR/C/NLD/CO/4, para. 7.
- <sup>51</sup> CRC/C/NLD/CO/3, paras. 30 and 31.
- <sup>52</sup> *Ibid.*, paras. 71 and 72.
- <sup>53</sup> E/C.12/NLD/CO/4-5, para. 22.
- <sup>54</sup> CRC/C/NLD/CO/3, para. 37.
- <sup>55</sup> CRC/C/OPSC/NLD/CO/1, paras. 22 and 23.
- <sup>56</sup> CCPR/C/NLD/CO/4, para. 8.
- <sup>57</sup> CRC/C/NLD/CO/3, paras. 73 and 74.
- <sup>58</sup> CRC/C/OPSC/NLD/CO/1, para. 28.
- <sup>59</sup> CEDAW/C/NLD/CO/5, paras. 28 and 29.
- <sup>60</sup> CCPR/C/NLD/CO/4, para. 22.
- <sup>61</sup> *Ibid.*, para. 11.
- <sup>62</sup> *Ibid.*, para. 12.
- <sup>63</sup> CRC/C/NLD/CO/3, paras. 77 and 78.
- <sup>64</sup> *Ibid.*, paras. 45 and 46.
- <sup>65</sup> UNESCO submission to the UPR on the Netherlands, para. 20.
- <sup>66</sup> *Ibid.*, para. 24.
- <sup>67</sup> CCPR/C/NLD/CO/4, para. 16.
- <sup>68</sup> CERD/C/NLD/CO/17-18, para. 8.
- <sup>69</sup> CEDAW/C/NLD/CO/5, para. 32.
- <sup>70</sup> CCPR/C/NLD/CO/4, para. 6.
- <sup>71</sup> CEDAW/C/NLD/CO/5, paras. 36 and 37.
- <sup>72</sup> E/C.12/NLD/CO/4-5, para. 14.
- <sup>73</sup> CEDAW/C/NLD/CO/5, paras. 38 and 39.
- <sup>74</sup> E/C.12/NLD/CO/4-5, para. 18.
- <sup>75</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 2011, Geneva, doc. No. (ILOLEX) 062011NLD098, second paragraph.
- <sup>76</sup> E/C.12/NLD/CO/4-5, para. 24.

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- 77 CEDAW/C/NLD/CO/5, paras. 44 and 45.  
78 E/C.12/NLD/CO/4-5, para. 5.  
79 Ibid., para. 17.  
80 Ibid., para. 19.  
81 Ibid., para. 36.  
82 Ibid., para. 29.  
83 Ibid., para. 30.  
84 Ibid., para. 27.  
85 Ibid., para. 31.  
86 CRC/C/NLD/CO/3, paras. 61 and 62.  
87 Ibid., paras. 63 and 64.  
88 Ibid., para. 65 and 66.  
89 UNESCO submission to the UPR on the Netherlands, paras. 17-19.  
90 E/C.12/NLD/CO/4-5, para. 13.  
91 CRC/C/NLD/CO/3, para. 50.  
92 CERD/C/NLD/CO/17-18, para. 14.  
93 CCPR/C/NLD/CO/4, para. 9.  
94 CEDAW/C/NLD/CO/5, paras. 40 and 41.  
95 Ibid., paras. 46 and 47.  
96 E/C.12/NLD/CO/4-5, para. 20.  
97 Ibid., para. 25.  
98 CERD/C/NLD/CO/17-18, para. 11.  
99 CRC/C/NLD/CO/3, paras. 67 and 68.  
100 CERD/C/NLD/CO/17-18, para. 5.  
101 CEDAW/C/NLD/CO/5, paras. 42 and 43.  
102 ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Migrant for Employment Convention, 1949 (No. 97), 2009, Geneva, doc. No. (ILOLEX) 092009NLD097, fifth paragraph.  
103 A/HRC/12/26/Add.2, para. 85 (a).  
104 CCPR/C/NLD/CO/4, para. 15.
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