



21 September 2012  
Check against delivery

UN Human Rights Council  
21<sup>st</sup> session, 10-28 September 2012

Item 6:  
Consideration of UPR reports

NETHERLANDS

Madam President,

Amnesty International notes the Netherlands' positive engagement with the UPR process, and commends it for including information on its overseas territories in the National Report. We hope this review process will contribute to improving the promotion and protection of human rights protection there.

Madam President,

Amnesty International urges the government to implement the recommendations, made in the review, to develop a national human rights action plan.<sup>1</sup> Long overdue, such an action plan would, we believe, enhance the protection and promotion of human rights in the Netherlands, for example by clarifying the distribution of human rights competencies across the various parts of the Kingdom and between ministries and other parts of the government. It could also improve coordination and consideration of human rights perspectives in policy making.

We also call on the government to implement recommendations to reduce immigration detention and to improve conditions in migrant detention centres.<sup>2</sup> In August this year, the Dutch National Ombudsman issued a report criticizing the conditions in immigration detention centres for being disproportionately restrictive and similar to the conditions in which convicted criminals are held.<sup>3</sup> While the government has taken a modest step in

<sup>1</sup> A/HRC/21/15 paragraphs 98.27 (Philippines), 98.28 (Uzbekistan), 98.29 (Argentina) and 98.30 (Brazil).

<sup>2</sup> A/HRC/21/15 paragraphs 98.84 (France), 98.106 (Nicaragua), 98.108 (Sweden), 98.112 (Brazil), 98.113 (Ecuador), and 98.114 (Ecuador).

<sup>3</sup> National Ombudsman, *Vreemdelingenbewaring: strafregime of maatregel om uit te zetten: over respect voor mensenrechten bij vreemdelingenbewaring* [Immigration detention: punitive regime or removal measure: on the respect for human rights in immigration detention], report 2012/105, 7 August 2012, available at: [http://www.nationaleombudsman-nieuws.nl/sites/default/files/rapport\\_vreemdelingenbewaring\\_2012\\_105.pdf](http://www.nationaleombudsman-nieuws.nl/sites/default/files/rapport_vreemdelingenbewaring_2012_105.pdf). Aspects of the Dutch immigration detention system were also criticized by the European Committee on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in its *Report to the Government of*

the right direction by piloting alternatives to immigration detention, it still falls short of ensuring that detention is used only as a measure of last resort, and that conditions in immigration detention centres comply with international human rights laws and standards.

Finally, Madam President,

A large number of recommendations were made on the issue of discrimination, including against women, ethnic and religious minorities, and migrants.<sup>4</sup> We are concerned that the government has in the past not always met the obligation to respect, protect and fulfill the right to non-discrimination. We urge the government to be more proactive in addressing the root causes of discrimination in the Netherlands and to promote greater tolerance and understanding.

Thank you, Madame President.

---

*the Netherlands on the visit to the Netherlands carried out by the CPT from 10 to 21 October 2011*, Strasbourg, 9 August 2012, available from: <http://www.cpt.coe.int/documents/nld/2012-21-inf-eng.htm>

<sup>4</sup> A/HRC/21/15 paragraphs 98.36 (Uzbekistan), 98.38 (Iran), 98.39 (USA), 98.40 (Thailand), 98.41 (China), 98.42 (Egypt), 98.43 (Egypt), 98.44 (France), 98.45 (Poland), 98.46 (India), 98.47 (Iran), 98.48 (Malaysia), 98.49 (Mexico), 98.50 (Nicaragua), 98.51 (Norway), 98.53 (Pakistan), 98.54 (Hungary), 98.55 (Qatar), 98.56 (Romania), 98.57 (Russia), 98.58 (Spain), 98.59 (Thailand), 98.60 (Turkey), 98.61 (Uruguay), 98.62 (Vietnam), 98.63 (Algeria) 98.64 (Azerbaijan), 98.65 (Bangladesh), 98.66 (Bangladesh), 98.67 (Botswana), 98.68 (Canada), 98.69 (Costa Rica), and 98.70 (Cuba).