

ADVANCE QUESTIONS TO THE NETHERLANDS

DENMARK

- States are under an obligation not to transfer persons, including terrorist suspects, to another State, where there are substantial grounds for believing that there is a substantial risk of irreparable harm, in particular torture. How does the Government of the Netherlands intend to ensure that human rights will be respected by recipient countries in such cases? Is the use of diplomatic assurances envisaged?

FINLAND

- We acknowledge that the Government of the Netherlands has made commitments to protect children from violence, including by prohibiting the use of corporal punishment in all settings, including in the family.¹
- With regard to the United Nations study on violence against children², which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in the Netherlands. In particular, we would greatly appreciate if the Government of the Netherlands could share with us good practices to prevent and respond to violence against children³.

FRANCE

- Comment expliquer, en dépit des ambitions de l'arsenal législatif néerlandais, la persistance de discriminations importantes dans l'accès des personnes issues de l'immigration à l'éducation, à l'emploi, au logement, aux loisirs et au sport ?
- En octobre 2005, l'incendie d'un centre de demandeurs d'asile causait la mort de 11 personnes. Quelles mesures ont été prises depuis pour renforcer la sécurité personnelle des demandeurs d'asile ?
- Les Pays-Bas envisagent-ils de signer la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées ? Dans la négative, à quelles difficultés seraient-elles confrontées pour ratifier ce texte ?

¹ Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see footnote 25), the national report for the universal periodic review submitted by the Government of the Netherlands, page 13 and the Summary prepared by OHCHR in accordance with paragraph 15 (c) of resolution 5/1 of the Human Rights Council (A/HRC/WG.6/1/NET/3, paragraph 19).

² Report of the independent expert for the United Nations study on violence against children (A/61/299).

³ Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see footnote 15).

ITALY

- In its recommendations, the Committee for the Elimination of all Forms of Discrimination Against Women (CEDAW) indicated the need for effective measures to eliminate discrimination against women refugees and other women from ethnic minorities. Besides, the Special Rapporteur on violence against women noted that the Dutch law largely excludes undocumented immigrant women from access to social welfare benefits, also meaning that undocumented immigrant women facing violence are not legally entitled to a housing provided by the Government. Could you provide more information on measures and initiatives undertaken to address this problem?
- Could you provide more information on the programmes currently in place in the Netherlands concerning education and training in the field of human rights?

SWEDEN

- In her report following her visit in 2006 to the Netherlands, the UN Special Rapporteur on violence against women concluded that women in the Netherlands, as in all countries, face various kinds of gender-based violence. The Rapporteur issued a number of recommendations to the government of the Netherlands on how it could further address the problem. In its national report to the 2008 Universal Periodic Review, the Netherlands referred to upcoming work on the issue in the context of the national programme “Dealing with Domestic Violence”, while recalling that also domestic violence is an offence under Dutch criminal law. Could the government of the Netherlands elaborate on the said programme and on what further measures it is considering and taking to eliminate violence against women?
- The government of the Netherlands has taken measures to stem the continued occurrence in the country of trafficking in persons, as expressed, inter alia, in its 2004 National Action Plan to Combat Trafficking in Human Beings, and as elaborated in its national report to the 2008 Universal Periodic Review. In her 2007 report, the National Rapporteur on Trafficking in Human Beings issued a number of recommendations on further measures to address the problem, such as ratification of the Council of Europe Convention on Action against Trafficking in Human Beings and strengthened provisions for assistance to victims. Could the government of the Netherlands elaborate on its view of these and other proposals by the National Rapporteur?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please elaborate further on civil society involvement in the preparation of your national report for this process?
- The recent ECRI report on the Netherlands concluded that the tone of Dutch political and public debate around integration and other issues relevant to ethnic minorities has experienced a dramatic deterioration in recent years. One of the recommendations was that the Netherlands take measures aimed at countering

“Islamophobia, anti-Semitism and racism”. Could the Netherlands indicate what measures have been taken to address this?

- The Dutch government recently announced plans to introduce legislation banning the wearing of face covering garments in certain situations. Could the Netherlands confirm that it has considered the possibility that this measure could impact negatively on the freedom of religion, and indicate what it has done to address this possibility?
- What is the response of the Netherlands to the concern expressed by CERD, CRC and NGOs that the Netherlands has not adequately addressed the de facto segregation in the field of education, which they claim is caused by the Dutch school system?
- What is the response of the Netherlands to the concern expressed by the Special Rapporteur on the sale of children, child prostitution and child pornography that the decision by The Hague Court to legalise the so-called Brotherly Love Freedom and Diversity Party, which inter alia promotes the lowering of the age of consent for sexual relations from 16 to 12, effectively impedes the full realisation of the protection of children, particularly with regards to sexual abuse, child prostitution and child pornography.
- Could you please elaborate further on the existence of a national human rights institution in the Netherlands, and if it is in compliance with the Paris Principles?
