



Kingdom of the Netherlands

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Date: 29 October 2019

Distinguished Special Rapporteur, Dear Mr. Alston,

Thank you for your letter to H.E. Monique van Daalen dated October 14, 2019.

The Netherlands would like to thank you for your observations as expressed in your press release of 16 October 2019 and your brief as *Amicus Curiae* in the case of NJCM c.s. / De Staat der Nederlanden (SyRI) before the District Court of The Hague.

The Netherlands highly values the work of UN Treaty Bodies and UN Special Procedures. We welcome independent and impartial scrutiny of our national human rights policies at any time. We are committed to tackling all forms of discrimination and protecting those in our societies who are most vulnerable. As an elected incoming member of the Human Rights Council, we pledge to promote and protect all human rights and to practice at home what we promote internationally.

We applaud your contributions as Special Rapporteur on extreme poverty and human rights to the international debate on digital welfare states and human rights. Moreover, your findings will enrich our national debate with a view to strengthening the social security system in the Netherlands.

SyRI was designed to combat fraud in social welfare and in taxes more efficiently and more effectively. In the Netherlands, as in other countries, the system of social security is designed to support those who are in need and are entitled to certain benefits. For maintaining the support for this system across our society, it is very important that only people who meet the criteria, receive benefits.

The institutions involved have the legal obligation to verify whether benefits are awarded in accordance with the law.

SyRI provides an opportunity to effectively gain insight into who is entitled to benefits and who is not. We would like to stress that no (punitive) decision can be based solely on the information that is provided by SyRI. In every single case the indication provided by SyRI is investigated by the public institution involved. During this investigation, the person involved has the opportunity and right to react to the information and, when applicable, correct the indication. If a punitive decision is made, the person involved has the right to object to this decision, and have the decision tested in court.

**Date**

29 October 2019

**Our reference**

GEV-CDP 183/2019

In conclusion, we thank you for your critical analysis of the potential human rights implications of the application of SyRI and remain open to further discussion regarding this issue.

Your sincerely,



Ms. Nathalie Olijslager  
Deputy Permanent Representative / Charge d'Affaires a.i.