## Compilation on The Netherlands

Report of the Office of the United Nations High Commissioner for Human Rights

**I. Scope of international obligations and cooperation with international human rights mechanisms and bodies**

1. International human rights treaties[[1]](#endnote-1)

|  |  |  |  |
| --- | --- | --- | --- |
|  | *Status during previous cycle* | *Action after review* | *Not ratified/not accepted* |
| *Ratification, accession or succession* | ICERD (1971)  ICESCR (1978)  ICCPR (1978)  ICCPR-OP 2 (1991)  CEDAW (1991)  CAT (1988)  OP-CAT (2010)  CRC (1995)  OP-CRC-AC (2009)  OP-CRC-SC (2005)  ICPPED (2011) | CRPD (2016) | ICRMW |
| *Reservations and/or declarations* | ICESCR  (reservation, art. 8 (1 (d)), 1978)  ICCPR (reservations, arts. 10 (2) (3), 12 (1) (2) (4), 14 (3 (d)), 14 (5) (7), 19 (2), 20 (1), 1978/withdrawal of reservation, art. 25 (c), 1983/declaration, art. 12 (1) (2) (4), 2010)  CEDAW (declaration, preamble paras. 10 and 11, 1978)  CAT (declaration, art. 1, 1988)  CRC (reservations, arts. 26, 37 (c), 40, 1995/declarations, arts. 14, 22, 38, 1995)  OP-CRC-AC (Binding declaration under art. 3 (2): 18 years, 2009) | CRPD (declarations, arts. 10, 12, 14, 15, 23, 25, 29, 2016) |  |
| *Complaints procedures, inquiries and urgent action*[[2]](#endnote-2) | ICERD, art. 14 (1971)  OP-ICESCR (signature only, 2009)  ICCPR, art. 41 (1978)  ICCPR-OP 1 (1978)  OP-CEDAW, art. 8 (2002)  CAT, arts. 20-22 (1988)  ICPPED, arts. 31-32 (2011) |  | OP-ICESCR  (signature only, 2009)  OP-CRC-IC  OP-CRPD |

1. Other main relevant international instruments

|  | *Status during previous cycle* | *Action after review* | *Not ratified* |
| --- | --- | --- | --- |
| *Ratification, accession or succession* | Convention on the Prevention and Punishment of the Crime of Genocide |  |  |
|  | Rome Statute of the International Criminal Court |  |  |
|  | Palermo Protocol[[3]](#endnote-3) |  |  |
|  | Refugees and Stateless Persons[[4]](#endnote-4) |  |  |
|  | Geneva Conventions of 12 August 1949 and Additional Protocols thereto[[5]](#endnote-5) |  |  |
|  | ILO fundamental conventions[[6]](#endnote-6) |  |  |
|  | ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries |  | ILO Convention No. 189[[7]](#endnote-7) |
|  | Convention against Discrimination in Education |  |  |

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

1. Reporting status

| *Treaty body* | *Concluding observations included in previous review* | *Latest report submitted since previous review* | *Latest concluding observations* | *Reporting status* |
| --- | --- | --- | --- | --- |
| Committee on the Elimination of Racial Discrimination | March 2010 | 2013 | August 2015 | Combined twenty-second to twenty-fourth reports due in 2019 |
| Committee on Economic, Social and Cultural Rights | November 2010 | 2016 | -- | Sixth report pending consideration in 2017 |
| Human Rights Committee | July 2009 | -- | -- | Fifth report overdue since 2014 |
| Committee on the Elimination of Discrimination against Women | February 2010 | 2014 | November 2016 | Seventh report due in 2020 |
| Committee against Torture | -- | -- | May 2013 | Seventh report due in 2017 |
| Committee on the Rights of the Child | January 2009  (to CRC and OP-CRC-SC) | 2013  (to CRC) | June 2015  (CRC and OP-CRC-AC) | Combined fifth to sixth reports due in 2020 |
| Committee on the Rights of Persons with Disabilities | -- | -- | -- | Initial report due in 2018 |
| Committee on Enforced Disappearances | -- | 2013 | March 2014 | Second report due in 2020 |

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

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Concluding observations** | | | | | |
| *Treaty body* | *Due in* | | *Subject matter* | | *Submitted in* |
| Committee on the Elimination of Racial Discrimination  HR Committee  Committee on the Elimination of Discrimination against Women  CAT  Committee on Enforced Disappearances | 2016  2010  2012  2014  2015 | | Racist hate speech and racial discrimination; discrimination in employment; minority groups.[[8]](#endnote-8)  Euthanasia; accelerated asylum procedure; prison conditions in the Netherlands Antilles.[[9]](#endnote-9)  Domestic violence; human trafficking.[[10]](#endnote-10)  Access to a lawyer in police custody; investigations; statistics on prosecuting suspects and sanctioning perpetrators of torture and ill-treatment.[[11]](#endnote-11)  Netherlands Institute for Human Rights and National Preventive Mechanism, right to truth and reparation; declaration of absence as a result of enforced disappearance.[[12]](#endnote-12) | | 2016.[[13]](#endnote-13)[[14]](#endnote-14)  2011[[15]](#endnote-15) and 2013.[[16]](#endnote-16) Follow-up concluded, further information requested in next periodic report.[[17]](#endnote-17)  2012[[18]](#endnote-18) and 2013.[[19]](#endnote-19) Further information requested in next periodic report.[[20]](#endnote-20)  2014.[[21]](#endnote-21)Further Information requested in 2016[[22]](#endnote-22)  2015.[[23]](#endnote-23) |
| **Views** | | | | | |
| *Treaty body* | *Number of views* | | *Status* | | |
| Human Rights Committee | 1[[24]](#endnote-24) | | Follow-up dialogue ongoing[[25]](#endnote-25) | | |
| Committee against Torture | 2[[26]](#endnote-26) | | Further information requested[[27]](#endnote-27) | | |
| Committee on the Elimination of Discrimination against Women | 1[[28]](#endnote-28) | | Follow up dialogue ongoing[[29]](#endnote-29) | | |
| **Country visits and/or inquiries by treaty bodies** | | | | | |
| *Treaty body* | | *Date* | | *Subject matter* | |
| SPT | | July 2015 | | National Preventive Mechanism.[[30]](#endnote-30) | |

B. Cooperation with special procedures[[31]](#endnote-31)

|  |  |  |
| --- | --- | --- |
|  | *Status during previous cycle* | *Current status* |
| *Standing invitation* | Yes | Yes |
| *Visits undertaken* | Special Rapporteur on toxic waste  (26–28 November 2008)31 | African Descent |
| *Visits agreed to in principle* | - | - |
| *Visits requested* | - | - |
| *Responses to letters of allegation and urgent appeals* | During the period under review, 10 communications were sent. The Government replied to all communications. | |
| *[Follow-up reports and missions]* |  | |

Status of national human rights institutions[[32]](#endnote-32)

| *National human rights institution* | *Status during previous cycle* | *Status during present cycle*[[33]](#endnote-33) |
| --- | --- | --- |
| Netherlands Institute for Human Rights |  | A (2014) |

1. The following abbreviations have been used in the present 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

   OP-CRC-IC Optional Protocol to CRC on a communications procedure

   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

   ICPPED International Convention for the Protection of All Persons from Enforced Disappearance [↑](#endnote-ref-1)
2. Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30. [↑](#endnote-ref-2)
3. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. [↑](#endnote-ref-3)
4. 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. [↑](#endnote-ref-4)
5. 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); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL. [↑](#endnote-ref-5)
6. International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182). [↑](#endnote-ref-6)
7. ILO Domestic Workers Convention, 2011 (No. 189). [↑](#endnote-ref-7)
8. CERD/C/NLD/CO/19-21, para. 45. [↑](#endnote-ref-8)
9. CCPR/C/NLD/CO/4, para. 29. [↑](#endnote-ref-9)
10. CEDAW/C/NLD/CO/5, para. 52. [↑](#endnote-ref-10)
11. CAT/C/NLD/CO/5-6, para. 35. [↑](#endnote-ref-11)
12. CED/C/NLD/CO/1, para. 44. [↑](#endnote-ref-12)
13. CERD/C/NLD/CO/19-21/Add.1. [↑](#endnote-ref-13)
14. Letter from CERD to the Permanent Representative of the Netherlands

    to the United Nations, dated 22 December 2016, available from <http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/NLD/INT_CERD_FUL_NLD_26208_E.pdf>. [↑](#endnote-ref-14)
15. A/69/40 (Vol. I), p. 256. [↑](#endnote-ref-15)
16. CCPR/C/NLD/CO/4/Add.1. [↑](#endnote-ref-16)
17. A/69/40 (Vol. I), p. 258. [↑](#endnote-ref-17)
18. CEDAW/C/NLD/CO/5/Add.1. [↑](#endnote-ref-18)
19. CEDAW/C/NLD/CO/5/Add.2. [↑](#endnote-ref-19)
20. Letter from CEDAW to the Permanent Representative of the Netherlands to the United Nations, dated 10 September 2014, available from <http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/NLD/INT_CEDAW_FUL_NLD_18184_E.pdf> (accessed on 26 July 2016). [↑](#endnote-ref-20)
21. CAT/C/NLD/CO/5-6/Add.1. [↑](#endnote-ref-21)
22. Letter from CAT to the Permanent Mission of the Netherlands to the United Nations, dated 29 August 2016, available from http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/NLD/INT\_CAT\_FUL\_NLD\_25020\_E.pdf. [↑](#endnote-ref-22)
23. CED/C/NLD/CO/1/Add.1. [↑](#endnote-ref-23)
24. CCPR/C/111/D/2097/2011. [↑](#endnote-ref-24)
25. CCPR/C/115/3, p. 20. [↑](#endnote-ref-25)
26. CAT/C/56/D/613/2014.;CAT/C/56/D/611/2014 [↑](#endnote-ref-26)
27. CAT/C/56/D/613/2014, para. 10. [↑](#endnote-ref-27)
28. CEDAW/C/57/D/36/2012. , CEDAW/C/57/D/39/2012. [↑](#endnote-ref-28)
29. CEDAW/C/NDL/CO/6, para. 13. [↑](#endnote-ref-29)
30. [http://tbinternet.ohchr.org/\_layouts/TreatyBodyExternal/CountryVisits .aspx?SortOrder=Alphabetical](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/CountryVisits%20.aspx?SortOrder=Alphabetical). [↑](#endnote-ref-30)
31. For the titles of special procedure mandate holders, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx. [↑](#endnote-ref-31)
32. According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the 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); and C: no status (not in compliance with the Paris Principles). [↑](#endnote-ref-32)
33. The list of national human rights institutions with accreditation status granted by Global Alliance of National Human Rights Institutions (GANHRI), see the Status Accreditation Chart on the following website http://www.ohchr.org/Documents/Countries/NHRI/ChartStatusNHRIs.pdf (as of 5 August 2016).

    [↑](#endnote-ref-33)