



Promoting and strengthening  
the Universal Periodic Review

## Recommendations & Pledges

# NETHERLANDS

### Second Review Session 13

Review in the Working Group: 31 May 2012  
Adoption in the Plenary: 21 September 2012

#### Netherlands's responses to recommendations (as of 19.10.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No response, all pending	The delegation accepted 50 recs., rejected 13 and gave no clear position on 65 (2 of which were considered as already being "realised" – n°98.98 and 99)	No additional information provided	Accepted: 49 Rejected: 13 No clear position: 64 Pending: 0 Total: 126

*Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.*

#### **List of recommendations contained in Section II of the Report of the Working Group A/HRC/21/15:**

98. The following recommendations will be examined by the Netherlands which will provide responses in due time, but no later than the twenty-second session of the Human Rights Council in September 2012:

R - 98.1. Ratify the ICRMW (Algeria, Egypt, Iran (Islamic Republic of));

R - 98.2. Consider ratifying the ICRMW (Mexico);

R - 98.3. Study the possibility of ratifying the ICRMW and  
A – continue with its efforts to achieve the ratification of the CRPD (Argentina);

98.4. Consider ratifying

R - the ICRMW

NC - as well as the ILO Convention 189 (Belarus);

98.5. Proceed swiftly with;

A - the ratification of the CRPD

NC - and its Optional Protocol (Estonia);

98.6. Ratify:

A - the CRPD

NC - and its Optional Protocol (France, Australia);

NC - 98.7. Consider ratifying the OP-CRPD (Morocco);

NC - 98.8. Ratify the OP-CRPD (Iran (Islamic Republic of));

98.9. Ratify

A - the CRPD

NC - and its Optional Protocol, as well as the OP-CESCR (Spain);

98.10. Adopt the necessary measures with a view to ratifying:

A - the CRPD

NC - and its Optional Protocol (Chile);

A - 98.11. Study the possibility of ratifying the CRPD (Costa Rica);

R - 98.12. Withdraw its reservations to the CRC (Iran (Islamic Republic of));

R - 98.13. Reconsider the possibility of lifting reservations to the CRC (Russian Federation);

R - 98.14. Lift its reservations to articles 26 (c), 37 and 40 of the CRC (Uzbekistan);

NC - 98.15. Ratify the OP-ICESCR (Slovakia);

A - 98.16. Consider an early ratification of the third Optional Protocol to the CRC on a communication procedure (Slovakia);

A - 98.17. Approve, in all the countries that form the Kingdom, legislation that criminalizes all forms of trafficking in persons (Nicaragua);

NC - 98.18. Prohibit corporal punishment in all settings through the Kingdom of the Netherlands (Slovenia);

NC - 98.19. Undertake necessary steps in order to harmonize the Dutch law and practice with the European Convention on the Legal Status of Migrant Workers (Turkey);

NC - 98.20. Abolish in its criminal legislation the use of life imprisonment to children (Belarus);

A - 98.21. Ensure effectiveness, proper functioning and independence of its national human rights institution (Egypt);

A - 98.22. Accelerate the full operationalization of the National Institute for Human Rights in the near future (Indonesia);

A - 98.23. Expedite the establishment and operationalization of the National Institute for Human Rights which fully complies with the Paris Principles (Malaysia);

A - 98.24. Make full use in practice of the new Institute for Human Rights to promote a coherent approach to human rights issues across the spectrum of different policy areas and human rights situations (Norway);

A - 98.25. Work with all sectors including the education sector, to ensure the National Human Rights Institute effectively supports the country's commitment to human rights (Australia);

A - 98.26. Continue to assist, when requested, Aruba, Curaçao and Sint Maarten to develop human rights institutions, laws and policies (Australia);

A - 98.27. Formulate a national human rights action plan (Philippines);

A - 98.28. Develop a national human rights action plan (Uzbekistan);

A - 98.29. Evaluate the possibility to develop a national human rights action plan (Argentina);

A - 98.30. Draft a national human rights plan which includes public policies and strategies reaching a comprehensive range of human rights (Brazil);

A - 98.31. Keep the Human Rights Council informed about the follow-up to the "Talent to the Top" charter and inform it of the results obtained by signatories (Morocco);

A - 98.32. Continue efforts aimed at promoting and protecting human rights on the ground (Qatar);

**R - 98.33. Adopt a National Action Plan on Human Rights Education (Slovenia);**

NC - 98.34. Apply homogenous human rights standards in the different territories that form the kingdom of the Netherlands, especially in the Antilles, as recommended by CESCR in 2010 (Spain);

A - 98.35. Strengthen its policies and measures for guaranteeing all socioeconomic and cultural rights, and ensure those policies not to impede the full enjoyment of these rights in the context of global and regional financial crisis (Viet Nam);

NC - 98.36. Develop a system of recording official statistical data on the most widespread crimes and offences committed on the basis of discrimination taking into account the legal obligations of the Netherlands in registering such crimes (Uzbekistan);

NC - 98.37. Confirm in deed the status of standing invitation to the Special Procedures, in particular by inviting the Special Rapporteurs on the rights of migrant workers, on trafficking in persons, particularly women and children, as well as on the sale of children (Belarus);

NC - 98.38. Take effective legal and practical measures to eliminate all forms of discrimination and violence against women and children, particularly women and children belonging to ethnic and religious minorities, including Muslims who still face multiple forms of discrimination with respect to education, health, employment and social and political participation (Iran (Islamic Republic of));

A - 98.39. Ensure that existing statutes prohibiting gender discrimination are properly implemented and enforced, and increase through effective implementation and enforcement efforts to address violence against women and children (United States of America);

A - 98.40. Devise more specific measures to eliminate discrimination against women, ethnic minorities, migrants, Muslim and people of African origin (Thailand);

NC - 98.41. Strengthen its actions against on all forms of discrimination and effectively protect the rights of women, children and immigrants (China);

NC - 98.42. Establish mechanisms to monitor, investigate, prosecute and punish incitement to and acts of hatred, intolerance, racism and xenophobia (Egypt);

NC - 98.43. Review, amend and repeal its national discriminatory laws and regulations against persons of certain religious backgrounds, in particular Muslim migrants (Egypt);

A - 98.44. Take further measures to combat discrimination in the labour market and combat in particular discrimination based on ethnic origin and discrimination targeting transgender people (France);

98.45. Intensify efforts to combat the dissemination of:

A - ideas based on the racial superiority through Internet, as well as

NC - other media including racist speech by political parties (Poland);

A - 98.46. Continue to engage in a national dialogue with a view to promoting respect for diversity and tolerance in line with its obligation under the ICCPR (India);

NC - 98.47. Take all necessary measures to prevent and eliminate all manifestations of racism, Islamophobia, xenophobia, and religious intolerance (Iran (Islamic Republic of));

NC - 98.48. Take more serious measures to prevent and suppress manifestation of racism, xenophobia and intolerance against minority groups in the country, in particular the Muslims (Malaysia);

A - 98.49. Design a comprehensive policy to address discrimination of national minorities in all areas (Mexico);

NC - 98.50. Adopt all the measures necessary to combat discrimination in all its forms, including racism and xenophobia (Nicaragua);

NC - 98.51. Develop a national action plan to combat discrimination in consultation with civil society (Norway);

R - 98.52. Appeal the verdict made by the Amsterdam District Court in the case of Geert Wilders on the charges of incitement to hatred and discrimination (Pakistan);

NC - 98.53. Strengthen legal and institutional measures to prevent and suppress manifestations of racism, xenophobia and intolerance (Pakistan);

NC - 98.54. Ensure adequate registration of discriminatory motives by raising awareness among the legal profession and law enforcement officials of the need to recognize aggravated circumstances specific to hate crimes and discrimination at all levels of prosecution and criminal procedures (Hungary);

A - 98.55. Make further efforts to combat racial discrimination and xenophobia, and to promote racial and religious harmony (Qatar);

A - 98.56. Continue to take measures and actions in line with the fight against discrimination including through guidelines for website moderators to keep their websites free from discriminatory content that constitutes a criminal offence (Romania);

NC - 98.57. Adopt measures to stamp out discrimination arising as a result of the practice of racist, ethnic, or religious profiling (Russian Federation);

A - 98.58. Approve a plan of action to fight discrimination, and against any initiatives of political associations or groups that promote racism or xenophobia (Spain);

A - 98.59. Identify through its domestic discussion effective ways and means to prevent and suppress manifestation of racism, xenophobia and intolerance (Thailand);

NC - 98.60. Follow up on the CESCR recommendation to combat racism and xenophobia and to enforce effectively the legal prohibitions against discrimination in the enjoyment of economic, social and cultural rights (Turkey);

NC - 98.61. Strengthen policies and measures to prevent and eliminate the manifestations of racism, xenophobia and intolerance in society, in particular during the national and local electoral campaigns (Uruguay);

NC - 98.62. Take appropriate measures in combating discrimination and marginalization against vulnerable groups, particularly migrants, minorities, women, children and persons with disabilities (Viet Nam);

NC - 98.63. Take more efficient measures to prevent and eliminate manifestations of racism, xenophobia and intolerance in political speech (Algeria);

NC - 98.64. Intensify its efforts to eliminate discrimination against migrants and other minority women, who still face multiple forms of discrimination with respect to education, health, employment and social and political participation (Azerbaijan);

**A - 98.65. Intensify its efforts to eliminate discrimination against migrant, black, Muslim and other minority women, who still face multiple forms of discrimination (Bangladesh);**

NC - 98.66. Intensify its efforts to combat the dissemination of ideas based on racial superiority including racist speech by political parties through the Internet as well as other media (Bangladesh);

**A - 98.67. Take measures to address concerns of racial discrimination in the application of its national policies (Botswana);**

**A - 98.68. Ensure effective national oversight and evaluation of municipal programmes that have been developed to protect the rights enshrined in Article 1 of the Dutch Constitution concerning prohibited grounds for discrimination, in particular ensure that these programmes utilize a broad systematic approach taking into consideration current fiscal realities (Canada);**

NC - 98.69. Develop a national plan against racism (Costa Rica);

**A - 98.70. Adopt effective measures to combat racism, racial discrimination and incitement to racial hatred, and in particular, to prohibit the dissemination of racist and xenophobic propaganda (Cuba);**

NC - 98.71. Fully implement the measures regarding violence against women as outlined in its UPR interim report and consider implementing the recommendations of the Special Rapporteur on violence against women and CEDAW (India);

NC - 98.72. Adopt effective measures to combat violence against women and to fight poverty (Cuba);

NC - 98.73. Adopt effective measures to improve conditions in prisons, reduce overcrowding and eliminate ill-treatment and forced labour of persons deprived of liberty (Cuba);

**A - 98.74. Ensure that in its application of preventive body searches, all relevant human rights are adequately protected, in particular the right to privacy and physical integrity and the prohibition of discrimination on the basis of race and religion (Greece);**

NC - 98.75. Build on this success (achieving a total prohibition of corporal punishment of children in all settings in the European part of the Dutch territory) and ensure that this prohibition is also duly implemented in Aruba and the Netherland Antilles by enacting the necessary legislation in this regard (Hungary);

**A - 98.76. Report on the implementation of the 2012-2016 Action Plan against Child Abuse, including sexual violence and child pornography, during the next interim UPR report (Hungary);**

NC - 98.77. Intensify efforts to prevent and combat cases of exploitation of children related to sexual tourism, including through legal measures that effectively protect child victims of sexual exploitation and prostitution, and to bring the perpetrators of these aberrant practices to justice (Uruguay);

NC - 98.78. Strengthen training of public order officials, social workers and prosecutors on the way to investigate and verify the complaints of sexual exploitation of children, and prosecute the authors of these offenses, taking into account child sensitivity (Uruguay);

NC - 98.79. Adopt practical measures to ensure absolute prohibition of violence against women and cruel treatment of children (Uzbekistan);

A - 98.80. Carry out actions to improve the current strategy to combat trafficking in human beings, taking into account, among other, intensifying investigations, training professional staff and creating assistance centres (Mexico);

NC - 98.81. Adopt immediate measures, including reviewing legislation and developing comprehensive strategies to eradicate trafficking in children, sexual exploitation and involvement of adolescents in prostitution (Belarus);

A - 98.82. Continue strengthening the functions of the competent institutions and use of adequate mechanisms to more efficiently combat domestic violence, which mainly affects women and children (Chile);

A - 98.83. Intensify its efforts, at national level and vis-à-vis the different ad-hoc international bodies, to reinforce measures aimed at fighting the use of children in sexual tourism and child pornography (Chile);

A - 98.84. Seek alternative solutions to deprivation of liberty for minors in particular in order to avoid pre-trial detention of minors, while awaiting judgement (France);

NC - 98.85. Consider additional steps to ensure that any potential changes in court fees are proportionate and affordable, and that they do not prejudice access to the legal system (United Kingdom of Great Britain and Northern Ireland);

NC - 98.86. Enact laws and legislation on freedom of expression in line with both articles 19 and 20 of the ICCPR (Egypt);

NC - 98.87. Step up its efforts to comprehensively address this trend (the trend that political and public figures including media made discriminatory and discriminatory speech against Muslims), not only from the freedom of expression perspective but also from socio-cultural point of view (Indonesia);

A - 98.88. Ensure that the freedom of expression, press freedom and internet freedom will not result in racism, intolerance and hatred against minority groups (Malaysia);

A - 98.89. Promote more equal representation of men and women in top positions (Norway);

NC - 98.90. Adopt measures to criminalize incitement to hatred and imminent violence based on religion or belief (Pakistan);

NC - 98.91. Adopt legal provisions for reduced working hours, additional paid holidays or another form of compensation in dangerous and unhealthy occupations (Poland);

A - 98.92. Take steps to facilitate equal access to the labour market, including by increasing women's ability to continue as full-time employees following child birth (Norway);

NC - 98.93. Implement measures to decrease the wage gap between men and women (Norway);

NC - 98.94. Pursue an active and strict policy to end unfair pay differences between men and women especially in Government organizations (Greece);

NC - 98.95. Ensure that women enjoy equal access to the labour market and equal pay for work of equal value (Slovenia);

NC - 98.96. Intensify its efforts to ensure that education, health, employment and social protection programmes are inclusive and not discriminatory. Apply also these measures to all the countries and territories that form the kingdom of the Netherlands (Nicaragua);

NC - 98.97. Ensure the equal enjoyment of economic, social and cultural rights by all individuals and groups under its jurisdiction and adopt a national plan of action to combat the rise in homelessness (Azerbaijan);

NC - 98.98. Establish guidelines for training on human rights in primary and secondary education, with homogenous curricula in all the educational centres (Spain);

NC - 98.99. Facilitate enrolment of children with missing or incomplete documents, improve the safety situation at schools experiencing difficulties in that regard, and include human rights and child rights education in school curricula at all levels (Azerbaijan);

NC - 98.100. Review and amend national legal and policies integration measures with a view to respect the cultural and religious backgrounds of migrant communities, in particular Arab and Muslim communities (Egypt);

**R - 98.101. Consider reinstating the Turkish mother tongue lessons as part of the primary and secondary school curricula (Turkey);**

NC - 98.102. Strengthen efforts to promote access of persons with disabilities to education and labour market, their legislative protection, in particular through speeding up approval by the Parliament of the CRPD (Ukraine);

**A - 98.103. Study the possibility to establish new measures aimed at eliminating any discriminatory treatment towards ethnic minorities (Argentina);**

**A - 98.104. Develop a migration policy, taking into account the international human rights standards in this respect (Guatemala);**

NC - 98.105. Promote substantive reforms in the immigration policy, which guarantee its conformity with international standards, revoking measures exposing foreigners to marginalization (Mexico);

**R - 98.106. Take all necessary measures, in accordance with international human rights law, to reduce the use of detention of persons solely on grounds of immigration reasons or because they belong to minority groups (Nicaragua);**

**A - 98.107. Review migration policies that exist in the country with a view to ensure the full application of international standards (Paraguay);**

**A - 98.108. Introduce measures to reduce detention of individuals solely for immigration purposes and consider other alternatives than detention to use when possible (Sweden);**

NC - 98.109. Enact public programs to improve integration of Muslim and other immigrants into Dutch society, and build bridges between communities (United States of America);

NC - 98.110. Protect the social and cultural rights of migrants while taking integration measures and policies aimed at migrants (Bangladesh);

NC - 98.111. In coordination with OHCHR, IOM, ILO and relevant special procedures of the Human Rights Council, develop a comprehensive strategy to protect the rights of migrants and persons belonging to ethnic minorities (Belarus);

NC - 98.112. Due to the criminalization of irregular residency in the country, design alternatives for the detention of irregular or undocumented immigrants (Brazil);

NC - 98.113. Reduce the number of persons in the detention centres for migrants and create alternative measures to detention, especially for families with children or unaccompanied minors (Ecuador);

**A - 98.114. Improve the conditions of migrants' detention centres, especially with regard to the medical and psychological attention, as well as contact with the outside (Ecuador);**

NC - 98.115. Review asylum procedures with a view to expediting the decisions in the cases of children asylum seekers as quickly as possible and facilitating family reunion of vulnerable children in an efficient and appropriate manner (United States of America);

**R - 98.116. Ensure increased transparency and oversight exercised by civil society of the conditions, in which asylum seekers are kept and treated (Russian Federation);**

NC - 98.117. Consider additional measures to ensure that the interests of children are properly taken into account in provisions for asylum seeking families, since they are especially impacted by long delays and uncertainty (United Kingdom of Great Britain and Northern Ireland);

R - 98.118. Carry out investigations into complaints and information on cruel treatments during the expulsions of foreigners from the Netherlands and ensure transparency when investigating such complaints (Uzbekistan);

NC - 98.119. Contribute effectively in the operationalization of the right to development at the international level (Pakistan).

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