

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 treaties¹

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	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
<i>Reservations and/or declarations</i>	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)	
<i>Complaints procedures, inquiries and urgent action²</i>	ICERD, art. 14 (1971) OP-ICESCR (signature only, 2009) ICCPR, art. 41 (1978) ICCPR-OP 1 (1978)		OP-ICESCR (signature only, 2009) OP-CRC-IC OP-CRPD

OP-CEDAW, art. 8 (2002)

CAT, arts. 20-22 (1988)

ICPPED, arts. 31-32 (2011)

2. Other main relevant international instruments

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

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
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

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
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			
<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Committee on the Elimination of Racial Discrimination	2016	Racist hate speech and racial discrimination; discrimination in employment; minority groups. ⁸	2016. ¹³¹⁴
HR Committee	2010	Euthanasia; accelerated asylum procedure; prison conditions in the Netherlands Antilles. ⁹	2011 ¹⁵ and 2013. ¹⁶ Follow-up concluded, further information requested in next periodic report. ¹⁷
Committee on the Elimination of Discrimination against Women	2012	Domestic violence; human trafficking. ¹⁰	2012 ¹⁸ and 2013. ¹⁹ Further information requested in next periodic report. ²⁰
CAT	2014	Access to a lawyer in police custody; investigations; statistics on prosecuting suspects and sanctioning perpetrators of torture and ill-treatment. ¹¹	2014. ²¹ Further Information requested in 2016 ²²
Committee on Enforced Disappearances	2015	Netherlands Institute for Human Rights and National Preventive Mechanism, right to truth and reparation; declaration of absence as a result of enforced disappearance. ¹²	2015. ²³
Views			
<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>	
Human Rights Committee	1 ²⁴	Follow-up dialogue ongoing ²⁵	
Committee against	2 ²⁶	Further information requested ²⁷	

Torture		
Committee on the Elimination of Discrimination against Women	1 ²⁸	Follow up dialogue ongoing ²⁹
Country visits and/or inquiries by treaty bodies		
<i>Treaty body</i>	<i>Date</i>	<i>Subject matter</i>
SPT	July 2015	National Preventive Mechanism. ³⁰

B. Cooperation with special procedures³¹

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

Status of national human rights institutions³²

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle³³</i>
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

- 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.
- ³ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- 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.
- 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.
- 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).
- ⁷ ILO Domestic Workers Convention, 2011 (No. 189).
- ⁸ CERD/C/NLD/CO/19-21, para. 45.
- ⁹ CCPR/C/NLD/CO/4, para. 29.
- ¹⁰ CEDAW/C/NLD/CO/5, para. 52.
- ¹¹ CAT/C/NLD/CO/5-6, para. 35.
- ¹² CED/C/NLD/CO/1, para. 44.
- ¹³ CERD/C/NLD/CO/19-21/Add.1.
- 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.
- ¹⁵ A/69/40 (Vol. I), p. 256.
- ¹⁶ CCPR/C/NLD/CO/4/Add.1.
- ¹⁷ A/69/40 (Vol. I), p. 258.
- ¹⁸ CEDAW/C/NLD/CO/5/Add.1.
- ¹⁹ CEDAW/C/NLD/CO/5/Add.2.
- 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).
- ²¹ CAT/C/NLD/CO/5-6/Add.1.
- 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.
- ²³ CED/C/NLD/CO/1/Add.1.
- ²⁴ CCPR/C/111/D/2097/2011.

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- ²⁵ CCPR/C/115/3, p. 20.
- ²⁶ CAT/C/56/D/613/2014.;CAT/C/56/D/611/2014
- ²⁷ CAT/C/56/D/613/2014, para. 10.
- ²⁸ CEDAW/C/57/D/36/2012. , CEDAW/C/57/D/39/2012.
- ²⁹ CEDAW/C/NDL/CO/6, para. 13.
- ³⁰ http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/CountryVisits.aspx?SortOrder=Alphabetical.
- ³¹ For the titles of special procedure mandate holders, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.
- 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).
- 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/ChartStatusNHRI.pdf> (as of 5 August 2016).
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