

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: 2.1. Acceptance of international norms</i>			
98.1. Ratify the ICRMW (Algeria , Egypt , Iran (Islamic Republic of)); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 2	Noted	2.1 Acceptance of international norms 34 Migrants Affected persons: - migrant workers	
98.2. Consider ratifying the ICRMW (Mexico); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 4	Noted	2.1 Acceptance of international norms 34 Migrants Affected persons: - migrant workers	
98.3. Study the possibility of ratifying the ICRMW and continue with its efforts to achieve the ratification of the CRPD (Argentina); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 5 Comments: A/HRC/21/15/Add.1/Rev.1 states: Regarding the ICRMW, see 98.1. As for the CRPD, the Netherlands accepts this recommendation.	Supported/Noted	2.1 Acceptance of international norms 31.1 Persons with disabilities: definition, general principles 34 Migrants Affected persons: - persons with disabilities - migrant workers	Since the previous UPR, the CRPD has been ratified on the 14th of June 2016. The Netherlands Institute for Human Rights (hereinafter ‘the Institute’) has been appointed as the monitoring body for the implementation of the treaty. Although the Netherlands objected to the reservations of other states because they are incompatible with the object and purpose of the treaty, the government made declarations about seven articles. That is more than any other European country.
98.4. Consider ratifying the ICRMW as well as the ILO Convention 189 (Belarus); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 7	Noted	2.1 Acceptance of international norms 23.2 Right to just and favourable conditions of work 34 Migrants Affected persons: - migrant workers	The Committee on Economic, Social and Cultural Rights recommended that the Government adopt measures to bring the rights and benefits accorded to domestic workers in line with those afforded to other workers, particularly in terms of social security benefits. ¹ So far, this recommendation has not been fully complied with. The Netherlands has not ratified the ILO Convention concerning decent work for domestic workers (No. 189). The Commission on domestic work concluded that the existing Regulation on domestic work is not compatible with the provisions of the ILO Convention. According to the Commission, abolishment of the Regulation would not improve the position of domestic workers without an investment of the Government. The Government chose to uphold the current Regulation and to increase its observance by launching a media campaign and making exemplary contracts available on all relevant Government websites. The campaign hardly reached its target group. Still, domestic workers working less than four days a week for a single employer are to take out social insurance themselves and are not entitled to social security benefits. It is the Government’s intention to prohibit the improper use of the Regulation by municipal authorities as per 1 January 2017. ²

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<p>98.5. Proceed swiftly with the ratification of the CRPD and its Optional Protocol (Estonia);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 8</p>	Noted	<p>2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 31.1 Persons with disabilities: definition, general principles Affected persons: - persons with disabilities</p>	<p>The Government is reticent in its ratification of the optional protocols to the Convention on the Rights of the Child, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of Persons with Disabilities (CRPD) that establish the individual complaints procedure for the entire Kingdom.</p> <p>The CRPD and the Optional Protocol to the Convention against Torture and other forms of cruel, inhuman or degrading treatment or punishment (OPCAT) do not apply to the Caribbean part of the Netherlands. No clear justification was provided with respect to OPCAT. Also, the government indicated that it would first assess the existing regulations and policy in order to determine when the CRPD will be applicable in the Caribbean Netherlands.</p> <p>See also 98.3.</p>
<p>98.6. Ratify the CRPD and its Optional Protocol (France , Australia);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 9</p>	Noted	<p>2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 31.1 Persons with disabilities: definition, general principles Affected persons: - persons with disabilities</p>	See 98.3 and 98.5.
<p>98.7. Consider ratifying the OP-CRPD (Morocco);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 10</p>	Noted	<p>2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 31.1 Persons with disabilities: definition, general principles Affected persons: - persons with disabilities</p>	See 98.5.
<p>98.8. Ratify the OP-CRPD (Iran (Islamic Republic of));</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 11</p>	Noted	<p>2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 31.1 Persons with disabilities: definition, general principles Affected persons: - persons with disabilities</p>	See 98.5.
<p>98.9. Ratify the CRPD and its Optional Protocol, as well as the OP-CESCR (Spain);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 12</p>	Noted	<p>2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 21 Economic, social & cultural rights - general measures of implementation 31.1 Persons with disabilities: definition, general principles Affected persons: - general - persons with disabilities</p>	See 98.3 and 98.5.

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98.10. Adopt the necessary measures with a view to ratifying the CRPD and its Optional Protocol (Chile); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 13	Noted	2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 31.1 Persons with disabilities: definition, general principles Affected persons: - persons with disabilities	See 98.3 and 98.5.
98.11. Study the possibility of ratifying the CRPD (Costa Rica); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 14	Supported	2.1 Acceptance of international norms 31.1 Persons with disabilities: definition, general principles Affected persons: - persons with disabilities	See 98.3.
98.15. Ratify the OP-ICESCR (Slovakia); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 18	Noted	2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 21 Economic, social & cultural rights - general measures of implementation Affected persons: - general	See 98.5.
98.16. Consider an early ratification of the third Optional Protocol to the CRC on a communication procedure (Slovakia); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 19	Supported	2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 30.1 Children: definition; general principles; protection Affected persons: - children	See 98.5.
98.107. Review migration policies that exist in the country with a view to ensure the full application of international standards (Paraguay); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 142	Supported	2.1 Acceptance of international norms 5.1 Constitutional and legislative framework 34 Migrants Affected persons: - general - migrants - migrant workers	See area 34.
<i>Right or area: 2.2. Reservations</i>			
98.12. Withdraw its reservations to the CRC (Iran (Islamic Republic of)); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 15	Noted	2.2 Reservations 30.1 Children: definition; general principles; protection Affected persons: - children	The Netherlands should not have reservations to the CRC that are incompatible with the object and purpose of the treaty.

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98.13. Reconsider the possibility of lifting reservations to the CRC (Russian Federation); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 16	Noted	2.2 Reservations 30.1 Children: definition; general principles; protection Affected persons: - children	See 98.12.
98.14.Lift its reservations to articles 26 (c), 37 and 40 of the CRC (Uzbekistan); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 17	Noted	2.2 Reservations 30.1 Children: definition; general principles; protection 30.4 Juvenile justice Affected persons: - children	See 98.12.
<i>Right or area: 3.2. Cooperation with special procedures</i>			
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); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 49	Noted	3.2 Cooperation with special procedures 29.1 Discrimination against women 12.7 Prohibition of slavery, trafficking 30.3 Children: protection against exploitation 34 Migrants Affected persons: - children - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups - migrant workers - general	
<i>Right or area: 5.1. Constitutional & legislative framework</i>			
98.26. Continue to assist, when requested, Aruba, Cura ç ao and S in t Maarten to develop human rights institutions, laws and policies (Australia); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 35, 36	Supporte d	5.1 Constitutional and legislative framework 5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 5.2. Institutions & policies</i>			

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<p>98.21. Ensure effectiveness, proper functioning and independence of its national human rights institution (Egypt);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 27, 28</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - human rights defenders - general 	<p>The Netherlands Institute for Human Rights was established in 2012 and constitutes the National Human Rights Institution of the Netherlands. The Institute is compliant with the Paris Principles and has been accredited with A Status since May 2014. The Institute protects, monitors, explains and promotes human rights in the Netherlands through research, advice, and awareness raising. Its mandate also covers urging the government to ratify, implement and observe human rights treaties.</p>
<p>98.22. Accelerate the full operationalization of the National Institute for Human Rights in the near future (Indonesia);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 29</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	See 98.21.
<p>98.23. Expedite the establishment and operationalization of the National Institute for Human Rights which fully complies with the Paris Principles (Malaysia);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 30</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	See 98.21.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 31, 32</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	See 98.21.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 33, 34</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	See 98.21.

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<p>98.27. Formulate a national human rights action plan (Philippines);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 37, 38</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	<p>The Netherlands adopted a National Action Plan on Human Rights (NAP) in 2013. The interim report of the government suggests that the NAP follows up on many of the recommendations made during the previous UPR cycle. The scope of the NAP and the number of new actions is, however, limited. The NAP should play a greater role in more policy areas. It is unclear who is responsible for the implementation of the NAP and its realization is neither monitored nor evaluated. Because of upcoming elections there is no follow-up to the NAP, the current cabinet considers this up to the next government. This illustrates how human rights are subordinate to political considerations on the direction of government policies. Human rights should be the touchstone for all actions by the government and should be structurally incorporated in all policies, not only with ad hoc solutions. Actions on politically sensitive issues which put human rights under pressure also need to be preceded by careful consideration of the various interests. It is for instance unclear whether the swift measures to combat terrorism that substantially restrict fundamental rights will stand the human rights test.</p> <p>See also the written submission of the Institute</p>
<p>98.28. Develop a national human rights action plan (Uzbekistan);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 39</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	See 98.27.
<p>98.29. Evaluate the possibility to develop a national human rights action plan (Argentina);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 40</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	See 98.27.
<p>98.30. Draft a national human rights plan which includes public policies and strategies reaching a comprehensive range of human rights (Brazil);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 41</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	See 98.27.
<p>98.32. Continue efforts aimed at promoting and protecting human rights on the ground (Qatar);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 43</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	See 98.27.

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<i>Right or area: 6. Human rights education and training</i>			
<p>98.33. Adopt a National Action Plan on Human Rights Education (Slovenia);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 44</p>	Noted	<p>6 Human rights education, trainings 5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	<p>The Netherlands did draw up a National Human Rights Action Plan, including a minor paragraph on education. However, the Dutch government refrains from coherently implementing the World Programme on HRE. In particular, it has not drawn up any policy plan on human rights training for the professionals mentioned in the World Programme.</p> <p>See also the written submission of the Institute.</p>
<p>98.98. Establish guidelines for training on human rights in primary and secondary education, with homogenous curricula in all the educational centres (Spain);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 129, 130</p>	Supported	<p>6 Human rights education, trainings 8 Equality & non-discrimination</p> <p>Affected persons: - children</p>	<p>A curriculum review process is underway. An advisory report has been brought forward, that includes human rights as one of the core subjects to be taught at schools. It will take at least three more years before the new curriculum will be implemented at schools. The government should ambitiously and consistently use all ways and means to strengthen human rights education on primary and secondary school level, without hiding behind the freedom of education of schools. Teachers should be well equipped to make human rights a reality in day-to-day school life.</p> <p>See also the written submission of the Institute.</p>
<i>Right or area: 8. Non-discrimination</i>			
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 45</p>	Noted	<p>8 Equality & non-discrimination 7 Other measures of implementation</p> <p>Affected persons: - general</p>	

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<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 47, 48</p>	Supported	<p>8 Equality & non-discrimination 7.1 Context, statistics, budget, dissemination, civil society 9 Racial discrimination Affected persons: - general</p>	<p><i>Reporting to police</i></p> <p>In 2015 and 2016 the government invested in improving the registration of complaints by the police and other professionals, of islamophobia, and racial and religious discrimination (such as Platform for Islamic Organisations in Rijnmond (SPIOR), Anti-Discrimination Services (ADS)). It also invested in motivating and facilitating victims of racial and religious discrimination to file a complaint. It is unclear what the effects are of these measures.</p> <p><i>Prosecution</i></p> <p>Only a limited number of complaints submitted to the ADSs and reports of (racial) discrimination filed with the police have actually led to the Public Prosecution Service (PPS) starting up criminal proceedings. In reaction to this the minister has published a report that provides detailed insight in the trajectory of the process after registration of a complaint.³ The findings of the research led to plans for improvements of the criminal prosecution with respect to recognition of discrimination by the police, awareness of discrimination and diversity within the National Police organisation and promotion of expertise within the penal chain.</p>
<p>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));</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 50</p>	Noted	<p>8 Equality & non-discrimination 9 Racial discrimination 29.1 Discrimination against women 18 Right to participation in public affairs and right to vote 23.1 Right to work 24 Right to health - General 25 Right to education - General 29.2 Violence against women, trafficking and exploitation of prostitution 30.3 Children: protection against exploitation 12.5 Prohibition of torture and cruel, inhuman or degrading treatment Affected persons: - children - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p><i>Equal access to education</i></p> <p>Scientific study shows that social status increasingly affects opportunities in Dutch education and social mobility.⁴ The 2016 report of the Inspectorate of Education confirms these findings: depending on the parents' level of education, children with the same talents do not get the same opportunities at school.⁵ A number of government measures in the last years have contributed to the increasingly important role of social status (education and income) and (indirectly) ethnicity as ground for access to and mobility in higher education, rather than merit. One of these measures is that for the selection of young students to enter secondary education, the teachers' evaluation of a child's capacities is granted more weight than the results of a uniform national test. This risks creating more space for bias of teachers (a profession traditionally dominated by middle-class and native Dutch persons) and making teachers more vulnerable to the pressure of parents who try to influence the teacher's opinion on their child's capacities.</p> <p><i>Education for illegally resident minors</i></p> <p>Minors residing illegally in the Netherlands have a right to education. However, for (pre) vocational and higher education problems can arise with respect to mandatory internships. In 2012 the court determined that denying access to an internship</p>

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			<p>constitutes a violation of the right to education. The court observed that it is not possible to graduate without completing the internship. On 1 July 2015 regulations have come into force which allow this group of students to perform an internship in certain curricula of pre-vocational education (VMBO), in practical training and in secondary education for children with special needs. The regulations include the requirement to start the education before their 18th year and that the internship is unpaid. Students in universities (of applied science) are not able to perform an internship. They can therefore only enroll in studies without a mandatory internship. Most studies at universities of applied sciences require the performance of an internship.</p> <p><i>Political participation of Women</i></p> <p>CEDAW Committee (2010 Concluding Observations, in Paragraph 32) expressed its concern over the under-representation of women on the local and provincial levels and requested the Netherlands to implement temporary measures to promote political participation of women on these levels. A Government programme that ran from 2008 to 2010 has had little effect. The percentage of female mayors increased from 18% in 2008 to 19% in 2010. The number had risen to 22% in 2014. It is striking that only one of the larger municipalities of more than 150,000 inhabitants has a female mayor. Also striking is that the number of female members of the day-to-day management on the local and provincial levels is significantly lower than the number of female Municipal and Provincial Council members. The political participation of women on the local and provincial levels clearly has hardly increased, especially the participation of women on executive levels.</p> <p>Also see the written submission by the Institute. As well as:</p> <ul style="list-style-type: none"> - about labour market discrimination: 98.44. - Right or area 29.1 under 98.64, 98.72, 98.92 and 98.95
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 52</p>	<p>Supported</p>	<p>8 Equality & non-discrimination 29.1 Discrimination against women 29.2 Violence against women, trafficking and exploitation of prostitution 30.3 Children: protection against exploitation 12.5 Prohibition of torture and cruel, inhuman or degrading treatment Affected persons: - children - women</p>	<p>Violence against women <i>Prevalence of violence against women and police response</i></p> <p>Despite the government's efforts, the prevalence of violence against women in the Netherlands is high. A 2014 survey by the European Union Agency for Fundamental Rights (FRA) showed that 45% of women over 15 in the Netherlands have at one point been the victim of physical and/or sexual violence.⁶ Statistics Netherlands (CBS) in 2014 reported that 31 women had been the victim of murder or manslaughter.⁷ Well over half the number of women murdered in the past five</p>

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			<p>years were killed by their partners or ex-partners. Poignantly, various victims had reported being threatened to the police.</p> <p>Professional training of police officers is necessary for them to be able to intervene in case of immediate danger and to properly assess the level of the threat reported by women.</p> <p><i>Gender-sensitive approach</i> A study commissioned by the government⁸ showed that current policy and practice are insufficiently gender-sensitive. The policy on and approach to combat intimate partner violence should pay more explicit attention to the role played by stereotyping and unequal power dynamics between men and women, both as regards the relation between partners and otherwise within family relations. A project was started up by four organisations, commissioned by three ministries, to follow up on its findings. Implementation in practice is now crucial.</p> <p>The Netherlands at present do not possess sufficient data to monitor whether its approach to prevent and combat gender-related violence is effective. The survey by the FRA could serve as a baseline for a follow-up study to measure the effectiveness of the approach.</p> <p><i>Supporting and protecting victims of domestic violence</i> As from 1 January 2015, the responsibility for preventing domestic violence and providing support and protection, rehabilitation and care to victims has been vested in the municipalities. This allows for individualised approaches, which is a positive development. However, in practice, specialist care provided to victims is often lacking. Nor is the quality and capacity of the support and protection services offered properly supervised on the national level. The Association of Netherlands Municipalities reports that a waiting period is applied to reports of domestic violence classified as being less urgent.⁹ The risk exists that this waiting period will become longer and that, in time, urgent reports, too, cannot be processed directly.</p> <p><i>Women with a dependent residence permit more vulnerable to violence</i> The findings of the “Huwelijksmigratie in Nederland” (Immigration for the purpose of marriage in the Netherlands, 2014) study show that women holding a dependent residence permit are especially vulnerable when becoming a victim of domestic violence.¹⁰ These women are eligible for an independent residence permit only after having resided in the Netherlands for five years. It is very difficult for them to</p>

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			<p>obtain an independent residence permit prior to this time. Such is possible only if they are able to prove that they cannot remove themselves from the violence committed by their partner, not even by leaving the Netherlands and returning to their countries of origin.</p> <p>Victims of honour-related violence additionally have to prove that the threat of such violence is present in their countries of origin as well. The perpetrators of the violence use the fear their victims have of being deported and/or losing their right of residence as a weapon to prevent them from seeking out help or applying for a divorce. For marriage migrants holding a dependent residence permit, a lack of awareness of their rights or fear of honour-related violence or reprisals by the perpetrator can prevent them from seeking assistance. The Dutch agencies and services do not always take the situation the marriage migrants find themselves in into account, resulting in them not being able to offer suitable assistance. Making it easier for victims of domestic or honour-related violence to obtain an independent residence permit and improving access to assistance allows for improved protection of this vulnerable group of women.</p> <p><i>Victims of domestic violence not holding valid residence permits</i> Women without a valid residence permit are more vulnerable to domestic violence. They fear that reporting to the police will have negative consequences for their stay in the Netherlands. Protection and support services for this group of victims are insufficiently provided for in law and practice. The Institute has received multiple signals that victims of domestic violence without a valid residence permit have difficulty accessing protection and support services. This renders it even more difficult for this group of women to remove themselves from a situation of violence. Access to protection and support services is necessary to effect this.</p> <p>Violence against women in Caribbean Netherlands The scope and severity of domestic violence against women and girls in Caribbean Netherlands are both significant. Poverty is rampant under the inhabitants of Caribbean Netherlands and women often work various jobs to generate sufficient income for their family. They often depend on the income of their partner and/or maintenance money paid by their ex-partner. This financial dependency prevents them from removing themselves from the situation of violence. Solid initial steps have been taken to tackle violence against women in Caribbean Netherlands. Safeguarding the reporting structure, safe shelters and a permanent public information campaign on all three islands is essential. This requires the availability</p>

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			<p>of professionals.</p> <p>Forced marriage, marital captivity and abandonment</p> <p><i>Scope</i> 2014 saw publication of the “Zo zijn we niet getrouwd” (That was not what we agreed on) study on the scope of forced marriage, marital captivity and abandonment.¹¹ No exact figures are available. 181 cases of forced marriage have been registered over the 2011-2012 period, but experts believe that the actual figure is between 674 and 1914 cases. 178 cases of abandonment have been registered; the estimated actual scope is between 364 and 1631 cases. 140 cases of marital captivity have been registered; the estimated actual scope is between 447 and 1687 cases. Forced marriage, marital captivity and abandonment are criminal offences.</p> <p><i>Forced marriage</i> The Forced Marriage (Prevention) Act entered into force on 5 December 2015. This Act regulates the civil-law consequences of a marriage concluded under coercion. The Dutch Public Prosecution Service may prevent a marriage if coercion is involved. Should a marriage be concluded under coercion, either of the parties or the Public Prosecution Service may initiate proceedings seeking annulment. In addition, various initiatives to raise public awareness and train assistance workers have been launched by the government and other bodies. These may result in an increased call for legal and other assistance and for protection and support services.</p> <p><i>Marital captivity</i> A closely related problem is that of marital captivity, or the impossibility of one of the spouses - generally the wife - to terminate the marriage. She remains married by law and/or religious regulations against her will. The Dutch courts are not competent to dissolve religious marriages. However, the wife may request the court to order the husband to cooperate in the dissolution of the marriage under threat of a fine. The legal basis for such an order is that failure to cooperate in divorce proceedings is a wrongful act. The court may impose a fine to a party failing to observe the court order. The courts have ruled on a number of cases. Some of these resulted in the dissolution of the marriage, but some have not. Courts decide on a case-by-case basis and do not consider all situations of marital captivity to constitute a wrongful act.</p> <p><i>Legal obstacles</i> It is difficult to establish and prove forced marriage and marital captivity. They occur in the private sphere out of sight of others. As a result, it is difficult for victims and relatives to report these situations. In addition, reporting carries a risk of</p>

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			<p>reprisals by the other spouse or other relatives. The threshold to establish for ‘coercion’ in criminal-law terms is high. This is especially problematic in the case of marital captivity: often, the stringent requirements for the situation to constitute coercion have not been met. And even if the other spouse is prosecuted, this does not guarantee that the marriage is dissolved under civil law and that the situation of marital captivity is terminated.</p> <p><i>Protection of children</i> Various reports have addressed the question of access to support services for children who are victims of domestic violence. The advisory services and complaints office ‘Safe at home’ (‘Veilig thuis’) are responsible for youth care services. Various problems have been reported by, among others, the Inspectorate for Youth Care and the Health Inspectorate and the Netherlands’ Ombudsman for Children.¹² The Ombudsman for Children found problems in cooperation between the various authorities, accessibility, safety and financing of services. Furthermore, he reported an alarming increase in the waiting period for access to services.</p> <p>See also the written submission of the Institute.</p>
<p>98.40. Devise more specific measures to eliminate discrimination against women, ethnic minorities, migrants, Muslim and people of African origin (Thailand); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 53</p>	Supported	<p>8 Equality & non-discrimination 9 Racial discrimination 29.1 Discrimination against women Affected persons: - migrants - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups - general</p>	See contributions under Right or Area 8: Non-Discrimination, including 98.36; 98.38; 98.44; 98.57; 98.60; 98.68
<p>98.42. Establish mechanisms to monitor, investigate, prosecute and punish incitement to and acts of hatred, intolerance, racism and xenophobia (Egypt); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 55</p>	Noted	<p>8 Equality & non-discrimination 5.2 Institutions & policies - General 9 Racial discrimination 16 Right to an effective remedy, impunity Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	See 98.36; 98.68

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>98.43. Review, amend and repeal its national discriminatory laws and regulations against persons of certain religious backgrounds, in particular Muslim migrants (Egypt);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 56</p>	Noted	<p>8 Equality & non-discrimination 5.1 Constitutional and legislative framework 9 Racial discrimination 14.2 Freedom of thought, conscience and religion</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - general - migrant workers 	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 57, 58</p>	Supported	<p>8 Equality & non-discrimination 9 Racial discrimination 23.1 Right to work</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - Lesbian, gay, bisexual and transgender persons (LGBT) - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	<p>Labour market discrimination</p> <p>Labour market discrimination is a serious and structural problem in the Netherlands. It directly impacts on people’s right to work, as well as other human rights, such as the right to an adequate standard of living, health and family life. Tackling discrimination on the labour market is crucial in the fight against poverty, whereas poverty itself is one of the factors contributing to (further) discrimination.¹³</p> <p><i>General assessment</i></p> <p>The extent, seriousness and persistent nature of labour market discrimination for various groups is evident from research, perception studies, complaints received by Anti-Discrimination Services and opinions of the Institute. The State party has prioritised labour market discrimination, developed an action plan and implemented a number of measures. In the State party’s action plan, as well as in the measures implemented there is too little attention for root causes, structural measures and a misbalance between preventive and repressive measures.</p> <p>Discrimination is, amongst others, caused by stereotypes. Addressing these stereotypes, as well as the effects of such stereotypes, is one way to address root causes of discrimination.</p> <p>Discrimination on the labour market (and in general) is downplayed by those not affected, and often accepted by those who are directly affected. This is also true in political discourse, both by Government, and opposition, parties. In general, there seems to be acceptance of discrimination as a fact of life. This makes it increasingly more difficult, yet more important and urgent, to address this problem in a holistic and structural way.</p> <p><i>Specific information not available in written submission</i></p> <p>Since 2014 the Government has prioritised policies against labour market</p>

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			<p>discrimination. It issued a revised ‘Labour market discrimination action plan’. The plan includes specific measures for disadvantaged groups and campaigns to raise public awareness. However, until now the effectiveness of these plans and measures have been disappointing. Relatively high unemployment rates among non-Western migrants and transgenders are to a certain extent caused by discrimination.</p> <p><i>Ethnic minorities</i> 2015 unemployment figures from Statistics Netherlands published in June 2016 showed an unemployment rate of 6,9%. Among native Dutch people this was 5,6%, whilst for people with a non-Western background this was 15,2%. Even when having completed higher education, non-Western migrants are less likely to land a job.¹⁴ The higher level of education and increased mastery of the language of second and third-generation migrants hardly seems to translate into better employment opportunities. Various empirical studies have shown that job seekers with an ‘Arab’ family name are much less likely to be invited for a job interview than someone with a ‘Dutch’ family name.¹⁵</p> <p><i>Pre-access to labour market</i> Unequal opportunities for people with a migrant background begins at school. Migrant students following a vocational education have difficulties to fulfil their obligatory internship in mainstream ‘Dutch’ companies in most sectors.¹⁶ In the absence of work experience in mainstream ‘Dutch’ companies, young migrants are likely to have no equal opportunities entering the labour market. Research identified indirect and subtle discrimination of migrant students, caused by ethnic and religious bias and stereotypes.¹⁷ Structurally remedying this situation requires attention for such underlying causes of discrimination on the labour market.</p> <p><i>Intersectional discrimination</i> Despite the general and special measures to combat discrimination of minority groups in the field of employment in particular (see under 98.44), discrimination of minority women and girls due to the wearing of a headscarf is still common practice, in both the field of employment and education (internships).¹⁸ This type of intersectional discrimination (race, religion and gender) has far reaching consequences for the right to work and to education of these women.</p> <p><i>Discrimination of transgenders</i> Research by the Netherlands Institute for Social Research shows transgenders have</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>specific challenges accessing the labour market.¹⁹ Relatively many transgenders are declared unfit for work (12%) and are unemployed (9%). Relatively many transgenders also are in a low-income position. Economic independence of transgender could support emancipation and acceptance, thus it is crucial to increase their access to the labour market. Negative stereotypes and preconceptions about transgenders can lead to discrimination in recruitment and selection of candidates.</p> <p>Specific information on labour market discrimination is available in the written submission of the Institute.</p>
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 62</p>	Supported	<p>8 Equality & non-discrimination 9 Racial discrimination</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>98.49. Design a comprehensive policy to address discrimination of national minorities in all areas (Mexico);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 65</p>	Supported	<p>8 Equality & non-discrimination 5.2 Institutions & policies - General 9 Racial discrimination</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>98.50. Adopt all the measures necessary to combat discrimination in all its forms, including racism and xenophobia (Nicaragua);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 66</p>	Noted	<p>8 Equality & non-discrimination 9 Racial discrimination 29.1 Discrimination against women</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	<p>See 98.36; 98.40; 98.44; 98.57; 98.60; 98.68. Also see Right or Area 29.1 Discrimination against Women; Right or Area 32.1 Persons with Disabilities</p>
<p>98.51. Develop a national action plan to combat discrimination in consultation with civil society (Norway);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 67</p>	Noted	<p>8 Equality & non-discrimination 5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 68</p>	Noted	<p>8 Equality & non-discrimination 9 Racial discrimination 14.3 Freedom of opinion and expression 16 Right to an effective remedy, impunity</p> <p>Affected persons: - general</p>	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 70</p>	Noted	<p>8 Equality & non-discrimination 6 Human rights education, trainings 15.1 Administration of justice & fair trial</p> <p>Affected persons: - general - judiciary</p>	See under 98.36
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 72, 73</p>	Supported	<p>8 Equality & non-discrimination 9 Racial discrimination 14.3 Freedom of opinion and expression</p> <p>Affected persons: - general - media - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	
<p>98.57. Adopt measures to stamp out discrimination arising as a result of the practice of racist, ethnic, or religious profiling (Russian Federation);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 74</p>	Noted	<p>8 Equality & non-discrimination 9 Racial discrimination 14.2 Freedom of thought, conscience and religion 16 Right to an effective remedy, impunity</p> <p>Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>For many years various Anti-Discrimination Services have monitored possible discrimination in the access of public catering establishments. The Institute, as well, has received complaints, published opinions and organised a conference on this. In 2014, the Government provided municipalities with a publication listing all possible administrative measures to combat discrimination. Its aim is to improve the possibilities for municipalities to enforce the prohibition of discrimination. Nevertheless, profiling and discrimination by doormen and bouncers has been reported throughout the country. The impact of the measure will be evaluated in 2017.</p>

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<p>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) ;</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 76</p>	Supported	<p>8 Equality & non-discrimination 5.2 Institutions & policies - General 9 Racial discrimination 14.3 Freedom of opinion and expression</p> <p>Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	
<p>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) ;</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 78</p>	Noted	<p>8 Equality & non-discrimination 9 Racial discrimination 21 Economic, social & cultural rights - general measures of implementation</p> <p>Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>During the reporting period the Institute has at several occasions advised on legislation that it considers stigmatising and potentially discriminatory towards specific groups. Three of these advices are:</p> <ul style="list-style-type: none"> - Consideration on a ban to ban the burka in public spaces (Advice on 31-3-2016)²⁰; - Anti (Jihad) terrorist measures (advice on 28/4/2015²¹ and 24-2-2015²²); - Advice concerning the Inner City Problems (special measures) Act (advice in 2006, 2015²³ and 2016²⁴).
<p>98.62. Take appropriate measures in combating discrimination and marginalization against vulnerable groups, particularly migrants, minorities, women, children and persons with disabilities (Viet Nam) ;</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 80</p>	Noted	<p>8 Equality & non-discrimination 9 Racial discrimination 29.1 Discrimination against women 29.1 Discrimination against women 32 Members of minorities 34 Migrants 31.1 Persons with disabilities: definition, general principles</p> <p>Affected persons: - children - migrants - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons with disabilities - migrant workers</p>	<p><i>Labour exploitation of migrant workers</i></p> <p>An investigation by the Institute in 2013, ‘Polish migrants from a human rights perspective’²⁵ and a research carried out by two expert organisations in 2016, ‘Profiting from dependency’,²⁶ show that labour exploitation continues to exist. Exploitation includes being underpaid and housed in substandard accommodation. Some migrants, mostly female, are sexually intimidated or asked for sexual favours in exchange for work or better working conditions. Migrant workers also often work too many hours, work in unsafe conditions and are required to pay a huge sum for the rent of their housing. When workers complain they risk being dismissed. Labour exploitation particularly concerns Polish and other Eastern European migrant workers working in a number of sectors of the Dutch economy, such as agriculture, transport and construction. It is also clear that recruitment agencies play an important role in the exploitation. Recruitment agencies make questionable deductions from the salaries of migrant workers for accommodation, electricity, transport, medical insurance, extra services and various unaccountable costs. The Institute is concerned about the working conditions of migrant workers in the Netherlands. It stresses that more action is needed from Government to prevent exploitation of migrant workers and to address exploitation that is taking place. For example by introducing a licensing system for recruitment agencies, by decoupling work and housing and by improving labour inspections.</p> <p>For more information about discrimination on the labour market see the written submission by the Institute.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			Also see submissions under various parts of Right or Area 8: non-discrimination and Right or area 9. Racial discrimination. For specific information about people with disabilities see submission under Right or Area 31.1, recommendation 98.102. For more information about discrimination of women see: Right or Area 29.1 Discrimination against women.
<p>98.65. Intensify its efforts to eliminate discrimination against migrant, black, Muslim and other minority women, who still face multiple forms of discrimination (Bangladesh);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 84</p>	Supported	<p>8 Equality & non-discrimination 9 Racial discrimination 14.2 Freedom of thought, conscience and religion 29.1 Discrimination against women</p> <p>Affected persons: - general - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	See 98.38, 98.40, 98.44, 98.60 and information provided under Right or Area 29.1 Discrimination against women.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 87</p>	Supported	<p>8 Equality & non-discrimination 5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	<p><i>Insufficient attention to information and prevention on the local level</i></p> <p>The Municipal Anti-Discrimination Services Act requires municipalities to allow their citizens access to an Anti-Discrimination Service (ADS). The Act does not require municipalities to implement preventive measures or to provide information.</p> <p>Municipalities are free to decide to make funds available for these tasks to complement their statutory tasks (providing assistance to citizens and registering complaints).</p> <p>The Institute notices that human rights policies on the local level can be very effective. An integral approach that gives sufficient attention to prevention and the provision of information promotes the effectiveness of (local) anti-discrimination policies. Municipalities should therefore enable the ADSs to perform informative and preventive tasks.</p> <p>The evaluation of the Act shows that some municipalities spend very little funds on these complementary tasks.</p> <p>The evaluation of the Act has resulted in the Central Government promising to lay down quality criteria for the Anti-Discrimination Services in cooperation with these Services. This should result in the Anti-Discrimination Services not only being able to process the complaints, but also to perform other tasks required to prevent and combat discrimination.</p>

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			<p>In response to Parliamentary Questions, the Minister of the Interior and Kingdom Relations in 2015 announced that the specific tasks of the ADSs on the municipal level will be the subject of further investigation.</p> <p>The Institute urges the Central Government to take its (final) responsibility and develop alternative measures should it appear that the measures implemented are insufficiently effective or that municipalities opt not to provide funding for informative tasks.</p>
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 114</p>	Supported	<p>8 Equality & non-discrimination 9 Racial discrimination 14.3 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - media - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 115</p>	Supported	<p>8 Equality & non-discrimination 9 Racial discrimination 14.3 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - media - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>98.89. Promote more equal representation of men and women in top positions (Norway);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 116, 117</p>	Supported	<p>8 Equality & non-discrimination 1 Right of self-determination 29.1 Discrimination against women</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	<p><i>Women in top positions in the business and academic sectors</i></p> <p>Establishing a target figure of women taking up 30% of the seats of the Boards of Directors and Boards of Supervisory Directors of large legal entities has hardly had any concrete effect. The 2012-2015 Company Monitor²⁷ shows that the percentage of women having a seat in Boards of Directors went up from 7.4% in 2012 to 9.6% in 2014. Over the same period, the percentage in the Boards of Supervisory Directors went up from 9.8% to 11.2%. This growth is attributable to a small number of enterprises only. In 2014, 76% of all Boards of Directors and 63% of all Boards of Supervisory Directors had no female members. No sanctions are imposed to an entity not meeting the target figure. There is little interest in effecting a culture shift. Initiatives aimed at improving the number of women in top positions, like the</p>

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			<p>creation of a database listing suitable female candidates for vacant seats in Boards of Directors and Boards of Supervisory Directors, met with resistance from the business sector.</p> <p>In academia, too, women have difficulty rising to the top. While the number of female professors is slowly increasing, the distribution is as yet still unbalanced. The percentage went up from 13.3% in 2013 to 17.2% in 2014. No target figure for the number of women to hold a chair exists. The Minister of Education, Culture and Science announced she would discuss the matter with universities and that she is in favour of a target figure of 30%.</p> <p>Existing views on the suitability and stereotypical views on the care duties, ambition and competence of women result in women being passed over as suitable candidates. Such appears from the 2012-2015 Company Monitor. The government is insufficiently implementing measures to encourage companies and universities to actively work on promoting women to top positions.</p>
<p>98.90. Adopt measures to criminalize incitement to hatred and imminent violence based on religion or belief (Pakistan);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 118</p>	Noted	<p>8 Equality & non-discrimination 5.1 Constitutional and legislative framework 14.3 Freedom of opinion and expression</p> <p>Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	
<p>98.93. Implement measures to decrease the wage gap between men and women (Norway);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 122</p>	Noted	<p>8 Equality & non-discrimination 23.2 Right to just and favourable conditions of work 29.1 Discrimination against women</p> <p>Affected persons: - general - women</p>	<p>Women on the Dutch labour market still receive less pay than men for the same work. This wage gap is partly the result of the application of remuneration criteria not directly related to the employee's performance on the work floor often being disadvantageous to women. Such criteria include remuneration on the basis of the valuation of the employee's work experience, of wage negotiations and of seeking to attune to most recently earned pay. Whenever employers apply such criteria differently with respect to men than to women, this constitutes wage discrimination. The “Study on Equal Pay for Men and Women in General Hospitals” (2012) and a similar study into equal pay at universities for applied sciences (2015)²⁸ by the Institute into determination of wages showed that if employers, when applying such criteria, award too little pay, the effects are twice as disadvantageous to women. The studies provide insights into the traps lying in wait when determining wages. It is of the essence that employers become aware of those traps and work to prevent offering unequal pay. Such is currently lacking. The Inspectorate insufficiently monitors the efforts made by companies.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>98.94. Pursue an active and strict policy to end unfair pay differences between men and women especially in Government organizations (Greece);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 123</p>	Noted	<p>8 Equality & non-discrimination 5 Legal, institutional and political framework 23.2 Right to just and favourable conditions of work 29.1 Discrimination against women</p> <p>Affected persons: - general - women</p>	See 98.93
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 125, 126</p>	Noted	<p>8 Equality & non-discrimination 22.4 Right to social security 23.1 Right to work 24 Right to health - General 25 Right to education - General</p> <p>Affected persons: - general</p>	<p>See written submission of the Institute for more information, in particular regarding employment and health.</p> <p>Also see 98.38; 98.40; 98.44; 98.93; 98.97; Right or Area 29.1 Discrimination of Women; 31.1 Persons with Disabilities.</p>
<p>98.103. Study the possibility to establish new measures aimed at eliminating any discriminatory treatment towards ethnic minorities (Argentina);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 136</p>	Supported	<p>8 Equality & non-discrimination 5.2 Institutions & policies - General 32 Members of minorities</p> <p>Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	See contributions in Right or Area Non-Discrimination, including 98.36; 98.38; 98.44; 98.57; 98.60; 98.68.
Right or area: 9. Racial discrimination			
<p>98.41. Strengthen its actions against on all forms of discrimination and effectively protect the rights of women, children and immigrants (China);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 54</p>	Supported	<p>9 Racial discrimination 29.1 Discrimination against women 30.1 Children: definition; general principles; protection 34 Migrants</p> <p>Affected persons: - children - migrants - women - general</p>	See contributions in Right or Area Non-Discrimination, including 98.38; 98.39; 98.89; 98.93; Right or Area 29.1 Discrimination of Women
<p>98.45. Intensify efforts to combat the dissemination of ideas based on the racial superiority through Internet, as well as other media including racist speech by political parties (Poland);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 59</p>	Supported	<p>9 Racial discrimination 14.2 Freedom of thought, conscience and religion</p> <p>Affected persons: - media - minorities/ racial, ethnic, linguistic, religious or descent-based groups - general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>98.47. Take all necessary measures to prevent and eliminate all manifestations of racism, Islamophobia, xenophobia, and religious intolerance (Iran (Islamic Republic of));</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 63</p>	Noted	<p>9 Racial discrimination 8 Equality & non-discrimination 14.2 Freedom of thought, conscience and religion</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	See contributions in Right or Area Non-Discrimination, including 98.36; 98.40; 98.57; 98.60; 98.68
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 64</p>	Noted	<p>9 Racial discrimination 8 Equality & non-discrimination 14.2 Freedom of thought, conscience and religion</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	See contributions in Right or Area Non-Discrimination, including 98.36; 98.40; 98.57; 98.60; 98.68
<p>98.53. Strengthen legal and institutional measures to prevent and suppress manifestations of racism, xenophobia and intolerance (Pakistan);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 69</p>	Noted	<p>9 Racial discrimination 5.1 Constitutional and legislative framework 5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	See contributions in Right or Area Non-Discrimination, including 98.36; 98.40; 98.57; 98.60; 98.68
<p>98.55. Make further efforts to combat racial discrimination and xenophobia, and to promote racial and religious harmony (Qatar);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 71</p>	Supported	<p>9 Racial discrimination 8 Equality & non-discrimination 14.2 Freedom of thought, conscience and religion</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	See contributions in Right or Area Non-Discrimination, including 98.36; 98.40; 98.57; 98.60; 98.68
<p>98.59. Identify through its domestic discussion effective ways and means to prevent and suppress manifestation of racism, xenophobia and intolerance (Thailand);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 77</p>	Supported	<p>9 Racial discrimination 5.2 Institutions & policies - General 8 Equality & non-discrimination</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	See contributions in Right or Area Non-Discrimination, including 98.36; 98.40; 98.57; 98.60; 98.68

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 79</p>	Noted	<p>9 Racial discrimination 5.2 Institutions & policies - General 8 Equality & non-discrimination 14.3 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	See contributions in Right or Area Non-Discrimination, including 98.36; 98.40; 98.57; 98.60; 98.68
<p>98.63. Take more efficient measures to prevent and eliminate manifestations of racism, xenophobia and intolerance in political speech (Algeria);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 82</p>	Noted	<p>9 Racial discrimination 8 Equality & non-discrimination 14.3 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 85</p>	Noted	<p>9 Racial discrimination 14.3 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - media - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>98.67. Take measures to address concerns of racial discrimination in the application of its national policies (Botswana);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 86</p>	Supported	<p>9 Racial discrimination 5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	See contributions in Right or Area Non-Discrimination, including 98.36; 98.40; 98.57; 98.60; 98.68
<p>98.69. Develop a national plan against racism (Costa Rica);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 88</p>	Noted	<p>9 Racial discrimination 5.2 Institutions & policies - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 89</p>	Supported	<p>9 Racial discrimination 14.3 Freedom of opinion and expression</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - media - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	See contributions in Right or Area Non-Discrimination, including 98.36; 98.40; 98.57; 98.60; 98.68
Right or area: 12.5. Prohibition of torture and cruel, inhuman or degrading treatment			
<p>98.18. Prohibit corporal punishment in all settings through the Kingdom of the Netherlands (Slovenia);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 23</p>	Noted	<p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment 5.1 Constitutional and legislative framework 16 Right to an effective remedy, impunity 30.2 Children: family environment and alternative care 12 Right to physical and moral integrity 30.1 Children: definition; general principles; protection</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children 	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 94</p>	Supported	<p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment 9 Racial discrimination 8 Equality & non-discrimination 14.6 Right to private life, privacy</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 96</p>	Noted	<p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment 5.1 Constitutional and legislative framework 30.2 Children: family environment and alternative care 30.1 Children: definition; general principles; protection</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children 	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 155</p>	Noted	<p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment 35 Refugees & internally displaced persons</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - migrants - non-citizens - refugees and asylum-seekers 	<p>The Committee on the Prevention of Torture of the Council of Europe published a report in 2015 about a return flight in 2013.²⁹</p>
<i>Right or area: 12.6. Conditions of detention</i>			
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 93</p>	Noted	<p>12.6 Conditions of detention 12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - persons deprived of their liberty 	
<i>Right or area: 12.7. Prohibition of slavery, trafficking</i>			
<p>98.17. Approve, in all the countries that form the Kingdom, legislation that criminalizes all forms of trafficking in persons (Nicaragua);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 21</p>	Supported	<p>12.7 Prohibition of slavery, trafficking 5.1 Constitutional and legislative framework</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 103</p>	Supported	<p>12.7 Prohibition of slavery, trafficking 6 Human rights education, trainings</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	<p><i>Information provided by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children</i></p> <p>In her most recent report, the National Rapporteur on Trafficking in Human Beings shows that the number of registered possible victims has dropped from 1.561 in 2014 to 1.321 in 2015.³⁰ The percentage of possible victims of Sexual Exploitation with the Dutch nationality has shown an increase from 35% in 2014 to 46% in 2015. The number of minors amongst the whole group of possible exploited persons has risen from approximately 16% in the years 2011-2014 to 25% in 2015. The number of registered possible victims (minors) with a foreign nationality in 2015 has more or less remained the same as in 2014. This raises questions, considering the requests for a residence permit for unaccompanied minors have grown with 300% compared to 2014.</p>

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			<p>The National police reported 14% less possible victims in 2015 than in 2014, whereas the KMar (the Royal Military Police) reported 46% less possible victims than in 2014.</p> <p>The National Rapporteur recommends that resources and priorities at both organisations reflect an ability to effectively fight trafficking. The Minister of Security and Justice will carry the responsibility of this matter and will report to parliament soon. Dutch parliament has already voiced that this matter has to be taken very seriously.</p> <p>In the registration of possible victims over 2015 Syrian, Afghan and Eritrean nationalities are represented. Those nationalities are known to form a big part of migrating and refugee groups, which shows the need to stop treating smuggling and trafficking as separate worlds. Government institutions that deal with smuggling need to be (made) aware of signals of trafficking, report possible victims and offer them appropriate assistance and protection. Attention is required to prevent smuggled persons falling prey to traffickers.</p> <p>The National Rapporteur is concerned that possibly less minors are reported and registered amongst possible victims of trafficking. Due to privacy laws, social workers require parents of caretakers to sign a consent form for the minor's registration. The law currently does not have a provision enabling registration without previous consent. The National Rapporteur believes that this hurdle has led and will continue to lead to the underreporting of this group of possible victims and that the law needs to enable reporting and registration of this important group. She recommends the Dutch Minister of Security and Justice attends to this matter.</p>
<i>Right or area: 14.3. Freedom of opinion and expression</i>			
<p>98.86. Enact laws and legislation on freedom of expression in line with both articles 19 and 20 of the ICCPR (Egypt);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 113</p>	Noted	<p>14.3 Freedom of opinion and expression 5.1 Constitutional and legislative framework</p> <p>Affected persons: - general</p>	
<i>Right or area: 15.1. Administration of justice & fair trial</i>			
<p>98.85. Consider additional steps to ensure that any potential changes in court fees are</p>	Noted	<p>15.1 Administration of justice & fair trial</p> <p>Affected persons:</p>	<p><i>Court fees and own contribution</i></p> <p>In The Netherlands there is a system guaranteeing access to justice. The system also</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>proportionate and affordable, and that they do not prejudice access to the legal system (United Kingdom of Great Britain and Northern Ireland);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 112</p>		<ul style="list-style-type: none"> - general - judiciary 	<p>includes ways for specific groups to get access to (free) legal aid and (other) financial support when costs for accessing justice are too high.</p> <p>In the reporting period new regulations to increase court fees were abandoned. This is a positive development.</p> <p>However, in general free legal aid is under pressure and in practice current court fees and own contribution to filing cases already potentially present a barrier to accessing justice. Own contribution (the amount one has to pay in any case, also when relying on free legal aid support) can be considered relatively high, especially for family court cases (such as filing for divorce). In addition court fees (that vary also depending on type of court) need to be paid. Court fees are not covered by financial support schemes.</p> <p>A review has been undertaken of the new plans announced by the government to cut legal aid support in the Netherlands. It is unclear how this review will influence a new free legal aid policy and specific measures. The review and recommendations from the review have already been criticized heavily, especially by lawyers.</p> <p><i>Access to justice and ZSM procedure</i></p> <p>The implementation of EU directive 2013/48/EU on the right of access to a lawyer , demanding the presence of a lawyer during the first interrogation, has been partially implemented ahead of specific legislation (due before November 2016) in March 2016 due to a Supreme Court decision. However, in practice this right is not fully guaranteed for so-called ZSM (<i>Zo Snel Mogelijk</i> means As Quick as Possible) cases. These are cases of frequently occurring offences that may be dealt with by the prosecutor's office without accessing a judge.</p> <p>The prosecutor may handle the case from the start, lead the investigation and sentence the suspect. The case is handled within a very short period of time and the prosecutor is supported in the process of the investigation, proposed sentence and sentencing by a number of stakeholders, including police, (victim) support services, experts and the probation service.</p> <p>The number of cases handled in this way has grown exponentially and there are concerns about the quality of the way these cases are handled and the impact of this procedure on the right to a fair trial for the suspect.³¹ The suspect has a right to access a lawyer, though he can waiver this right also. In practice, the suspect very</p>

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			<p>rarely makes use of his right to a lawyer in the ZSM procedure. While nearly all stakeholders – including the prosecutor’s office – have underlined the importance of legal assistance in the ZSM procedure, the government has not been inclined to prioritize this issue. Despite very positive pilots having been undertaken in three regions in the Netherlands in 2014-2015³², it was not until the summer of 2016 that the government announced in what way legal assistance would be integrated in the process. A timeframe for the actual implementation of this new procedure was not set, which means that thousands of suspects in the coming months will go through their criminal proceedings without a lawyer present.</p> <p>Implementation of the EU directive and its practical application to so-called ZSM cases will further expand the possible use of free legal aid. It is currently not clear whether funding the implementation of legal aid in the ZSM procedure will be done within already limited budgets or whether this will be done by providing extra funds. If this is done by using already strained resources there are worries this will lead to cuts in other areas where budgets are already strained.</p>
<i>Right or area: 21. Economic, social & cultural rights – general measures of implementation</i>			
<p>98.35. Strengthen its policies and measures for guaranteeing all socio-economic 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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 46</p>	Supported	<p>21 Economic, social & cultural rights - general measures of implementation</p> <p>Affected persons:</p> <p>- general</p>	<p>For developments regarding socio-economic and cultural rights see, amongst other submissions in this matrix, the written submission by the Institute (in particular: decentralisation and human rights)</p>
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 127, 128</p>	Noted	<p>21 Economic, social & cultural rights - general measures of implementation</p> <p>5.2 Institutions & policies - General</p> <p>22.3 Right to adequate housing</p> <p>Affected persons:</p> <p>- general</p> <p>- persons living in poverty</p>	<p><i>Poverty in the Netherlands: general</i></p> <p>Poverty has been on the rise in the Netherlands as result of the financial crisis. Statistics show that while short-term poverty seems to stabilise for the coming years, long-term poverty continues to rise. This especially has an impact on the number of children living at risk of poverty. National anti-poverty policies largely focus on economic aspects of poverty. Measures are designed to increase purchasing power by focusing on increasing income through work. There is little attention for other causes of poverty, nor for the consequences.</p> <p>According to the Netherlands Institute for Social Research (SCP) the number of households living in poverty rose sharply at the height of the financial crisis from</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>2008–2013.³³ Figures from Statistics Netherlands (CBS) show the number of households living at a low income, and therefore at risk of poverty, rose less sharply in 2014 with an anticipated decline in 2015 and 2016.³⁴ However, the number of people who have lived at risk of poverty for a period of 4 years or more (long-term poverty) rose in the latest known figures of 2014.³⁵ CBS noted in 2015 that a considerable number of households whose income decreased as a result of the economic crisis to ‘poverty’ levels, have not been able to recover from this.³⁶</p> <p>Specific groups are more vulnerable to poverty than others. These groups include single-parent households, non-western migrant households and people with work. The number of non-western households at risk of long-term poverty is six times higher than Dutch households. Among the number of households living at risk of long-term poverty there is a sharp rise of people with paid work.³⁷ People between the age of 55 and 65 are most at risk of long-term poverty.³⁸</p> <p>It is commendable that CBS in 2015 published a report linking poverty to social exclusion, thus providing a more holistic approach to poverty. It paid attention to participation in society, health, housing and the representation of poor persons as victim and perpetrator of crime. It published other reports making links between poverty and education, pre-school education and labour. It reported that poor people participate less in society, are overrepresented both as perpetrators and as victims of crime, have worse health condition and have less chance of getting access to better quality education.³⁹ This affects adults and children. There is also very little social mobility. Growing up in poor households increases the risk of poverty in adult life. These statistics and evaluation provide a good basis for a human rights based approach to combating poverty.</p> <p>People with low income face impediments in the enjoyment of the right to health, education and to participate in society. The other side of the coin is that their health situation, lower level of education and less developed social network makes it difficult to escape from poverty. Poverty is both a cause and a consequence of barriers in their enjoyment of their rights. Breaking that cycle starts by addressing the human rights dimension of poverty in a holistic way.</p> <p><i>Children living in poverty</i></p> <p>The number of children at risk of poverty has risen in 2014, which is worrying in light of a period of decline.⁴⁰ The number of children living in long-term poverty also rose.⁴¹ Almost 4,5% of all Dutch children now live in a situation of risk of</p>

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			<p>poverty for more than four years. Children particularly at risk live in single parent households, families living on social benefits, as well as children in families with a non-western background. Many differences in approach to combating poverty among children exist as a result of decentralization. The State party is inclined not to interfere with local autonomy.</p> <p>A positive step was initiated by the Children’s Ombudsman who suggested municipalities should develop special financial packages for children that can be used to increase participation of poor children in society. A growing number of municipalities is offering these packages. Some of them invite children to participate in the determination of content of these packages.</p> <p>Another positive development is that the Government has set out a request for research with the Social and Economic Council of the Netherlands, asking it for suggestions for an effective national anti-poverty strategy focusing on children. At the same time, the Government asked the Children’s Ombudsman for a report with suggestions to reduce child poverty, with a focus on local policies.</p> <p><i>Asylum seekers</i></p> <p>Asylum seekers are generally housed in reception centres. In 2015 asylum seekers were also housed in emergency shelters, including tents, former prisons and sports facilities. The Institute has visited crisis reception facilities, emergency reception facilities and regular reception facilities. It found no human rights violations in that period, but pointed out that this form of shelter entailed risks of human rights violations, especially when people reside longer.⁴² There is a significant lack of privacy and possibilities to rest, which has consequences for safety. The procedure to seek asylum is started only after seven months. In this waiting period, asylum seekers have no right to a maintenance allowance, thus limiting the possibilities to make their own choices. They are provided with clothing and food.</p> <p>There is a serious shortage of houses for asylum seekers. Nevertheless, there is a proposal to remove the priority access to housing for asylum seekers from the Act on Housing.⁴³ In the meantime, municipalities can provide temporary housing (maximum of two years) to asylum seekers with a permit to stay in houses which are not suitable for permanent residence. These refugees are not eligible for social welfare benefits, but instead receive a weekly allowance from the Central Agency for the Reception of Asylum Seekers (COA). This allowance is below the welfare level. As a consequence, they are at risk of poverty. Furthermore, the distinction</p>

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			<p>between various groups of asylum seekers is problematic.</p> <p><i>Adequate standard of living in Caribbean Netherlands</i> The level of poverty on all three islands is worrying. The material living conditions of many inhabitants have clearly worsened since the transition. After the introduction of the dollar on 1 January 2012, the inhabitants have experienced drastic price increases and reduced purchasing power. This is particularly hurtful for the vulnerable groups in society, such as elderly depending on social security, single mothers and occupationally disabled. Poverty has an impact on other aspects of life. It often leads to low levels of education and employment, problems in the field of housing, dependency on drugs and alcohol and psychiatric symptoms.</p> <p>The Dutch government had agreed with the local government of the public entities that the provision of wealth and health care would be elevated 'to a standard of services and provisions that is acceptable within the Netherlands'. However, from the onset, the Netherlands and the islands held different opinions on the interpretation of this agreement. The national government has been too reticent to counter the increasing poverty. Article 11 ICESCR implies that states are obliged to guarantee a minimum level of social security to all its inhabitants. A 'safety net' should always be available for those in need. At present, the Netherlands does not comply with this obligation. For a long time, the government refrained from determining a minimum level of social security, arguing that this would undermine the economic relations in the region and that it would be too costly. In response to the evaluation report it has promised to set a social minimum, but this will not be linked to benchmarks for subsistence. This does not meet with the obligations of article 11 of the Covenant.</p> <p><i>Homelessness</i> Though definite numbers are difficult to obtain CBS estimates there are 31.000 homeless people in the Netherlands (excluding people residing illegally in the Netherlands who are homeless).⁴⁴ The number of homeless persons has risen with 74 percent between 2009 and 2015 (with a small decline in 2013). The rise of non-Western homeless people is bigger than the rise of Western and Dutch homeless people. Research shows the rise in the number of homeless can be attributed partly to the rise of the number of people with psychological problems who find themselves without support due to budgetary cuts in the care for persons with psychological problems. At the same time both Leger des Heils (Salvation Army) and Federatie Opvang (Shelter Federation) are concerned there is a severe shortage</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>of affordable housing, especially housing for accompanied/protected living for people that need this.⁴⁵</p> <p>Also a new type of homeless person is the person affected by the crisis. Before being homeless these persons had a job, house and relationship. They are faced with an increase of evictions, a shortage of affordable housing, little support in debt-relief.⁴⁶</p> <p><i>Access to affordable housing</i> In terms of housing there is a shortage of affordable housing in combination with policies that allow housing corporations to raise the rent more than inflation. This means people living below or on low income are at risk of indebting themselves. In any case the proportion of their income that is used to pay the rent is increasing.</p> <p><i>Discriminatory legislation with regard to housing</i> Since 2006 the Netherlands has legislation that effectively opens the possibility for municipalities (under certain circumstances) to exclude specific categories of people from living in certain neighbourhoods. This is made possible by the Inner City Problems (special measures) Act. The law is implemented currently in Rotterdam (5 areas), Capelle aan de IJssel and Nijmegen.</p> <p>The law is designed to increase the standard of living in specific areas. This is done by stopping the influx of certain socio-economic groups and increasing diversity of socio-economic diversity.</p> <p>The State party considers the standard of living is low due to the uniform socio-economic composition of a specific area. The areas are often impoverished with a majority of low-income households.</p> <p>In order to address this people are required to apply for housing permits in those areas. If they earn less than 120% of the welfare minimum a permit is refused (exceptional circumstances can lead to an exception to this).</p> <p>This income-based restriction is discriminatory towards specific groups who are more prone to living on an income below 120% of the welfare minimum. These include single-parent families (mostly headed by women) and families with a Non-Western background. It also stigmatises the ‘poor’.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>A case brought before the European Court for Human Rights by ms. Garib deals with the effects of the law. The Court considered the law did not violate ms. Garib's freedom to choose one's residence. However, there were very strong dissenting opinions (focusing on the discriminatory and stigmatising nature of the law) and the case will now be judged by the Grand Chamber.⁴⁷</p> <p>Also evaluation has shown that the measures do not have any effect on the standard of living in these areas.⁴⁸ The Institute, as well as the Council of State has strongly advised against the law due to its discriminatory nature and the fact it can be considered unnecessary and disproportionate.</p> <p>This has not led to retraction of this law. Instead the law has been amended and expanded opening up possibilities for refusing housing permits in certain (impoverished) areas on the basis of criminal and other behaviour, considered anti-social, of persons in their past.</p> <p>While noting the objectives of the law are legitimate, the Institute has also strongly advised against this expansion due to its potentially discriminatory nature and the Institute considers this legislation disproportionate and unnecessary.</p>
<i>Right or area: 23.2. Right to just and favourable conditions of work</i>			
<p>98.91. Adopt legal provisions for reduced working hours, additional paid holidays or another form of compensation in dangerous and unhealthy occupations (Poland);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 119</p>	Noted	<p>23.2 Right to just and favourable conditions of work</p> <p>24 Right to health - General</p> <p>Affected persons:</p> <p>- general</p>	For labour conditions of migrant workers see submission under 98.62.
<i>Right or area: 25. Right to education</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 131, 132</p>	Supported	<p>25 Right to education - General 6 Human rights education, trainings 8 Equality & non-discrimination</p> <p>Affected persons: - children - non-citizens</p>	<p>Human rights and children's rights are sporadically included in the school curricula and schools do not teach it in a structural manner. See also 98.33.</p>
<i>Right or area: 29.1. Discrimination against women</i>			
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 83</p>	Noted	<p>29.1 Discrimination against women 8 Equality & non-discrimination 18 Right to participation in public affairs and right to vote 23.1 Right to work 24 Right to health - General 25 Right to education - General</p> <p>Affected persons: - migrants - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>See area 8 and 9 and the submission of the Institute.</p> <p><i>Gender-specific healthcare</i> As the government acknowledges in its report, the healthcare system is insufficiently geared to treating women. ZonMw, the Dutch institute for health research and development found in its report “Vrouwen zijn anders” (2012, Women are different) that doctors, due to a lack of knowledge, not always arrive at the right diagnosis when a patient displays gender-specific symptoms.⁴⁹ Medication, too, affects women differently than it does men. The founding of the Gender & Health Alliance, an initiative of the Ministry of Education, Culture and Science and women's network WOMEN Inc., and the announcement of the 2016 national programme constitute a step in the right direction with respect to improving gender-specific healthcare. It as yet unclear how this national programme will be funded.</p> <p><i>Health care for women without a valid residence permit</i> Provision of information is currently lacking, resulting in both women without a valid residence permit and healthcare professionals being unaware of the care these women are entitled to. The report “Medische zorg aan ongedocumenteerden: aanbevelingen” (2015, Medical care for migrants without a valid residence permit) shows that this in practice results in some healthcare professionals refusing to provide care to aliens without a valid residence permit.⁵⁰ For this reason, aliens without a valid residence permit often require the intervention of an intermediary to obtain access to healthcare. In addition, aliens without a valid residence permit who have exhausted all rights of appeal or are set to be deported receive medication for a period of no more than two weeks and do not always obtain the necessary medical information to guarantee continuity of care.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			See for discrimination of women in employment: written submission Institute (pregnancy and unequal pay); submission under 98.92 (economic independence, combining care and employment and the impact of decentralisation on care); submission under 98.44 (on intersectional discrimination); 98.89 (women in top positions); and 98.93 (unequal pay).
98.72. Adopt effective measures to combat violence against women and to fight poverty (Cuba); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 91	Noted	29.1 Discrimination against women 22.1 Right to an adequate standard of living - general 29.2 Violence against women, trafficking and exploitation of prostitution Affected persons: - persons living in poverty - women	For violence against women see submission under 98.39. For fighting poverty (including for women) see submission under 98.97.
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); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 120, 121	Supported	29.1 Discrimination against women 23.1 Right to work Affected persons: - general - women	<p><i>Women's economic independence</i></p> <p>The number of economically independent women has hardly increased since 2008. Just over half of all women, 53%, is economically independent. The economic independence figure for men stands at 74%. Factors contributing to the lower economic independence figure of women include wage disparity and the number of women in part-time work. The Statistics Netherlands study “Vrouwen al op jonge leeftijd minder economisch zelfstandig” (2014, Women less economically independent already at a younger age) shows that, in particular, women living in a multi-person household are less often economically independent.⁵¹ Women living on their own, on the other hand, are more often economically independent than men are.</p> <p>Some financially vulnerable groups require additional attention. The 2014 Netherlands Institute for Social Research Emancipation Monitor shows that many people were made redundant in sectors employing a relatively high percentage of women, including domestic care and childcare facilities.⁵² 50% of lowly educated women are not active on the labour market. While lowly educated women have been identified as constituting a financially vulnerable group, the Dutch gender and LGBT-equality policy 2013-2016 does not include measures to increase the economic independence and labour market participation of these specific groups.</p> <p><i>Combining employment and care</i></p> <p>Fixed working hours and fixed workplaces impede the efficient combining of work and care duties. The modernisation of regulations on leave and working hours removes some of these obstacles. However, the report “De discussie voorbij” (2010, Beyond the discussion) shows that practice refuses to conform to theory, as</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>company culture, too, proves to be an obstacle to a balanced combination of work and care duties.⁵³ This results in a continuation of the stereotypical division of duties between men and women which has the woman be responsible for the lion's share of care duties. Statistics Netherlands figures show that only some 25% of fathers entitled to parental leave actually take it. The study "Betaalde arbeid en zorg voor kinderen; concurrerend of complementair" (2010, Paid work and care for children, competing or complementary) showed that women more often tailor their working hours to complement those of their partner.⁵⁴ The longer the work week of the partner, the fewer the hours worked by the women, who instead care for the children or provide informal care.</p> <p><i>Informal care and decentralisation</i></p> <p>A combination of new regulations and policies aimed at having the elderly reside at their homes for longer and having persons requiring care become less dependent on municipal facilities has resulted in more pressure being put on those near to them to provide informal care. This is cause for concern, as the burden of providing such informal care threatens to be predominantly placed on women. Prior to the changes, 61% of all informal care providers were women, two thirds of such care being provided by daughters or daughters-in-law. The 2015 study by the Netherlands Institute for Social Research, "Vrouwen, Mannen en de hulp aan (schoon)Ouders" (2015, Women, men and helping parents and in-laws), shows that women more quickly feel they should provide care if a parent or parent-in-law requires such.⁵⁵ In addition, the report of the expert meeting "Gendersensitief beleid bij gemeenten" (2015, Gender-sensitive policies in municipalities) shows that professionals often assume that the informal care required can often be provided by a woman near to the person requiring it.⁵⁶ Professionals discussing the matter with their client, often talk about a daughter or the 'woman next door' helping out, and less often mention a son or the 'man next door'. The further increase in the demand for informal care may hamper the drive to increase the economic independence of women. It is therefore essential that research is conducted into the expected effects of the new regulations on the relationship between providing informal care and economic independence. The proposed measures to de-burden informal care providers are insufficient to counter this threat, even if they will predominantly come to benefit women, given that they form the majority of such care providers. It is essential that gender effects, too, are taken into account when assessing the changes in the legislation and that professionals are aware of these effects as well.</p> <p><i>Mothers pursuing studies</i></p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>In combining their studies with caring for their children, mothers pursuing studies experience many practical impediments, such as study schedules conflicting with the availability of child care and no right to maternity leave. The Steunpunt Studerende Moeders (Support for studying mothers) states that educational institutions are not always willing to make special arrangements for mothers pursuing their studies. The percentage of single mothers pursuing studies dropping out is 51% at the secondary vocational education level and 74% at the tertiary education level. It is not just the drop-out rate that is high: The Steunpunt also states that this group of students is at greater risk of incurring a delay in their studies and accruing debt.</p> <p>The Institute in 2014 concluded in an opinion at the police academy discriminated against a woman on the ground of gender when it did not allow her to finish her education because she exceeded the maximum duration of the study due to going on maternity leave.</p> <p>The web tool www.studiemetkind.nl (studying with a child) is a sound government initiative, providing a clear overview of all arrangements mothers pursuing studies can invoke and rely on. However, no national policy on dealing with the issue of mothers pursuing studies exists. The Education Executive Agency, the government body responsible for granting financial support to students, does not recognise pregnancy as a special circumstance entitling students to additional support to cushion the financial consequences of a delay in studies, either. Mothers pursuing studies are, then, dependent on the willingness of the educational institutions to make arrangements allowing them to be better able to combine maternity and education. The government thus puts the responsibility of solving the problem on the mothers themselves.</p> <p>See written submission of the Institute for discrimination against women due to pregnancy and motherhood, and unequal pay. See submission under 98.93 (unequal pay).</p>
<p>98.95. Ensure that women enjoy equal access to the labour market and equal pay for work of equal value (Slovenia);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 124</p>	Noted	<p>29.1 Discrimination against women 23.1 Right to work 23.2 Right to just and favourable conditions of work</p> <p>Affected persons: - general - women</p>	<p>See written submission of the Institute on unequal pay and discrimination on the basis of pregnancy and motherhood; Submission under 98.92 (economic independence, combining care and employment and the impact of decentralisation on care); submission under 98.44 (on intersectional discrimination); 98.89 (women in top positions); and 98.93 (unequal pay).</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: 29.2. Gender-based violence</i>			
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 90</p>	Noted	<p>29.2 Violence against women, trafficking and exploitation of prostitution 29.1 Discrimination against women 41 Follow-up to special procedures</p> <p>Affected persons: - women</p>	See 98.39.
<p>98.79. Adopt practical measures to ensure absolute prohibition of violence against women and cruel treatment of children (Uzbekistan);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 102</p>	Noted	<p>29.2 Violence against women, trafficking and exploitation of prostitution 29.1 Discrimination against women 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 30.3 Children: protection against exploitation</p> <p>Affected persons: - children - women</p>	See 98.39.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 106, 107</p>	Supported	<p>29.2 Violence against women, trafficking and exploitation of prostitution 5.2 Institutions & policies - General 29.1 Discrimination against women 30.2 Children: family environment and alternative care</p> <p>Affected persons: - children - women</p>	See 98.39.
<i>Right or area: 30.3. Children: protection against exploitation</i>			
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 97</p>	Supported	<p>30.3 Children: protection against exploitation 42 Follow-up to UPR 12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>Affected persons: - children</p>	<p><i>Information provided by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children</i></p> <p>The 2012-2016 Action Plan against Child Abuse is being implemented until the end of this year. Two main action points that are relevant for the work of the Rapporteur were implemented. One of the actions was to expand the mandate of the Dutch National Rapporteur of Trafficking in Human Beings to sexual violence against children. Her mandate was indeed expanded, so the last couple of years Rapporteur is doing extensive research to improve the approach of sexual violence against children.</p> <p>Another action was to implement the ‘model reporting code domestic violence and child abuse’. The reporting code is implemented in 2013, which offers professionals</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>more tools to discuss and report signals of child abuse, sexual abuse and/or neglect. The Rapporteur advised the Ministry of Health, Welfare and Sport to make some adaptations to the reporting code. This year the ministry is working on an inventory on how to improve the reporting code.</p> <p>The Action Plan against Child Abuse wants to focus more on the physical safety of children, of which the safety of children regarding child pornography is part. One of the points was to improve the approach of child pornography by, among others, inventory of the interventions for victims of child pornography and to spread this knowledge among professionals. In the opinion of the National Rapporteur, this goal has not been reached yet. There is a lack of knowledge when it comes to effective help for victims of child pornography. That is why the National Rapporteur is part of a working group for an international research study to the effects of the child pornography on the victims, and the kind of help they need to process their experiences. More information about this should be available at the end of 2016.</p> <p>In terms of prevention, the Action Plan provides that to prevent child abuse in general, municipalities will offer parenting support for all parents and for high-risk groups. The question is, however, whether help with child rearing can prevent sexual violence – as a specific form of child abuse. The theory is that, because parents resort to a form of child abuse (physical assault, emotional and/or physical neglect) out of powerlessness in many cases, strengthening parenting skills could contribute to preventing child abuse. In the report <i>On solid ground</i>⁶⁷, many reasons are mentioned why a child is sexually abused and there is no single explanation for sexual violence. Powerlessness might be one of the explanations, but it could equally be a question of opportunity: one's own children are relatively easy prey. Will support in child rearing help in those cases? It therefore remains to be seen whether the action plan will be able to prevent sexual violence in domestic circles.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 98, 99 100</p>	Noted	<p>30.3 Children: protection against exploitation 16 Right to an effective remedy, impunity</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children 	<p><i>Information provided by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children</i></p> <p>Having sex for payment with a child aged sixteen or seventeen is a criminal offence in the Netherlands. The maximum sentence for the crime is four years' imprisonment. Research by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children has shown that the number of clients prosecuted for this crime has increased significantly in 2015, compared to the previous years.⁵⁸ The Rapporteur conducted research on the cases that led to a criminal trial (2000-2015). Her assessment led to two recommendations:</p> <ol style="list-style-type: none"> 1. It is recommended that in every investigation of sexual exploitation of minors, the PPS also investigate clients with a view to developing an effective and uniform national approach to dealing with this group of suspects. 2. It is recommended that the judiciary endeavor to create more transparency on the grounds of sentencing and greater uniformity in sentencing.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 101</p>	Noted	<p>30.3 Children: protection against exploitation 6 Human rights education, trainings 16 Right to an effective remedy, impunity</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children 	<p><i>Information provided by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children</i></p> <p><i>Reporting code</i></p> <p>In the report <i>On Solid Ground</i> (2014) the Rapporteur described how the threshold for professionals (and others) to report on a case of suspected child sexual abuse was high, and probably too high.⁵⁹</p> <p>As stated under 98.76, the Dutch government has implemented a 'model reporting code domestic violence and child abuse'. The reporting code was implemented in 2013, and offers professionals more tools to discuss and report signals of child abuse, sexual abuse and/or neglect. The hope is that being more aware of possible signs of child abuse, and on the necessary steps to be taken would lower the threshold to report suspicions.</p> <p>The reporting code is not perfect yet, so the Rapporteur advised the Ministry of Health, Welfare and Sport to make some adaptations. She recommended investing more in implementing its use, and holding a thorough evaluation of its effect. She also recommended investing in schooling professionals working with the reporting code in all relevant aspects, such as recognizing signs of sexual abuse. Specific training on this topic has not been implemented yet.</p> <p>There is a currently a discussion about whether mandatory reporting of any</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>suspicion should be put in place of the mandatory use of the reporting code (which does not always entail reporting). The Rapporteur holds the opinion that this will not improve either quantity or quality of reported suspected cases. Rather, she'd like for the government first to invest in implementation of and training in using the reporting code.</p> <p><i>Reporting to the police</i></p> <p>In her report <i>On Solid Ground</i> (2014) the Rapporteur described how only 1/3 of possible victims of sexual violence who reported to the police went on to file a complaint.⁶⁰ She concluded:</p> <p>“With the police, the threshold between making a report and making a complaint seems to be high. This might be connected with the intervening preliminary interview, which can discourage victims. The police also seldom start an investigation without a formal complaint. These obstacles must be lowered so that more reports of sexual violence can be investigated.” The Rapporteur therefore recommended that police and the Public Prosecution service lower the threshold for launching a police investigation by:</p> <ul style="list-style-type: none"> - revising the format of the preliminary interview in such a way as to make it easier for individuals to file a complaint, and - if no complaint is filed, explicitly and jointly considering launching their own investigation. <p>A new Directive on the Investigation and Prosecution of Sexual Abuse entered into force on May 2016, together with updated and expanded instructions to the police. This new Directive has implemented recommendations from the National Rapporteur, such as replacing the word ‘complainant’ with the word ‘victim’. Whether this will have the desired effect in practice, i.e. to lower the threshold for filing complaints to the police on sexual violence, will have to be studied in practice.</p>
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98</p>	Supported	<p>30.3 Children: protection against exploitation 5.1 Constitutional and legislative framework 12.7 Prohibition of slavery, trafficking</p> <p>Affected persons: - children</p>	See under 98.80

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>& A/HRC/21/15/Add.1/Rev.1 - Para. 105</p> <p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 108, 109</p>	Supported	<p>30.3 Children: protection against exploitation 5.2 Institutions & policies - General</p> <p>Affected persons: - children</p>	<p><i>Information provided by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children</i></p> <p>The Dutch Rapporteur, as member of the High Level Taskforce, took part in guiding the Global Study on exploitation of children in travel and tourism (2016). She also contributed to the study with an article on governments' responsibilities as countries of demand, supply and/or victimization.⁶¹</p> <p>In the article, she states that the responsibility of governments to protect children from sexual violence does not end at the national borders. The Rapporteur places the fight against sexual exploitation of children in travel and tourism in the broader context of combating sexual violence against children in general. Also, she proposes new terminology to emphasize this integration of the two phenomena, and delineate the responsibilities of governments, both within and outside their borders, when it comes to protecting children from sexual violence.</p> <p>The Dutch National Rapporteur has underlined the importance of compensation for victims of child pornography.⁶² Although victims of child pornography can suffer damage from the knowledge that images of their abuse are being viewed by others, which entitles them to compensation, in practice scarcely any use is made of this possibility. The Rapporteur recommends that the Public Prosecution Service notify victims of their rights in this regard. Also, it would be useful if further consideration were given at an international level to legal and practical obstacles.</p>
Right or area: 30.4. Juvenile justice			
<p>98.20. Abolish in its criminal legislation the use of life imprisonment to children (Belarus);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 26</p>	Noted	<p>30.4 Juvenile justice 5.1 Constitutional and legislative framework</p> <p>Affected persons: - children - persons deprived of their liberty</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 110</p>	Supported	<p>30.4 Juvenile justice 15.1 Administration of justice & fair trial</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children - persons deprived of their liberty 	<p>Under Dutch law, it is still possible to place a minor in a police cell when he or she is suspected of having committed a crime. These police cells are not child-friendly. Fortunately, this legal possibility is currently not used in practice, because there is enough space in Juvenile Detention. However, requests of NGOs and the Institute to withdraw this possibility from legislation were ignored by the government, as the authorities prefer to keep this option in Dutch law in case Juvenile Detention facilities are full. The Institute is of the opinion that even in those cases, minors should not be placed in any form of detention – including police cells – that are not suitable for their specific needs.</p> <p>In 2014, the Criminal Law for Adolescents (<i>Adolescentenstrafrecht</i>) came into effect. For minors, this meant a confirmation of the already existing possibility to apply criminal law and procedure for adults to suspects who are 16 or 17 years old. If convicted, they may be placed in detention with adults.</p>
<i>Right or area: 31.1. Persons with disabilities: definition, general principles</i>			
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 135</p>	Supported	<p>31.1 Persons with disabilities: definition, general principles 5.2 Institutions & policies - General 23.1 Right to work 25 Right to education - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - persons with disabilities 	<p><i>Legislative protection</i></p> <p>The Netherlands ratified CRPD in July 2016. At the same time a number of laws have been changed. The equal treatment law for persons with a disability now also forbids discrimination when offering goods or services. And the law on elections now says that polling stations should be made accessible for persons with a physical handicap. The Institute has pointed out to government that this change in the law on elections is not enough to comply with article 29 of CRPD. According to this article State parties should ensure that voting procedures, facilities and material are appropriate, accessible and easy to understand and use. It also says that State parties should ensure that assistance in voting by a person of choice is allowed. Therefore government should also take measures to make voting ballots more accessible for persons with a disability. Also it should investigate how to make it easier for persons with an intellectual disability to exercise their voting rights.</p> <p><i>Discrimination against persons with disabilities</i></p> <p>The Institute still receives many complaints about discrimination of persons with disabilities. In 2015 19% of the questions (342 in total) that the Institute received about discrimination concerned persons with disabilities.</p> <p>In that same year 18% of the decisions (28 in total) of the Institute concerned persons with disabilities who experienced unequal treatment. Antidiscrimination organizations also receive many complaints about discrimination of vulnerable groups.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>Anti-discrimination legislation is in place and government has started a campaign against discrimination. Nonetheless more measures are needed to combat discrimination of vulnerable groups.</p> <p>For more information about discrimination of persons with disabilities in accessing the labour market see the written contribution by the Institute, as well as the information provided as a response to recommendation 98.103.</p> <p><i>Access to education</i></p> <p>On August 1 2014 the Netherlands introduced Tailor Made Education (Passend Onderwijs). The aim was to lessen the numbers of children who are at home instead of in school. And also to increase the number of children with disabilities going to regular schools. Information of the government shows that the number of children at home was 10.670 in the school year of 2103/2014 and 9.972 in the school year of 2014/2015 (Letter of the Minister of Education to Parliament of February 3 2016). Many of these children at home are children with disabilities. Although the numbers of children at home have decreased, the number of children not attending school is still very high. Tailor made Education therefor has not yet had the effect that was aimed for.</p> <p>Discrimination of persons with disabilities who wish to access education still occurs often. The Institute regularly receives complaints about this kind of discrimination. Tailor Made Education has not led to less complaints.</p> <p><i>Access to labour market</i></p> <p>In 2015 legislation entered into force to stimulate employers to employ more persons with disabilities (Participatiewet, Wet banenafpraak and Quotumwet). The goal of this legislation is in accordance with the CRPD, but because the legislation only applies to certain groups of persons with disabilities (persons who are not able to earn the minimum wage), other groups of persons with disabilities are disadvantaged. This is not in line with the CRPD. Also the number of jobs created by government organisations is lagging behind what has been promised. At the end of 2015 only 152 jobs had been created for persons with disabilities instead of the 3000 that had been agreed on. Discrimination of persons with disabilities who want to access the labour market is a continuous problem. The Institute often receives complaints about this kind of discrimination.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p><i>Participation of children with disabilities in culture, recreation and sports</i></p> <p>Children with disabilities often are not able to enter establishments such as theatres, restaurants or sport facilities because they are not accessible or because they are not accepted because of their impairments. It also happens that they have to pay an extra sum for bringing along something that is necessary for their mobility, such as a wheelchair or a guide-dog. For example when their parents book a vacation. On 14 June 2016 a law has come into force that forbids discrimination when offering goods or services. Also a regulation is being made which will oblige organizations to take measures that will make them more accessible.</p>
Right or area: 32. Members of minorities			
<p>98.101. Consider reinstating the Turkish mother tongue lessons as part of the primary and secondary school curricula (Turkey);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 134</p>	Noted	<p>32 Members of minorities 25 Right to education - General 27 Cultural rights</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups 	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 140, 141</p>	Noted	<p>32 Members of minorities 2.1 Acceptance of international norms 12.6 Conditions of detention 13.3 Arbitrary arrest and detention 34 Migrants</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - refugees and asylum-seekers - general - persons deprived of their liberty - minorities/ racial, ethnic, linguistic, religious or descent-based groups - migrants 	<p>There are two forms of migrant detention, border detention (for entry) and administrative detention (for deportation)</p> <p><i>Border detention</i></p> <p>Foreign nationals who enter the Netherlands through an airport or seaport and do not have the correct travel documents or sufficient means of support are not granted access to the Netherlands. Some of these refused foreign nationals are asylum seekers who ask for protection in the Netherlands. In practice every person that asks for asylum at the border is placed in border attention, with exception of minors and families. The Institute concludes that this practice is not in in line with the principle of ultimum remedium. The government should take a necessary measures to reduce the use of detention. In 2014 the Institute published a report '<i>Crossing The Border. Border detention of asylum seekers in the light of human rights standards</i>'.⁶³ The Institute concludes that these reasons are not convincing to substantiate the necessity of the automatic border detention of all asylum seekers who enter the Netherlands through an airport or seaport.</p> <p>With regard to the legislation the Institute urges the government to incorporate the principle of ultimum remedium in the Foreign National Act. The government did not follow this recommendation. Therefore the principle of ultimum remedium in</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>border detention has no legal basis in the law. The principle does have a basis in an administrative order.</p> <p><i>Administrative detention</i> With regard to administrative detention there is currently a draft amendment of the national law. The Institute and several other human rights organisations advised the government with respect to human rights and the proposed amendment to the law. The principle of ultimum remedium is incorporated in the amendment, however the Institute advised to also incorporate the principle of proportionality in the law.</p>
Right or area: 34. Migrants I			
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 25</p>	Noted	<p>34 Migrants 5.1 Constitutional and legislative framework Affected persons: - migrant workers - migrants</p>	
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 133</p>	Noted	<p>34 Migrants 5.1 Constitutional and legislative framework 14.2 Freedom of thought, conscience and religion 27 Cultural rights 8 Equality & non-discrimination Affected persons: - general - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	See comments in area 8 and 9.
<p>98.104. Develop a migration policy, taking into account the international human rights standards in this respect (Guatemala);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 137. 138</p>	Supported	<p>34 Migrants 2.1 Acceptance of international norms Affected persons: - general - migrants</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>98.105. Promote substantive reforms in the immigration policy, which guarantee its conformity with international standards, revoking measures exposing foreigners to marginalization (Mexico);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 139</p>	Noted	<p>34 Migrants 2.1 Acceptance of international norms 35 Refugees & internally displaced persons Affected persons: - general - migrants - non-citizens - refugees and asylum-seekers</p>	
<p>98.108. Introduce measures to reduce detention of individuals solely for immigration purposes and consider other alternatives than detention to use when possible (Sweden);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 143, 144</p>	Supported	<p>34 Migrants 13.3 Arbitrary arrest and detention 15.1 Administration of justice & fair trial Affected persons: - general - persons deprived of their liberty - migrants</p>	See 98.106.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 145</p>	Noted	<p>34 Migrants 8 Equality & non-discrimination Affected persons: - general - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - migrant workers</p>	See comments in area 8 and 9.
<p>98.110. Protect the social and cultural rights of migrants while taking integration measures and policies aimed at migrants (Bangladesh);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 146</p>	Noted	<p>34 Migrants 21 Economic, social & cultural rights - general measures of implementation Affected persons: - general - migrants</p>	See comments in area 8 and 9.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 147</p>	Noted	<p>34 Migrants 3.2 Cooperation with special procedures 32 Members of minorities 5.2 Institutions & policies - General Affected persons: - general - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>98.112. Due to the criminalization of irregular residency in the country, design alternatives for the detention of irregular or undocumented immigrants (Brazil);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 148</p>	Supported	<p>34 Migrants 5.2 Institutions & policies - General 13.3 Arbitrary arrest and detention 35 Refugees & internally displaced persons Affected persons: - general - migrants - migrant workers</p>	<p>Irregular residence in the Netherlands is not a criminal offence.</p> <p>A draft law was withdrawn by the State Secretary for Security and Justice on 14 May 2014.</p>
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 149</p>	Supported	<p>34 Migrants 13.3 Arbitrary arrest and detention 30.1 Children: definition; general principles; protection 30.2 Children: family environment and alternative care 35 Refugees & internally displaced persons Affected persons: - general - children - migrants - refugees and asylum-seekers</p>	See 98.106.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 150, 151</p>	Supported	<p>34 Migrants 12.6 Conditions of detention 24 Right to health - General 35 Refugees & internally displaced persons Affected persons: - general - migrants</p>	See 98.106.
<p>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);</p> <p>Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 152</p>	Noted	<p>34 Migrants 30.1 Children: definition; general principles; protection 30.2 Children: family environment and alternative care 35 Refugees & internally displaced persons Affected persons: - refugees and asylum-seekers - children</p>	<p>The Netherlands does not have a fast-track procedure for asylum applications, or vulnerable groups. The eight-day period applied in the General Asylum Procedure applies in principle to everyone. However, since the growing number of refugees coming to the Netherlands there was a waiting period between 4-7 months before the eight-day period could start. In this regard the Institute advised in December 2015 in consideration of the (mental) health of children, to prioritise the applications for asylum submitted by children and the applications for reunification submitted by their parents. This recommendation was not followed by the government. However, the government managed to reduce the backlog of asylum applications in July 2016 to bring back the period to the initial 8 days.</p> <p>Because of the growing number of refugees the government has extended the period of applying for family reunification. The Secretary of State informed asylum seekers in February 2016 that it can take up to two years before family reunification is possible. The waiting period for the government to decide on a family reunion application is extended from 6 months to 15 months.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: 35. Refugees & internally displaced persons (IDPs)</i>			
98.116. Ensure increased transparency and oversight exercised by civil society of the conditions, in which asylum seekers are kept and treated (Russian Federation); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 153	Noted	35 Refugees & internally displaced persons Affected persons: - refugees and asylum-seekers - general	
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); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 154	Noted	35 Refugees & internally displaced persons 30.1 Children: definition; general principles; protection Affected persons: - refugees and asylum-seekers - general - children	See 98.115.
<i>Right or area: 37. Right to development – general measures of implementation</i>			
98.119. Contribute effectively in the operationalization of the right to development at the international level (Pakistan). Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 156	Noted	37 Right to development - general measures of implementation Affected persons: - general	
<i>Right or area: 42. Follow-up to UPR</i>			
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); Source of position: A/HRC/21/15 - Para. 98 & A/HRC/21/15/Add.1/Rev.1 - Para. 42	Supported	42 Follow-up to UPR Affected persons: - general	See under 98.89

- ¹ Committee on Economic, Social and Cultural Rights, *Concluding Observations of the Committee on Economic, Social and Cultural Rights*, Par. 17, E/C.12/NDL/CO/4-5.
- ² CEDAW/C/NLD/Q/6/Add.1, List of issues and questions in relation to the sixth periodic report of the Netherlands, Addendum, Replies of the Netherlands to the list of issues, 5 July 2016, par. 194.
- ³ Gruter and Kruize, *Discriminatie: van aangifte tot vervolging: de gang van discriminatiezaken door de strafrechtssketen*, WODC 2015 (Translation: *Discrimination: from complaint to prosecution: the way discrimination cases are dealt with in the penal chain*).
- ⁴ P. De Beer, *Meritocratie: op weg naar een nieuwe klassensamenleving*, AUP 2016 (translation: *Meritocracy: going towards a new society of classes*).
- ⁵ Education Inspectorate, *De Staat van het Onderwijs 2014/2015*, Education Inspectorate 2016 (translation: *the State of Education 2014/2015*). Also see new research by Statistics Netherlands, *Met dezelfde citoscore een andere schoolloopbaan*, 2016 (translation: *with the same school results a different school trajectory*).
- ⁶ Fundamental Rights Agency, *Violence Against Women: an EU-Wide Survey, Main Results*, 2014.
- ⁷ Statistics Netherlands, *Ruim helpt van vermoorde vrouwen door ex of partner omgebracht*, 2015.
- ⁸ De Vaan, de Boer and Vanoni, *Genderscan aanpak huiselijk geweld*, Regioplan 2014 (translation: *Genderscan on approach to domestic violence*).
- ⁹ Association of Dutch Municipalities, *Handreiking Wachtlijsten en Veilig Thuis*, 2015 (Translation: *Waiting lists and safety at home*).
- ¹⁰ Stercks *et al.*, *Huwelijksmigratie in Nederland*, SCP 2014 (Translation: *Immigration for the purpose of marriage in the Netherlands*).
- ¹¹ Smits van Waesberge *et al.*, *Zo zijn we niet getrouwd*, Verwey-Jonker Instituut 2014 (Translation: *That was not what we agreed on*).
- ¹² Inspectie Jeugdzorg en Inspectie voor de Gezondheidszorg, *De kwaliteit van Veilig Thuis Stap 1, Landelijk Beeld*, Utrecht: 2016. Reports 1, 2 en 3 on decentralisation and youth care by Children's Ombudsman, *De zorg waar ze recht op hebben. Onderzoek naar de toegang tot en de kwaliteit van jeugdhulp na decentralisatie*, 2015-2016.
- ¹³ Committee on Economic, Social and Cultural Rights, General Comment no. 20, E/C.12/GC/20, 2 July 2009.
- ¹⁴ SCP, *Verschil in Nederland, 2014*; Research Centre for Education and Labour Market (ROA), *Schoolverlaters tussen onderwijs en arbeidsmarkt*, July 2016 (*Transition of graduates into the labor market*); Researchcentrum voor Onderwijs en Arbeidsmarkt, *Schoolverlaters tussen onderwijs en arbeidsmarkt 2015*, (Graduates between education and labour market), Maastricht: ROA 2016.
- ¹⁵ See amongst others: Andriessen, Nievers, Faulk and Davegos, *Liever Marc dan Mohammed?*, SCP 2010 (Translation: *Rather Marc than Mohammed?*); Andriessen, van der Ent, van der Linden and Dekker, *Op afkomst afgewezen*, SCP 2015 (Translation: *Rejected on basis of origin*).
- ¹⁶ Klooster, Kocak, Day, *Mbo en de stagemarkt, wat is de rol van discriminatie?* Utrecht: KIS, 2016 (Intermediate vocational education and internships, what is the role of discrimination?).
- ¹⁷ KIS 2016 (see note 16).
- ¹⁸ This can be seen in complaints the Institute receives, as well as published opinions. See for example: Netherlands Institute for Human Rights, *Monitor Discriminatiezaken 2015*, 2015. Also see Klooster, Kocak, Day, *MBO en de stagemarkt: wat is de rol van discriminatie*, KIS, 2015.
- ¹⁹ Keuzenkamp, *Be who you are?*, SCP, 2012.
- ²⁰ Netherlands Institute for Human Rights, *Brief aan de Tweede Kamer over het Wetsvoorstel gedeeltelijk verbod gezichtsbedekkende kleding*, 31 March 2016.
- ²¹ Netherlands Institute for Human Rights, *Recommendations Temporary administrative (counterterrorism) measures Act – summary*, 28 April 2015.
- ²² Netherlands Institute for Human Rights, *Recommendations Draft legislative proposal on the amendment of the Netherlands Nationality Act – summary*, 24 February 2015.
- ²³ Netherlands Institute for Human Rights, *Advies inzake het conceptwetsvoorstel wijziging van de wet bijzondere maatregelen grootstedelijke problematiek*, 3 February 2015 (Translation: *Advice concerning the Inner City Problems special measures Act*).
- ²⁴ Netherlands Institute for Human Rights, *Brief Eerste Kamer Commissie BiZA/AZ inzake wetsvoorstel wijziging van de wet bijzondere maatregelen en grootstedelijke problematiek*, 11 May 2016 (Translation: *Advice concerning the Inner City Problems special measures Act*).
- ²⁵ Netherlands Institute for Human Rights, *Poolse migranten in mensenrechtenperspectief*, 2013 (Translation: *Polish migrants in a human rights perspective*).
- ²⁶ De Haan, Scheele, McGauran, *Profiting from dependency: Working conditions of Polish migrant workers in the Netherlands and the role of recruitment agencies*, SOMO and FairWork 2016.
- ²⁷ Pouwels, Henderikse, *Topvrouwen in de wachtkamer: Bedrijvenmonitor 2012-2015*, Commissie Monitoring Talent naar de Top/VanDoorneHuiskesen partners 2015

(Translation: *Top women in the waiting room: company monitor 2012-2015*).

²⁸ Netherlands Institute for Human Rights, *Study on Equal Pay for Men and Women in General Hospitals*, 2012; Netherlands Institute for Human Rights, *Equal pay at universities for applied sciences*, 2015.

²⁹ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Report to the Government of the Netherlands on the visit to the Netherlands carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 16 to 18 October 2013, 5 February 2015.

³⁰ National Rapporteur reports on Trafficking in Human Beings and Sexual Violence against Children in the Netherlands, *Monitor Mensenhandel. Cijfers mogelijke slachtoffers 2011-2015* (*Monitor Human Trafficking. Data and possible victims 2011-2015*), August 2016.

³¹ See for example: Knigge and de Jonge van Ellemeet, *Beschikt en Gewogen*, Procureur-Generaal bij de Hoge Raad der Nederlanden 2014.

³² Jacobs *et al.*, *Eindrapportage Werkwijze ZSM en Rechtsbijstand*, Erasmus University, 2015 (translation: *End report Working process ZSM and Legal Aid*).

³³ Wildeboer Schut and Hoff, *Een lang tekort: langdurige armoede in Nederland*, Netherlands Institute for Social Research, March 2016 (translation: *a long deficit: long-term poverty in the Netherlands*).

³⁴ Statistics Netherlands (CBS), *Armoede en Sociale Uitsluiting 2015*, CBS, 2015 (translation: *Poverty and Social Exclusion*).

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ Wildeboer Schut and Hoff, *Een lang tekort: langdurige armoede in Nederland*, Netherlands Institute for Social Research, March 2016. Statistics Netherlands (CBS), *Armoede en Sociale Uitsluiting 2015*, CBS, 2015.

³⁸ Statistics Netherlands, *Kans op langdurige armoede het grootst tussen 55 en 65 jaar*, CBS, 2015 (highlighted part of Statistics Netherlands (CBS), *Armoede en Sociale Uitsluiting 2015*, CBS, 2015),\ .

³⁹ See, amongst others, Statistics Netherlands (CBS), *Armoede en Sociale Uitsluiting 2015*, CBS, 2015; Education Inspectorate: *De Staat van het Onderwijs 2014/2015*, Education Inspectorate 2016 (translation: *the State of Education 2014/2015*). Also see new research by Statistics Netherlands: *Met dezelfde citoscore een andere schoolloopbaan*, CBS 2016 (translation: *with the same school results a different school trajectory*); P. De Beer, *Meritocratie: op weg naar een nieuwe klassensamenleving*, AUP 2016.

⁴⁰ Statistics Netherlands (CBS), *Armoede en Sociale Uitsluiting 2015*, CBS, 2015. See also for more information: Verwey-Jonker Institute and the Children's Ombudsman, *Kinderen in armoede in Nederland*, Children's Ombudsman, June 2013.

⁴¹ Statistics Netherlands (CBS), *Armoede en Sociale Uitsluiting 2015*, CBS, 2015.

⁴² See also: Netherlands Institute for Human Rights, *Aanbevelingen: Mensenrechten in de noodopvang Heumensoord*, NIHR 2015 (translation: *Recommendations: human right in the emergency shelter of Heumensoord*).

⁴³ Wetsvoorstel 34454: Wijziging van de Huisvestingswet 2014 inzake de huisvesting van vergunninghouders.

⁴⁴ Statistics Netherlands, *Aantal daklozen in zes jaar met driekwart toegenomen*, CBS 2016 (Translation: *Number of homeless increased by three quarters in 6 years*).

⁴⁵ Salvation Army, *Niet iedereen gaat erop vooruit*, 2016.

⁴⁶ Iris Pronk, "Crisis laatste zetje naar dakloosheid", Trouw 2016.

⁴⁷ Garib vs. the Netherlands, 23 February 2016.

⁴⁸ Hochstenbach, Uitermark, van Gent, *Evaluatie effecten Wet Bijzondere Maatregelen Grootstedelijke Problematiek ("Rotterdamwet") in Rotterdam*, AISSR 2015;

⁴⁹ ZonMw, *Vrouwen zijn anders*, ZonMw 2012 (translation: *Women are different*).

⁵⁰ Netherlands Institute for Human Rights, National Ombudsman, Advisory Committee on Migration Affairs, *Medische zorg aan ongedocumenteerden: aanbevelingen*, 2015 (Translation: *Medical care for migrants without a valid residence permit*).

⁵¹ Statistics Netherlands, *Vrouwen al op jonge leeftijd minder economisch zelfstandig*, CBS 2014 (Translation: *Women less economically independent already at a younger age*).

⁵² Merens and Brakel (CBS), *Emancipatiemonitor 2014*, SCP 2014 (Translation: *Emancipation monitor 2014*).

⁵³ TaskForce DeeltijdPlus, *De discussie voorbij*, TaskForce DeeltijdPlus 2010 (translation: *Beyond the discussion*).

⁵⁴ Versantvoort, *Betaalde arbeid en zorg voor kinderen; concurrerend of complementair*, Tijdschrift voor Arbeidsvraagstukken 26(1) pp.27-38, 2010 (Translation: *Paid work and*

care for children, competing or complementary).

⁵⁵ Netherlands Institute for Social Research, *Vrouwen, Mannen en de hulp aan (schoon)Ouders*, SCP 2015 (translation: *Women, men and helping parents and in-laws*).

⁵⁶ Atria, Movisie, Mezzo and NVR, *Gendersensitief beleid bij gemeenten*, 2015 (translation: *Gender-sensitive policies in municipalities*).

⁵⁷ National Rapporteur on Trafficking in Human Beings, *On solid ground. Tackling sexual violence against children in the Netherlands*. The Hague: National Rapporteur, 2014.

⁵⁸ Nationaal Rapporteur on Trafficking in Human Beings and Sexual Violence against Children, *De klant erbij. De strafbaarstelling van seks met 16- en 17 jarigen tegen betaling*. Den Haag: Nationaal Rapporteur, 2015 (translation: *Paying the price*).

⁵⁹ National Rapporteur on Trafficking in Human Beings, *On solid ground. Tackling sexual violence against children in the Netherlands*. The Hague: National Rapporteur, 2014.

⁶⁰ National Rapporteur on Trafficking in Human Beings, *On solid ground. Tackling sexual violence against children in the Netherlands*. The Hague: National Rapporteur, 2014.

⁶¹ Kragten-Heerdink, Menenti, Detmeijer-Vermeulen, Government's Responsibilities as countries of demand, supply and/or victimization, *Global Study Sexual Exploitation of Children in Travel and Tourism*.

⁶² Dettmeijer-Vermeulen and van Krimpen, 'Damages for possession of child pornography: legal possibilities and practical obstacles', *Journal of International Association of Youth and Family Judges and Magistrates*, 2016.

⁶³ Netherlands Institute for Human Rights, *Crossing The Border. Border detention of asylum seekers in the light of human rights standards*, 2014.