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Draft report of the Working Group on the Universal Periodic Review*

Netherlands

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its thirteenth session from 21 May to 4 June 2012. The review of the Netherlands was held at the 15th meeting on 31 May 2012. The delegation of the Netherlands was headed by H.E. Ms. Liesbeth Spies, Minister of Interior and Kingdom Relations. At its 18th meeting held on 4 June 2012, the Working Group adopted the report on the Netherlands
2. On 3 May 2012, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Netherlands: Benin, Russian Federation and Thailand.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to Human Rights Council resolution 16/21 of 25 March 2011, the following documents were issued for the review of the Netherlands:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/13/NLD/1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/NLD/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/NLD/3).
4. A list of questions prepared in advance by Norway, United Kingdom, Slovenia and Sweden was transmitted to the Netherlands through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The National Report of the Netherlands was introduced by the Minister of the Interior and Kingdom Relations of the Netherlands, Ms. Liesbeth Spies, who informed that it was the first time that all four countries of the Kingdom were represented, namely Aruba, Curacao, Sint Maarten and the Netherlands. Minister Spies noted the great importance that the Netherlands attaches to promoting, protecting and upholding human rights, as demonstrated by the Dutch candidature to the Human Rights Council for the 2015–2017 term. She also highlighted the new developments since the last UPR, such as the establishment of the National Human Rights Institute in accordance with the Paris Principles and the establishment, in 2011, of the Children's Ombudsman.
6. Minister Spies emphasized the important role that numerous organizations, beside the Government, Parliament and judiciary, play to supervise observance of human rights. The expertise of academics and representatives of human rights organizations is often requested in order to establish a constructive dialogue. The UPR is a notable example of this dialogue.
7. In addition, Minister Spies explained that in April 2012, the coalition government of the Netherlands resigned. Therefore, the current government, although officially not in function, will continue its work on the implementation of the main policy measures to endorse full respect of human rights. Inter alia, guaranteeing the equality of every citizen, promoting integration, fighting domestic violence by punishing perpetrators and protecting

victims, combating the trafficking of human beings, protecting refugees and asylum seekers, promoting social acceptance of LGBT-people in society, and human rights education in the Dutch school.

8. According to Minister Spies, regularly policy measures or legislation do limit human rights, e.g. in the interest of public safety or for the prevention of disorder or crime. This is inevitable and sometimes even required by human rights in the case of positive obligations. In the view of the delegation, the need to strike a balance between different interests has sometimes been extensively debated in the Dutch political arena, as it was in the context of privacy measures and draft legislation limiting the privacy. The compatibility of this legislation with the human right standards is of outmost importance. It requires a thorough scrutiny test, which is guaranteed by the Dutch professionals and institutions. Improvements in this regard have been made, especially in the starting phase of new draft legislation. It has been done in the field of privacy, where making privacy impact assessments, describing the modalities for the planned processing of personal data, are compulsory nowadays.

9. Minister Spies also stressed that the Netherlands is strongly committed to the UPR-process, having voluntarily submitted a mid-term review in 2010 and constructively contributing to UPR-sessions of other UN member states. She emphasized that the Netherlands will take the recommendations put forward during this second UPR cycle very seriously and ensure a serious and transparent follow up to the recommendations and willingness to answer all questions.

10. Secondly, a representative from Aruba referred to the new Ordinance on Compulsory Education, which will guarantee access to the education system to all children, irrespective of their legal status, to illustrate that efforts had been made to harmonize legislation with the human rights instruments. Reference was also made to the new juvenile justice system in the new Criminal Code, which provides the court with a wider range of sanctions, including placement in a juvenile detention center and training orders, to make the transition back into society as smooth as possible and offer them a better chance for the future.

11. Thirdly, a representative from Curacao stated that the universal rights and fundamental freedoms are duly respected and protected in Curacao. It mentioned that Curacao will establish a Human Rights Institute, spearheaded by the Treaty Section of the Directorate of Foreign Relations. Furthermore the representative stressed the political participation of women.

12. Minister Spies thanked the delegations of Sweden, Slovenia and the United Kingdom for their advanced written questions. In relation to the questions related to the CRPD, she proudly announced that the government of the Netherlands is preparing for approval and the draft act for ratification will be submitted during the course of 2012.

13. Concerning the question related to the OP-CAT, Minister Spies explained that the Netherlands do not limit the scope of application to people deprived of liberty solely on the basis of criminal law; the ground of deprivation is irrelevant.

14. The delegation noted that the Dutch government gives a high priority to the combat of discrimination, and an anti-discrimination action plan has been sent to the House of Representatives in 2010 and in 2011.

15. In relation to identity theft and data protection, Minister Spies stated that the Netherlands is currently working on a legislative proposal on data breach notification. This proposal would require those responsible for personal data to notify the data protection authorities in case of 'leakage' of personal data with specific risks for privacy, including identity theft. The initiative is expected to be tabled in the second half of 2012.

16. Minister Spies responded to the question on freedom of religion informing that a Bill on the ban of ritual slaughter has been initialized by the Parliament. This Bill is still pending in Senate, and no majority is expected. Concerning the bill on face-covering garments, the government is of the opinion that the Bill will indeed limit the freedom of religion or belief. However, there are reasons in line with the limitation clauses of the freedom of religion or belief, which is not an absolute right.

17. In response to the remarks on the importance of facts and figures in the debate on migration, Minister Spies referred to the so-called Dutch Migration Chart, containing factual analyses, useable in the public debate on migration.

18. The Minister informed that the Dutch government has recently made some progress on the issue of prostitution. Regulation and monitoring of this sector is reasonably successful. A law proposition is currently on its way with the primary goals to reduce the local and regional disparities, to get more insight of the escort sector, and to further facilitate the regulation and monitoring.

19. Finally, concerning the question about the lessons learnt from the NGO consultations in the process of the preparations for the UPR, the Minister emphasized the importance and relevance of the consultation process as such, and the relevance of being in dialogue. The Netherlands learned about the concerns expressed by many NGO's regarding the human rights situation in the Netherlands, which helped the Netherlands to get a better understanding of their concerns and the focus of the concerned NGO's. This helped the government in the drafting of its report. The Minister expressed the hope that NGO's and institutions were also fed by the platform offered by the Netherlands and she had the impression this was rightly the case.

B. Interactive dialogue and responses by the State under review

20. During the interactive dialogue, 49 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

21. Egypt noted the Netherlands decision to establish a national human rights institution. It expressed concern about the legalisation of prostitution, the existence of child sex tourism, rights of migrants and national or ethnic, religious and linguistic minorities, racism and xenophobia from, among others, extreme political parties. It requested information on the promotion of tolerance and non-discrimination. Egypt made recommendations.

22. Estonia congratulated the Netherlands on the inclusion of civil society and other stakeholders in the preparation of its UPR report. Estonia commended the creation of a Children's Ombudsman, its policies on LGBT rights, the protection of privacy and individual data and its role as a driver in the Internet freedom agenda. Estonia encouraged the Netherlands to continue its combat on incitement against minority groups. Estonia made recommendations.

23. France welcomed the Netherlands' ratification of CED and OPCAT. It commended the establishment of a national human rights institution and a Children's Ombudsman requesting information on mechanisms envisaged to incorporate the Dutch Antilles in line with these two initiatives. It noted concern over persistent discrimination of women, particularly migrant women, and on the propagation over Internet of racist and anti-Semitic views. France made recommendations.

24. Germany commended the Netherlands' implementation of a significant number of recommendations from the first UPR, its combat on human trafficking, particularly through the renewal of the mandate of the Task Force on Human Trafficking and approval of its 2011-2014 action plan. Germany welcomed the drafting of an action plan to combat child

abuse. Germany asked about the parliamentary process to ratify the CRPD, and when the National Institute for Human Rights would be operational.

25. Greece noted with satisfaction the Netherlands' efforts to promote women's rights but expressed concern that women still earn less than men and requested information on measures to combat this issue. Greece also requested information on the functioning of detention centres vis-à-vis the treatment of migrants in line with CAT. Greece made recommendations.

26. Guatemala expressed concern about administrative and criminal measures used in the Netherlands that may place migrants in situations of vulnerability such as limited access for undocumented migrants to basic services, and that illegal residence is described in the penal code as an offence, which penalizes the migrant when seeking to improve his/her conditions of existence. Guatemala noted with interest the establishment of Municipal Anti-Discrimination Services requesting further information on the implementation, functioning and development of these services. Guatemala made a recommendation.

27. Poland congratulated the Netherlands on the significant developments achieved in its human rights infrastructure. Poland made recommendations.

28. India welcomed the Netherlands' establishment of an NHRI. India expressed concern about the increase in reports of racial discrimination, xenophobia and ethnic profiling and encouraged the Netherlands to intensify efforts to combat discrimination. India highlighted the Netherlands' efforts to address violence against women, and noted its position as premier Donor State to OHCHR funds. India made recommendations.

29. Indonesia congratulated the Netherlands' establishment of a national human rights institution in accordance with the Paris Principles. It welcomed the renewal of the Task Force on Human Trafficking mandate but expressed concern about the levels of discrimination and xenophobia in the Netherlands, particularly anti-Muslim speeches made by political and public figures and the media. Indonesia made recommendations.

30. Iran expressed concern on human rights violations, cited in the OHCHR report, by the Government of the Netherlands, particularly racial and religious discrimination, discrimination against Muslims, migrants, asylum seekers, people of African descent, and other minority groups. Iran made recommendations.

31. Malaysia observed with concern the incidence of racist and xenophobic speeches, particularly against Muslims, made by the media, influential political and public figures as well as racism directed at ethnic minorities during election campaigns. Malaysia asked if any measures have been taken to address this issue. It also referred with concern to observations of discrimination toward ethnic minorities made by CERD. Malaysia made recommendations.

32. Mexico noted with satisfaction measures taken by the Netherlands to guarantee the rights of asylum seekers such as the replacement of the 48-hour accelerated procedure. Mexico welcomed the establishment of an NHRI in accordance with the Paris Principles, the Children's Ombudsman and the introduction of Municipal Anti-Discrimination Services, as well as the progress and good practice achieved in Aruba, St. Maarten and Curaçao. Mexico made recommendations.

33. Morocco applauded the establishment of a national human rights institution, the Children's Ombudsman and the Municipal Anti-Discrimination Services. It requested further information on particularly the impact of the 'Eigen Kracht' programme, the success experience of 'Aruba' in the combat of human trafficking and measures taken by the Netherlands to ensure the respect of privacy through the secure use of personal data. Morocco made recommendations.

34. Mozambique commended the Netherlands on its many initiatives undertaken to promote human rights, particularly efforts to reduce human trafficking and the establishment of an NHRI in accordance with the Paris Principles. Mozambique welcomed the ratification of the CED, OPCAT and OP-CRC-AC and was encouraged by the announcement of pending approval of the CRPD and its Optional Protocol. Mozambique urged the Netherlands to consider withdrawing its reservations on the CRC.

35. Despite existing anti-discrimination measures, Nicaragua noted the continuation of discrimination of ethnic minorities in the Netherlands mainly due to the lack of a comprehensive plan of action targeting this social problem. As a result this prevents those affected, particularly migrant women and minority groups, from enjoying social, economic and cultural rights. Nicaragua made recommendations.

36. Norway welcomed the establishment of an NHRI and Children's Ombudsman. Norway requested information on the Netherlands' views with respect to the suggestion by civil society to formalize human rights education in order to increase awareness. Norway made recommendations.

37. Pakistan commented on the adverse effects of "individual freedoms" practiced in the Netherlands, stating that absolute freedom can impinge the rights and freedoms of others through insult, incitation of hatred and discrimination. It referred to concerns vis-à-vis racist and xenophobic speeches made by extreme Dutch political parties and expressed regret in the Netherlands' decision not to appeal the verdict of the Geert Wilders case. Pakistan asked the Netherlands how it intends to stop Wilders' campaign of Islam phobia. Pakistan made recommendations.

38. Paraguay welcomed the establishment of an NHRI in accordance with the Paris Principles and the creation of a Children's Ombudsman expressing its hope that these institutions can fully undertake activities to investigate, to inform about the human rights situation, and to cooperate systematically with civil society, as well as with national, European and other institutions engaged in the protection of human rights. Paraguay voiced concern over migrants' human rights, particularly reports that migrants are exposed to marginalization. Paraguay made recommendations.

39. The Philippines welcomed the establishment of the Children's Ombudsman but noted an apparent absence of a consolidated national action plan for human rights in the countries that comprise the Kingdom of Netherlands. The Philippines appreciated the frank assessment presented by the Netherlands regarding challenges in the implementation of the right to privacy, particularly the protection of personal data. The Philippines made recommendations.

40. Minister Spies expressed appreciation for the interventions noting the progress made in the Kingdom of the Netherlands. She reiterated that the Netherlands is currently evaluating the consequences of the ratification of the CRPD. The preparations before the approval are lengthy, due to the large scope of the Convention. The draft act will be submitted before the summer 2012. Therefore the question on signing and ratifying its Optional Protocol is premature.

41. The Netherlands remarked that the provision of article 26 of CRC would not grant to children an independent right to social security. Children benefit social security through their parents. Therefore Netherlands maintains its reservation to article 26. The Netherlands has further considered this issue. However, it concluded that the same arguments still apply.

42. The Netherlands will not accede to the ICRMW, on the ground of its national policy regarding social provision. The Netherlands objects to the section which set out that provisions should be equally accessibly to migrant who are not lawfully present within the territory of the country of their destination and/or are unlawfully employed. While their

stay is unlawful, such person pays neither taxes nor the contributions used to fund these services. They should not have equally social and economic rights. Exceptions are made for the education of children who are of compulsory school age and acute medical emergencies, and legal assistance.

43. Regarding non-discrimination, its ban is enshrined in article 1 of the Constitution. The Netherlands is highly committed to combat discrimination and racism. It rejects any form of discrimination, be it on the grounds of race, descent, religion, belief, gender, sexual orientation, handicap or any other ground. Discrimination is at odds with citizenship and impedes them from taking part in their community. The Minister stated the Dutch government does not pursue specific policies targeting specific types of discrimination. She referred to bodies to prevent and combat discrimination, like the antidiscrimination bureaus, the Equal Treatment Commission and the police, which are accessible to everyone. In addition, in 2010 a National Action Plan to Combat Discrimination was enacted. In 2011, further measures were put in place to combat discrimination, including school programmes.

44. The Netherlands also have a very comprehensive legal framework to combat the incitement to hatred and is part to all relevant international instruments. Regarding the question posed about the author of the film *Fitna*, Minister Spies informed that the member of the House of Representatives was acquitted by the Criminal Court of the charges of public insults and incitement to hatred. The Prosecutor decided not to lodge and appeal. Dutch society is characterized by freedom of speech for politicians. These liberties are established in the Constitution and human rights instruments. However, the police and the judiciary act against statements which are incompatible with legal provisions regarding freedom from discrimination.

45. Hate crimes on the Internet are investigated and prosecuted by the police specialized in cybercrime. Several cases have been brought before criminal courts resulting in convictions. Minister Spies also refers to the Dutch Complaint Bureau for Discrimination in the Internet, which has functions of alerting and prevention, and contributes to criminal law enforcement.

46. Regarding the preventative searches, the delegation stated that two studies have been completed and recommendations were made to further develop criteria, guidelines and practices to avoid discrimination. The Ombudsman in the Netherlands has also investigated on the manner in which the preventive searches are applied and also made recommendations.

47. Minister Spies also referred to the municipal antidiscrimination services which strengthen the anti-discrimination infrastructure and are mandated to carry out statutory tasks and to provide assistance in dealing with discrimination complaints. She highlighted the fact that the Netherlands is the first country in Europe that regulates municipal anti-discrimination policy by law.

48. The Netherlands are in favour of improving regulation on ethnic data using personal data. Rules and procedures in this regard have been issued. The Netherlands endorses the need for adopting clear legislation to address this issue.

49. The representative of Curacao stated that it is an autonomous country of the Kingdom of the Netherlands and reiterated Curacao's decision to establish a human rights institution.

50. Hungary praised the Netherlands' substantial financial contribution to OHCHR, the establishment of a national human rights institution in accordance with the Paris Principles, the appointment of a Children's Ombudsman and the enactment of the Municipal Anti-Discrimination Act. It requested information on the effects and benefits of this Act.

Hungary also requested clarification on the Netherlands' plan to address discriminatory statements by public institutions. Hungary made recommendations.

51. Qatar congratulated the Netherlands on achievements made at legislative and institutional levels since the first UPR. Qatar welcomed the establishment of the Children's Ombudsman, an NHRI in accordance with the Paris Principles, accession to many international conventions on human rights, and measures taken to combat human trafficking. Qatar made recommendations.

52. Romania congratulated the Netherlands presentation of a mid-term progress report in 2010. It welcomed the establishment of an information system to monitor developments on a regular basis in, among others, discrimination. Romania made a recommendation.

53. The Russian Federation expressed concern that the NHRI is not accessible to inhabitants of the overseas territories where many suffer from low standards of living and ill-developed health system. The Russian Federation voiced concern over the increase of xenophobic and racist views, the discriminatory situation of religious, national and ethnic minorities, women, the persons with disabilities and migrants, the situation in the judiciary and prison systems, the stiffening of immigration policy and the conditions in which asylum seekers are kept. It regretted the decision to maintain reservations to the CRC. The Russian Federation made recommendations.

54. Slovakia welcomed in particular the establishment of a national human rights institution in accordance with the Paris Principles, the Children's Ombudsman and the introduction of the Municipal Anti-Discrimination Services. It also commended the Netherlands' ratification of the ICCPED, OP-CRC and progress towards ratification of OP-CRPD. Slovakia commended the new 'Children Safe' action plan to address child abuse. Slovakia made recommendations.

55. Slovenia commended the Netherlands for its high level of respect for human rights. Nevertheless, it was concerned that the number of child abuse cases was not decreasing, that corporal punishment was not prohibited in Aruba and that insufficient progress had been made in combating structural inequality. Slovenia made recommendations.

56. Spain congratulated the Netherlands for its integration and assistance policies to immigrants over the last few years. Spain made recommendations.

57. Sweden commended the establishment of an ombudsman for children, and welcomed the ratification of the Optional Protocol to OPCAT and appreciated the clarification regarding the criteria for applying it that it which was applicable regardless the grounds of detention. It also noted with satisfaction that national plans to combat discrimination had been put forward in the last years. Sweden made a recommendation.

58. Thailand asked the Dutch delegation if there was a plan to set up appropriate institutions for the protection of human rights of the citizens of its overseas territories and, if not, what existing mechanism could be used to provide appropriate redress for violation of human rights of these people. Thailand made recommendations.

59. Turkey was concerned by the measures implemented to restrict the rights of migrants living in the Netherlands. Turkey welcomed the abolition of the precondition of passing the Dutch language before admittance in the country, but noted that Turkish mother tongue offered during primary education had been discontinued in 2004. Furthermore, Turkey referred to the case of the Turkish singer, Mr Arif Sag, who was allegedly interrogated unfairly for hours to be admitted into the country. Turkey made recommendations.

60. Ukraine commended progress achieved in implementing recommendations received in 2008. Furthermore, it encouraged the Dutch Government to take further measure for

combating disadvantages experienced by women in the labour market. Ukraine made a recommendation.

61. The United Kingdom of Great Britain and Northern Ireland asked if the Dutch Government would take further action to ensure that all asylum claimants receive a timely hearing, that all citizens have ready access to the legal system, and that migrants and ethnic minorities receive equal treatment in the workplace. It made recommendations.

62. United States of America remained concerned about the enforcement of laws designed to counteract societal animosity toward racial and religious minorities, turning down of the majority of asylum requests made by children outside the country who wanted to join their parents, vulnerability of women in the labour market and number of child abuses. It made recommendations.

63. Uruguay welcomed the establishment of the National Institute for Human Rights, the Ombudsperson for children and municipal anti-discrimination services. However, it was concerned over sex tourism involving children, in which Dutch nationals were participating. Uruguay noted racist speeches from political parties and manifestations of intolerance against ethnic minorities. Uruguay made recommendations.

64. Uzbekistan was concerned about on-going forms of discrimination on the grounds of ethnic origin and information on increasingly broad use by the police of racist profiling. It also expressed concern over rejections by the State regarding proposals about discrimination policies and suggestions to combat islamophobia. Uzbekistan made recommendations.

65. Viet Nam noted results made in education, social welfare, gender equality and establishment of new human rights mechanisms, as well as challenges such as racial discrimination, child abuse and violence against women and migrant women remained. Viet Nam made recommendations.

66. Algeria asked about the measures planned to step up efforts to combat the diffusion of racist ideas over Internet and other media. It also would like measures to be taken regarding the low participation of women in public life, pay gap between men and women, under- representation of women in the labour market and their concentration in part time work. Algeria made recommendations.

67. Argentina congratulated the Netherlands for the creation of the National Institute for Human Rights, the Ombudsperson for children, and for the ratification of the International Convention for the Protection of Persons against Enforced Disappearances. Argentina made recommendations.

68. Australia noted that Curacao and St Maarten's new status as independent countries in the Kingdom brought human rights challenges, including that of establishing their own national human rights institutions. While welcoming the establishment of the Ombudsperson for children, it recognised the challenge of implementing human rights education but underlined that such education helped safeguards the rights of the next generation. Australia made recommendations.

69. According to Minister Spies, all people need to be proactive and involved to live in a society with harmony. Integration is important to both migrants and the society at large. An essential knowledge of Dutch language is an essential condition for participation. Poor languages skills, low level of education and unfamiliarity with Dutch institutions pose a risk for equal opportunities.

70. In relation to court fees, the Minister stated a Parliament decision in this regard is expected.

71. The delegation referred to the asylum procedure adopted in 2010, which is an improvement and benefits vulnerable groups. It does not result in all asylum claims being settled within eight days. Under this procedure, more time is given to legal and medical assistance. Detention is a measure of last resort and alternatives are available for families with under-age children. The Dutch government is experimenting with other alternatives to migrant detention, which will be evaluated next year. She further mentioned that a report was sent to the Parliament announcing decriminalization of irregular adult migrants. A decision of Parliament is expected. She added that migrant children have access to education, accommodation and necessary medical treatment. The best interest of children in procedures related to migration is also taken into account, and their right to family life is also protected. Minister Spies indicated that long-term residents without permit are undesirable and the Netherlands seek to prevent long procedures which will not prospect for resident permits.

72. The Minister further mentioned that minorities, including women belonging to minorities, are encouraged to take part of the public life. To this end, they are also encouraged to take Dutch languages courses. The Netherlands is working on a more flexible dialogue with minorities.

73. The Minister also indicated that lessons of turkey languages are a choice of the parents, and there is an adequate offering of turkey languages lessons and culture.

74. In connection with juvenile justice, the Netherlands informed that they will maintain its reservations to the CRC. Juvenile will continue to be trail under regular criminal law, since it is an important mean of preventing any necessity to introduce disproportional heavier sentences. However, children are protected under regular criminal law. They have the right to legal aid regardless the nature of the crime. Alternatives to deprivation of liberty also exist.

75. In addition, Minister Spies referred to the plan "Children Save" aimed to combat abuse and includes prevention from a multidisciplinary approach. The Netherlands will report on the implementation of this plan. She also mentioned that there is legislation in place to combat sex abuse in the context of tourism, with extraterritorial jurisdiction.

76. The representative of Aruba indicated that task forces have been established to protect the victims of trafficking and sexual exploitation, and provide assistance, such as free legal aid and health care. They have produced positive results. If victims are illegal they are not detained but treated as victims. Return to their country is also facilitated, or assistance to adapt in the society, if necessary.

77. The representative stated that corporal punishment is prohibited by law in schools in Aruba and legislation to extend the prohibition to the family setting is expected in 2012. Regarding the remarks on the issue of a human rights institution, Aruba will be working together with Curacao and the Netherlands in creating a similar type of institution on the island to guarantee information, education, and protection of human rights in their community.

78. The representative of Curacao stated that corporal punishment is prohibited by law in Curacao. She also referred to an amendment of the civil code which defined parents' role as caretakers and educators, and explicitly states that parents are not allowed to employ neither emotional nor physical violence nor any other form of humiliating treatment against children.

79. Curaçao is a part of six major human rights instruments and its constitution covers all the rights. However the situation on the ground is not fully in conformity with treaties. The National Human Rights Institution must go in this direction and is not only expected to promote and protect human rights, but also to play an important role regarding human

rights education. Curaçao is conscious of its shortcomings in respect to human rights institutions, law and policies. A seminar of experts is being prepared in June which will be used to design the national human rights policy.

80. Azerbaijan asked about the efforts undertaken by the Dutch Government to establish national human rights institutions compliant with the Paris Principles. Azerbaijan remained concerned about the persistence of gender-role stereotypes, in particular about migrant women and men. Furthermore, Azerbaijan welcomed the introduction of compulsory education and measures taken to give all children access to school and decrease dropout rates. Azerbaijan made recommendations.

81. While understanding the importance of integration of migrants into the society of a destination country, Bangladesh emphasised the importance of ensuring the social and cultural rights of migrants equally. Regarding fundamental freedoms, it asked about instances where the Criminal Code had been applied to restrict freedom of expression to uphold freedom of others. Bangladesh made recommendations.

82. Belarus appealed the Netherlands to step up its interaction with the Special Procedures. Belarus mentioned reports that migrants and ethnic minorities were subjected to various forms of discrimination. Belarus underlined concerns of the CRC over the scale of child sex tourism with participation of Dutch citizens, and the lack of appropriate reaction to this phenomenon. Belarus made recommendations.

83. Botswana commended the ratification of the OP-CAT, OP-CRC-CA and the CED as a follow-up to the first cycle UPR. While welcoming the constitutional and institutional reforms taken, including the 2010 referendum granting Curaçao and St Maarten the autonomy as states, and the establishment of the Ombudsman for Children in 2011. Botswana asked how the Dutch Government intended to address that the administrative apparatus of Curaçao has not yet established. Botswana made a recommendation.

84. Brazil welcomed the progress made concerning LGTB rights, especially promoting the safety of LGTB persons, and also commended the Netherlands for their measures regarding women's rights. Furthermore, Brazil asked the Dutch delegation about statistics on the number of asylum seekers who had effectively been granted refugee status in the country in the last 5 years. Brazil made recommendations.

85. Canada asked for information on when the Netherlands plans to ratify the CRPD and its Optional Protocol. Canada made a recommendation.

86. With regards to achievements and best practices, Chile stressed the establishment of the National Institution for Human Rights, Ombudsperson for children and municipal services against discrimination, institutions which would help consolidate achievements and have new activities in these areas. Chile made recommendations.

87. China appreciated the efforts of the Dutch Government to protect the rights of vulnerable groups. However, it noted with concern that phenomena of racism, xenophobia and religious intolerance still existed and that there were hate speeches against Muslims on the Internet. It also underlined that women and minorities were still discriminated. China made recommendations.

88. Costa Rica welcomed the establishment of the National Human Rights Institution and the Ombudsperson for children as well as the abolition of death penalty in Curacao. It asked how the Dutch authorities monitor, regulate and prevent incitement to hatred speech on the internet and how the best interest of the child was taken into account in cases of migration expulsion. Costa Rica made recommendations.

89. Cuba was concerned about the proliferation of incidents related to racism and xenophobia particularly with the use of Internet and other media. It noted that violence

against women was growing and cases of child abuse had not decrease. In that regard, necessary services must be more effective in reaching victims. Cuba also underlined reports on very difficult conditions of detention and mistreatment by the police. Cuba made recommendations.

90. Despite progress made in fighting discrimination and racism, Ecuador was concerned over complaints of mistreatment by police against irregular migrants and policies which criminalised migration. It asked on measures taken to reduce the number of migrants under detention, especially families with children and non-accompanied children, and what were the alternatives to detention for migrants, their use and results if any. Ecuador made recommendations.

91. The Representative of Curaçao referred to the development of the administrative apparatus of Curacao and its implications in the implementation of human rights recommendations. Curacao is an autonomous country of the kingdom of the Netherlands, and is full responsibility for its internal affairs, including the organization and development of its public service. She added that Curacao benefits from collaborating with its partners of the Netherlands.

92. Regarding the abolishment of life imprisonment of children, the delegation mentioned that, since many years child imprisonment was not practiced, and in 2008, it was remove from the Dutch Penal Code.

93. Minister Spies indicated that the discussion of ratification of the OP-CESCR will continue after the elections in September. Regarding the recommendations to enhance the participation of women in public functions, she stated that one of the main activities of the last years has been to raise more awareness and provide tools for the public sector. She added that there are only small disparities between men's and women's pay, which are explained by the fact that almost 70 % of the women works part-time. The Netherlands have carried out extra promotional activities and will also support the combination work and provide more opportunities for women, such as flexible working hours. In addition, the Cabinet will continue developing community schools that offer full working day care scheme. Moreover, a number of programmes will be developed to empower women at every level and all sectors of the economy.

94. According to Minister Spies, many ethnic minorities in the Netherlands do not possess a good working knowledge of Dutch. Therefore, they have less chances of finding good opportunities on labor market. The low level of education of migrants has a consequence that they have more temporary positions than others. Drop-out, in particular, worsens this situation. The Netherlands make effort to promote school participation. The sensitivity of different sectors of economic crisis has provoked increasing of unemployment in specific sectors such as the construction sector.

95. The Netherlands also take more action against trafficking of human beings. In 2009 penalties for trafficking in human beings have increased. Early 2012 a legislative proposal was send to Parliament to increase the penalties in this regard. A National Prosecutor, and 90 prosecutors specialized in human trafficking have been appointed. Almost all the police forces have supervision teams at their disposals and one of the main achievements is the establishment of close supervision by local authorities in the prostitution sector.

96. Minister Spies informed that, since 2002, a policy to combat domestic violence has been implemented. The evaluation made in 2011 showed achievements. Domestic violence has been placed in the agenda of public administration. The prosecutor office gave instructions to investigate this crime and the maximum penalty has been increased.

97. In her closing remarks, Minister Spies indicated that the Netherlands will further study the different recommendations and questions and will report on them before

September 2012. She reaffirmed the position that every country has room for improvement when it comes to human rights. The Netherlands and the other countries of the Kingdom are not excluded from that. The upholding of human rights should never be considered as self-evident.

II. Conclusions and/or recommendations

98. The following recommendations will be examined by the Netherlands which will provide responses in due time, but no later than the 21st session of the Human Rights Council in September 2012.

- 98.1. Ratify the ICRMW (Algeria, Egypt, Islamic Republic of Iran);**
- 98.2. Consider ratifying the ICRMW (Mexico);**
- 98.3. Study the possibility of ratifying the ICRMW and continue with its efforts to achieve the ratification of the CRPD (Argentina);**
- 98.4. Consider ratifying the ICRMW as well as the ILO Convention 189 (Belarus);**
- 98.5. Proceed swiftly with the ratification of the CRPD and its Optional Protocol (Estonia);**
- 98.6. Ratify the CRPD and its Optional Protocol (France, Australia);**
- 98.7. Consider ratifying the OP-CRPD (Morocco);**
- 98.8. Ratify the OP-CRPD (Islamic Republic of Iran);**
- 98.9. Ratify the CRPD and its Optional Protocol, as well as the OP-CESCR (Spain);**
- 98.10. Adopt the necessary measures with a view to ratifying the CRPD and its Optional Protocol (Chile);**
- 98.11. Study the possibility of ratifying the CRPD (Costa Rica);**
- 98.12. Withdraw its reservations to the CRC (Islamic Republic of Iran);**
- 98.13. Reconsider the possibility of lifting reservations to the CRC (Russian Federation);**
- 98.14. Lift its reservations to articles 26 (c), 37 and 40 of the CRC (Uzbekistan);**
- 98.15. Ratify the OP-ICESCR (Slovakia);**
- 98.16. Consider an early ratification of the third Optional Protocol to the CRC on a communication procedure (Slovakia);**
- 98.17. Approve, in all the countries that form the Kingdom, legislation that criminalizes all forms of trafficking in persons (Nicaragua);**
- 98.18. Prohibit corporal punishment in all settings through the Kingdom of the Netherlands (Slovenia);**
- 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);**

- 98.20. **Abolish in its criminal legislation the use of life imprisonment to children (Belarus);**
- 98.21. **Ensure effectiveness, proper functioning and independence of its national human rights institution (Egypt);**
- 98.22. **Accelerate the full operationalization of the National Institute for Human Rights in the near future (Indonesia);**
- 98.23. **Expedite the establishment and operationalization of the National Institute for Human Rights which fully complies with the Paris Principles (Malaysia);**
- 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);**
- 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);**
- 98.26. **Continue to assist, when requested, Aruba, Curacao and St. Maarten to develop human rights institutions, laws and policies (Australia);**
- 98.27. **Formulate a national human rights action plan (Philippines);**
- 98.28. **Develop a national human rights action plan (Uzbekistan);**
- 98.29. **Evaluate the possibility to develop a national human rights action plan (Argentina);**
- 98.30. **Draft a national human rights plan which includes public policies and strategies reaching a comprehensive range of human rights (Brazil);**
- 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);**
- 98.32. **Continue efforts aimed at promoting and protecting human rights on the ground (Qatar);**
- 98.33. **Adopt a National Action Plan on Human Rights Education (Slovenia);**
- 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);**
- 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);**
- 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);**
- 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);**

- 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 (Islamic Republic of Iran);
- 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);
- 98.40. Devise more specific measures to eliminate discrimination against women, ethnic minorities, migrants, Muslim and people of African origin (Thailand);
- 98.41. Strengthen its actions against on all forms of discrimination and effectively protect the rights of women, children and immigrants (China);
- 98.42. Establish mechanisms to monitor, investigate, prosecute and punish incitement to and acts of hatred, intolerance, racism and xenophobia (Egypt);
- 98.43. Review, amend and repeal its national discriminatory laws and regulations against persons of certain religious backgrounds, in particular Muslim migrants (Egypt);
- 98.44. Take further measures to combat discrimination in the labour market and combat in particular discrimination based on ethnic origin and discrimination targeting transgender people (France);
- 98.45. Intensify efforts to combat the dissemination of ideas based on the racial superiority through Internet, as well as other media including racist speech by political parties (Poland);
- 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);
- 98.47. Take all necessary measures to prevent and eliminate all manifestations of racism, Islamophobia, xenophobia, and religious intolerance (Islamic Republic of Iran);
- 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);
- 98.49. Design a comprehensive policy to address discrimination of national minorities in all areas (Mexico);
- 98.50. Adopt all the measures necessary to combat discrimination in all its forms, including racism and xenophobia (Nicaragua);
- 98.51. Develop a national action plan to combat discrimination in consultation with civil society (Norway);
- 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);
- 98.53. Strengthen legal and institutional measures to prevent and suppress manifestations of racism, xenophobia and intolerance (Pakistan);

- 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);
- 98.55. Make further efforts to combat racial discrimination and xenophobia, and to promote racial and religious harmony (Qatar);
- 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);
- 98.57. Adopt measures to stamp out discrimination arising as a result of the practice of racist, ethnic, or religious profiling (Russian Federation);
- 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);
- 98.59. Identify through its domestic discussion effective ways and means to prevent and suppress manifestation of racism, xenophobia and intolerance (Thailand);
- 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);
- 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);
- 98.62. Take appropriate measures in combating discrimination and marginalization against vulnerable groups, particularly migrants, minorities, women, children and persons with disabilities (Viet Nam);
- 98.63. Take more efficient measures to prevent and eliminate manifestations of racism, xenophobia and intolerance in political speech (Algeria);
- 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);
- 98.65. Intensify its efforts to eliminate discrimination against migrant, black, Muslim and other minority women, who still face multiple forms of discrimination (Bangladesh);
- 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);
- 98.67. Take measures to address concerns of racial discrimination in the application of its national policies (Botswana);
- 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);

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

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);

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);

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

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);

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);

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);

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);

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);

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);

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

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);

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);

- 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);
- 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);
- 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);
- 98.85. Consider additional steps to ensure that any potential changes in court fees are proportionate and affordable, and that they do not prejudice access to the legal system (United Kingdom of the Great Britain and Northern Ireland);
- 98.86. Enact laws and legislation on freedom of expression in line with both articles 19 and 20 of the ICCPR (Egypt);
- 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);
- 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);
- 98.89. Promote more equal representation of men and women in top positions (Norway);
- 98.90. Adopt measures to criminalize incitement to hatred and imminent violence based on religion or belief (Pakistan);
- 98.91. Adopt legal provisions for reduced working hours, additional paid holidays or another form of compensation in dangerous and unhealthy occupations (Poland);
- 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);
- 98.93. Implement measures to decrease the wage gap between men and women (Norway);
- 98.94. Pursue an active and strict policy to end unfair pay differences between men and women especially in Government organizations (Greece);
- 98.95. Ensure that women enjoy equal access to the labour market and equal pay for work of equal value (Slovenia);
- 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);
- 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);

- 98.98. Establish guidelines for training on human rights in primary and secondary education, with homogenous curricula in all the educational centres (Spain);
- 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);
- 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);
- 98.101. Consider reinstating the Turkish mother tongue lessons as part of the primary and secondary school curricula (Turkey);
- 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);
- 98.103. Study the possibility to establish new measures aimed at eliminating any discriminatory treatment towards ethnic minorities (Argentina);
- 98.104. Develop a migration policy, taking into account the international human rights standards in this respect (Guatemala);
- 98.105. Promote substantive reforms in the immigration policy, which guarantee its conformity with international standards, revoking measures exposing foreigners to marginalization (Mexico);
- 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);
- 98.107. Review migration policies that exist in the country with a view to ensure the full application of international standards (Paraguay);
- 98.108. Introduce measures to reduce detention of individuals solely for immigration purposes and consider other alternatives than detention to use when possible (Sweden);
- 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);
- 98.110. Protect the social and cultural rights of migrants while taking integration measures and policies aimed at migrants (Bangladesh);
- 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);
- 98.112. Due to the criminalization of irregular residency in the country, design alternatives for the detention of irregular or undocumented immigrants (Brazil);
- 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);

- 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);**
- 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);**
- 98.116. **Ensure increased transparency and oversight exercised by civil society of the conditions, in which asylum seekers are kept and treated (Russian Federation);**
- 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 the Great Britain and Northern Ireland);**
- 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);**
- 98.119. **Contribute effectively in the operationalization of the right to development at the international level (Pakistan).**

Annex

Composition of the delegation

The delegation of the Netherlands was headed by H.E. Ms. Liesbeth Spies, Head of Delegation, Minister of Interior and Kingdom Relations; and composed of the following members:

- H.E. Mr. Arthur Dowers, Minister of Justice and Education, Aruba;
- H.E. Mr. Roderick van Schreven, Permanent Representative of the Kingdom of the Netherlands, Geneva;
- Ms. Marilyn Haimé, Director Constitutional Affairs and legislation, Ministry of Interior and Kingdom Relations;
- Mr. Oswald Dalnoot, Secretary General, Ministry of Social Development, Labor and Welfare, Curacao;
- Ms. Susanna Terstal, Deputy Permanent Representative, Permanent Representation of the Kingdom of the Netherlands, Geneva;
- Mr. Paul van Sasse van Ysselt, Supervising Legal Advisor, Ministry of Interior and Kingdom Relations;
- Ms. Wieke Vink, Senior Policy Advisor, Ministry of Interior and Kingdom Relations;
- Mr. Roeland Böcker, Senior Policy Officer at Legal Department, Ministry of Foreign Affairs;
- Ms. Karin Dekker, Head of Global Affairs, Ministry of Education Culture and Science;
- Mr. Reinier ter Kuile, Director Youth Policy, Ministry of Security and Justice;
- Mr. Pieter Verrest, Legislation Department, Ministry of Security and Justice;
- Mr. Tijs Manten, Spokesperson of Minister Spies, Minister of Interior and Kingdom Relations;
- Mr. Paul Peters, Counsellor, Permanent Representation of the Kingdom of the Netherlands, Geneva;
- Ms. Olivia Croes, Legal Advisor, Department of Foreign Affairs Aruba;
- Ms. Danae Daal, Policy Officer, International Affairs Department, Saint Martin;
- Ms. Ludmilla Vicente, Public Prosecutor, Curacao;
- Ms. Ann Philipps, Senior Policy Advisor International Relations, Directorate of Foreign Affairs, Curacao;
- Mr. Roland Driee, Health Attaché, Permanent Representation of the Kingdom of the Netherlands, Geneva;
- Ms. Marjolijn Luchtmeijer, Second Secretary Permanent Representation of the Kingdom of the Netherlands, Geneva.