

**National report submitted in accordance with paragraph 5 of the annex
to Human Rights Council resolution 16/21**

Netherlands

I. Introduction

1. The four countries of the Kingdom of the Netherlands are all democratic states governed by the rule of law. All four are committed to promoting and protecting human rights, as human rights are an inextricable and vital element of democratic societies.

2. Human rights in the Kingdom have been significantly impacted in various ways over the past years. As in many countries, the COVID-19 pandemic has triggered unprecedented measures. The impact of the pandemic – for example on education, healthcare and employment in various sectors – has exacerbated existing challenges.

3. Recent years have seen many demonstrations. It is commendable that people actively exercise their right to demonstrate, but it also shows that there is discontent among various sections of the population. The countries of the Kingdom of the Netherlands are committed to restoring trust in the government and the actions in the area of human rights described in this report form an important part of this goal.

Constitutional framework

4. The Kingdom of the Netherlands consists of four countries of equal status: the Netherlands, Aruba, Curaçao and St Maarten. Although there is some form of cooperation between the countries in the field of human rights, each of the countries is autonomous in its implementation of the obligations stemming from the different human rights conventions.

5. The country of the Netherlands consists of a European and a Caribbean part, the latter being the islands of Bonaire, St Eustatius and Saba. New policy and legislation is also applicable in the Caribbean Netherlands, unless there are strong reasons to the contrary. The ultimate aim is to achieve an equivalent effect, based on an equivalent level of facilities within the scope of the Caribbean context.¹

II. Methodology

6. All four countries of the Kingdom of the Netherlands have contributed to this report. As the Netherlands is by far the largest of the countries, most of this report relates to (the European part of) the Netherlands. Without specific mention of which country or which part of the Netherlands a passage refers to, it relates to the European Netherlands.

7. In preparation for this report, the Netherlands held a consultative meeting in April 2022. The Netherlands Institute for Human Rights and various NGOs presented their UPR stakeholders' submissions to government officials and each other. Afterwards, the participants had the opportunity to meet and further exchange ideas. After the upcoming review, the Netherlands will organise an event where relevant stakeholders can discuss the active and continuing follow-up of the recommendations.

III. Human rights infrastructure

A. Observance of human rights at the national level

8. The Integrated Impact Assessment Framework is a tool for Dutch civil servants when drafting legislation and developing policy. It contains a checklist on civil and political rights, guidelines on economic, social and cultural rights, and a manual on the national application of the EU Charter of Fundamental Rights. Recently, guidelines on constitutional review were added, which include explanations on the review of draft legislation against fundamental rights. These guidelines, which are actively promoted among ministries, specifically highlight the “discrimination test” and the guideline developed by the Netherlands Institute for Human Rights for the evaluation of draft legislation against the UN Convention on the Rights of Persons with Disabilities.

National Human Rights Action Plan

9. The Netherlands published its second National Human Rights Action Plan on 10 December 2019.² The theme of this plan, chosen in collaboration with various civil society organisations, is ‘accessibility of government services for all’. An interim report followed in July 2021.

Human Rights Monitoring Bodies³

10. The Netherlands Institute for Human Rights was founded in October 2012 and awarded the so-called “A” status in May 2014. This status was renewed in December 2020, meaning it fully complies with the Paris Principles.

11. The Government of Curaçao is working on the formalisation of its Human Rights Institute together with the National Ombudsman. A proposition of law has been prepared by the Ombudsman and is in the preparation stages within the Government.

12. In Aruba, the legislation providing for the installation of an Ombudsman and Children’s Ombudsman has been approved by parliament. Any person who experiences discrimination can avail himself or herself of the legal remedies provided by law.

13. On 20 November 2020, the National Ordinance on the Children’s Ombudsman entered into force in Curaçao. In March 2022, Parliament approved the profile of the Children’s Ombudsman.

B. International human rights conventions and protocols

14. Article 90 of the Dutch Constitution states that the government promotes the development of the international legal order. The Netherlands is party to most human rights treaties and has supported numerous resolutions and declarations relating to specific thematic areas.

15. The International Convention for the Protection of All Persons from Enforced Disappearance entered into force for Aruba in 2017. Curaçao is working on the necessary implementation laws for entry into force of the Convention.⁴

16. The Netherlands is taking steps in the decision-making process towards ratification of the Optional Protocols to the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. The government has asked the Council of State, an independent advisory body to the government, questions about the implications of possible ratification of the individual right of complaint pursuant to these protocols. The government will also include the evaluation of the functioning of the UN Treaty Bodies in the decision-making process on possible ratification of the Optional Protocols.⁵

17. In April 2022, advice was sought from the Council of State for the Kingdom on extending the European Charter for Regional or Minority Languages to the Caribbean part of the Netherlands, so that Papiamentu, which is spoken in Bonaire and is under increasing pressure from other languages, can be covered by the Charter.

C. Human rights at the local level

18. A Municipalities and Human Rights Platform has been set up in cooperation with the Netherlands Institute for Human Rights, the National Ombudsman and the Association of Netherlands Municipalities. Municipalities can share promising practices on the online platform and meetings are arranged on various human rights themes that are relevant to municipalities.

D. Business and human rights⁶

19. In 2014, the Netherlands was one of the first countries to adopt a National Action Plan on Business and Human Rights to implement the United Nations Guiding Principles (UNGPs). A review of the action plan began in 2019, with publication of the new action plan scheduled for summer 2022. The Netherlands is also working on implementation of the UNGPs and OECD guidelines through its policy on responsible business conduct (RBC). This includes efforts to legislate on due diligence, incorporating RBC conditions in trade instruments and promoting sectoral cooperation in the business community.

IV. Promotion and protection of human rights

A. RESPONSE TO COVID-19

Government response to COVID-19 in the Netherlands

20. Several of the measures taken during the COVID-19 pandemic restricted people's ability to freely exercise their rights. Notable was the institution of a national curfew between 23 January and 28 April 2021; a measure which previously had only been used by the Nazi occupation of 1940-1945. Other restricting measures included limits on home visits, social distancing and mask mandates and a 'covid pass'.

21. Measures often had to be decided on before all relevant information was available. They were all periodically reviewed in and out of parliament to monitor their

continued necessity and proportionality. Nonetheless, the measures were perceived by some as unacceptable infringements of fundamental rights. The Netherlands is confident that it approached the pandemic with appropriate attention to fundamental rights, but is also aware that in the fullness of time a retrospective verdict will be required.

22. The Netherlands and the EU are actively engaged in strengthening global pandemic preparedness through international cooperation. To this end, the Netherlands is for example working within the framework of the World Health Organization to establish an international pandemic instrument and to set up the World Local Production Forum: a global platform to enhance medical products' availability.

An inclusive approach in Aruba during the COVID-19 pandemic

23. During the pandemic, efforts were made to leave no one behind in Aruba. The government introduced emergency relief programmes for both businesses and employees. The government also started a successful vaccination programme for all residents of Aruba, regardless of migration status. The IOM, UNHCR and HIAS assisted with the vaccination programme. With support of the Government of the Netherlands assistance programmes were established, including a food voucher programme for the most vulnerable. The local community and NGOs assisted with further initiatives.

Impact of COVID-19 on Curaçao and measures taken

24. The pandemic has had a major socio-economic impact on Curaçao on top of already existing financial constraints. Curaçao, with Dutch financial aid, introduced extraordinary financial assistance to cover the basic needs of vulnerable groups (including food coupons). It also established the Temporary Emergency Scheme for Job Retention⁷ which enabled employers to keep their employees and continue to pay them.

25. The vaccination campaign is financed with Dutch funds. Each resident, including the undocumented, can receive the required vaccination free of charge. By July 2022, out of a population of 150,000 inhabitants, 108,000 had been vaccinated.

B. EQUALITY AND NON-DISCRIMINATION⁸

Anti-discrimination legislation and infrastructure

26. Article 1 of the Dutch Constitution prohibits discrimination. A bill to add 'disability' and 'sexual orientation' to the list of specified forms of discrimination has reached final stages of its passage through parliament. Furthermore, there is a study under way to make the extensive Dutch anti-discrimination legislation applicable in the Caribbean Netherlands as well.⁹

27. Victims of discrimination can turn to low-threshold local antidiscrimination bureaus that provide free support, and to the Netherlands Institute for Human Rights

which can give expert opinions in discrimination cases. Discrimination can also be reported to the police.¹⁰

Renewed approach to discrimination and racism¹¹

28. The response to discrimination and racism needs to be improved. This was emphasised by the child benefits affair in which it emerged that the Tax Administration had for years suspected parents of fraud without good reason. These parents were forced to pay back large sums of money and ended up in serious difficulties as a result. Dual nationality played a role in the selection of the 'fraudulent' parents. Other government organisations also selected citizens for fraud checks using questionable criteria, such as donations to mosques. The full extent of the use of questionable criteria is still being investigated, but in the meantime the government is taking steps to compensate affected parents and to intensify the approach to addressing discrimination and racism in public policy.

29. On 15 October 2021, the National Coordinator against Discrimination and Racism (NCDR) was appointed. The NCDR is formulating a multiannual national programme, identifying signals from society which, in cooperation with relevant parties, can be translated into targeted actions. In addition, a National Coordinator on Combating Antisemitism has been appointed to give both solicited and unsolicited advice to the Minister of Justice and Security.¹² A National Commission has also been established for at least four years to investigate and provide recommendations on discrimination and racism in the Netherlands, including within the government.

Labour market discrimination¹³

30. In July 2022, a new action plan on labour market discrimination was published, which provides an overview of relevant activities undertaken by the government and partners against the background of the principle that diversity pays off. The plan has a broad scope and also covers issues such as equal pay, closing the pay gap and countering pregnancy discrimination.¹⁴ Actions will include organising awareness campaigns, developing tools to help employers establish fair recruitment procedures, conducting research and drafting legislation.

31. In 2022, a start was made to boost measures to combat discrimination and racism by the government as an employer. The goal is to heighten awareness among central government employees with regard to prejudices, discrimination and racism, the possibilities for reporting, and ways to deal with signs and reports of discrimination and racism in the workplace effectively. There are actions aimed at employees in general, as well as training courses for specific target groups and for managers.

32. The government developed an action plan together with several organisations to raise awareness of discrimination against interns and apprentices and to provide tools for students, schools and employers to fight discrimination. It is currently being revised in cooperation with schools, students and work placement companies.

Tackling discrimination in the housing market

33. The results of the 2020 national survey on discrimination in rented housing led to increased antidiscrimination efforts. Progress is monitored annually at national level. In 2022, an information campaign will be launched to raise awareness about housing discrimination. Homeseekers and tenants will be made aware of their rights. Landlords and estate agents will be reminded of their obligations. Enforceable regulations are also being developed. A bill currently proceeding through parliament will introduce a national standard for good practices with regard to letting homes and rules for the tenant selection process to help prevent discrimination. Finally, the possibility of a reporting obligation for discriminatory requests to letting agents is being considered.

Criminal prosecution in cases of discrimination¹⁵

34. The Public Prosecution Service is committed to countering actionable discrimination. Prosecution comes into play when expressions can be considered unlawful, also after balancing them against freedom of speech, freedom of religion and freedom of artistic expression.

Hate speech¹⁶

35. Efforts to counter hate speech have included the doubling of the maximum penalty for incitement to violence, hatred or discrimination with effect from 1 January 2020; the 2020 plan with measures to combat racism and discrimination in football (developed in consultation with the Royal Netherlands Football association); and the complaints office for online discrimination, which carries out independent legal assessments to determine whether remarks made online are discriminatory, which may be followed by a deletion request to the online platform.

Ethnic profiling¹⁷

36. The programme “Police for Everyone”, which builds on the previous multiannual programme “The Power of Difference”, aims to combat ethnic profiling. It mainly focuses on awareness and active reflection on one’s own behaviour.

37. An operating framework for professional stop-and search-procedures defines the professional standard of objectivity that the police must meet and describes the way in which they should deal with citizens. The assessment framework published by the Netherlands Institute for Human Rights for ethnic profiling is part of the training relating to the action framework.

38. Active reflection on police checks is stimulated through (compulsory) training, technological tools and the exchange of personal experiences. A pilot programme is in development involving an anti-discrimination expertise centre, which will help police units handle discrimination complaints appropriately.

C. WOMEN'S RIGHTS AND EMPOWERMENT¹⁸

Financial equality¹⁹

39. Many women are in paid employment, but a much smaller proportion is economically independent. To improve the position of women in the labour market, working (more hours) has been made fiscally more attractive. In addition, a more equal division of paid work and care has been stimulated by extending paid partner leave and introducing paid parental leave. The Flexible Working Arrangements Act has also been introduced and significant money has been invested in childcare to increase accessibility.

40. Studies show that the gender wage gap is narrowing slowly. The policy of equal pay for equal work includes a grant to WOMEN Inc. intended to stimulate equal pay. The Netherlands is committed to controlling wage differences through wage transparency, in line with the European Commission proposal for a Pay Transparency Directive.

Pregnancy discrimination²⁰

41. Efforts are made to improve communication and awareness surrounding pregnancy discrimination among employees and employers. A number of websites and apps for pregnant women were encouraged to post information on women's rights and pregnancy discrimination.

Gender diversity in the top²¹

42. In order to enhance the representation of women in senior positions, a statutory quota has applied to Dutch listed companies since 1 January 2022 stipulating that in time at least one-third of positions on their supervisory boards should be filled by men and at least one-third by women. Large companies are also required to set targets, draw up a plan for achieving these targets, and report on progress.

43. For the (semi) public sector, there will be a legal obligation to formulate a target for gender diversity in the (sub)top with a plan to achieve this. The national government aims to have 45-55% women in the (sub)top within five years. In addition, the government strives for a proportional gender ratio in appointing independent administrative bodies and advisory boards.

Transgressive behaviour and gender-based violence²²

44. The Netherlands has toughened its approach to gender-based violence in recent years. Efforts have been made to also involve men in this process. The approach includes improving the safety of women and girls in public spaces. However, recent incidents, including in sport and media contexts, have shown that a broad and active approach to combatting transgressive behaviour is necessary to force a breakthrough. In this context, a national action plan is being developed, focusing on a fundamental change of culture and encouraging societal debate. In April 2022, the Netherlands also appointed

a government commissioner for sexually transgressive behaviour and sexual violence to promote cultural change.

Women's rights in Aruba

45. Aruba's first national gender policy was developed with the support of UN Women, focusing on four strategic areas: overcoming structural barriers to gender equality, increasing decent work opportunities, improving access to justice and providing gender-sensitive healthcare.

46. As indicated in the Voluntary National Review on the implementation of the SDGs, Aruba has progressed well on a number of indicators regarding gender equality, especially in terms of life expectancy, women's health, education, and political participation. There are still areas of concern relating to the quality of women's labour participation and a rise in incidences of domestic violence.

D. LGBTIQ+ RIGHTS²³

47. The Netherlands is committed to ensure that all people feel safe and are given the space to be who they want to be.

48. The Dutch government supports the LGBTIQ+ movement in Aruba, Curaçao, Sint Maarten and the Caribbean Netherlands with capacity building, knowledge exchange and the development of a regional approach.²⁴

LGBTI Safety Action Plan²⁵

49. The LGBTI Safety Action Plan 2019-2022 focuses mainly on criminal prosecution in cases of discrimination and promoting a sense of physical safety among the target group. Victims of discriminatory violence are encouraged to report and lodge a criminal complaint. The police are also committed to provide better support to victims reporting incidents and to expand their expertise through networks like Pink in Blue.

Bi+ persons

50. Research shows that people in the Bi+ community suffer from poorer health, safety and working conditions than heterosexual, lesbian or gay individuals. The government supports the Bi+ Netherlands Foundation to conduct further research into possible solutions.

Discrimination against transgender and intersex persons

51. Since November 2019, article 1 of the Equal Treatment Act explicitly states that impermissible distinction on the grounds of sex also relates to transgender and intersex people. In 2021, the state publicly offered its apologies to the transgender and intersex

community for the suffering that the people involved experienced as a consequence of the terms of the former transgender act. A new transgender act is currently being debated in parliament.

Unnecessary gender registration

52. The Netherlands is working to reduce unnecessary gender registration. An assessment framework and toolbox have been made available to help organisations limit such registration. The government intends to abolish the indication of gender on identity cards from 2024/2025 onwards.

Sexual and gender diversity in education²⁶

53. All pupils should feel safe at school and have the opportunity to be who they want to be, including LGBTIQ+ pupils. Schools must abide by the legal requirements concerning citizenship, social safety and the attainment targets, including those relating to sexual education and sexual diversity. To promote the social safety of LGBTIQ+ pupils, the government for example supports the Gender-Sexuality Alliances: an effective and evidence-based method for creating a socially safe school environment. In addition, requirements are researched for teachers in secondary vocational education (MBO) to freely discuss sexual and gender diversity. Further research will be conducted on what LGBTIQ+ students themselves indicate they need in order to feel safe at school.

Transgender healthcare

54. Late 2022, the organisation tasked by the government to advise and report on transgender healthcare²⁷ will issue its next progress letter. Various measures are being implemented to make transgender healthcare more accessible and future-proof. Efforts are made to reduce waiting times, for example for psychological transgender care for young people and adults. Clients can receive support in self-reliance and participation from their municipality, for example through someone with first-hand experiences or from an independent client support worker. In addition, young people can chat, call or email Genderpraatjes²⁸ for questions about gender identity.

Care for DSD/intersex people

55. A multidisciplinary quality standard for the treatment of people with a DSD²⁹/intersex condition is currently being developed. It is important that patients and parents of children with DSD receive the best possible support in the decisions that need to be made concerning their care. Children and parents, as well as adults with a form of DSD, can receive diagnostic care, highly specialised medical care and support from several expertise centres.

56. Children are in a special and vulnerable position: they depend on (the judgement of) their parent(s) or guardian(s). Moreover, children are strongly developing physically

and mentally. A treatment can have irreversible physical and psychological effects that persist for the rest of life. This means that parents and care providers bear an important responsibility when making such decisions. When it comes to cure-oriented care, non-essential medical interventions are already prohibited under the Healthcare Quality, Complaints, and Disputes Act. When it comes to medically necessary treatments that can be postponed, it is important to ensure not only that early intervention does not lead to avoidable harm, but also that postponement itself does not cause any harm. A recently started study by the Nivel should provide insight into the number of genital surgeries performed on children with DSD in the Netherlands and factors that prompted the decision to undergo surgery, or to postpone or abandon it. Insight into the nature and scope of medical intervention is also important for the development of the aforementioned multidisciplinary quality standard on DSD/Intersex.

E. CHILDREN'S RIGHTS³⁰

Children's rights in the Netherlands

57. The Netherlands attaches great importance to the protection and promotion of children's rights. An example is the recent movement to promote mental health, which was created in cooperation with young people, municipalities, and sports, cultural and other relevant organisations. The Netherlands will also organise annual children's rights dialogues about the implementation of the recommendations from the Committee on the Rights of the Child. Children will also be invited to contribute to these dialogues.

Children's rights in Aruba

58. The Youth and Family Centre was opened in 2020 to offer centralised and integrated support to parents in child-raising and to young people in their personal development.

59. Furthermore, to improve the safety of young people and children, the Social Crisis Plan programme seeks to strengthen the child protection system using an intersectoral approach. Key advancements are being made in reducing waiting lists across the system, introducing national child safety legislation, providing training for and certification of professionals in the sector, and implementing a better monitoring system to foster the health and wellbeing of all children in Aruba.

Children's rights in Curaçao

60. Violence and corporal punishment are punishable by the penal laws of Curaçao. Cases involving these two types of punishable behaviour are investigated by the police force and prosecuted by the Public Prosecutor's Office (PPO). There were 100 registered cases in 2021.

61. The PPO has launched or participated in several campaigns to raise awareness among adolescents about sexual behaviour, peer pressure, the use of alcohol and drugs and the use of violence. In addition, there have been campaigns about restorative practices as a means to resolve conflicts instead of resorting to violence and on child rearing practices in Curaçao's households and its possible negative effects on children.

62. The PPO signed a "Safe School Protocol" in 2019, together with other entities, to collaborate in the promotion of safe schools in Curaçao and to tackle criminal behaviour in or near schools.

63. The Judicial Youth Care Institution carries out awareness programmes that also address anti-discrimination issues and the prohibition of corporal punishment.

64. The Judicial Youth Institution and Veiligheidshuis Curaçao organise various training programmes against bullying, corporal punishment and all types of abuse against children. They also organise a train-the-trainers training on new ways of tackling perpetrators.

65. The police have neighbourhood policemen/directors placed in the central parts and challenging neighbourhoods of Curaçao that also serve as social and educational points of contact.

66. Regarding the treatment of children's rights in juvenile criminal law, a "Sex Offences Instruction" has been put in place by the Minister of Justice. This instruction provides a framework for the criminal law approach to sex offence cases.

Children's rights in Sint Maarten

67. In 2018, the Ministry of Education, Culture, Youth, and Sports of Sint Maarten established the Safety and Emergency Management Committee (SEMC). With a three-pillar focus (damage assessment, psychosocial matters, and aid and distribution relief), the SEMC's initiatives demonstrate an attempt to holistically address the needs of children. The activities include both private and public local stakeholder engagement, international partnerships with UNICEF and UNDP, effective school design and safety measures, and trauma sensitivity. Aided by existing policies including the Integrated Youth Policy Plan, the Early Childhood Development Policy and the Safety Nets Policy Plan alongside select SDG targets related to health, nutrition, sanitation, protection, and gender, Sint Maarten is making a concerted effort to ensure that no child is left behind.

68. In 2019 an integrated transitional Child Protection Workgroup was established with government entities as well as NGOs, with technical assistance of UNICEF-NL. The main purpose of the workgroup is to establish the National Child Protection Platform Sint Maarten. The goal is to put in place an effective and efficient inter-sectoral collaboration and coordination mechanism among all actors involved directly and indirectly in child protection interventions in order to plan, coordinate and monitor an integrated, robust child protection system on Sint Maarten.

F. RIGHTS OF PEOPLE WITH DISABILITIES³¹

69. The Netherlands ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2016. The Equal Treatment (Disabled and Chronically Ill People) Act (WGBH/CZ) was consequently expanded to include the field of goods and services and the Elections Act was amended. A bill to incorporate specific prohibition of discrimination on the grounds of disability in Article 1 of the Constitution is currently being considered by parliament.

70. General accessibility is laid down as a norm in the WGBH/CZ, which promotes equal participation in social life and protects people against discrimination on the grounds of a disability or chronic illness. The WGBH/CZ obliges government bodies, organisations and businesses to make effective modifications and gradually ensure general accessibility. Only if these provisions constitute a disproportionate burden for the executing party will they be waived. Various laws contain provisions obliging municipalities to implement the CRPD locally, for example by drawing up local inclusion agendas.

71. From 2018-2021, the Participation Without Limitations programme³² formed the basis for the implementation of the CRPD in practice, comprising actions by central government and by civil society organisations, businesses and municipalities. The current government will continue the programme's initiatives.

G. PHYSICAL INTEGRITY AND PERSONAL LIBERTY

Domestic violence and child abuse in the Netherlands³³

72. The 2018 'Violence has no place in the home' programme aims to tackle domestic violence and child abuse in the Netherlands. The related impact monitor shows progress in terms of implementation and policy over the years, but there is still room for improvement. The 2022 'Future Scenario for Child and Family Protection' programme will take over and build on the lessons learned.

73. Attention is paid to special forms of violence and particular focus groups, such as gender-related violence and violence against LGBTIQ+ people. Women's shelters are open to LGBTIQ+ people. In the city of Utrecht, four places are available for LGBTIQ+ people in a dedicated shelter if regular shelters cannot meet specific safety needs. Risk factors for LGBTIQ+ people and the extent to which prevention and support are LGBTIQ+ inclusive are being studied. Knowledge institutes Movisie and the Netherlands Youth Institute provide information on their websites about the support available.

74. In light of the COVID-19 pandemic, the 'Safe at Home' domestic violence advice and reporting centre³⁴ developed a chat feature for accessible advice in cases of domestic violence, with a possibility to chat anonymously. This initiative received highly positive feedback. During the lockdowns schools and childcare centres offered emergency childcare for children in vulnerable situations, and extra beds were accommodated in the male and female shelters for people (with children) in unsafe

home situations. People who were (suspected to be) part of this group were given an exception during the implementation of the curfew in the Netherlands.

Domestic Violence in Curaçao³⁵

75. In Curaçao a working group has been set up to prepare for the ratification of the Convention on preventing and combating violence against women and domestic violence.

76. The Ministry of Justice, in collaboration with Public Prosecutor's Office and the Curaçao Police Force sexual offences unit, implemented a project aimed at upgrading the sexual offences unit to improve the processing of reports of sexual offences against minors and young women. The aim of this project was to equip detectives with the necessary tools to treat victims with more sensitivity and to take better account of the interests of victims of sexual abuse (minors and adult women) in investigations. Detectives are trained to receive, monitor and investigate complaints in a child-sensitive manner.³⁶

77. A proposal for a national ordinance on the initiative for temporary restraining orders is currently before parliament.

78. In 2018, an Inter-ministerial Working Group was established, which is responsible for the supervision of the implementation of the National Plan against Domestic Violence and child-abuse.

Criminalisation of sexual offences³⁷

79. Parliament is currently considering a bill on crimes of sexual violence. This bill provides, inter alia, for the removal of current incompatibilities between the Dutch Penal Code and international human rights law, including the Istanbul Convention. The act is expected to enter into force in 2024. The intervening time is necessary to give the organisations involved, such as the police and the Public Prosecution Service, the opportunity to prepare for its introduction. The act's entry into force is expected to generate more criminal cases involving rape, online sexual misconduct and sexual harassment.

Protection against (sexual) exploitation of children³⁸

80. Particular attention is paid to especially vulnerable groups in the combat against (sexual) exploitation of children. For example, a signalling tool has been developed for girls and boys with a mild intellectual disability. Care and support organisations are also cooperating to gain greater insight into boys who are victims of sexual exploitation. Finally, the prevention of both repeated victimisation and offending will be addressed in the revised version of the 'Together against Trafficking in Human Beings' programme.

Human trafficking in the Netherlands³⁹

81. In 2018, the Netherlands received, as the only country out of 167 evaluated nations, an A-score in the Global Slavery Index for its approach to fighting human trafficking. Despite this, there were concerning trends: the number of human trafficking suspects was decreasing, while reports of human trafficking increased. Furthermore, there were large regional differences in the approach to human trafficking and a lack of possibilities to share information between various parties involved in fighting human trafficking. This led to the creation of the programme Together Against Human Trafficking at the end of 2018, which will be renewed for another four years.

82. The programme is aimed at preventing victimisation, detecting victims and providing them with adequate support and care, and blocking perpetrators in various ways. Its strategy includes active participation from NGOs and regional and local authorities. Following the programme, the capacity of the Dutch (Alien) Police has been increased with various new officers specialised in human trafficking. Frontline police officers received training to improve their ability to recognize signs of human trafficking. Measures were taken aimed at improving awareness and responsibility of clients of services provided by victims of human trafficking. Late 2021, the Dutch Criminal Code was amended to criminalise those who engage in sexual acts with victims of sexual exploitation while knowing or reasonably suspecting that the victims have been forced to engage in this act. Also, funds have been made available to improve the support provided to victims of human trafficking and international cooperation has been increased, for example by the stationing of Dutch police liaison officers in countries of origin. Finally, the programme also intensifies the fight against labour exploitation together with the Dutch Labour Association.

Human Trafficking in Aruba⁴⁰

83. The Advisory Council is currently considering a proposal to amend the Aruban Criminal Code in order to increase the penalty for human trafficking from 8 to 12 years' imprisonment, to raise the other prison terms in the article accordingly and to add begging and criminal exploitation as forms of human trafficking. The amendment is expected to come into force in 2022.

84. Aruba uses awareness campaigns in multiple languages for the purposes of early identification, referral and assistance of victims of human trafficking. A victim-centred and gender-sensitive approach is used.

Human Trafficking in Curaçao⁴¹

85. The prosecution of human trafficking is a priority area. Every year, the Public Prosecutor, together with relevant stakeholders, completes the Trafficking in Persons report and formulates policy regarding this subject.

86. Since 2014, several criminal investigations and prosecutions in the area of human trafficking have taken place, among which cases about the sexual exploitation of female victims.

87. Victims of human trafficking who wish to report it and cooperate in related criminal investigations, receive a temporary residence permit and fully funded insurance. The Public Prosecutor's Office has appointed a prosecutor who is specialised in the prosecution of human trafficking crimes.

88. Other measures included a new website on human trafficking/people smuggling (<https://www.humantraffickingpreventioncuracao.com/>); the publication of a manual for victims of human trafficking/smuggling; embedding a theme register in the police-information system ACTPOL; an amendment of the MoU to combat human trafficking at the Kingdom level.

Human trafficking in Sint Maarten⁴²

89. Following a period of dormancy, the National Reporting Bureau (NRB) – a key institution in the fight against human trafficking which was first established in 2013 – will be re-established. Its main tasks are to provide information on the risks of human trafficking and smuggling; taking care of the intake of victims of trafficking and providing them with protection; conducting a public campaign aimed at increasing public awareness and specific risk of the consequences of human trafficking and smuggling; channelling victims of trafficking and smuggling to health authorities and twinning partners and international organizations to enforcement staff in recognizing signs of smuggling and trafficking.

Use of force by the police

90. The use of force by police officers in the Netherlands is subject to rules and conditions. Force may only be used if it is justified by the intended aim (proportionality) and if that aim cannot be achieved by other means (subsidiarity). On 1 July 2022, amendments to the Code of Conduct entered into force. The criteria for the use of means of force and restraints devices are formulated as precisely as possible, which makes it clear to both police officers and the public how police officers should act and under which circumstances they commit a criminal offence using unlawful means of force.

91. The police reports annually on incidents in which the authority to use force was exercised. In January 2019, a new registration and evaluation system was introduced, which enables thorough accountability and further enhancement of the professional use of force by the police.

Victim support policy

92. From 2018-2021, the legal position of victims in the Netherlands has been strengthened. Mandatory presence in court for suspects was introduced through the Victims' Rights Expansion Act. Over the past years, 40 FTEs of victim coordinators have been added to the Public Prosecution Service. Furthermore, vulnerable victims can now invoke protection by the police through an individual assessment. Through the Affection Damage Act, a close relative or next of kin of a victim of a serious crime who sustained a psychological injury has the right to file a claim in the criminal proceedings. Victims of violence in the Caribbean Netherlands can now claim compensation for their damage from the Compensation Fund for Violent Offenses. With the Punishment and Protection Act an important step has been taken in informing and consulting victims during the enforcement phase. Moreover, the provision of information has greatly improved through an online chain-wide victim portal.⁴³ Address details of victims are no longer mentioned in the correspondence with the Public Prosecution Service. More structural protection of victims' personal data is still being worked on.

93. On 8 September 2021, the Ministry of Justice of Sint Maarten legally established the Victim Support Services Sint Maarten Foundation (VSS), which will become fully operational this year. This has been a long-standing recommendation from the CAT and CEDAW committees. VSS was established to supervise victims of crimes. Services will include high-quality shelter, practical assistance and emotional support. The foundation will also assist in serious car accidents and burglaries and break-ins with severe force, violence or the use of a firearm or other weapons. VSS can also represent the interests of the victim in obtaining compensation as well as play a supporting role in mediating the conflict between the perpetrator and the victim. VSS will only support the victim if he or she deems it desirable and insofar as the victims cannot handle these matters themselves. To ensure the proper functioning of the foundation, it will function in close collaboration with the Ministry of Justice via the Foundation Judiciary Institutes Windward Islands (SJIB Probation Service), the Prosecutor's Office, and the St. Maarten Police Force KPSM.

Detention conditions in Sint Maarten⁴⁴

94. Significant damage was sustained to the Point Blanche Prison facility after the hurricanes Irma and Maria in 2017. Prisoners had to temporarily be transported to other facilities within the Kingdom. As part of its redevelopment strategy, the Government of Sint Maarten, in collaboration with the Dutch Ministry of the Interior and Kingdom Relations, is in contact with the United Nations Office of Project Services (UNOPS) to build a new prison facility. The project and the partnership with UNOPS are key in addressing the human rights concerns raised in recent years around detention conditions in Sint Maarten. In addition, a programme manager was appointed to the Point Blanche prison, to help set up rehabilitation and resocialisation programmes for the incarcerated and guide improvement measures to the prison structure, that can be executed in the interim period, until a new facility is constructed. Improving the overall penitentiary system is also a critical component of the project, including the use of the guiding principles of The United Nations Standard Minimum Rules for the Treatment of

Prisoners (The Nelson Mandela Rules) and the reinforcing of the principle of rehabilitation and resocialisation, as well as training across the judicial chain.

H. ASYLUM AND IMMIGRATION

Reception of asylum seekers

95. Since the summer of 2021, it has proven difficult to maintain enough reception capacity for asylum seekers. In spite of efforts, it has unfortunately been necessary to establish emergency shelters. The Netherlands is committed to the establishment of sufficient and qualitatively adequate reception facilities. In this context, a national crisis structure has been activated and it is being investigated if there are possibilities to force municipalities to take care of the reception of asylum seekers.

96. There is also currently a large influx of displaced persons from Ukraine. The Netherlands is preparing for the realisation of 75,000 places for them. Many locations with children have access to a form of education. More and more displaced Ukrainians are also finding their way, with or without support, to the labour market. Furthermore, there is a dedicated Medical Care Scheme. Most displaced Ukrainians are hosted in emergency shelters or by private individuals.

Family reunification⁴⁵

97. Prior to the pandemic, most applications for family reunification were handled within the legal decision period. However, the pandemic has severely impacted both family members' ability to travel to diplomatic missions, and diplomatic missions' ability to assist them. Additionally, the influx of applications for reunification in 2021 was higher than expected. This resulted in long waiting times in the processing of requests. The Netherlands has taken measures to match capacity levels with the higher number of applications. Also, to reduce waiting time, IOM temporarily facilitates DNA sample collection to establish family relationships in some regions and UNHCR temporarily facilitates interviews with family members in some regions.

Aliens detention⁴⁶

98. As a rule, detention of migrants is used as a measure of last resort and for as briefly as possible. Isolation can be used as a disciplinary or punitive measure in this context. In cases in which aliens cannot be held responsible for their behaviour or in which they pose a danger to themselves or others, a disciplinary measure can be imposed after consultation with a behavioural expert with whom daily contact is maintained for the duration of the measure. There is also daily contact with a nurse and efforts are made towards stabilisation and return to the regular ward.

99. A de-escalatory approach is taken when isolation is used as a punitive measure, which consists of mediation, dialogue and finding a common solution. Furthermore, a 'time-out' of up to 15 hours can be imposed. Only after these steps and a conversation

of management with the alien in question, is it determined whether a punitive measure has to be taken. If so, the least intrusive measure to guarantee order, peace and safety for fellow detainees and staff will be chosen. When imposing an isolation measure, the harmful effects are always taken into account and where possible sentences are shortened.

100. Both families with minor children and unaccompanied minors retain the right to shelter regardless of their status. Administrative detention of a child should be necessary, proportionate and in line with the rights of the child. Additionally, in the case of an unaccompanied minor, there need to be important overriding interests in order for administrative detention to be applied. The reason for applying detention, and not a less intrusive alternative, must always be explicitly and carefully motivated. If detention is applied to minors this takes place in a so-called Closed Family facility. Though this is a detention centre it has been designed to be child-friendly. It is spacious and green, with play facilities and activities for children. Unaccompanied minors and children can also go to school there.

Asylum seekers who are victims of human trafficking⁴⁷

101. Staff of the Immigration and Naturalisation Services (IND) and the Central Agency for the Reception of Asylum Seekers (COA) are trained in recognising signs of human trafficking. Also, the IND provides contact desks specialising in human trafficking at all asylum centres, and all COA sites have contacts specialising in human trafficking. The Repatriation and Departure Service (DT&V) also has a contact for human trafficking at each local branch, who detects and knows how to respond to signs of human trafficking in departure interviews.

102. Signals that may indicate a disappearance of an unaccompanied minor (UAM) are always shared with the police and there are processes in place to ensure that all relevant organisations know which steps to take. In 2020 a study into UAMs who abscond from reception facilities showed that there is a significant group that seems to regard the Netherlands merely as a transit country. Another study will be conducted with the aim of providing insights into their motivations to abscond and identifying effective strategies in tackling this issue. Furthermore, several studies about specific groups are being undertaken. With these reports the Netherlands will continue to take the appropriate measures to ensure the safety of UAMS.

Statelessness⁴⁸

103. Two bills have been drafted which aim to improve the position of stateless persons. The first introduces a determination procedure through which a stateless person can have their statelessness determined by a civil court. The second makes it easier for stateless children who were born in the Netherlands to acquire Dutch citizenship. Both bills will soon be discussed in parliament.

Migrants and refugees' protection in Aruba⁴⁹

104. Aruba is party to the Refugee Convention and the 1967 Protocol, and complies with all standards regarding procedures and has a strict adherence to the non-refoulement principle. There are no forced returns of asylum seekers. Additionally, Aruba has received capacity-building support and training from the Netherlands that further supports the development of an asylum processing system and its associated procedures.

I. HUMAN RIGHTS AND COUNTERTERRORISM⁵⁰

105. The Netherlands endeavours to – within the limits of the rule of law – protect the freedom and security of its citizens. There is an ongoing terrorist threat that is complex and volatile. This requires an integrated approach, which focuses on tackling the root causes of terrorism, as well as taking repressive measures and prosecuting terrorists.

106. In 2016, a legal power was created to limit the freedom of movement of radicalised persons. In addition, the possibilities to withdraw Dutch citizenship were expanded. Both temporary laws were extended by five years in February 2022. These laws were drafted and are now implemented in concordance with the Dutch Constitution and international human rights law.

107. Internationally, the Netherlands is strongly committed to an integrated approach with regard to counterterrorism, in which human rights and the inclusion of civil society are central. Nationally, the Netherlands will also continue to actively work on safeguarding human rights within its counterterrorism policy. One of the cornerstones of the new national counterterrorism strategy, which was published in May 2022, is a more focused approach with regard to combating radicalisation. In addition, the scope of the strategy was limited to terrorism and violent extremism, instead of extremism in general.

J. ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Tackling poverty in the Netherlands in Europe

108. During the pandemic, an intensification programme to tackle poverty and debt was started. The objective was to improve contact with new and existing target groups, offer appropriate support and strengthen implementing organisations. There is regular consultation with municipalities and civil society organisations. Poverty figures are monitored annually by Statistics Netherlands. There is also a dashboard for the Association of Netherlands Municipalities and several ministries on which the broader social impact of the COVID-19 crisis, including work and income, is monitored quarterly. In summer 2021, the Netherlands Organisation for Applied Scientific Research (TNO) carried out an extensive analysis of the effects of the COVID-19 crisis in the social

domain. In July 2022, the Dutch government published a new plan to tackle money worries, poverty and debt.

Tackling poverty in the Caribbean Netherlands⁵¹

109. In 2019, the Netherlands established a benchmark for the social minimum in the Caribbean Netherlands on the basis of an independent study. The aim is to combat poverty and improve living conditions.

110. In recent years, the Netherlands has taken steps to increase the minimum wage and minimum benefits. In 2022, minimum wages and minimum benefits have increased by 28% (Bonaire), 37% (St Eustatius) and 33% (Saba) compared to 2016, including inflation adjustments. Child benefit in 2022 on all three islands will have more than doubled since the introduction of the Child Benefit (Bonaire, Saba and St Eustatius) Act in 2016.

111. Because a 2018 survey showed that the cost of basic necessities such as rent, electricity and drinking water was high for many people, the Netherlands is committed – in addition to increasing incomes – to reducing the cost of living. This also applies to childcare which, until recently, many parents in the Caribbean Netherlands could not afford. In 2018, the government and the public bodies launched the BES(t) 4 Kids programme to improve the quality of childcare and reduce the costs for parents. The government funds childcare for parents with a low income. The Netherlands is also working to reduce the cost of housing, energy, telecommunications and drinking water.

112. Despite these steps, the task of achieving the benchmark for the social minimum is still a considerable one. Efforts need to continue unabated and, in this context, the current government has developed concrete measures for the upcoming years.

A home for everyone

113. Within the 2022 National Housing Agenda, six programmes focus on issues such as building homes and the affordability and sustainability of homes. Finding suitable housing is extra difficult for people in vulnerable situations, such as homeless people, people who come from care institutions, migrant workers and status holders. The government, in cooperation with (among others) municipalities and housing associations aims to provide enough affordable homes for all target groups through the programme “a home for everyone”. By 2030, the Netherlands will build 250,000 homes for low-income households, and aims for 30% of all homes within every municipality to be social housing. Furthermore, all municipalities have to draft an integrated ‘housing and care vision’ for all target groups and allocate homes with priority.

Homelessness

114. The Dutch approach to homelessness is designed to offer prospects and a suitable place to live as independently as possible, with personalised assistance, to people who are (at risk of becoming) homeless. Only if there is no other possibility do

people stay at shelters, ideally for no longer than three months. For children, it is important that these locations are child-friendly. A set of standards and a safety mark have been developed. Agreements have been made with municipalities that women with children will be given priority in finding suitable accommodation.

115. In order to significantly reduce homelessness in the coming years, the government has made an additional annual sum of €65 million available on top of the €385 million that municipalities already receive for shelters in the community. The government's broad approach focuses on prevention, modernisation of accommodation and assisted living, as well as on providing suitable housing for all homeless people. The Netherlands signed the Lisbon Declaration, which sets the target of eradicating homelessness in Europe by 2030.

Labour market integration⁵²

116. In order to improve the position in the labour market of people with a migration background, the 'Further Integration on the Labour Market' (VIA) programme was launched in 2018. The programme consists of eight pilot projects focusing on crucial moments in the careers of people with a migration background. In December 2021, the insights from the pilot projects have been integrated into the VIA working agenda, in collaboration with employers, trade unions, educational institutions and municipalities. The aim is to permanently improve the labour market opportunities and position of people with a migration background on the basis of three principles: 'more (cultural) diversity in the workplace', 'a greater chance of a first job or work placement' and 'getting people into work'.

Protecting migrant workers⁵³

117. The Netherlands actively works on the visibility and protection of migrant workers. The Netherlands has set up a Migrant Worker Protection Task Force which has made recommendations for tackling abuses against EU migrant workers. The recommendations concern the registration of migrant workers, housing, health and welfare, control of the temporary employment sector and supervision. These recommendations were published on 30 October 2020 and are currently being implemented. As part of this, the government recently announced a mandatory certification scheme for employment agencies.

Workers' rights in Curaçao

118. The various forms of employment contracts aimed at making the labour market more flexible often result in negative consequences for workers. In 2013, the Court of Justice of Curaçao concluded that a worker who has been given three consecutive temporary employment contracts is considered to be an employee with a permanent contract.

119. The Bureau for Mediation deals with collective disputes through mediation, conciliation and arbitration, in cases in which employees are represented by unions. The

Bureau for Complaints deals with individual labour complaints. Mediation and conciliation methods are also used to settle conflicts between individual employees and their employer.

Economic, Social and Cultural rights in Aruba

120. With determination, Aruba started the implementation of Agenda 2030 and the SDGs in 2015. Together with the other countries that form the Kingdom of the Netherlands, it conducted its second Voluntary National Review (VNR) in 2022. The VNR showed that Aruba should maintain its commitment, and that sustainable development must be a sustained and dedicated whole-of-society effort. To fortify community engagement and fulfil the promise to leave no one behind, further efforts will be made to continue transforming commitments into actions.

121. With regard to the right to health, The National Ordinance on the Restriction of Tobacco Products largely entered into force on 2 May 2022. This national ordinance prohibits the use of tobacco products and related products (such as electronic cigarettes) inside buildings or areas of buildings accessible to the public. Employers and providers of passenger transport need to protect their employees and passengers. The sale of individual cigarettes has also been prohibited. Additional rules have been introduced to protect young people, such as a ban on using these products in a motor vehicle if minors are present and a ban on providing these products to young people under the age of 21.

K. RIGHT TO EDUCATION⁵⁴

Learning deficits and unequal opportunities due to COVID-19

122. The pandemic and the resulting closures of educational institutions caused delays for students and unequal opportunities to grow. The government has invested €8.5 billion in the National Programme for Education to address these delays in the education sector and in scientific research, in both the European and Caribbean parts of the Netherlands.⁵⁵ Educational institutions are designing a school programme to tackle the delays and the government is offering support and monitoring the process.

123. Research shows that the mental health of students in higher education is under pressure because of the switches to online education and back to face-to-face education. An integrated approach is being developed, focusing on prevention, early warning signs and student guidance.

COVID-19 and digitisation

124. Since 2018, digital skills and digital inclusion in education have been part of the national Digitisation Strategy. During the pandemic, digitisation saw a meteoric rise across the education sector. Within a few weeks, a fully digital curriculum had emerged. This rapid changeover showed that the digital provision of education offers many possibilities, but cannot fully replace face-to-face learning. The government is working

on a new Digitisation Strategy, which will have a special focus on privacy and data protection.

Citizenship education⁵⁶

125. The new statutory obligation to provide citizenship education in primary and secondary education came into force in August 2021. Schools are now obliged to include lessons on the basic values of democracy, rule of law and fundamental rights and freedoms (equal treatment, sexual diversity, pluralism, autonomy, discrimination and equality). This law is also applicable in the Caribbean Netherlands, with room for the independent character of their education system.

Special needs education in mainstream schools

126. A 2019 evaluation showed that more pupils were benefitting from educational support, but that the policy to enhance special needs education in mainstream schools had not yet achieved the desired change across the board. The focus is on improving preconditions, such as sufficient teachers and resources and reducing the workload. A roadmap for more inclusive education is also being created, designed to enable pupils with and without support needs to attend the same school in more cases.

Social safety⁵⁷

127. Since 2015, schools have been obliged to draw up and implement a safety plan, to monitor the safety perception of students, and to assign a number of tasks within the education team, such as an antibullying coordinator. In addition, schools have to appoint a confidential counsellor for students and staff. The government is working on a reporting obligation for schools in the case of socially unsafe incidents, a reporting point for pupils, teachers and parents, and intensified supervision.

Access to education for newcomers⁵⁸

128. In the Netherlands, minor asylum seekers, refugees and undocumented migrants have access to education, regardless of their resident status. Before moving to regular education, children often get specialised education for 1-1.5 years in which special attention is paid to the Dutch language and social-emotional issues. In secondary education, a start was made with automatic funding. With the National Programme for Education, extra funding for newcomers has been made available. The government is working on extra temporary measures in collaboration with municipalities and relevant actors to deal with the current large influx of refugees.

Education Agenda for the Caribbean Netherlands⁵⁹

129. From 2017 to 2020, the Ministry of Education, Culture and Science, together with the Public Bodies of Bonaire, Saba and St Eustatius, implemented the Second Education Agenda entitled 'Taking the next step, together'. The evaluation of this agenda has shown that the quality of education has improved, but remains vulnerable at some schools. The Third Education Agenda is expected in the second half of 2022 and will set the goals for the next four years.

Progression of students who completed prior education in the Caribbean part of the Kingdom

130. Studies have shown that students who completed their prior education in the Caribbean part of the Kingdom are less likely to complete their further education courses than students who attended school in the European Netherlands. The four ministers of education of Aruba, Curaçao, St Maarten and the Netherlands are working together to bring about improvements. A steering group incorporating all education stakeholders and government bodies is currently working on proposals to improve the way the whole education system works.

Human rights education in Aruba⁶⁰

131. Citizenship education, which is integrated in the secondary education curriculum, focuses on personal development and raises awareness of respect for self and others, emphasising among other things racial differences and children's rights. In secondary schools, colonial history is taught in the school subjects of history and social studies and includes a Caribbean perspective.

132. A new method called Whizz-Art, which focuses on citizenship development, is being developed for primary schools.

133. The National Police Force of Aruba (KPA) receive human rights training sessions. The topic of human rights is also incorporated in the police academy curriculum. The aim of the training is to enable police officers to maintain and uphold human rights throughout the course of their duties and to properly equip them to work in a multicultural society.⁶¹

134. The staff of the Department of Legislation and Legal Affairs receive training in the formation, ratification and application of treaties, including human rights conventions.

L. RIGHT TO PRIVACY

Algorithms and human rights⁶²

135. Our environment is becoming more digitalised and automated, and ever more data is being collected and exchanged. Technologies are developing rapidly. They present opportunities for tackling social problems, but they are not without risk. It is therefore important to make choices about the development and use of technology with due regard for our fundamental rights and public values. Technology must not lead to discrimination and privacy must be guaranteed. The Netherlands is therefore working on the responsible and human-centric use of these technologies.

136. Work is being done in conjunction with the European Union and the Council of Europe on the regulation of AI systems. The Netherlands is also looking at whether this ongoing digital transformation requires a constitutional amendment. To help organisations comply with relevant legislation, a number of instruments have been developed. The government guideline ‘Non-discrimination by Design’ helps developers identify, prevent and combat discriminatory patterns in data in the development phase of an AI system already. Organisations can use the Human Rights and Algorithms Impact Assessment to identify and mitigate the human rights risks inherent in AI systems. The Netherlands is investigating how the Code on Good Digital Governance can best be embedded in the work of government organisations. Proper monitoring and supervision are also important. A framework has been developed to facilitate research into algorithms and extra resources have been made available for a national supervisory authority for algorithms. The Netherlands will set up an algorithm register to provide greater insight into the use of AI and algorithms.

M. FREEDOM OF EXPRESSION⁶³

Media freedom

137. The Netherlands supports and stimulates investigative journalism by expanding the yearly budget. During the pandemic, a temporary support fund was initiated to support the continuity of locally provided information. The government will work on a project to enhance the journalism sector in the Caribbean part of the Netherlands.⁶⁴

138. The government recently announced actions to enhance and protect press freedom and safety of press. This includes awareness raising regarding the role of the press in a democratic society, media literacy, research into and monitoring of specific issues, tackling online intimidation (e.g. online threats against female journalists), and support for a 2019 project by the Steering Group on Aggression and Violence with preventive and repressive measures for the safety of journalists⁶⁵ and a 2021 project aimed at freelancers.⁶⁶

Right to demonstrate

139. Demonstrations in the Netherlands have noticeably increased in recent years, both in number and in appearance. Examples are climate change demonstrations, large-scale farmers' protests, the Black Lives Matter movement and protests against responses to the COVID-19 pandemic. In most cases, demonstrations take place without significant problems and in good cooperation with municipalities and the police. A 2021 evaluation shows that the existing legal framework for demonstrations still functions well, despite the changed social situation. In some cases, demonstrations have resulted in confrontations with the police. It can sometimes be difficult for municipalities and the police to assess the risks of a demonstration in advance, also due to mobilisation possibilities through social media. Moreover, protesting groups are not always homogeneous, their motives are not always peaceful and sometimes all prior contact with the government is avoided. Yet, the government's aim is always to de-escalate and in the event of police deployment, the possibility exists to file a complaint.

N. HUMAN RIGHTS AND THE ENVIRONMENT

140. Human rights can come under pressure as a result of climate change. Through the Climate Agreement, the Climate Act and the first Climate Plan, the Netherlands is taking measures to make the electricity supply, buildings, mobility, agriculture and energy-intensive industry more sustainable.

141. The Netherlands aims to become climate neutral no later than 2050 and the 2030 CO₂ reduction target in the Climate Act has been tightened to 55%. A Minister for Climate and Energy was appointed who will direct the climate policy and the yet to be launched climate fund (€35 billion for the next 10 years). An independent scientific advisory board will be established to assess and advise on climate policy. Citizens will be actively involved.

142. In the context of climate adaptation, the Netherlands continues to invest in its dikes, dunes and dams. Active efforts are also being made to restore biodiversity loss and to offer the large Dutch agricultural sector a sustainable perspective.

143. Furthermore, the Netherlands is committed to the improvement of air quality and the living environment in general. The government is working with provinces and municipalities in the Clean Air Agreement to achieve a health gain of at least 50% by 2030 compared to 2016 by permanently reducing emissions of air polluting substances, and moving towards the WHO recommended values for air quality. The Netherlands also reduces emissions of substances of very high concern through the minimisation obligation for companies.

144. In 2018, it was decided to stop gas extraction in the province of Groningen as soon as possible, due to related earthquakes which caused great damage for the local residents. The aim is to phase out gas extraction completely by 2023 or 2024. Since 2018, the government has also been working to compensate for gas extraction related damage and to strengthen buildings in the interest of safety.

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- ¹ See: recommendations 131.105, 131.199, 131.202 and 131.203 from the Report of the Working Group on the Universal Periodic Review – Netherlands, 2017, UN Doc A/HRC/36/15.
- ² See: the annex to this report, also available at <https://www.government.nl/documents/publications/2020/05/31/national-action-plan-on-human-rights-2020>.
- ³ See: recommendation 131.198.
- ⁴ See: recommendation 131.25.
- ⁵ See: recommendations 131.5, 131.6, 131.7, 131.9, 131.10, 131.11, 131.12, 131.13, 131.14, 131.15, 131.16, 131.19, 131.20, 131.153 and 131.154.
- ⁶ See: recommendations 131.106, 131.107, 131.108, 131.109, 131.110, 131.111 and 131.112.
- ⁷ Also known as the “NOW-scheme”.
- ⁸ See: recommendations 131.33, 131.46, 131.47, 131.49, 131.51, 131.52, 131.53, 131.54, 131.55, 131.56, 131.57, 131.58, 131.59, 131.60, 131.65, 131.66, 131.67, 131.69, 131.73, 131.77, 131.84, 131.87, 131.91, 131.92, 131.142, 131.172, 131.173, 131.174, 131.180 and 131.183.
- ⁹ See: recommendations 131.105, 131.199, 131.202 and 131.203.
- ¹⁰ See: recommendations 131.50 and 131.182.
- ¹¹ See: recommendations 131.31, 131.32, 131.68, 131.70 and 131.72.
- ¹² See: recommendation 131.64.
- ¹³ See: recommendations 131.48, 131.95, 131.96, 131.97, 131.175 and 131.182.
- ¹⁴ See: paras. 39-41 of this report.
- ¹⁵ See: recommendations 131.61, 131.62, 131.63, 131.71, 131.72, 131.81 and 131.83.
- ¹⁶ See: recommendations 131.49, 131.62, 131.71, 131.72, 131.73, 131.74, 131.75, 131.76, 131.77, 131.78, 131.79, 131.80, 131.81, 131.82, 131.83, 131.84 and 131.91.
- ¹⁷ See: recommendations 131.87, 131.88, 131.89, 131.90, 131.93, 131.94 and 131.179.
- ¹⁸ See: recommendations 131.38, 131.140 and 131.141.
- ¹⁹ See: recommendations 131.39, 131.41, 131.42, 131.43, 131.44, 131.45, 131.96, 131.98, 131.130, 131.143, 131.144, 131.145, 131.146, 131.149 and 131.151.
- ²⁰ See: recommendations 131.44, 131.96, 131.98, 131.143 and 131.146.
- ²¹ See: recommendations 131.44, 131.96, 131.98 and 131.146.
- ²² See: recommendation 131.115.
- ²³ See: recommendation 131.99.
- ²⁴ See: recommendations 131.105, 131.199, 131.20 and 131.203.
- ²⁵ See: recommendation 131.179.
- ²⁶ See: recommendation 131.136.
- ²⁷ *Kwartiermaker Transgenderzorg* in Dutch.
- ²⁸ <https://genderpraatjes.nl/>
- ²⁹ Differences of Sex Development.
- ³⁰ See: recommendations 131.117, 131.152, 131.153, 131.154 and 131.158.
- ³¹ See: recommendations 131.17, 131.96, 131.167, 131.168, 131.169 and 131.170.
- ³² *Onbeperkt Meedoen!* in Dutch.
- ³³ See: recommendations 131.115, 131.117, 131.142 and 131.148.
- ³⁴ *Veilig Thuis* in Dutch.
- ³⁵ See: recommendations 131.115, 131.117, 131.142 and 131.148.
- ³⁶ See: recommendation 131.179.
- ³⁷ See: recommendations 131.115, 131.117 and 131.142.
- ³⁸ See: recommendations 131.118, 131.157 and 131.158.
- ³⁹ See: recommendations 131.118, 131.123, 131.124, 131.125, 131.126 and 131.179.
- ⁴⁰ See: recommendations 131.118, 131.123, 131.124, 131.125 and 131.126.
- ⁴¹ See: recommendations 131.118, 131.123, 131.124, 131.125 and 131.126.
- ⁴² See: recommendations 131.118, 131.123, 131.124, 131.125 and 131.126.
- ⁴³ <https://mijnslachtofferzaak.nl/>
- ⁴⁴ See: recommendation 131.201.
- ⁴⁵ See: recommendation 131.195.
- ⁴⁶ See: recommendations 131.185, 131.186, 131.187, 131.188, 131.189, 131.192, 131.193 and 131.194.
- ⁴⁷ See: recommendations 131.127, 131.159, 131.157 and 131.158.
- ⁴⁸ See: recommendation 131.197.

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- ⁴⁹ See: recommendation 131.190.
- ⁵⁰ See: recommendations 131.113, 131.114, 131.121, 131.128 and 131.129.
- ⁵¹ See: recommendations 131.105, 131.199, 131.200, 131.202 and 131.203.
- ⁵² See: recommendations 131.175, 131.180, 131.181 and 131.182.
- ⁵³ See: recommendations 131.180, 131.181 and 131.182.
- ⁵⁴ See: recommendation 131.48.
- ⁵⁵ See: recommendations 131.105, 131.199, 131.202 and 131.203.
- ⁵⁶ See: recommendations 131.105, 131.136, 131.137, 131.138, 131.139, 131.199, 131.202 and 131.203.
- ⁵⁷ See: recommendation 131.135. See also: para. 53 of this report.
- ⁵⁸ See: recommendation 131.196.
- ⁵⁹ See: recommendations 131.105, 131.199, 131.202 and 131.203.
- ⁶⁰ See: recommendations 131.137, 131.138 and 131.139.
- ⁶¹ See: recommendations 131.87 and 131.179.
- ⁶² See: recommendation 131.128.
- ⁶³ See: recommendation 131.88.
- ⁶⁴ See: recommendations 131.105, 131.199, 131.202 and 131.203.
- ⁶⁵ *PersVeilig* in Dutch.
- ⁶⁶ *Flexibel Beschermingspakket Freelancers* in Dutch.