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SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1*

The Netherlands

The present report is a summary of 5 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The periodicity of the review for the first cycle being four years, the information reflected in this report mainly relates to events that occurred after 1 January 2004.

* The present document was not edited before being sent to the United Nations translation services

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. Amnesty International (AI) recommended that the Netherlands ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Rights of the Child, on children in armed conflict, and the Convention on the Rights of Persons with Disabilities; and should sign and ratify the International Convention for Protection of All Persons from Enforced Disappearance and the International Convention on the Rights of All Migrant Workers and Members of their Families.² With regard to the ratification and implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol, DNGOs (in a joint submission from 13 Dutch NGOs: Dutch section of the International Commission of Jurists, Art. 1, Netwerk VN-vrouwenverdrag / Dutch CEDAW-Network, Johannes Wier Stichting, Aim for Human Rights, E-Quality, MOVISIE, International Information Centre and Archives for the Women's Movement, Justice and Peace Netherlands, Defence for Children International Nederland, Stichting Buitenlandse Partner, Vereniging voor Vrouw en Recht Clara Wichmann, Stichting Landelijk Ongedocumenteerden Steunpunt / Stichting LOS joint submission) noted that so far the Dutch Government has only signed the Convention, not the Optional Protocol. Concrete steps to ratify the Convention have not been announced and it is doubtful if the Convention will be directly applicable. This weakens the status of the UN-conventions in Dutch law considerably and is a significant barrier to the implementation of human rights in the Netherlands and in the foreign policy of the Netherlands.³

2. Further, as reported by DNGOs, in the concluding observations on the third periodic report submitted by the Netherlands to the Committee on Economic, Social and Cultural Rights (CESCR), the Committee encouraged: "the State party to consider giving its support to the process of discussion and future adoption of the Covenant's Optional Protocol on an individual communications procedure." DNGOs noted that while the Netherlands recognised the universality and indivisibility of all human rights in its internal and foreign policies, the position of the State regarding economic, social and cultural rights impeded the effective implementation of these rights. Involvement in the development of the Optional Protocol, as well as support for the Optional Protocol could only be constructive and effective when the Netherlands recognised the direct applicability of rights under the Convention.⁴

3. DNGOs expressed concern about the growing trend of lack of constructive support of the Government for new standards in the field of human rights. Even when the gaps in the framework for protection against enforced disappearances were made obvious in the report by the independent expert on the issue (Professor Manfred Nowak) and the decision of the Human Rights Commission was made to engage into the drafting of a text, the Netherlands maintained a rather passive attitude. The Dutch delegation disappointed associations of families of the disappeared, human rights NGOs and the few pro-active country delegations by favouring the option of an optional protocol to be monitored by an existing body rather than an autonomous convention with a new monitoring body. Though the Netherlands joined the consensus and co-sponsored the General Assembly resolution adopting the Convention Against Enforced Disappearances in December 2006, it was absent from the first group of 57 countries that signed the new convention in February 2007. While the number of signatories has grown to 71 of which 16 are Member States of the European Union, the Netherlands still has not done so. Steps towards signature and later ratification seemed to be slow, this despite repeated public promises to sign at short notice.⁵

4. DNGOs expressed deep concern about the status of UN-conventions within the Dutch legal order. The Dutch Government has stated at several occasions now that it did not consider all substantive provisions of UN-human rights instrument directly applicable within the Dutch legal order.⁶

5. According to DNGOs, the Netherlands refused to take responsibility for the implementation of the UN Human Rights conventions in all parts of the Kingdom of the Netherlands. It did not include information on Aruba and the Netherlands Antilles in its periodic reports.⁷

B. Constitutional and legislative framework

6. In its third Report on the Netherlands, the European Commission against Racism and Intolerance (ECRI) welcomed that criminal, civil and administrative law provisions against racism and racial discrimination have been fine-tuned, as reflected in the increased sentences established in 2004 for the systematic commission of certain racist offences.⁸ At the time of writing, the Netherlands has not yet provided a response to the ECRI Report.

7. While DNGOs were aware of the great potential of mainstreaming of human rights when it is fully implemented, they were concerned that the discourse on mainstreaming has not led to more effective consideration of human rights in practice. DNGOs considered mainstreaming of human rights only effective when there were processes that structurally provided for systematic integration of human rights in policies and legislation. DNGOs noted with concern that international human rights law was rarely taken as a touchstone for policies and legislation in the Netherlands. DNGOs believed that the effect of the latter on human rights needed to be considered in the formulation and implementation of policies and legislation.⁹

C. Institutional and human rights structure

8. ECRI stressed that work is underway for the establishment of a network of professional local antidiscrimination bureaus throughout the country, with the aim of improving the protection provided to victims of racism and racial discrimination and the monitoring of these phenomena. In parallel, efforts have been intensified to record and counter these phenomena within the criminal justice system, notably the Public Prosecutor Service, but also the police, which has been assisted since 2002 by an internal National Bureau on Discrimination Issues.¹⁰

9. DNGOs highlighted the Netherlands' unwillingness to establish a National Institute for Human Rights.¹¹

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

10. AI noted with concern delays on the part of the Netherlands in submitting periodic reports to the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of All Forms of Racial Discrimination and the Committee on the Rights of the Child. AI also noted the commitment by the Government of the Netherlands, in correspondence with AI in October 2007, to submit overdue reports "as soon as possible". AI considered that such delays hinder the monitoring of human rights obligations in the

Netherlands, and recommends that the Government should submit all overdue reports without further delay, and should submit future reports in a timely manner. The Government of the Netherlands does not systematically include in its reports to Treaty Bodies information on the implementation of human rights conventions in the overseas territories of the Kingdom of the Netherlands, namely Aruba and the Netherlands Antilles.¹²

11. DNGOs highlighted that in the last four years reports submitted by the Netherlands to treaty bodies have been noticeably weak in addressing the results of policies in terms of human rights. Much of this was a consequence of a lack of clear human rights objectives when formulating and implementing these policies. In general DNGOs found that, because there is no assessment of the effect of policies on human rights, reports miss much of the level of disaggregation of data needed in order to establish whether the policies affect, or will affect, disproportionately a particular group of people.¹³ According to DNGOs, the concluding comments from CEDAW, for example, asked for more data about effects and results, disaggregated by sex and ethnicity. The Government was also requested to provide more information about the position of elderly women and women with disabilities.¹⁴

12. DNGOs noted that CEDAW committee found a violation of CEDAW by the Dutch Government in its financial support of the protestant political party SGP. The support was found to be illegal by a Dutch court.¹⁵

B. Implementation of international human rights obligations

1. Equality and non discrimination

13. DNGOs were concerned that coordination and effective follow-up and monitoring of the use of the gender mainstreaming strategy in policies and programmes of different departments was not ensured. As reported by DNGOs, CEDAW expressed its concern with regard to this issue in its concluding comments of February 2007. For example, the co-ordination of emancipation policies used to be a task of the Department for Coordination of Emancipation Policies (DCE). In 2004 this co-ordination task has been abolished. As a result of this for example the mainstreaming of policies on gender-based violence – coordinated by the Ministry of Justice – lead to the fact that the focus was mainly on criminal measures and not on prevention. Violence against women hardly figures in emancipation documents at other ministries and, in such cases, it is limited to women from ethnic minorities. When a policy was gender-mainstreamed, it is important to collect data, disaggregated by sex (and ethnicity, age, and other relevant factors). Only then it is possible to evaluate and monitor the policy and its effect on gender impact, and to acquire information necessary for launching appropriate measures to combat discrimination.¹⁶

14. Regarding racial discrimination, ECRI noted among other improvements that independent research to monitor racism and racial discrimination nation-wide has been commissioned and will be carried out regularly and that attention has been given to the disadvantaged position of members of ethnic minorities on the labour market. However, it reported that partly as a consequence of a number of national and international events, the tone of Dutch political and public debate around integration and other issues relevant to ethnic minorities has experienced a dramatic deterioration since ECRI's second report in 2001, resulting in a worrying polarisation between majority and minority communities. Controversial policies, sometimes in breach of national and international equality standards have been proposed and, even when finally not adopted, have resulted in stigmatisation of and discrimination against members of minority groups. The Muslim, and notably the Moroccan

and Turkish, communities have been particularly affected by these developments, which have resulted in a substantial increase of Islamophobia in both the political arena and other contexts. While efforts are underway, the criminal justice system, and notably the police, still needed to enhance its role in monitoring and countering racially-motivated offences. ECRI recommended *inter alia* the Dutch authorities to take the lead in promoting a public debate on integration and other issues relevant to ethnic minorities make a wider use of positive measures to redress disadvantage and discrimination experienced by ethnic minority groups in a number of fields, including employment; investigate racial profiling practices; and take a number of measures aimed at countering Islamophobia, antisemitism and racism and racial discrimination towards Antilleans, Roma, Sinti and other groups.¹⁷

15. According to AI, responsibility for developing and implementing policies against discrimination and racism in the Netherlands has largely been delegated by the national Government to local authorities. Research carried out by AI indicated that fewer than 10 per cent of municipal authorities have addressed discrimination and racism at a local level by adopting general policies or action plans. Fewer than 20 per cent of municipal authorities have developed policies to combat discrimination and racism in specific areas of concern, such as law enforcement, employment or education. The principle of non-discrimination is at the heart of the protection of human rights. AI's research indicated a failure on the part of municipal authorities in the Netherlands to act with due diligence to prevent and combat all forms of discrimination. The national Government in the Netherlands did not systematically monitor and evaluate the implementation of policies which are aimed, at a national and local level, at protecting people from all forms of discrimination. AI considered that the Government of the Netherlands was therefore failing to ensure the implementation of relevant international human rights standards in relation to the prevention of discrimination.¹⁸

16. DNGOs noted that a large number of Muslims live in the Netherlands and most of them are of non-Dutch origin. Some of the women with Islamic religious convictions wear a headscarf. Some of the men wear beards. These men and women are experiencing more and more problems because of increasing Muslim intolerance. This is happening in all areas of public life: at work, in schools, and also in establishments such as cafés, restaurants and sports schools. DNGOs were also very concerned about the persistence of gender-role stereotypes, in particular about immigrant and migrant women and women belonging to ethnic minorities, including women from Aruba and the Netherlands Antilles, which are reflected in women's position in the labour market where they predominate in part-time work, and in participation in public life and in decision-making. DNGOs saw a lack of interest at Governmental level of in-depth studies and analysis about the effect of such stereotypes as well as to ensure the implementation of existing laws guaranteeing the principle of non-discrimination, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.¹⁹

17. DNGOs expressed deep concern that the Government did not take action on the issue of segregation in the field of education. DNGOs added that there still was an increase in the number of schools that enrol over 50% racial and ethnic minority pupils, so-called 'black schools', and referred to Committee of the Elimination of Racial Discrimination (CERD) General Recommendation 19 (1995). An important cause for the existence of 'black' and 'white' schools was the so-called 'white flight', caused by the Dutch school system, that allowed all parents to choose any school. Many parents of native Dutch background brought their children outside their neighbourhood to schools with a majority white population, thus increasing the ethnic segregation. Furthermore DNGOs noted that the Netherlands ignored for

many years that children of ethnic minorities are under-represented at higher education level, referring to CERD Concluding observations 2004 para. 10.²⁰

2. Right to life, liberty and security of the person

18. AI noted that in January 2005 the Dutch authorities failed to prevent the expulsion from one State to another, via the Netherlands, of a national of the receiving State, who was not permitted to exercise his right to file an asylum application while on Dutch territory, despite warnings about his safety. In June 2006 he was sentenced to death for membership of the Muslim Brotherhood, following an unfair trial before the receiving State's Supreme Security Court. His death sentence was immediately commuted to 12 years' imprisonment. He has reportedly been held incommunicado for most of his detention, but has eventually been allowed some family visits. AI considered him to be a prisoner of conscience, held solely for his nonviolent beliefs. In May 2007 the UN Working Group on arbitrary detention found his detention to be arbitrary, given "the gravity of the violation of the right to a fair trial". In the wake of this case, the Royal Dutch Constabulary (RDC) announced that it would amend its policy and respond to non-governmental organizations and lawyers intervening to prevent *refoulement* of asylum-seekers in future.²¹

19. The Global Initiative to End All Corporal Punishment of Children (GIECP) reported that the Netherlands achieved full prohibition of corporal punishment, including in the home, in 2007.²²

20. The Council of Europe Committee for the Prevention of Torture (CoE CPT) visited the high-security terrorist departments at 'De Schie' and 'Vught' Prisons. It recommended that placement in such departments be based upon a comprehensive, individual risk assessment. Further, every placement in a terrorist department should be regularly reviewed, based upon criteria clearly laid down in law. In addition, the CoE CPT had concerns about the very restrictive regime in these departments, which may in certain cases lead to de facto isolation of a prisoner.²³

21. With respect to the 'De Hartelborgt' Youth Detention Centre, the CoE CPT recommended various improvements concerning care, treatment and the disciplinary regime. Amongst other things, an individualised pedagogical or treatment plan should be drawn up for each resident, collective sanctions should not be permitted and the use of so-called 'time out' should be regulated.²⁴

22. The CoE CPT continued to have concerns about certain fundamental safeguards during police custody. In particular, criminal suspects are still not entitled to have access to a lawyer during the initial period of detention (of up to six hours) by the police for examination purposes.²⁵ At the time of writing, the Netherlands has not yet provided a response to the CoE CPT Report.

23. AI voiced concern over an October 2005 fire in a temporary detention centre at Amsterdam's Schiphol airport. Eleven irregular migrants died and 15 others were injured in the fire. Approximately 350 people were being held in the complex when the fire broke out. The centre, which held both prisoners and irregular migrants, had caught fire on two previous occasions, the first being shortly before it was opened in 2003 and the second in 2004. In April 2006 the independent Dutch Safety Board criticized the Minister of Immigration for the expulsion of survivors and other witnesses before they could be interviewed. Shortly before publication of its report, most survivors still in the country were granted residence permits.

According to AI, in September 2006 the Board reported on its investigation into the fire; and confirmed earlier concerns about unsafe detention conditions and found that safety recommendations had not been fully implemented, that guards lacked training and intervened inappropriately, and that other detention centres had similar deficiencies. It concluded that “there would have been fewer or no casualties if fire safety was taken more seriously by the Government authorities responsible”. Following publication of the report, the Ministers of Justice and Housing resigned. Their successors announced reorganization of Government departments, strengthened fire safety regulations, and offered to discuss compensation for the victims.²⁶

3. Right to social security and to an adequate standard of living

24. DNGOs noted that the issue of the right to health in the Netherlands has been a prominent feature of shadow reports submitted by NGOs to various Committees, and it has subsequently been dealt with in many concluding observations. DNGOs expressed concern that the right to the highest attainable standard of health care is not guaranteed for all. In particular, DNGOs noted that a great number of people, for whatever reason, do not have health insurance. These people are running serious health risks due to inaccessible or not affordable health care (facilities). Apart from personal risks also public health might be affected.²⁷

4. Migrants, refugees and asylum seekers

25. AI reported that in 2006 the Evaluation Committee on the Aliens Act 2000 (a governmental advisory committee) published its first report on the asylum procedure in the Netherlands. According to AI, one of the main conclusions of the Committee was that the 48-hour accelerated procedure for processing asylum claims did not provide sufficient safeguards, and created excessive time pressure. The Committee also considered that the regular procedure for processing claims was overly lengthy. It recommended that the two procedures should be merged into a single prompt and efficient procedure. AI shared the concerns of the Committee, and recommended that the Government of the Netherlands should introduce a prompt, efficient and fair procedure for processing asylum claims, which allows sufficient time for claims to be fully considered, including sufficient time for the consideration of appeals against initial refusal.²⁸

26. According to the International Federation of Action by Christians for the Abolition of Torture and the Action by Christians for the Abolition of Torture - Netherlands (FIACAT and ACAT Netherlands), under the Dutch policy, medico-legal reports are generally not taken into account in the asylum decision-making process. Such reports can only help to interpret the asylum story and identify any barriers impeding the asylum seeker from giving a coherent account of his or her experiences. FIACAT and ACAT Netherlands noted that the Committee against Torture (CAT) recommended the Netherlands to reconsider its position on the role of medical investigations and integrate medical reports as part of the asylum procedure (Conclusions and Recommendations on the Netherlands, May 2007).²⁹

27. As regards the Kingdom in Europe, CoE CPT considered that the boats ‘Kalmar’ and ‘Stockholm’, used for detaining irregular migrants, were unsuitable for prolonged detention and should be taken out of service at the earliest opportunity. By contrast, it found that the conditions in the Rotterdam airport Expulsion Centre to be adequate.³⁰

28. DNGOs noted that in its concluding observations of November 2006, the Committee on Economic Social and Cultural Rights (CESCR), and in its conclusions and recommendations of August 2007 the Committee against Torture (CAT) asked for the attention of the Government concerning the right to an adequate standard of living for aliens. Several categories of aliens in the Netherlands are excluded from the right to an adequate standard of living, including food, clothing and housing from facilities. Many of them are forced to live in the streets without money for food or clothing. This also affects families with children. These categories include asylum seekers whose application for asylum has been rejected by court; aliens who have a regular (non-asylum) procedure running for a permit to stay in the Netherlands; and aliens rejected in the short 48 hour procedure as soon as their application for a permit to stay has been rejected for the first time, even when there is not yet a final decision by a court in their case.³¹

29. DNGOs expressed deep concern at the discrimination which is encountered by (undocumented) migrants who are withheld medical necessary care (as defined in the alien law including the amendment of Member of Parliament Rouvoet). DNGOs were concerned at the continued expulsion of aliens (former asylum seekers or (ir)regular migrants) who were sentenced to placement under a hospital order (TBS) and who are unable to return to their country of origin because such psychiatric care (as they have been receiving while being detained) is inaccessible to them, or because of other reasons beyond their control. Declaring them as “illegal (unwanted) aliens” is not solving the problem and lifelong imprisonment is an inhumane treatment for someone with a serious mental disorder.³²

30. According to FIACAT and ACAT Netherlands, minors are detained apart from adults in jails except if they are illegal immigrants waiting expulsion. In this case, minors between 16 and 18 are held in the same detention facilities as adults.³³

5. Human rights and counter-terrorism

31. AI and DNGOs reported that new legislation with the stated aim of countering terrorism came into force in the Netherlands on 1 February 2007. The *Act on expanding the scope for investigating and prosecuting terrorist crimes* (Wet ter verruiming van de mogelijkheden tot opsporing en vervolging van terroristische misdrijven). In order to use such investigative powers it is no longer required that the requirement of a reasonable suspicion is met. It now suffices that there are ‘indications’ (aanwijzingen) that a terrorist attack is being prepared.³⁴

32. The Act provides for an increase in the maximum period of pre-trial detention for people charged with terrorism offences, up to two years, as indicated by AI. It also allows the prosecution to delay full disclosure of evidence to the person charged for the duration of this further period. Under the legislation, the detainee would have the right to challenge periodically both the detention and the decision not to disclose evidence. AI was concerned that this legislation might result in trial proceedings which do not meet international human rights standards, and recommended that it should be amended so as to ensure that the right to a fair trial for any individual charged with a terrorism-related offence is fully protected.³⁵

33. DNGOs noted that the Bill on Administrative Measures for National Security (Wetsvoorstel Bestuurlijke Maatregelen) proposes to expand the possibilities to administrative measures for the aim of preventing activities related to terrorism. In March 2007 the bill passed the Parliament and it is pending before the Senate at time of writing. The bill enables the Minister of the Interior and Kingdom Relations, in accordance with the

Minister of Justice, to impose a prohibition on persons to be in the surroundings of certain objects or in certain parts of the Netherlands, to be in the immediacy of certain persons or an obligation to report periodically to the police. These measures can be imposed on persons who “can be connected to terrorist activities or the support of such activities, based on the behaviour of that person”.³⁶

34. According to DNGOs, the bill limits the freedom of movement and foresees in an interference to the right to respect ones private life, but does not contain a further description of the term “terrorist activities or the support of such activities”. Therefore, it remains unclear what kind of (terrorist) activities are aimed at and under what conditions a person can be “connected” to these activities. These measures will be imposed in a phase where powers based on criminal law can not (yet) be exercised. Since Dutch criminal law is already highly expanded, the administrative measures will take effect in a very early stage, where there are not even indications (aanwijzingen) that a terrorist act is being planned. Judicial supervision will only be triggered if the person concerned appeals. This is in the opinion of DNGOs in breach of the right to freedom of movement (art. 12 Covenant on civil and political rights) and the right to privacy (art. 17 Covenant on civil and political rights).³⁷

35. DNGOs referred to the so-called disturbance of an individual (Persoonsgerichte maatregel) which aims at preventing terrorism by disturbing a person in his daily life. The measure is carried out by police officers and can consist of making house calls, inviting the person to the police station, approaching acquaintances (family, friends, colleagues), visiting public spaces where that person is present, spreading cards in the neighbourhood saying that reporting to the police can be done anonymously etc. In short, all kinds of explicitly public actions to let that person know he is being watched and scrutinized. According to DNGOs, this measure is an interference with the right to privacy.³⁸

36. DNGOs reported that the Government stated that the measure is not based on penal law and refers to the Municipality Act and the Police Act as the legal basis for these actions under supervision of the mayor. These Sections determine that the mayor is empowered to maintain public order and divides the powers between mayor and police force. Such an unclear, unspecified and general term as “maintaining *public order*” cannot serve as a legal basis. It remains completely unclear under what conditions the Mayor can impose the measure and which activities the person involved has to engage in, in order to impose this measure. Moreover, there is no requirement that a judge authorizes the measure and judicial supervision will only be triggered if they are appealed against. This measure is, in the opinion of DNGOs, in breach with the right not to be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed (art. 15 Covenant on Civil and Political Rights) and the right to privacy (art 17 Covenant on Civil and Political Rights).³⁹

6. Situation in or in relation to specific regions or territories

37. *Aruba / Netherlands Antilles* - GIECP reported that Aruba and Netherlands Antilles have yet to introduce prohibition in a number of settings, despite recommendations by the Committee on the Rights of the Child.⁴⁰

38. *Aruba* – During its last visited in 1994, the CoE CPT has recommended that the authorities adopt a vigorous policy to combat police ill-treatment, and that periods of detention on police premises be substantially reduced. The Committee has welcomed the action recently taken by the Aruban authorities to improve the material conditions in police

stations, such as in Oranjestad, and recommended that efforts be made to ensure minimum standards for police detention are sustained.⁴¹

39. *Aruba* – In respect of immigration detainees, the CoE CPT has recommended, among other measures, an improvement in material conditions, regime activities and access to medical care for persons detained at the ‘Centro pa detencion di ilegalnan’.⁴²

40. *Aruba* – KIA Prison is the subject of numerous recommendations concerning, *inter alia*, inter-prisoner violence. Further, an increase in constructive activities for prisoners and an improvement in the provision of health care, in particular psychiatric and psychological care, are essential requirements.⁴³

41. *Netherlands Antilles* - In the course of the visit to the Netherlands Antilles, several allegations of physical ill-treatment by the police were received. The CoE CPT has recommended the adoption of a vigorous policy to combat police ill-treatment. Prolonged detention on police premises is criticised once again, and the conditions of detention in certain police stations such as Kralendijk, were found to be unacceptable. The Netherlands Antilles authorities have undertaken a programme of refurbishment.⁴⁴

42. *Netherlands Antilles* - Bon Futuro Prison was found to be clearly dangerous and unsafe for both prisoners and staff. Measures have been identified aimed at eradicating ill-treatment by staff and preventing inter-prisoner violence. The CPT has recommended in particular that members of the emergency response team be adequately selected, trained and supervised. In addition, a broad range of recommendations have been made concerning staffing levels, material conditions and access to meaningful activities and to health-care.⁴⁵

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

43. [n/a]

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

44. [n/a]

V. CAPACITY BUILDING AND TECHNICAL ASSISTANCE

45. [n/a]

Notes

¹ The following stakeholders have made a submission (all original submissions are available in full text on: www.ohchr.org):

Civil Society

AI Amnesty International*;

DNGOs Joint submission from the following Dutch NGOs: Dutch section of the International Commission of Jurists, Art. 1, Netwerk VN-vrouwenverdrag / Dutch CEDAW-Network, Johannes Wier Stichting, Aim for Human Rights, E-Quality, MOVISIE,

International Information Centre and Archives for the Women's Movement, Justice and Peace Netherlands, Defence for Children International Nederland, Stichting Buitenlandse Partner, Vereniging voor Vrouw en Recht Clara Wichmann, Stichting Landelijk Ongedocumenteerden Steunpunt / Stichting LOS;

FIACAT and ACAT Netherlands International Federation of Action by Christians for the Abolition of Torture* and Action by Christians for the Abolition of Torture Netherlands*, joint submission.

GIECP Global Initiative to End All Corporal Punishment of Children;

Regional intergovernmental organization

Council of Europe (CoE), Strasbourg, France

NB: * NGOs with ECOSOC status.

² AI, p.1.

³ DNGOs, p.5.

⁴ DNGOs, p.7.

⁵ DNGOs, p.6.

⁶ DNGOs, p.5-6.

⁷ DNGOs, p.8.

⁸ Submission from the Council of Europe to the UPR, Addendum, February 2008, European Commission against Racism and Intolerance, Third report on the Netherlands, 29 June 2007, p.6.

⁹ DNGOs, p.9-10.

¹⁰ Submission from the Council of Europe to the UPR, Addendum, February 2008, European Commission against Racism and Intolerance, Third report on the Netherlands, 29 June 2007, p.6

¹¹ DNGOs, p.4.

¹² AI, p.1. See also DNGOs, p.7-8.

¹³ DNGOs, p.10-11.

¹⁴ DNGOs, p.10-11.

¹⁵ DNGOs, p.5-6.

¹⁶ DNGOs, p.11.

¹⁷ Submission from the Council of Europe to the UPR, Addendum, February 2008, European Commission against Racism and Intolerance, Third report on the Netherlands, 29 June 2007, p.6

¹⁸ AI, p.3-4.

¹⁹ DNGOs, p.14.

²⁰ DNGOs, p.15.

²¹ AI, p.3.

²² GIECP, p.1.

²³ Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 1.

²⁴ Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 1.

²⁵ Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 1.

²⁶ AI, p.4.

²⁷ DNGOs, p.14.

²⁸ AI, p.2-3. See also FIACAT and ACAT Netherlands, p.1.

²⁹ FIACAT and ACAT Netherlands, p.1. See also AI, p.2.

³⁰ Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 1.

³¹ DNGOs, p.13.

³² DNGOs ; p.14-15.

³³ FIACAT and ACAT Netherlands, p.1.

³⁴ AI, p.2 ; DNGOs, p.11-12.

³⁵ AI, p.2. See also FIACAT and ACAT Netherlands, p.1.

³⁶ DNGOs, p.12.

³⁷ DNGOs, p.12.

³⁸ DNGOs, p.13.

³⁹ DNGOs, p.13.

⁴⁰ GIECP, p.1.

⁴¹ Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 1

⁴² Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 1..

⁴³ Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 1.

⁴⁴ Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 1

⁴⁵ Press Release, Submission from the Council of Europe to the UPR, Addendum, February 2008, Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its fourth periodic visit to the Netherlands in June, p. 2.
