

Answering of the questions submitted in advance

Now, I come to the answering of the questions submitted in advance by certain delegations of Member States present today. We would like to thank Sweden, Slovenia, Norway and the United Kingdom for their submissions.

Ratification of conventions

In answer to the question posed by both **Slovenia and the UK** on the UN convention on the rights of persons with disabilities, I can gladly announce that the government of the Netherlands is preparing for approval of this convention; the draft act for ratification is to be submitted during the course of 2012.

As for the Optional Protocol on the Convention against Torture and other cruel, Inhuman or Degrading Treatment or Punishment; when it was ratified, The Netherlands did NOT limit the scope of application to people deprived of their liberty on the basis of criminal law alone; the ground of deprivation is irrelevant. The **Swedish** recommendation seems therefore to be based on a misunderstanding.

As for other Conventions; The Netherlands also intends to accede to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Accession to other instruments is not expected

before the upcoming parliamentary elections of 12 September 2012.

Discrimination

On the topic of discrimination, both **Slovenia and Sweden** made certain remarks. The Dutch government gives high priority to the combat of discrimination. An anti-discrimination action plan has been sent to the House of Representatives in 2010 and 2011, and starting this autumn, an annual letter on discrimination will be published, reporting on our progress.

Other plans on Human Rights

Over the past four years the Netherlands has improved its institutional framework on human rights. The year 2011 saw the advent of a Children's Ombudsman. In addition, legislation was passed to regulate the National Human Rights Institute that is to open in the course of 2012. The government will, among others, respond to its Annual Reports and present by that a State of Art of the human rights protection in the Netherlands.

The Municipal Antidiscrimination Services Act will furthermore be evaluated in 2012. If necessary, measures to improve the Act will be taken after evaluation. The institutional framework must have its effects for the local protection of human rights, in the living environment of

individuals.

Identity Theft/Data Protection

On the review of our laws on data protection, The Netherlands are currently working on a legislative proposal on data breach notification, following announcements of this proposal in the present coalition agreement. The proposal, which would require those responsible for personal data to notify the data protection authorities in case of "leakage" of personal data with specific risks for privacy (including identity theft), is expected to be tabled in Parliament in the coming months.

Freedom of Religion

As for the remarks on freedom of religion, a Bill initialised by the parliament, which foresees in a ban on ritual slaughter, is still pending in the Senate. There seems to be no majority for this Bill, for reasons of the freedom of religion or belief. [The government is very aware of this freedom of religion aspect of this Bill, but will express its final opinion just at the end of the parliamentary debate, if this debate will to be continued].

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Concerning the Bill on face-covering garments, the government is of the opinion that the Bill will indeed limit the freedom of religion or belief, but that at the same time

there are good reasons for doing so. These reasons are in line with the limitation clauses of the freedom of religion or belief, which is not an absolute right.

[The Parliament has given its first comment on the Bill; that must still be answered by the government].

Immigration

I would like to remark the importance of facts and figures in the debate on migration. In response to the remarks made by **Norway**, I would like to refer the so called Dutch Migration Chart, containing factual analyses, useable in the public debate on migration.

Prostitution, human trafficking

On Prostitution, the Dutch government has recently made some progress. Regulation and surveillance of this sector is reasonably successful. A law proposition is currently on its way with the primary goals to reduce the local and regional differences and to get more insight of the escort sector, and to facilitate the regulation and monitoring.

NGO Consultations

Finally, ^{Norway} ~~the UK~~ asked about the lessons learnt from the NGO consultations in the process of the preparations for the UPR. In the first place I'd like to emphasize the importance and relevance of the consultation process as such and the relevance of being in dialogue. We learnt about the concerns of many ngo's regarding the human

rights situation in the Netherlands, the more individual stories behind these concerns and the consequences of – for example – legislation for different groups in society. This helped us to a better understanding of these concerns and the focus of these ngo's and as a consequence the drafting of our report. I hope the ngo's and institutions were helped in return by the platform offered by the government. We can recommend a dialogue with these institutions to other member states, as it gives a good picture of the concerns of some of the most important areas of our society.

I thank you for your attention.

