



**International Convention on
the Elimination of all Forms
of Racial Discrimination**

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
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**QUESTIONS BY THE RAPPOREUR
IN CONNECTION WITH THE CONSIDERATION OF THE COMBINED
SEVENTEENTH AND EIGHTEENTH PERIODIC REPORTS OF
THE NETHERLANDS (CERD/C/NLD/18)**

Article 2

1. It is noted with satisfaction that combating discrimination has been prominently on the agenda of both the Government of the Netherlands and civil society. Nevertheless, recent years have seen heightened tension between the native Dutch population and immigrants of foreign descent and other ethnic minorities. How is this to be explained?
2. Non-recognition of Roma and Sinti as national minorities under the Framework Convention for the Protection of National Minorities of the Council of Europe has left the approximately 6,000 Roma and Sinti in the Netherlands at a disadvantage. Are there any plans to re-examine this matter,

also in light of the apparent lack of resources of municipalities in their efforts to solve Roma problems at the local level?

3. Antillean organizations as well as the Government and Parliament of the Netherlands Antilles have apparently expressed concern at racially discriminatory and repressive measures against Aruban and Antillean youths, including the granting of extensive powers to municipal officials to search homes and properties. These measures have reportedly to a large extent targeted the Antillean and Aruban community in Rotterdam. Please also comment on how the proposed Kingdom Act on personal travel could affect Dutch nationals of Antillean or Aruban descent, bearing in mind that the Act will make it possible to limit the free movement of persons with a Dutch passport within the Kingdom. Please provide information on any action proposed with a view to ensuring that the above measures will not contravene the provisions of the Convention.

4. After ratifying the Durban Declaration in 2001, the Government of the Netherlands instituted a National Action Plan against racism effective until 2007. The Government that took office in 2007 announced that a new action plan against racism would be launched. Please provide information on the preparation of a new action plan against racism, and on whether the recommendations of the 2009 Durban Review Conference will be included in its formulation.

5. Organizations representing Africans and people of African descent in the Netherlands have been pleading for recognition as a specific group. They apparently wish to benefit from policy measures aimed at preventing racial discrimination. Is the Government addressing this issue?

6. Are there any plans to adjust the cumulative conditions of the new asylum policy so that, in case of medical or other serious reasons for temporary departures from the territory of the Netherlands, persons who are currently affected could still be considered for a residence permit (State party report, para. 46)?

7. In 2006, Parliament passed the Integration Abroad Act which requires all foreign nationals between 18 and 65 years to pass a test of their basic knowledge of the Dutch language and Dutch culture in their country of origin in order to obtain an authorization for temporary residence. It appears however, that nationals from certain countries with apparently similar economic, social and political development to that of the Netherlands are exempt from this test. Please provide information on how the State party is monitoring the implementation of the Integration Abroad Act to ensure that its immigration policies do not have the effect of discriminating against particular nationalities.

8. In light of the apparent disadvantage faced by ethnic immigrant communities in terms of employment, housing and education (State party report, paras. 118-124), are there any plans for the adoption of special measure in their favour as per article 2, paragraph 2, of the Convention?

Article 4

9. Is the State party considering ratifying the Additional Protocol to the Convention of Cybercrime of the Council of Europe concerning the criminalization of racist and xenophobic acts? In this regard, please provide additional information on criminal charges brought to combat the dissemination of discriminatory content via the internet (State party report, para. 17).

10. Please provide information on progress of the “Hate crimes” project carried out by the National Discrimination Expertise Centre (LECD) (State party report, para.).

11. The new Immigration Act (art. 10) apparently removes the right of undocumented migrants to have access to healthcare and the social security system, with the exception of those who require “necessary” medical care. As a result, undocumented women who become victims of violence are reportedly not entitled to legal aid, social assistance, medical care and access to safe shelter, except in very limited circumstances. Please provide information on measures and programmes to provide

shelter and protection to women of immigrant, refugee or minority background who are victims of gender-based violence and in need of protection.

Article 5

12. Please elaborate on the new measures developed through the National Diversity Management Network to monitor and encourage the representation of ethnic minorities in employment (State party report, para. 33). Do these measures foresee the collection of data and statistics that can measure their impact and effectiveness?

13. While the Committee notes the significant efforts of the Dutch government to diversify the ethnic composition of the police (State party report, paras. 53-59), the rates of resignation of police officers recruited among ethnic minorities remains high. The same trend can be seen in the public service (State party report, para. 111). Please provide information of measures taken to identify and address the causes of this issue. Please also indicate if police officers and civil servants receive specialized training to help them become aware of prejudice and stereotypes.

14. Please provide information on the outcome of the second national discrimination monitor for the labour market which is due in October 2009 (State party report, para. 139).

15. With regard to the Special Measures for Large City Problems Act, under which income is a factor in the allocation of housing permits, please comment on reports alleging that this constitutes indirect discrimination on the basis of race, nationality and/or gender. Please provide information on measures taken to monitor the impact of this practice to ensure that it complies with the prohibition of racial discrimination.

16. Research indicates that students of foreign descent and from ethnic minority groups have difficulties finding trainee posts, in many instances apparently on grounds of their ethnic background. Please indicate whether the State party is implementing measures to address this issue.

17. Please indicate whether the State party is aware of the high number of complaints received by the Ombudsman in relation to alleged discrimination by customs officers at Schipol Airport. Please elaborate on measures taken to address this issue.

18. Please provide information on measures taken to equip school teachers with the necessary skills to teach in a multicultural environment and to react to manifestations of racism and discriminatory attitudes in schools.

19. While some statistics are provided in the State party report, please provide more detailed data, or recent estimates, regarding the ethnic composition of the population and particularly the socio-economic status of the population, disaggregated by ethnicity and relating to income, education and health, in line with paragraph 8 of the general guidelines regarding the form and contents of reports to be submitted by State parties under article 9 of the Convention (CERD/C/70/Rev.5).

Article 7

20. Please provide information on specific training programmes and courses, if any, for members of the judiciary, law enforcement officers, teachers, social workers and other public officials on the provisions of the Convention and their application.

21. Please indicate what efforts are made to facilitate the integration of students of foreign mother tongue in the Dutch school system, including through teaching assistance in their own language.

22. Please indicate what efforts have been made to maintain and promote the Friesian culture and language.
