



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Sixty-ninth session

25 May–12 June 2015

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the fourth periodic report of the Netherlands

**The State party is requested to submit in writing additional, updated information, if possible before 15 March 2015 (10,700 words maximum).**

*The Committee may take up any aspects of the children's rights set out in the Convention during the dialogue with the State party.*

### Part I

**In this section, the State party is requested to submit its responses to the following questions (30 pages maximum).**

1. Please provide updated information on the development and implementation by the State party of a comprehensive National Action Plan on human rights and indicate whether it includes specific focus on children's rights and the implementation of the Convention.
2. In the context of the recent constitutional reform, please provide detailed information concerning the effective implementation of the Convention in all constituent parts of the Kingdom of the Netherlands, including on the support provided by the Dutch government to all parts of the Kingdom in the field of children's rights.
3. In view of information received according to which security, health care and education have been identified as priority areas in the Netherlands in the Caribbean (Bonaire, St Eustatius and Saba), please indicate how the coordination of policy and strategy development is ensured with regard to programmes, services and laws, as well as measures, with a view to addressing the priority areas identified by each constituent part of the Kingdom of the Netherlands.
4. Please indicate what efforts have been made to ensure a smooth transition to the decentralisation in 2015 to municipalities, both administratively and financially, of all support and care services for children. In this regard, please indicate how the State party intends to monitor the effects of the decentralisation on the rights of the child and guarantee that municipalities have the required expertise and resources to protect the rights of all children within their jurisdictions.

5. Please indicate the steps taken by the State party with a view to improving its central data collection, including on child abuse and neglect, child care, juvenile justice, the situation of “alien children”, sexual exploitation and trafficking of children. Please also elaborate on the measures taken to ensure that disaggregated data is made readily available to all stakeholders and ensure that such data feeds into the formulation, monitoring and evaluation of policies, programmes and projects aimed at the effective implementation of the Convention in all parts of the Kingdom.
6. Please indicate whether steps have been taken to ensure that business enterprises that carry out operations abroad through subsidiaries can be held accountable for violations of children’s rights and to ensure that children have access to effective remedies.
7. Please indicate the measures that have been taken to ensure that cases of discrimination against children in vulnerable and marginalized situations are addressed effectively in all parts of the Kingdom. In this regard, please provide updated information, including the number of cases involving children, on the impact of the Municipal Anti-Discrimination Services Act of 2009 which obliges all municipalities to ensure that all citizens are able to turn to a local Anti-Discrimination Service for support if they are discriminated against.
8. Please provide information on measures taken to ensure that all corporal punishment, without exception, is explicitly prohibited in the home and all other settings, including in Aruba and in the special municipalities of Bonaire, St Eustatius and Saba. Please also provide information on any reporting and monitoring mechanisms and sanctions imposed on perpetrators of corporal punishment.
9. Please inform the Committee on the measures taken to prevent and combat violence against children, including domestic violence, throughout the Kingdom and notably in the Netherlands in the Caribbean. Please provide detailed information on the results of the assessment of the entire healthcare system as envisaged in the State party’s report (paragraph 36) with a view to determining whether institutions have a domestic violence and child abuse protocol in place and if their staff is trained to consistently use it.
10. With reference to paragraph 505 of the State report, please provide updated information on the restructuring of the monitoring system and structure dealing with child sexual abuse. In this regard, please elaborate on the implementation of the action plan on child abuse and neglect for 2012 to 2016, including on measures taken to effectively address the growing number of reported cases of child sexual abuse, improve the effectiveness of preventive measures, address the root causes, encourage the systematic use of protocols for reporting cases and provide support to victims.
11. Please indicate the results of the Government-wide Comprehensive Action Plan on the issue of “loverboys” with particular attention to its impact on potential victims including girls with mild learning difficulties who might be at a particular risk.
12. Please provide information on measures taken by the State party to ensure adequate hospital facilities and psychotherapy services that are specifically tailored to the needs of children. Please also inform the Committee of measures taken to address the growing demand for youth mental health services and to reduce the waiting lists, ensuring access to specialised services when needed.
13. Please provide detailed updated information on how children are diagnosed with Attention Deficit Hyperactivity Disorder (ADHD) and/or Attention Deficit Disorder (ADD) and on medications prescribed therefore. Please also provide information on safeguards and/or periodic reviews on instances of such diagnosis and medication that are currently in place and indicate also if the concerned children are provided with access to a broad range of alternative treatments, including therapeutic and educational.

14. With reference to paragraph 22 of the State party's report, please inform the Committee of the progress made in reviewing its policy on unaccompanied children aimed at expediting the procedure of status determination and improving prevention of exploitation and abuse. Please also indicate how the best interests of the child are ensured at every stage of the asylum procedure and whether all relevant authorities are provided with expertise on the best interests' determination.

15. Please provide detailed information on the application of the "Adolescents Criminal Law" (2014) and its compliance with the Convention.

16. Please indicate what steps have been taken to criminalize the sale of children as defined in article 3, paragraph 1 (a) of the Optional Protocol on the sale of children, child prostitution and child pornography and to develop a holistic National Action Plan to address the sale of children, child trafficking, child prostitution and child pornography. Please also elaborate on other measures taken to coordinate a comprehensive approach to all forms of sexual exploitation of children throughout the Kingdom.

## Part II

**In this section the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:**

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

1. Please provide consolidated budget information for the last three years on budget lines regarding children and social sectors, by indicating the percentage of each budget line in terms of the total national budget and gross national product and geographic allocation. More specifically, please provide information on budget allocations (including trend analysis) regarding the implementation of the Convention throughout the Kingdom of the Netherlands, including in the areas of education and health and with a specific focus on eradicating poverty and reducing inequalities across all jurisdictions.

2. Please provide, if available, updated statistical data (disaggregated by age, sex, ethnic origin, national origin, geographic location, and socio-economic status, as relevant) for all parts of the Kingdom of the Netherlands and for the past three years on:

- (a) the number of persons below 18 who have been tried as adults and the number of cases of abuse or ill-treatment of children occurring during their arrest and/or detention as well as on the follow-up given to these cases;
- (b) the number of children involved in sexual exploitation, including prostitution, pornography and trafficking, and the number of those children who were provided access to recovery, damages and social reintegration services.

3. Please provide data disaggregated by age, sex, socio-economic background, ethnic origin and geographical location regarding the situation of children deprived of a family environment, covering the past three years, on the number of children:
    - (a) Separated from their parents;
    - (b) Placed in institutions;
    - (c) Placed with foster families;
    - (d) Adopted domestically or through inter-country adoptions.
  4. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities:
    - (a) Living with their families;
    - (b) In institutions;
    - (c) Attending regular primary schools;
    - (d) Attending regular secondary schools;
    - (e) Attending special schools;
    - (f) Out of school;
    - (g) Abandoned by their families.
  5. Please provide data, disaggregated inter alia by age, sex, socio-economic background, geographical location and ethnic origin, for the past three years, on:
    - (a) The enrolment and completion rates, in percentages, of the relevant age groups in pre-primary schools, in primary schools and in secondary schools;
    - (b) The number and percentage of dropouts and repetitions;
    - (c) The teacher-pupil ratio.
  6. Please provide the Committee with an update of any data in the report which may have been outdated by more recent data collected or other new developments.
  7. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
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