**UPR Kingdom of the Netherlands (10 May)**

**Introductory statements compiled document**

**Spreekpunten MBZK bij Universal Periodic Review, 10 mei**

**[Introduction]**

Thank you Mr President,

Distinguished representatives of the Member States and the Observer States of the Human Rights Council, Ladies and Gentlemen,

It is an honour to address the Human Rights Council on the occasion of the third Universal Periodic Review of the Kingdom of the Netherlands.

The governments of each of the four countries within our Kingdom are each responsible for their internal human rights policies. For that reason all four countries are represented on this podium. It is my honour to introduce all four representatives:

* The country of Aruba is represented by His Excellency Juan David Yrausquin, Minister Plenipotentiary;
* The country St. Maarten is represented by His Excellency Rafael Boasman, Minister of Justice;
* The country of Curaçao is represented by Ms Miloushka Sboui-Racamy of the Ministry of General and Foreign Affairs;
* And I represent the country of the Netherlands.

I will first make a few introductory remarks on behalf of all four countries of the Kingdom.

Our delegation includes experts from many different ministries. We are also pleased that non-governmental organisations from our Kingdom have chosen to be here today, along with representatives from the Netherlands Institute for Human Rights. They have also made important contributions to our UPR pre-session.

The Kingdom of The Netherlands attaches great importance to promoting, protecting and upholding human rights. Human rights are the cornerstone of human dignity, freedom and develop­ment, and form the basis for open societies that are free from discrimination. There can be no democracy or rule of law if these rights are not promoted and protected.

Although we are proud of our achievements in upholding respect for human rights, we also wish to underscore that there is always room for improvement. We therefore welcome your recommendations today, as we did during our previous UPR in 2012.

As the minister of the Interior and Kingdom Relations of the Netherlands, I will now elude to the human rights situation in the Netherlands.

**[Situation in The Netherlands]**

The Netherlands has a rich tradition of defending human rights, both at home and abroad. Human rights have a strong basis in our Constitution, legislation and policies. To illustrate and strengthen this, I have presented the Netherlands’ first National Action Plan on Human Rights on the 10th of December 2013. The importance of respect for human rights, including freedom of speech, is also at the heart of much public debate, as our recent elections have shown.

Universal values − on which all our efforts are based − are the point of departure for a proactive human rights policy. These values remain the same, but the context in which we implement our human rights responsibilities changes constantly. For example, technological advances lead to new thoughts on how human rights protection can be safeguarded in the constitution.

**[Human rights institutional infrastructure]**

One of the essential conditions for the observance of human rights in practice is having a firm human rights institutional infrastructure.

In the Netherlands, the Council of State, the Netherlands Institute for Human Rights the National Ombudsman and the Children’s Ombudsman play an important and effective role in the protection of human rights by giving independent legal advice and by monitoring the human rights compliance of national and local authorities. The Netherlands’ Institute for Human Rights was awarded A-status in May 2014.

Also, we have institutions that monitor the promotion and protection of specific human rights, such as the independent Data Protection Authority and the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children.

**[Legislative measures]**

Ladies and Gentlemen,

An effective human rights institutional infrastructure needs to lead to the possibility of individual redress and concrete legislative measures that strengthen the protection of human rights.

Concerning legislation, the government has for example submitted a bill to parliament proposing to modernise article 13 of our Constitution, which states the right to respect for the confidentiality of communications. This confidentiality is extended from letter-, telegraph- and telephone confidentiality to the confidentiality of all forms of communication, including electronic communications.

**[Policy Measures]**

Besides legislative measures, relevant policy measures have also been taken by the Netherlands since our UPR in 2012.

Please allow me to mention some of these measures.

Firstly, as I mentioned before, we adopted a National Action Plan on Human Rights in 2013 and have thus implemented UPR recommendations made in 2012 by the Philippines, Uzbekistan, Argentina and Brazil.

Secondly, I would like to highlight our efforts to combat discrimination. Our National Action Programme against Discrimination launched a nationwide, multi-annual media campaign against discrimination and foresees in the strengthening of the 39 local anti discrimination bureaus that assist victims of discrimination.

Also, an Action Plan on Labour Market Discrimination was launched, which includes measures against discrimination on all grounds. Furthermore, our national police force launched a three-year programme ‘The Power of Difference’ on preventing ethnic profiling. The actions taken to prevent ethnic profiling focus on education and training, fostering good relations, diversity in the work force, and efforts to improve the complaints procedure. We hope this also answers the advance question on discrimination in the labour market and racial profiling submitted by Mexico and Spain.

Thirdly, I would like to note that gender equality, including increasing the economic independence of women remains a priority of the Dutch government. This also ties in with the advance question posed by Belgium. Several projects have been launched aiming to increase awareness about the importance of economic independence and to encourage women to increase their working hours. The good news is that currently (approximately) one in three top positions in central government are held by women. However, more work needs to be done. In close cooperation with civil society, we are currently in the process of following up on the concluding observations of the CEDAW committee.

Finally, we received advance questions related to the protection of the rights of refugees. In 2015, the Netherlands witnessed a large increase in the number of asylum-seekers that made their way to our country. The government’s highest priority during this time was ensuring that all those concerned could be accommodated in a humane fashion. Despite the challenges, the Netherlands ensured that not a single asylum-seeker was left without shelter.

**[Conclusion]**

I would now like to come to the closing remarks of my general introduction.

The Netherlands is strongly committed to the UPR process, having voluntarily submitted to a mid-term review and constructively contributing to UPR sessions of other UN Member States.

I would like to emphasise that The Netherlands will take the recommendations put forward during this third UPR cycle very seriously. The success of this UPR cycle will all come down to implementation of the recommendations.

My delegation and I will be at your disposal to answer any questions you may have to the best of our abilities.

I would like to thank you for your attention and invite my colleagues from Aruba, Curaçao and Sint Maarten to add remarks in their national capacity.

**Speech minister Aruba**

Mr/Mrs President,

Distinguished representatives of the Member States and Observer States of the Human Rights Council, Ladies and Gentlemen,

 It is an honor for me to make a few introductory remarks on the report of the Government of Aruba.

Aruba is a small country within the Kingdom of the Netherlands. Historically, Aruban society has been formed by a combination of migration waves from all over the world, which resulted in the contemporary diverse community. The current population of about 110,000, consists of no less than 96 different nationalities and 133 counties of birth.

The government of Aruba works diligently to achieve its vision of sustainability and shared prosperity with the aim of creating a balance between quality of life of its people and sustained economic growth. It also believes in the importance of maintaining and enhancing the social cohesion in society, implementing strategies to tangibly improve the lives of all its citizens, promote cultural diversity and reinforce peaceful coexistence.

The government embraces furthermore the initiative of the United Nations General Assembly in adopting the sustainable development goals in 2015.These goals are interconnected with and help to strengthen the implementation of human rights. In collaboration with the United Nations Development Program (UNDP), the Center of Excellence for the Sustainable Development for Small Island Developing States (SIDS) was launched in Aruba in October 2015, building on Aruba’s experience in the use of sustainable development practices. The Center aims to strengthen innovation and resilience in SIDS – in the Caribbean and beyond and will offer a platform to exchange knowledge and experiences between developing countries, including issues such as renewable energy, water management, tourism and public health.

Mr/Mrs President, it is also important to note that efforts have been made to introduce and modernize legislation where necessary, in conformity with the human rights conventions.

The broadening of the prohibition of discrimination in the new penal code in 2012 contributed to a more extensive protection against discrimination in Aruba. Under the Aruban Constitution, the court may review the constitutionality of the law and declare it non-applicable, if it is deemed to be contrary to the principle of equality enshrined in the first article of the Constitution.

Much needed progress has been made through legislative changes to our Civil Code. With the parliamentary adoption of an amendment to the Civil Code concerning the law of persons and family in September 2016, registered partnership has been made possible for same sex and heterosexual couples civil unions to be legally recognized.

With the amendment of the law on family name, parents may choose between the family name of the father and that of the mother, while previously the child automatically took the father’s name when he or she was born in wedlock or was acknowledged by the father. The new law also establishes by law an advice and reporting center for child abuse and as recommended previously by your council also prohibits corporal punishment in the family setting.

The sentences for human trafficking offences were increased in 2014. The Aruban Penal Code now also punishes the use of services provided by victims of human trafficking, if it is known that the services are being provided under coercion.

Furthermore, as of the first of May 2017, the government has introduced the project ‘Dreamers’ to address the situation of the undocumented youth. In order for them to continue their studies after high school in Aruba or abroad and to be able to work they will be provided with a residence permit, if they have been living on the island continuously for ten years and have been in school for the past five years.

The government is aware that compliance with and protection of human rights is a continuous process in which we encounter many challenges on the road ahead. In this regard we hold your views and recommendations in high esteem.

I thank you for your attention.

**Spreekpunten Sint Maarten**

**Speech Curacao**

Opening speech UPR Curaçao:

(6-7 minutes)

Dear Mister President,

On the 28th of April, less than two weeks ago, Curaçao had Parliamentary elections. These elections were closely followed by all our Kingdom partners and there were also international observers. The Organization of American States and the Caribbean Community (CARICOM) were present.

Notwithstanding that, the government of our sunny Small Island Development State Curaçao and the honorable Prime Minister and Minister of Justice, mister G. Pisas, deemed the presence of Curaçao here today important.

Preparing for this dialogue Curaçao consulted with a broad range of governmental and non-governmental organizations. This included, all the secretary-generals of the government of Curaçao and a broad range of non-governmental organizations. Consultations took place on the state of execution of all our human rights treaties. To continue with this mixed joint approach of the execution of human rights treaties in Curaçao, a joint follow-up meeting to this dialogue is planned for June 12th.

As awareness on human rights is essential to reach a better compliance of Curaçao to these treaties, both governmental and non-governmental organizations organized and participated together at human rights sessions. The topics for these sessions varied but are all known challenges for Curaçao. Some of the topics were:

* domestic or relational violence;
* discrimination based on gender, race or belonging to the LGBTI-community, but also
* the establishment of a Human Rights Institute for Curaçao.

The overall conclusion was that more cooperation is essential for a better compliance to the human rights treaties and to book better results. It became very clear too that for a better compliance to these treaties the establishment of a human rights institute for Curaçao is very instrumental. Thereafter strong institutions, like the Ombudsman of Curaçao, are working on setting up our human rights institute.

As the youth of Curaçao is very important for the future of our lovely island, priority is given to improving their future but also empowering them to shape their future. Some results of our strenuous efforts are:

* the establishment of a National Action Program for Youth Development as an overarching action program for local youth development. For that purpose the primary areas of concern for the youth have been identified through a positive and participatory process including engagement with various stakeholders. Based on the outcome an integral government approach to addressing these areas is being worked on; In conjunction with this program a Youth Council of Curaçao was established in February this year. The Youth Council is working with the Kingdom Youth Parliament to ensure that the voice and the interest of the youth are taken into consideration;
* we are providing free primary and secondary education for children living under the poverty level;
* through various projects we are preventing school drop-outs. Some projects are aimed at the schools and others at the parents; but we are also providing free transportation to schools, free breakfast, free lunch and free school clothing for children living under the poverty level;
* Curaçao is giving school drop-outs a second chance by providing special schooling to improve their chances of getting a job; drop outs between 16 to 24 years old get to attend a special course with intensive care and accompaniment to enable, especially boys, to either continue with their studies or get a job;
* the project named 1000 youngsters at work is still ongoing; it is aimed at giving on-the-job-training to youngsters with a job guarantee; youngsters experiencing difficulties in maintaining their job get extra training on relevant areas;
* the national development plan for Curaçao, drawn up together with the United Nations Development Program, gives special attention to youngsters and their future;
* Curaçao is also combating and preventing youth criminality by providing insights to relevant stakeholders on preventing first offenders of committing a crime again;
* to give a real second chance to young first offenders we have now a youth probation department; this department gives special guidance to young first offenders;
* we are building special housing for young offenders so they do not get locked up with seasoned criminals;
* Curaçao is also working on establishing a Children’s Ombudsman, so claims by children get specialized attention.

So in essence we are working on a better future for our youth and thus Curaçao.

Mister President, we are very much looking forward to this interactive dialogue and to answering any outstanding questions your delegations might have.