Bringing Human Rights Home: Contribution to the third Universal Periodic Review of the Netherlands

I Introduction: Bridging Divides within Government and Society

While human rights have a central place in Dutch foreign policy, they are hardly mentioned in political discourse on pressing domestic social problems within the Netherlands.[i] The Netherlands is performing well in terms of the Human Development index and our children are among the happiest in the world.[ii] Nonetheless, some groups and individuals in the Netherlands are mistreated or failed by the system, and in this country also, there are several serious human rights issues at stake. The role of the government in promoting a human rights culture is very limited. The recommendations of UN treaty (monitoring) bodies deserve to be taken more seriously.[iii] The picture that emerges from this report causes the undersigning NGOs to state that financial crisis, globalization and fear of Muslims and radicalization have contributed to a serious deterioration of the situation on the ground. Due to the maximum number of pages allowed for in this report, its contents are limited to the most pressing matters of concern. These matters have already been brought to the attention of the government at various occasions.

We welcome the opportunity provided by the Office of the High Commissioner on Human Rights to submit a stakeholders' report for the third Universal Periodic Review (UPR) of the Kingdom of the Netherlands. The UPR is the only opportunity for NGOs to present their human rights reports to a political body of the UN. We stress the need for an integral human rights approach to a variety of issues, bringing several government entities and Parliamentary committees together to an extent to which they are currently not practically working together. Human rights are a minimum legal standard on all these issues. They provide essential protection for all of us when we are at our most vulnerable. Human rights affect the daily life of everyone and hold values we all share in life. If we have been mistreated or failed by the system, we can use human rights to hold authorities to account.[iv] Moreover, in a country subject to polarization, human rights are an essential element in bridging various divides in society and in showing that unjustified discrimination is unacceptable.

II Singled Out! Time to Combat Ethnic Profiling in the Netherlands

If you are a (young) male of color in the Netherlands, ethnic profiling is very often part of your life. The Dutch National Police singles out people for identity or security checks (also) on the basis of racial, ethnic, national, or religious characteristics without objective or reasonable justification racial, ethnic, national, or religious characteristics. Internal police reports show that ethnic profiling takes place frequently.[v] Whether intended or unintended, the problem is structural.[vi] A range of tragic events, including the stopover of famous musician Typhoon, has raised a lot of attention towards the issue.[vii]

Police officers are not the only individuals with prejudices. Yet, as guardians of the state, they should be the first to avoid for their prejudices to cause unjustified discrimination. Ethnic profiling constitutes a breach of trust between minorities and the National Police. It generates

reluctance to cooperate with police officers, which undermines efficiency in profound ways. According to the National Police, it even contributes to radicalization.[viii]

Ethnic profiling is not only unfair but also unnecessary, counter-productive and cost-inefficient. International data shows that when it is used, the rate of discovering unlawful conduct is lower than when law enforcement is not activity infused by racial stereotypes.[ix] It is vital to engage in sustainable solutions to combat ethnic profiling and to comprise effective methods to prevent ethnic profiling within the ongoing professionalization of law enforcement. Within this UPR, ethnic profiling deserves more attention than in 2012.[x]

1. **We highly recommend the government to make possible the (digital) use of 'stop forms'. This protocol is used by the police to make a record of a stop. It has proven to be valuable across Europe without instigating a lot of bureaucracy. Besides reducing the number of stops, the use of the protocol has contributed to a steady rise of the arrest rate and has increased efficiency;[xi]**
2. **We recommend the government to start data collection on ethnic profiling by the police, and to commission independent studies on ethnic profiling by transport officials and civil servants dealing with safety;**
3. **We invite the government to publically recognize the structural problem of ethnic profiling. In light of the support for ethnic profiling within the police force and the population, we find it necessary for the government to explain why ethnic profiling is discriminatory.[xii]**

III Human Dignity in Asylum and Migration

Refugees are not Criminals

The Netherlands has one of the strictest asylum policies in Europe.[xiii] Every day refugees and undocumented migrants awaiting their deportation are placed in deportation centres. European monitoring bodies have even criticised these centres for their prison-like character.[xiv] This is remarkable as a large number of individuals in these facilities are refugees rather than criminals, while most of the people in the facilities have no criminal records. For vulnerable groups, such as those in need of health care or psychiatric services, the elderly and the disabled, detention is disproportionate by definition.[xv] Despite promises, refugees and undocumented migrants are still locked up in solitary confinement and isolation. While in solitary detention, these people have limited access to health care, and legal aid. During a collective hunger strike in 2013, protesters were placed in isolation cells.[xvi]

4. **We highly recommend the government to limit the use of isolation cells to refugees and undocumented migrants who cause security threats, and to forbid the use of solitary confinement in cases of a hunger strike. We urge the government to prevent the detention of refugees and undocumented migrants belonging to vulnerable groups;**
5. **We invite the government to use detention for refugees and undocumented migrants strictly as a last resort while creating appropriate alternatives. We encourage the government to significantly improve the prison-type regime in deportation centres,**

by allowing for more outside and visiting time, and the use of mobile phones and computers inside the cell.

Beg your pardon

In 2013, the Dutch Parliament adopted legislation permitting children at the age of 18 who have lived in the Netherlands for more than five years to receive a permanent residence permit (*Kinderpardon*). These children have grown up in the Netherlands, are rooted in the country and play and study here. Sending them back to the country where they were born, or where there parents came from would significantly harm their development. However, since 2013, 92% of the requests for a permanent residence permit have been denied.[xvii] The application procedure is highly conditional, and the government is very strict in its application of the law. Many children are refused a permit because their family, in the past, was supposed to have lacked cooperation with the government on returning home. Children are becoming the victims of decisions made by grown-ups. The Netherlands' Ombudsman for Children has therefore requested that government extend the application of the legislation.[xviii]

6. We request the government to extend the application of the legislation on 'rooted' children and permanent residence.

Undocumented Migrants in Limbo

Many undocumented migrants cannot return to their country of origin due to fear of getting killed, missing of identity papers, bad health or mental illness, or a non-functioning government. These undocumented migrant have no (legal) status or work in the Netherlands and no insurance to cover for health care expenses. Many of them have psychological problems and are in distress.

Since the 1990s, undocumented migrants are offered basic services in an accommodation center in a village in the North-East of the country. The problem here is that shelter and food are conditional to cooperation with expulsion. Freedom is restricted. In 2014, the European Committee of Social Rights (ECSR) concluded that the government of the Netherlands denied undocumented migrants their basic social rights. According to the Committee, adult irregular migrants at risk of destitution should have unconditional access to emergency shelter and food to protect their human dignity.[xix] For many undocumented migrants return is not an option. In a response to the Committee, the Dutch government has proposed to expand the number of accommodation centers throughout the Netherlands. However, the conditions for a piece of bread and a roof over one's head are still the same. Municipalities and civil society stress that human rights such as basic shelter and a piece of bread cannot be made conditional on cooperation with expulsion.[xx] They now provide or continue to provide their own basic services, in serious risk of a cut on funding by the national government.

In the past year, the influx of (Syrian) refugees has requested most government attention. However, the lives of a smaller group of undocumented migrants should not be forgotten. Under the current circumstances, individual migrants are refused access to food and shelter. Many undocumented migrants have difficulties in accessing medical and

psychological support [xxi] Moreover, as undocumented migrants are not allowed to legally work, or even volunteer, they cannot make themselves useful to Dutch society.[xxii] Starting an education or doing an internship is not permitted after the undocumented migrant turns eighteen. Many undocumented migrants have no hope of improving their situation.

7. **We recommend the government to ensure that undocumented migrants at risk of destitution have unconditional access to basic needs (emergency shelters, hospices, food and clothing);**
8. **We invite the government to increase awareness of existing regulations on access to health via a campaign, and to guarantee that the special needs of undocumented migrants with mental and physical disabilities are protected in collaboration with civil society.**

Victims of over-generalization

Close to 100 Afghans in the Netherlands belong to the so-called 1F-group. They are suspected of having committed war crimes in the 1980's and 1990's in Afghanistan under Article-1F of the *UN Refugee Convention (1951).* The attribution of the 1F-status to Afghan refugees is based on an official report of the Dutch State in 2000.[xxiii] In this report all employees of the Afghan secret service (Khad) in the 80's and 90's are designated to have committed war crimes regardless of their duties. It is on this basis that the government rejects their request for asylum, and that many individuals end up in a legal limbo.

So far, the government has only commenced criminal prosecution in two cases. Many other Afghanis find themselves in a legal void, excluded from some basic facilities and rights. They are not permitted to work and are excluded from social services. The family members of these Afghanis in the Netherlands, who either have a residence permit or Dutch nationality, cannot obtain (full) allowances because of their 1F-status. Return to Afghanistan is not a safe option for most of the people in the 1-F group. For some Afghanis, this situation has been the case for fifteen years. No other country has been reported to treat their permanent residents or citizens in such a detrimental manner.[xxiv]

9. **We urge the government to discard the overly-broad 1-F categorization and to review best practices from abroad. It is important that family members are not affected by the designation of their partner or guardian as 1-F.**

IV Nobody is Innocent. Privacy in the Netherlands

Big Brother Award for Minister of the Interior

Journalists, lawyers and human rights organizations are seriously concerned about the take of the Dutch government on privacy.[xxv] In October 2015, the Minister of the Interior was awarded the Big Brother Award for his bill on the secret service and intelligence agencies. The new bill once again expanded the powers of the State. It proposed to allow non-specific bulk interception of communications data, creating a 'drag-net' that involves massive amounts of data of innocent persons.[xxvi] The National Human Rights Institute has stated: 'the

enormous impact these new powers will have on the privacy of all citizens is unacceptable from a human rights perspective.'[xxvii] Though independent review will be provided in the new version of the bill, experts that have drafted the Privacy Impact Assessment are still very critical of the wide-ranging power to directly intercept bulk communications, as well as the power to hack innocent third persons' computers and the sharing of bulk data with foreign intelligence services without checking the reliability and relevance of these data.[xxviii] It is without a doubt that the security of the Netherlands is vital, but checks and balances should be in place. Special attention should be given to lawyers and journalists. Only following public interest litigation, the government accepted judicial review in cases where lawyers and journalists are involved.[xxix]

10. **We recommend the government to take heed of the recommendations in the Privacy Impact Assessment: amongst other things, to provide more safeguards with regard to the sharing of data with foreign intelligence services and to reconsider the plan to hack third parties.**

Criminal law and privacy: the government knows where you are now

Dutch police and criminal justice authorities have a wide range of powers and possibilities at their disposal that infringe privacy. Dutch figures with respect to telephone tapping are incredibly high, even compared to the United States.[xxx] Municipalities are allowed to use flexible cameras to detect small crime. Automatic Number Plate Recognition data is in use for criminal investigations; the Minister has proposed to keep the data of innocent car drivers for four weeks.[xxxi] Moreover, the government has proposed a bill that will make it possible for criminal justice authorities to secretly enter computers and mobile phones inside and (sometimes) outside the country, to observe and copy information and even to make information inaccessible.[xxxii]

On April 8, 2014, the European Court of Justice declared the European Data Retention Act to be invalid because it was lacking in adequate safeguards. The case concerned the obligation of companies to retain the telephone and internet metadata of innocent persons. Such metadata reveals with whom an individual has communicated with, where and when. In July 2014, the Council of State advised the Dutch government to repeal the Retention Act for Telecommunication as it violates fundamental human rights. The Data Protection Authority notes that the need to keep all telephone and internet data is insufficiently justified.[xxxiii] Data could be used not only for the most serious crimes, but even for crimes such as bicycle theft.[xxxiv] The government however refused to render the Act inoperative as long as a new Act was being prepared. The new Act proved to be just as problematic.[xxxv] In 2015, an NGO coalition succeeded in its appeal to a Dutch court about legislation impeding on fundamental human rights. The Court ultimately rendered the law on data retention to be inoperative.[xxxvi]

11. **We encourage the government to make sure that data gathering and retention for criminal law purposes does not amount to mass surveillance of innocent persons and to put in place adequate safeguards (judicial review, very serious crimes, and safety measures) for the use of such data. We recommend the government to reconsider the**

current bill that would allow the government to hack our smartphones and computers.

An undisturbed 'phishing expedition'

The System Risk Indication (SyRI) is a law that is in effect since 2014.[xxxvii] SyRI is an instrument that links personal information from all citizens in order to predict fraud. It is originally meant as a way to prevent social security and tax fraud. Based on all the information available, risk profiles are made and all persons that pop up are investigated, even if there is no specific indication that fraud is committed. Instead of a reasonable suspicion, the government predicts on the basis of big data that who is going to engage in criminal activities, and hence needs to be followed. The Council of State and the Data Protection Authority have both criticised the government for its use of SyRI. The Council of State has expressed its concern in an aadvisory opinion, in which it spoke of a 'far-reaching restriction of the right to respect for private life.' The Council of State concluded that 'there is hardly any personal information that may not be processed within SyRI'. Famous writer Tommy Wieringa wrote about this law: 'the government and the terrorist have the same view of humanity: nobody is innocent.'[xxxviii]

The government is currently positioning itself on how to use Big Data and how to deal with profiling and predictive policing. SyRI is part of this assessment. On a positive note, the government has set out to carry out Privacy Impact Assessments for laws that may infringe upon the right to privacy, and it supports 'privacy by design' solutions. It is important that the government implements, at least, the recommendations for safeguards that the Dutch privacy coalition – which consists of lawyers, journalists and NGOs – has suggested.[xxxix]

12. **SyRi is disproportionate and its use must be stopped until adequate safeguards are in place. Amongst other things, we recommend the government to actively inform citizens if and why they are classified as a 'risk case';**
13. **We recommend the government to stay vigilant when making new laws and policies that touch upon privacy issues, taking into account the necessity and effectiveness of these laws.**

V Fail! Dutch Schools and Human Rights Education

In the Dutch education system, pupils study the female organs of a flower. Yet, research shows that schools spend little time on human rights and citizenship.[xl] With respect to recognizing and understanding citizenship and human rights, Dutch school children score relatively low in comparison to their European peers.[xli] Teachers complain that they do not have the training and tools to teach 'sensitive topics'.[xlii] This is worrying in light of the polarization in society, homophobia, and the debate on religious freedom and freedom of speech. Four out of ten women experience some form of sexual violence.[xliii] It is highly ironic that the Foreign Minister recommends human rights education to other countries, while human rights education is still absent on the domestic level in Dutch schools.[xliv]

The government is reluctant to take responsibility for setting learning objectives, and does not comply with international law.[xlv] Dutch NGOs and the National Human Rights Institute lack the mandate, capacity and the means to fill this gap completely and structurally. This has led to the situation that some pupils study (only aspects of) human rights, while others do not study human rights (at all). Teachers have regularly indicated that they are flooded by short-term projects and methods. Every so often the government sets ad hoc and trendy learning objectives, without a holistic approach that can bring people to understand the meaning and scope of their own rights and those of others, and the values that we are so keen to preserve. In line with the Constitution, it is important that the government does not tell schools *how* to teach, but it is responsible for setting minimum requirements on *what* to teach, and for providing training and tools to teachers.

This is the third time that Dutch NGOs report on the absence of human rights education in the Netherlands in the context of the UPR. All children in the Netherlands deserve human rights education that is concrete and practical and related to local, national and international issues. In spring, an independent commission set up by the government (*Commissie 2032*) has highlighted the need for human rights education.[xlvi] It is essential to implement the conclusions of this report.

14. **We highly recommend the government to make human rights education an integral part of the curriculum in the Netherlands for primary and secondary schools. We do <u>not</u> ask for a new subject, but for a set of minimum goals. We highlight the importance of comprehensive sexuality education and the necessity of attention for the colonial past and the history of migrants in this context;[xlvii]**
15. **We deem it important that every teacher in primary and secondary education has had adequate training on human rights education.**

VI Social rights Matter

Minimum Rights and Income

In the Netherlands, the rich are getting richer and the poor are getting poorer. Debts are becoming an increasing problem for the poor. Labour market statistics show a drastic increase in the number of 'working poor'. At the lower end of the labour market, work has become less rewarding. Some individuals work several part-time jobs without receiving adequate income. Poverty disproportionally affects women more than men, and many 'working poor' are single mothers.[xlviii]

Most workers in the labour market of the Netherlands are covered by collective labour agreements. However, some groups are effectively excluded from this protection. For these groups, their rights may exist on paper, but their ability to enforce these rights is limited. When they complain against maltreatment, they often lose their jobs. At the same time, the workers are cheap and pose unfair competition to those with 'typical' labour contracts. Many individuals without collective labour agreements are migrants.

16. **We recommend the government to guarantee minimum rights and income for all, by working closely with Labour Unions and Employers. Het *verdringsprotocol,* crafted with some local municipalities is considered a best practice.**

Equal Opportunities for Elderly, Ethnic Minorities, Women and People with Mental and Physical Health Issues

Labor market discrimination is a major problem within the Netherlands. It starts at the job application process. Consciously or unconsciously, employers sometimes make demands that are inherently discriminatory. Two groups are particularly affected by this: the elderly and ethnic minorities. Even highly educated ethnic minorities in the Netherlands find it difficult to get a job, and (feel like they) have to change their name from Mohammed to Mark to get a fair chance. Whereas between 2013 and 2015, 25.7 % of the persons who are ethnically Dutch found a job within three months, only 19.8 % of non-western high-skilled minorities found a job within three months.[xlix] Moreover, an estimated number of 65.000 women in the Netherlands face discrimination when contracts are not renewed because of pregnancy.[l] In an individual complaints procedure, the UN committee on women's rights (CEDAW) has called upon the government to allow for maternity benefits for all women. This includes an arrangement for the self-employed women and entrepreneurs who gave birth between 1 August 2004 and 4 June 2008 and have not received any form of compensation.[li] Beyond labor market discrimination, we highlight that due to mental and physical health issues a group of children in the Netherlands do not fit (special needs) schools, and have not been receiving proper education.[lii]

17. **Anonymised job application is proven to be effective. We highly recommend the government to start a pilot with anonymised job applications on the national level, and to invite major corporations to join the pilot.[liii] We encourage the government to start the actual use of the blacklist for federal government contractors engaged in discriminatory practices;**
18. **We encourage the government to draft an action plan to combat pregnancy discrimination and on the role of men in light of pregnancy. We highly encourage the government to show ambition once more with regards to pregnancy leave for men by means of new legislation.**
19. **We urge the government to provide tailor-made education to drop-outs with mental and physical health issues.**

A Stepping Stone to Work

With the adoption of the Participation Act, unemployment benefits are made conditional to the person's willingness to accept unpaid work. It is important that regular paid jobs are not replaced by these non-remunerated tasks. It is vital that work serves as a stepping-stone to real labour market participation that is meaningful both to society and the person who is unemployed, and does not diminish the person's dignity. The law indeed provides some safeguards regarding these matters. However, many of the municipal authorities that are responsible for the actual process implementation disregard these safeguards. There are major differences in implementation throughout the country.

20. We request the government to guarantee flexibility to those unemployed who are already engaged in positive social activities, and to create possibilities for hybrid forms of work or (collective) entrepreneurship in combination with part-time unemployment benefits.

Lagging Behind: Optional Protocol on Economic, Social and Cultural Rights

In December 2008, the General Assembly adopted the Optional Protocol to the Convention on Economic, Social and Cultural Rights. Under the protocol, victims of violations of human rights such as the right to health, education, food or housing, who are unable to seek relief for their claims within their own country, may seek international redress. The Dutch government was among the first to sign the Protocol, but has – since then - been studying the ratification. The House of Representatives and Senate have inquired, and adopted several resolutions.[liv] In the past years, many European countries – including France, Belgium, Spain and Finland - have ratified the Protocol.

21. We highly recommend that the government finally ratify the Optional Protocol on Economic, Social and Cultural Rights.

Business and Human Rights

In the Netherlands, the human rights responsibilities of business actors are mostly limited to voluntary and business-led initiatives. However, the UN Guiding Principles on Business and Human Rights also call for an active role of the State and coherence among all areas of law and policy. This implies that duties of care should not only be contained in non-binding soft law instruments, but also in legally binding measures. Duties of care should concern the entire corporate supply chain. This includes closer scrutiny of tax rulings with businesses registered in the Netherlands that violate property rights.[lv] Since the Friday Alfred Akpan v. Shell case, it is evident that Dutch civil law has substantial barriers which prevent victims of human rights abuses caused by corporations to seek redress.[lvi]

22. We encourage the government to give more priority to filing cases against businesses for gross human rights violations;

23. We recommend the government to either lower litigation costs or increase legal aid for victims of human rights abuses by Dutch companies. Similar to the common law discovery procedure, there should be increased accessibility to gain access to internal business documents to use as evidence. We recommend the government to extend the jurisdiction of its civil courts over corporate subsidiaries, regardless of where these subsidiaries are located, provided the parent company is incorporated in the Netherlands.

VII Human Rights Infrastructure

The No-Action Plan

In December 2013, the Dutch government adopted its first ever National Action Plan on Human Rights. The undersigning NGOs are unhappy with the actual consultation process, the outcome document, and the political implementation. The document fails to meet a vast amount of criteria mentioned in the UN Handbook on Human Rights Plans of Action such as: 1) in-depth consultation 2) broad consultation; 3) high-level support; 4) publicity and outreach 5) realistic prioritization and action-oriented approach; 6) a clear baseline and a concrete set of new activities 7) generating commitment to concrete action; and 8) evaluation and review.[lvii] This has led to a very poor implementation, with only two debates within the Parliament. During the debate, various Members of Parliament have blamed the Minister of the Interior for not making use of his coordinating role, and for not taking an active or activating role.[lviii] In the words of the Minister of Foreign Affairs: it is important to prevent human rights from being reduced to an empty ritual (of checklist-diplomacy) whose original meaning has been forgotten.[lix]

24. We recommend the government to commission an independent evaluation of the Action Plan and its implementation. NGOs welcome a traffic light rating system for performance monitoring, and a set of concrete recommendations;

25. We request the government to draft a new Action Plan on the basis of the UN Handbook and the external evaluation. NGOs welcome a number of concrete and realistic priorities and a list of actions;

26. We encourage the government to appoint a high-level civil servant, responsible for coordinating domestic human rights issues at the governmental level and reaching out to other stakeholders. The current Human Rights Ambassador focuses on matters of foreign policy only;

27. We recommend that official consultations on human rights are specific and action-oriented. Consultations should embrace the broadest range of participants from all sectors of society;

28. As elections take place in March 2017, we highly encourage the incoming government to include in the coalition agreement a paragraph about proposed actions regarding human rights within the Netherlands.

The Local Relevance of Human Rights

Where, after all, do universal human rights begin? In small places, close to home: neighborhoods, schools, factories, farms, or offices.[lx] In the past years, human rights have gained importance at the local level. The cities of Amsterdam (2016) and Utrecht (2011) have drafted an action plan.[lxi] Moreover, as of 2015, municipalities have new responsibilities in the domains of youth care, long-term care and income support, touching upon issues of human rights. Municipalities are incentivized to minimize expenditure on their new tasks, which entails a risk of under provision. Human Rights institutions and NGOs are worried about the ability of some people to claim their basic rights and services on their own account in a highly

technocratic and technologically advanced country, and the number of recent complaints.[lxii] New research shows that 77% of all the municipalities does not meet the minimum legal standards in terms of providing basic cleaning services to the much-needed.[lxiii] The National Human Rights Institute has developed a framework for human rights and social policy at the local level.[lxiv] NGOs are eagerly awaiting the promise of the government to take action on human rights training for local civil servants. [lxv]

29. **We recommend the government to develop human rights training for local civil servants and semi-independent government institutions working with vulnerable groups, and to fully include in relevant decision-making meetings on this matter municipalities, practitioners and NGOs;**
30. **We encourage the government to raise awareness on the importance of human rights at the local level, to share important best (inter)national practices and tools, and to further develop the local framework with practitioners, the National Human Rights Institute and the Union of Municipalities. We encourage the government to assist those municipalities who do not have an anti-discrimination or human rights action plan at this point.**

Human Rights Defenders within the Netherlands

Human Rights defenders abroad are a matter of great concern to the Foreign Ministry.[lxvi] At the same time, the government has an obligation to protect human rights defenders under its jurisdiction. This also includes people working at the international organizations in The Hague and at NGOs. In August 2016, there has been widespread publicity about a lawyer based in the Netherlands working for the internationally well-regarded NGO Al Haq, who received death threats against herself and her family. Lawyers from Amnesty International and FIDH who assisted her were threatened as well. The organizations were forced to temporarily close their offices in The Hague. Measures taken by the government to protect human rights defenders under its jurisdiction are currently inadequate.[lxvii]

31. **We highly recommend the government to establish a focal point for human rights defenders with sufficient expertise, dedication and authority and to provide safe and secure work space for human rights defenders in need;**
32. **We recommend the government to collect and analyze systematic documentation of threats against human rights defenders and to instruct relevant authorities to take protective measures.**

[i] Oomen, B.M., *Rights for Others. The Slow Home-Coming of Human Rights in the Netherlands*, 2013.
[ii] UNDP, Human Development Reports: http://hdr.undp.org/en/countries/profiles/NLD; https://www.unicef-irc.org/publications/pdf/rc11_eng.pdf.
[iii] Krommendijk, J., *The domestic impact and effectiveness of the process of state reporting under UN human rights treaties in the Netherlands, New Zealand Finland*, Maastricht University (dissertation), 2014.
[iv] www.equally-ours.co.uk
[v] 'Intern politierapport Oost-Brabant: etnisch profileren komt op grote schaal voor', *NPO Brandpunt*, broadcast 6 September 2016, links to several police reports: http://brandpunt.kro-ncrv.nl/brandpunt/uit-interne-politierapporten-blijkt-dat-merendeel-agenten-etnisch-profileren-gerechtvaardigd-vindt/;
[vi] Cankaya, S., *Buiten veiliger dan binnen. In- en uitsluiting van etnische minderheden binnen de politie-organisatie*, 2011; Mutsaers, P., *A Public Anthropology of Policing: Law Enforcement and Migrants in the Netherlands*, 2015.
[vii] https://www.nrc.nl/nieuws/2016/05/30/etnisch-profileren-gebeurt-ook-als-je-typhoon-heet-a1402599; https://www.nrc.nl/nieuws/2016/06/11/zo-praat-de-politie-over-typhoon-onder-elkaar-1627729-a1507052
[viii] 'Ethnic Profiling Solutions Discussed at Dutch Human Rights Dialogue', *liberties.eu*, 12 April 2016: http://www.liberties.eu/en/news/human-rights-dialogue-solution-to-ethnic-profiling-in-netherlands.
[ix] Open Society Justice Initiative, *Ethnic Profiling in the EU: Pervasive, Ineffective, and Discriminatory*, 2009.
[x] Dutch UPR 2012: http://www.ohchr.org/EN/HRBodies/UPR/Pages/NLSession13.aspx.
[xi] College of Policing, Force Stop Search web pages: http://www.college.police.uk/What-we-do/Support/uniformed-policing-faculty/stop-and-search/Pages/Force-Stop-Search-web-pages.aspx. E.g. Nottinghamshire.
[xii] Uitslag Stelling: 'Een noodzakelijk kwaad', *De Telegraaf*, 2 juni 2016: telegraaf.nl/watuzegt/25912269/Etnisch_profileren_verbannen.html; http://nos.nl/artikel/2109286-2-op-de-3-nederlanders-steunen-etnisch-profileren.html.
[xiii] WODC report, *How (un)restrictive are we? 'Adjusted' and 'expected' asylum recognition rates in Europe*', Cahiers 2015-10; Nederlands asielbeleid een van de strengste van EU', *NRC*, 4 februari 2016; https://www.nrc.nl/nieuws/2016/02/04/nederlands-asielbeleid-een-van-de-strengste-van-eu-a1409602.
[xiv] *Report to the authorities of the Kingdom of the Netherlands on the visits carried out to the Kingdom in Europe, Aruba, and the Netherlands Antilles by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) in June 2007*, 5 February 2008, CPT/Inf (2008)2; *Report by the Commissioner for Human Rights*, Mr Thomas Hammarberg on his visit to the Netherlands, 21-25 September 2008, 11 March 2009, 8 CommDH(2009)2.
[xv] Report by Amnesty International, Dokters van de Wereld, Stichting LOS and Meldpunt Vreemdelingendetentie: *Opsluiten of beschermen? Kwetsbare mensen in vreemdelingendetentie*, 25 April 2016.
[xvi] These hunger strikes took place in the Justitieel Complex Schiphol (JCS, the detention center at Schiphol Airport which is used for border detention) and the Detention Centre of Rotterdam. Two complaints were made: 8 August 2013, Beklagcommissie Detentiecentrum Noord-Holland, locatie Schiphol, DS2013/056.
[xvii] Jaarbericht Kinderrechten 2016, p. 27.
[xviii] 'Kinderpardon: zijn de voorwaarden te streng?', *Nieuwsuur*, 20 mei 2016: http://nos.nl/nieuwsuur/artikel/2107226-kinderpardon-zijn-de-voorwaarden-te-streng.html.
[xix] *Conference of European Churches (CEC) v The Netherlands*, complaint no. 90/2013, 1 July 2014; *European Federation of National Organizations working with the Homeless (FEANTSA) v the Netherlands*, complaint no. 86/2012, 2 July 2014.
[xx] 'Gemeenten oneens over bed-bad-brood', *Gemeente.nu*, 10 February 2016: http://www.gemeente.nu/Sociaal/Nieuws/2016/2/Gemeenten-oneens-over-bed-bad-brood-2759137W/; Joint Parallel Report to the Sixth Periodic Report of the Netherlands on the ICESCR, 29 August 2016, signed by twenty NGOs, p. 33-34; Report by Amnesty International The Netherlands, *Mensenrechten op straat. Bed, bad, brood en de menselijke waardigheid in Nederland*, 10 November 2015.
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