

Torture

Signed: 4 February 1985; ratified: 21 December 1988.
The Netherlands' third periodic report was due 19 January 1998.

Reservations and Declarations: Paragraph 1 of article 1; declaration under articles 21 and 22.

Rights of the Child

Signed: 26 January 1990; Acceded: 6 February 1995.
The Netherlands' initial report (CRC/C/51/Add.1) has been submitted and is pending for the Committee's May/June 1999 session; the second periodic report is due 5 May 2000.
Reservations and Declarations: Articles 14, 22, 26, 37, 38 and, 40.

THEMATIC REPORTS***Mechanisms of the Commission on Human Rights***

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1997/60, paras. 15, 45; E/CN.4/1997/60/Add.1, para. 359)

The Special Rapporteur (SR) noted that an urgent appeal was sent to the government arising from concern of imminent expulsion of a Somali national back to Somalia. According to the information received by the SR, there existed a grave risk of extrajudicial, summary or arbitrary execution because of the individual's ties to someone who was a secret service officer at the time of President Siad Barre. The case also raised concerns that the individual had reasonable grounds to fear reprisals from members of his own tribe or, at the least, could not count on their protection.

Racial discrimination, Special Rapporteur on: (A/52/471, para. 15)

The Special Rapporteur's interim report to the General Assembly refers to the practice of "subcontracting" the expulsion of undocumented aliens and the French firm Budd which, according to information received, maintains an office in Côte d'Ivoire and receives and disperses Africans deported to Abidjan rather than their country of origin. The report cites information indicating that the Netherlands police had received offers from Budd via the Côte d'Ivoire immigration department to handle the cases of deportations from the Netherlands.

Sale of children, child prostitution, child pornography, Special Rapporteur on the: (E/CN.4/1997/95, paras. 56, 58)

The report notes that women and girls trafficked from East to West are often sent to the Netherlands. It notes further that the trade and trafficking in children has resulted in young boys from Russia working in the Netherlands following "sex re-profiling", through which young boys are taught and forced to "work" as girls with clients.

The Special Rapporteur's interim report to the 1997 General Assembly (A/52/482, paras. 38, 104-105) notes that, in the Netherlands, for the first time, a citizen was tried for sexual abuse of minors abroad on the basis of extraterritorial jurisdiction. The case involved the sexual abuse of minors in the Philippines and the defendant was given a sentence of five years' imprisonment after returning to the Netherlands. Referring to the Internet, the report notes the Hotline for

Child Pornography on the Internet. The Hotline asks Internet users to report any child pornography found. Once a site is reported, the Web Site provider requests that the issuer of the material remove it from the Internet and, if the issuer fails to do so, reports the person to the police. The report notes that the Hotline has also tried to raise awareness of the risks of spreading child pornography, including the fact that the penalty in the Netherlands is four years' imprisonment. The report states that the intent of the Hotline is not to be a censor but rather an initiative against censorship by indirectly targeting the person or persons who post illegal child pornography rather than entire areas of information and communication.

Toxic wastes and products, Special Rapporteur on: (E/CN.4/1997/19, paras. 54-55)

The report refers to export of waste to Bahrat Zinc Ltd. India for zinc recovery processing. Reference is also made to Royal Dutch Shell and its operations in southern Nigeria where the Ogoni people live. The report notes that, since 1994, the area has been occupied by police to facilitate business ventures by non-indigenous residents. Sporadic and discretionary enforcement of environmental regulations in the area have reportedly led to the use of unlined toxic waste pits that allow pollution to seep into drinking water supplies. The report notes that calls for compensation from the oil companies are often met with claims of sabotage or payment of compensation to the government with little of the damages paid actually reaching the local villagers.

Violence against women, Special Rapporteur on: (E/CN.4/1997/47, Section IV)

The report notes that trafficking in women has involved the movement of Colombian women to markets in the Netherlands, where there are legal mechanisms to encourage women to report trafficking or slavery-like practices associated with prostitution to the police. The report refers to initiatives taken by the government to combat trafficking in women, including a 1988 amendment to the Dutch Aliens Law to provide protection to victims of trafficking willing to pursue prosecution, allow a woman time to consider pressing charges, and permit any woman who has pressed charges to remain in the Netherlands until the juridical process has been completed. As of 1993, the same protection against deportation was extended to witnesses willing to testify for the prosecution in trafficking cases. The Netherlands has also created special police task forces in larger cities to monitor the prostitution circuit. In Amsterdam, a specific task force, comprised of two detectives from the vice squad, two officers from the aliens office, one assistant detective, one officer from criminal intelligence and one district officer, was established in 1993 specifically to address prostitution and trafficking. In terms of these task forces, the report notes that in light of reports of widespread abuse of prostitutes by the police, more information is needed before an assessment of the success of these mechanisms can be made.

Other Reports

Conscientious objection to military service, Report of the S-G to the CHR: (E/CN.4/1997/99, para. 36)

The report of the Secretary-General notes that conscription has been abolished in the Netherlands.