

# **Contribution to the Fundamental Rights Report 2018**

**Country:** The Netherlands

**Contractor's name:** Art.1, Dutch knowledge centre on  
discrimination

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# Chapter 1. Equality and non-discrimination

## 1. Legal and policy developments in 2017 relevant to combating discrimination based on gender identity, religion or belief, disability, age or sexual orientation

See also chapter 8 of this report covering developments as part of the implementation of the Convention on the Rights of Persons with Disabilities.

A bill amending the General Equal Treatment Act (*Algemene Gelijke Behandeling*) has been put forward in January 2017 by the political parties D66, PvdA and GroenLinks in order to protect transgender people and intersex people explicitly against discrimination.<sup>1</sup> The current General Equal Treatment Act already protects transgender people and intersex people against discrimination but not explicitly. This bill adds a subsection to the General Equal Treatment Act which stipulates discrimination on the grounds "gender characteristics", "gender identity" and "gender expression fall under the definition of discrimination on the ground of gender. The bill is currently under review of the House of Representatives. We mention this bill because it indicates the growing sensibility in the Netherlands on the topic of discrimination of transgender people and intersex people.

The Minister of Interior and Kingdom Relations sent on 23 March 2017 a policy letter to the House of Representatives on the progress of the National Action Programme to combat discrimination (*Nationaal actieprogramma tegen discriminatie*).<sup>2</sup> This programme started in 2016 and contains measures and initiatives against discrimination on all legally recognized grounds. Most of these measures and initiatives tackle discrimination in general. Some of these initiatives or measures focus on one specific non-discrimination ground. No new actions or initiatives have been added in 2017.

A new policy initiative is the Plan to combat Pregnancy discrimination (*Actieplan zwangerschapsdiscriminatie*).<sup>3</sup> The Minister of Social and Affairs sent this Plan by letter to the House of Representatives on 22 March 2017. The Plan focuses in particular on awareness raising and informing employers, women and health workers about pregnancy discrimination in employment and about the legislation protecting women against pregnancy discrimination. A part of this plan is a major awareness raising campaign in September 2017 informing the general public about pregnancy discrimination and informing women about their rights .

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<sup>1</sup> The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2017), Bill clarifying legal position transgender- and intersex people, available at: <https://zoek.officielebekendmakingen.nl/kst-34650-2.pdf>

<sup>2</sup> The Netherlands, Minister of Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2017), 'Voortgangsrapportage Nationaal actieprogramma tegen discriminatie', Letter to the House of Representatives (*Tweede Kamer der Staten-Generaal*), 23 March 2017, available at: [www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/23/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017.pdf](http://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/23/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017.pdf)

<sup>3</sup> The Netherlands, Minister of Social Affairs and Employment (Minister van Sociale Zaken en Werkgelegenheid) (2017), 'Actieplan zwangerschapsdiscriminatie', Letter sent to House of Representatives (*Tweede Kamer der Staten-Generaal*), '22 March 2017, available at: [www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/22/kamerbrief-actieplan-zwangerschapsdiscriminatie/kamerbrief-actieplan-zwangerschapsdiscriminatie.pdf](http://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/22/kamerbrief-actieplan-zwangerschapsdiscriminatie/kamerbrief-actieplan-zwangerschapsdiscriminatie.pdf)

## 2. Research findings, studies or surveys on either experiences of discrimination or rights awareness

Survey study on the attitudes of young people (aged 12-23 years) in the Netherlands towards Muslims and how these attitudes cause discrimination of Muslims.<sup>4</sup> Data were collected by a questionnaire conducted among a sample of young people. A reference group of adults was also questioned. Study found among other things that young boys have more negative attitudes towards Muslims than girls, youngsters in lower education types have more negative attitudes towards Muslims than youngsters in higher education types. Youngsters who have personal contacts with Muslims have a more positive attitude towards Muslims than youngsters who have no personal contacts with Muslims. This study identifies two profiles of Dutch youngsters who tend to have negative attitudes towards Muslims. To the first profile belong youngsters who have only superficial contacts with Muslims. They live in neighbourhoods and attend schools with a substantial number of Muslims but they have no personal contact with Muslims. To the second profile belong youngsters who never meet Muslims at school or in their neighbourhood and only know about Muslims from internet or other media. This study found no major differences between youngsters and the adult reference group.

Report of the Netherlands Institute for Social Research (*Sociaal en Cultureel Planbureau* or SCP) which is part of continuous series of quarterly reports in which it surveys respondents from the general Dutch population about their political views and their views on certain social issues.<sup>5</sup> This report was published in second quarter of 2017 and focused on discrimination. Study was carried out by conducting a survey among the general population and by focus groups. Over two-thirds of Dutch, 68 percent, are against discrimination. But a slightly larger group of 72 percent think that in some cases people are too quick to think that they have been discriminated. 22 percent of respondents said that they are sometimes discriminated against. 54 percent, said they feel that there is more discrimination now than there was 20 years ago. They attribute this to the fact that minority groups now have more visibility, people are more open about the sexual orientation, for example. According to the respondents, the groups that face the most discrimination in the Netherlands are LGBT people, ethnic minorities, Muslims and people with disabilities.

Study compiling all discrimination-incidents in the Netherlands as registered by the Dutch police and by the Dutch antidiscrimination bureaus in the year 2016.<sup>6</sup> The police registered 4,376 discrimination-incidents in 2017. 39% of these incidents related to ground of race, 30% of these incidents related to the

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<sup>4</sup> Van Wonderen, R. & Van Kepel, M. (2017), *Oorzaken en triggerfactoren moslimdiscriminatie in Nederland*, Utrecht, Verwey-Jonker Instituut, available at:<http://www.verwey-jonker.nl/doc/2017/116024-Oorzaken-en-triggerfactoren-moslimdiscriminatie-30-juni-WEB.pdf>

<sup>5</sup> Den Ridder, J., Andriessen, I., & Dekker, P. (2017), *Burgerperspectieven 2017-2 : Kwartaalbericht van het Continu Onderzoek Burgerperspectieven*, The Hague, Sociaal en Cultureel Planbureau (SCP), available at:<https://www.scp.nl/dsresource?objectid=bc29546a-dc22-45dd-8203-0f1d3d9c0ae1&type=org>

<sup>6</sup> Mink, I. & Van Bon, S. (2017), *Discriminatiecijfers in 2016 : Een rapport over registraties van discriminatie-incidenten door de politie, en meldingen bij antidiscriminatievoorzieningen en andere organisaties in Nederland*, Rotterdam / Den Haag, Art.1 / Nationale Politie, available at:<http://discriminatie.nl/files/2017-05/discriminatiecijfers-2016-landelijk-rapport.pdf>

ground sexual orientation. The antidiscrimination bureaus registered 4,761 discrimination-incidents. 42% of these incidents related to ground of race, 10% of these incidents related to the ground age.

This study uses situation testing to look into the influence of a criminal record on employment chances but also considering other personal characteristics as for example ethnicity.<sup>7</sup> For this purpose, 520 resumes and motivation letters were sent in response to vacancies published on the internet. All were identical except for the stated offence type (no offence, violent offence, property offence, or sexual offence), duration between conviction and application, business sector and ethnicity of the applicant. Results show no effect for type of offence or no offence on employment chances. However, a strong effect is found for ethnicity. Ethnic minorities with no conviction were even found to have lower chances of receiving a positive reaction compared to applicants with a Dutch name and a conviction for a violent offence

This article examines whether managers have changed their views on older workers and if so what the driving forces are of these changes.<sup>8</sup> Using panel data it examines the changes in attitudes among Dutch managers about the productive skills of older workers (50 years and older) between 2010 and 2013. Attitudes are not easily susceptible to change but this study shows that the biggest effects are to be expected from the process of aging itself: older managers tend to have a more positive assessment of the hard and soft skills of older workers.

## Chapter 2. Racism, xenophobia and related intolerance

### 1. Legal and policy developments

a) Briefly describe legal and policy developments, as well as measures adopted in your country in 2017 that relate to the application of the [Racial Equality Directive](#), with a particular focus on the areas of employment, education, social protection, and access to and supply of goods and services (as outlined in Article 3 on the scope of the directive).

The Minister of Interior and Kingdom Relations sent on 23 March 2017 a policy letter to the House of Representatives on the progress of the National Action Programme to combat discrimination (*Nationaal actieprogramma tegen discriminatie*).<sup>9</sup> This programme started in 2016 and contains measures and initiatives against discrimination on all legally recognized grounds. Most of these measures and initiatives tackle discrimination in general. Some of these initiatives or measures focus on one specific

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<sup>7</sup> Blommaert, L., Bijleveld, C., Ruiter, S. & Van den Berg, C. (2017), 'Veroordeeld tot (g)een baan : Hoe delict- en persoonskenmerken arbeidsmarktkansen beïnvloeden', *Tijdschrift voor Criminologie* (59), 1-2

<sup>8</sup> Van Dalen, H., & Henkens, K. (2017), *Do Stereotypes about Older Workers Change? Evidence from a Panel Study among Employers*. (CentER Discussion Paper; Vol. 2017-028), Tilburg, CentER, Center for Economic Research. Available at: [https://pure.uvt.nl/ws/files/17216008/2017\\_028.pdf](https://pure.uvt.nl/ws/files/17216008/2017_028.pdf)

<sup>9</sup> The Netherlands, Minister of Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2017), 'Voortgangsrapportage Nationaal actieprogramma tegen discriminatie', Letter to the House of Representatives (*Tweede Kamer der Staten-Generaal*), 23 March 2017, available at: [www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/23/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017.pdf](http://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/23/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017.pdf)

non-discrimination ground including the ground race.<sup>10</sup> The initiatives against discrimination on the ground of race, are:

- The national government gives more attention the annual national commemoration of the abolition of slavery in the former Dutch colonies on 1 July 2017. Therefore the national government increases its annual subsidy to National Institute for the Study of Dutch Slavery (*Nationaal Instituut Nederlands Slavernijverleden en Erfenis*).
- The national government monitors the pilots anonymous job applications, conducted by several Dutch municipalities in order to recruit more staff from ethnic minorities. The report on these pilots was published in 2016, and focused on two municipalities: The Hague and Utrecht.<sup>11</sup> The number of municipalities which want to implement anonymous job applications or want to conduct a pilot is rising.
- Developing a training method to support student from ethnic minorities in secondary vocational education (MBO) in dealing with discrimination and negative prejudices in finding internships and employment.

b) Briefly describe legal and policy developments, as well as measures adopted in your country in 2017 that relate to the application of the [Framework Decision on Racism and Xenophobia](#), with a particular focus on developments and measures relevant to combating hate speech and hate crime.

There were no legal and policy developments.

## 2. Measures addressing discriminatory ethnic profiling

The Minister of Interior and Kingdom Relations sent on 23 March 2017 a policy letter to the House of Representatives on the progress of the National Action Programme to combat discrimination (*Nationaal actieprogramma tegen discriminatie*) which started in 2016.<sup>12</sup> In the annex to this letter he summarises the policy initiatives taken against ethnic profiling and how far these initiatives are implemented.<sup>13</sup> The policy initiatives are:

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<sup>10</sup> The Netherlands, Minister of Interior and Kingdom Relations (Minister van Binnenlandse Zaken en Koninkrijksrelaties) (2017), 'Overzicht maatregelen uit het Nationaal actieprogramma tegen discriminatie', Annex to a letter to the House of Representatives (*Tweede Kamer der Staten-Generaal*), 23 March 2017, available at:

<https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/publicaties/2017/03/23/overzicht-maatregelen-uit-het-nationaal-actieprogramma-tegen-discriminatie/overzicht-maatregelen-uit-het-nationaal-actieprogramma-tegen-discriminatie.pdf>

<sup>11</sup> Coenders, M., Walz, G., Blommaert, L. & Braakman, M. (2016), Monitor anoniem solliciteren en netwerkbijeenkomsten, Utrecht / Nijmegen / Rotterdam, University Utrecht / Radboud University Nijmegen / Art.1, available at: <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2016/12/05/monitor-anoniem-solliciteren-en-netwerkbijeenkomsten/monitor-anoniem-solliciteren-en-netwerkbijeenkomsten.pdf>

<sup>12</sup> The Netherlands, Minister of Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2017), 'Voortgangsrapportage Nationaal actieprogramma tegen discriminatie', Letter to the House of Representatives (*Tweede Kamer der Staten-Generaal*), 23 March 2017, available at: [www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/23/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017.pdf](http://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/23/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017/kamerbrief-bijvoortgangsrapportage-nationaal-actieprogramma-tegen-discriminatie-2017.pdf)

<sup>13</sup> The Netherlands, Minister of Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2017), 'Overzicht maatregelen uit het Nationaal actieprogramma tegen

- implementation of police app by which people can file complaints about ethnic profiling by the police if they feel they have been unfairly stopped by the police. This app is in operation from 7 December 2016.
- training of police staff who handle complaints about the police to make them more aware of ethnic profiling.
- a pilot started in 2017 with independent complaint handlers who handle complaints about ethnic profiling
- training of all police staff on ethnic profiling.
- a special code on how to select in a more careful and will be made by the police. This code is not published yet.
- a campaign of the police to recruit more officers with a migration background

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discriminatie', Annex to a letter to the House of Representatives (Tweede Kamer der Staten-Generaal), 23 March 2017, available at:  
<https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/publicaties/2017/03/23/overzicht-maatregelen-uit-het-nationaal-actieprogramma-tegen-discriminatie/overzicht-maatregelen-uit-het-nationaal-actieprogramma-tegen-discriminatie.pdf>



## Chapter 3. Roma integration

### 1. Legislative developments

The issue of the (soft) law governing the availability of pitches for mobile homes has been subject of discussion. This issue was studied by the National Ombudsman, resulting in a report presented on 17 May 2017. The Ombudsman concluded that a reliable government should develop and implement a housing policy guaranteeing also sufficient pitches and locations for mobile homes. Central government should take the lead in this process and make an end towards a policy that is characterized as discriminatory.<sup>14</sup>

There has been a long run-up to the publication of this report of the National Ombudsman. Having started with consulting grass roots organisations (2013) and with a preliminary investigation on “participation” (2015), the National Ombudsman decided in 2016 to redefine the approach into a broader human rights perspective because of the increasing recognition of this dimension in connection to this particular population.<sup>15</sup> “When policy in itself is in conflict with human rights of citizens, one cannot expect them to be able or willing to participate in this policy”, the National Ombudsman argues. Ministries and municipalities are recommended to develop policies in line with the human rights framework set by international commitments (such as the Council of Europe/ECRI and the UN/CERD), taking existing case law into account (ECHR and Netherlands Institute of Human Rights), and by taking stock of needs and demands among these populations concerning mobile homes, locations and pitches.

Methodologically the research (31 August 2016 – 17 May 2017) was based on the following elements:

- A starting document and letter by the National Ombudsman to the Minister of Social Affairs and Employment relating to this minister’s responsibility for integration issues and international treaties on human rights;
- Creating and maintaining a contact point for complaints of Travellers, Sinti and Roma) which registered 111 complaints;
- Interviews with residents (17) and municipalities (7);
- Desk research (local, national and international documents);
- Round table discussions with ministry departments involved about the results of the research (6 March 2017).<sup>16</sup>

The report was presented by the National Ombudsman in presence of residents, representatives of grass roots and advocacy organizations, public officials and media, at the community center

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<sup>14</sup> The Netherlands, National Ombudsman (*Nationale Ombudsman*) (2017), *Woonwagenbewoner zoekt standplaats, een onderzoek naar de betrouwbaarheid van de Overheid voor Woonwagenbewoners*, The Hague. Bureau Nationale Ombudsman, available at: <https://www.nationaleombudsman.nl/onderzoeken/2017060-onderzoek-naar-de-betrouwbaarheid-van-de-overheid-voor-woonwagenbewoners>

<sup>15</sup> The Netherlands, National Ombudsman (*Nationale Ombudsman*) (2017), *Woonwagenbewoner zoekt standplaats, een onderzoek naar de betrouwbaarheid van de Overheid voor Woonwagenbewoners*, The Hague. Bureau Nationale Ombudsman, available at: <https://www.nationaleombudsman.nl/onderzoeken/2017060-onderzoek-naar-de-betrouwbaarheid-van-de-overheid-voor-woonwagenbewoners>

<sup>16</sup> The Netherlands, National Ombudsman (*Nationale Ombudsman*) (2017), *Woonwagenbewoner zoekt standplaats, een onderzoek naar de betrouwbaarheid van de Overheid voor Woonwagenbewoners*, The Hague. Bureau Nationale Ombudsman, available at: <https://www.nationaleombudsman.nl/onderzoeken/2017060-onderzoek-naar-de-betrouwbaarheid-van-de-overheid-voor-woonwagenbewoners>

of a campsite situated in the heart of the Netherlands, which is in process of renovation (expanding from 170 to 220 pitches or residential units) and considered the largest mobile home location of the country.

## 2. Policy developments

- Education

Twice a year, extra funding opportunities for municipalities and schools are issued by the State Secretary for Education, Culture and Science in the Government Gazette (*Staatscourant*), published on 28 March 2017<sup>17</sup> and 5 September 2017.<sup>18</sup> Information about this regulation is also circulated by the national platform for professionals, called Education for Travellers, Roma and Sinti (*Onderwijs aan Woonwagbewoners, Roma en Sinti* or OWRS).<sup>19</sup> Of this regulation, Article 28 refers to Sinti and Roma, treating the "Presence of Gypsy-children" (*Aanwezigheid zigeunerkinderen*). Should schools want to benefit from this regulation, an application needs to include the total number of pupils with a Sinti and Roma cultural background enrolled, as well as the number of pupils with a Sinti and Roma cultural background to whom a funding application is related, including their 'weight' per 1 October 2015. Four pupils of this cultural background enrolled at school is determined the minimum for such application.<sup>20</sup>

Not every school with more than four Roma, Sinti and Traveller children applies for this extra support, but those who do are expected to participate in the OWRS monitoring study carried out by KPCgroep. In primary education, seventeen schools participated in the latest monitoring study.<sup>21</sup> In secondary education eleven schools (85 pupils) participated in the latest monitoring study.<sup>22</sup> The next study started in early 2017 and will be finished in december 2017.<sup>23</sup>

Currently, six educational advisors are intermediating between school and home, and one, recruited from the Sinti community, operates as class assistant.

In addition to this targeted approach, education is an important and integral part of the general set of policy measures the Dutch government formulated in 2011 as part of the European

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<sup>17</sup> The Netherlands, Government Gazette (*Staatscourant*) (2017), 'Regeling van de Staatssecretaris van Onderwijs, Cultuur en Wetenschap van 17 maart 2017, nr. PO/FenV/1151367, houdende vaststelling van de bedragen personele bekostiging primair onderwijs voor het schooljaar 2017–2018 en het vaststellen van de bedragen voor ondersteuning van leerlingen in het primair en voortgezet onderwijs schooljaar 2017–2018', Vol. 2017, No. 17224, available at: <https://zoek.officielebekendmakingen.nl/stcrt-2017-17224.pdf>

<sup>18</sup> The Netherlands, Government Gazette (*Staatscourant*) (2017), 'Regeling van de Staatssecretaris van Onderwijs, Cultuur en Wetenschap van 25 augustus 2017, nr. PO/FenV/1235245, houdende aanpassing van de bedragen personele bekostiging primair onderwijs voor het schooljaar 2016–2017 en het aanpassen van de bedragen voor ondersteuning van leerlingen in het primair en voortgezet onderwijs schooljaar 2016–2017', Vol. 2017, No. 49778 available at <https://zoek.officielebekendmakingen.nl/stcrt-2017-49778.html>

<sup>19</sup> OWRS (2017), 'Landelijke ondersteuning Onderwijs aan Woonwagen-, Roma-, en Sintikinderen (OWRS)', Website, available at: <https://www.owrs.nl/>

<sup>20</sup> The Netherlands, Ministry of Education, Culture and Science (*Ministerie van Onderwijs, Cultuur en Wetenschap*) (2015), *Toelichting Gewichtenregeling basisonderwijs per 1 januari 2015*, available at: <http://www.jeugdinformatie.nl/nl/Download-NJi/Gewichtenregelingtoelichting2015.pdf>

<sup>21</sup> Timmermans, R. (2016), *Onderwijs aan kinderen van woonwagbewoners, Roma en Sinti Monitor Primair Onderwijs 2014-2015*, 's-Hertogenbosch, KPC Groep, available at: <http://www.owrs.nl/wp-content/uploads/2017/03/Monitor-owrs-rapport-2014-2015.pdf>

<sup>22</sup> Timmermans, R. (2015), *Onderwijs aan kinderen van Woonwagbewoners, Roma en Sinti. Monitor Voortgezet Onderwijs schooljaar 2013-2014*, 's-Hertogenbosch, KPC Groep, available at: <http://www.owrs.nl/wp-content/uploads/2017/03/Rapport-monitor-OWRS-VO-20132014def.pdf>

<sup>23</sup> OWRS (2017), 'Voortgang monitor OWRS Voortgezet Onderwijs', Web page, available at: <https://www.owrs.nl/nieuws/voortgang-monitor-owrs-voortgezet-onderwijs>

Framework of National Strategies for the Inclusion of Roma Communities. So far, no policy developments can be reported in 2017 as far as mainstream education is concerned. An extra programme was developed, implemented and evaluated, and came to an end in 2017: ‘the combat of the exploitation of Roma children’ (2011-2016). During this programme eleven local pilots were assessed the Centre for Criminality prevention and Safety and its results were published on its website.<sup>24</sup>

In April 2017 both ministers responsible for this programme, the Minister of Security and Justice in cooperation with the Minister of Social Affairs and Employment, reported the results to parliament: “Progress has been made on tackling school truancy and improving labour participation, reducing criminality and nuisance”.<sup>25</sup> In one pilot project, in the municipality of Ede, “no absolute truancy is reported so far, this year (2016-2017), among Roma girls aged twelve and older”. An important instrument reported as having contributed to this result is a penalty imposed on the parents in case of non-compliance with the Compulsory Education Act. Another pilot project (municipality of Lelystad) investing in labor participation “resulted in acquiring working experience (four Roma youth) and employment (another four), serving as a role model for other Roma youth”.<sup>26</sup>

- Employment

After the evaluation of the Participation Act (*Participatie Wet*) by the ministry of Social Affairs and Employment, a discussion about the funding of social assistance for, amongst others, Roma, Sinti and Travellers took place. Following up on the evaluation, the State Secretary will refine the so called Social Security Redistribution Model (*Bijstandsverdeelmiddel*) by adding indicators for the classification of households running a higher risk in terms of social security.<sup>27</sup> Examples of such added indicators are the level of (special) secondary education, “multiproblem cases” and “pitches” (*standplaatsen*). Households registered on an address defined as a “pitch” (*standplaats*), “for mobile homes for instance”, show a higher likelihood for an application for or dependence on social benefits, the State Secretary concludes from the research.<sup>28</sup>

The evaluation identified municipalities being discontent with the current model of social security redistribution, for not taking sufficiently into account the proportionally larger presence of residents that may run a higher risk to depend on social benefits: such as “residents

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<sup>24</sup> The Netherlands, Centre for Crime Prevention and Safety (*Centrum voor Criminaliteitspreventie en Veiligheid*) (2017), 'Multi-probleemgezinnen met een roma-achtergrond', Web page, available at: <https://hetccv.nl/onderwerpen/multi-probleemgezinnen-met-een-roma-achtergrond/>

<sup>25</sup> The Netherlands, Minister Security and Justice & Minister of Social Affairs and Employment (*Minister van Veiligheid en justitie & Minister van Sociale Zaken en Werkgelegenheid*) (2017), 'Afronding programma Aanpak uitbuiting Roma kinderen', Letter to the House of Representatives (*Tweede Kamer der Staten-Generaal*), 4 April 2017, available at: <https://zoek.officielebekendmakingen.nl/kst-32824-193.html>

<sup>26</sup> The Netherlands, Minister Security and Justice & Minister of Social Affairs and Employment (*Minister van Veiligheid en justitie & Minister van Sociale Zaken en Werkgelegenheid*) (2017), 'Afronding programma Aanpak uitbuiting Roma kinderen', Letter to the House of Representatives (*Tweede Kamer der Staten-Generaal*), 4 April 2017, available at: <https://zoek.officielebekendmakingen.nl/kst-32824-193.html>

<sup>27</sup> The Netherlands, State Secretary of Social Affairs and Employment (*Staatssecretaris van Sociale Zaken en Werkgelegenheid*) (2017), 'Betreft Verdeelmodel 2018 en laagste loonschalen in cao's', Letter to the House of Representatives (*Tweede Kamer der Staten-Generaal*), 14 July 2017, available at: <https://zoek.officielebekendmakingen.nl/kst-34352-62>

<sup>28</sup> The Netherlands, State Secretary of Social Affairs and Employment (*Staatssecretaris van Sociale Zaken en Werkgelegenheid*) (2017), 'Betreft Verdeelmodel 2018 en laagste loonschalen in cao's', Letter to the House of Representatives (*Tweede Kamer der Staten-Generaal*), 14 July 2017, available at: <https://zoek.officielebekendmakingen.nl/kst-34352-62>

of care institutions, asylum seekers with temporary admission, Sinti and Roma, or specific groups with a migration background”.<sup>29</sup>

Concerning Sinti and Roma, the report observed that the standard model of 2015 predicts a likelihood (10%) that does not correspond to actual figures (25.8%).<sup>30</sup> The research, commissioned by the ministry of Social Affairs and carried out on request of the Association of Dutch Municipalities (VNG), also pays attention to the dilemmas of how to classify such households. “As it deals with a population and not with a country of origin, Statistics the Netherlands (CBS) does not register Sinti and Roma separately”, the researchers observed and consequently proposed the following: “The fact that this population often lives in a mobile home, offers the opportunity to test a proxy for Sinti and Roma into the model”.<sup>31</sup> Therefore, the concept of “pitches” (*standplaatsen*) might be useful, the researchers argue: these data include all persons registered on an address defined as a “pitch” among whom Sinti and Roma (though not exclusively and, of course, not all members of this population). The report mentions a number of 9.693 households occupying a “pitch” (per 1 January 2015).

- Housing, living conditions, evictions

On 30 May 2017, the Association of Dutch Municipalities (*Vereniging Nederlandse Gemeenten*, VNG) communicated that the Minister of Interior Affairs and Kingdom Relations is willing to consult with municipalities about the reported of the National Ombudsman reported under section 1.<sup>32</sup> A first round table discussion between the ministry, VNG and municipalities took place shortly after, on 21 June 2017, and a second round will be held in October 2017.<sup>33</sup> In cooperation with the Minister of Social Affairs and Employment, the Minister of Interior Affairs and Kingdom Relations responded to the National Ombudsman on 18 September 2017 about the actions undertaken so far by the central government.<sup>34</sup>

The minister responds to the recommendations of the National Ombudsman, taking previous judgements of the Netherlands Institute of Human Rights (*College voor de Rechten van de Mens*) into account as well as his own role in this issue: “Municipalities are primarily responsible for housing policies, as it is a decentralized governmental task. Central governments’ role regarding mobile home policies (*standplaatsenbeleid*) is setting the preconditions and providing facilities”.<sup>35</sup>

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<sup>29</sup> Tempel, C. et al (2017), *Onderzoek Verfijning Bijstandsverdeelmodel*, Amsterdam, SEO Economische Onderzoek, available at: <https://zoek.officielebekendmakingen.nl/blg-814177>

<sup>30</sup> Tempel, C. et al (2017), *Onderzoek Verfijning Bijstandsverdeelmodel*, Amsterdam, SEO Economische Onderzoek, available at: <https://zoek.officielebekendmakingen.nl/blg-814177>

<sup>31</sup> Tempel, C. et al (2017), *Onderzoek Verfijning Bijstandsverdeelmodel*, Amsterdam, SEO Economische Onderzoek, available at: <https://zoek.officielebekendmakingen.nl/blg-814177>

<sup>32</sup> The Netherlands, Association News on housing, VNG, 30-05-2017, accessible through <https://vng.nl/onderwerpenindex/ruimte-en-wonen/woonbeleid/nieuws/bzk-wil-in-gesprek-met-gemeenten-over-woonwagenstandplaatsen>

<sup>33</sup> The Netherlands, Minister of Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2017), 'Aanbevelingen rapport 'Woonwagewoner zoekt standplaats' en reactie op oordeel 2017-55', Letter to National Ombudsman, 15 September 2017, available at: <https://zoek.officielebekendmakingen.nl/blg-818031.pdf>

<sup>34</sup> The Netherlands, Minister of Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2017), 'Aanbevelingen rapport 'Woonwagewoner zoekt standplaats' en reactie op oordeel 2017-55', Letter to National Ombudsman, 15 September 2017, available at: <https://zoek.officielebekendmakingen.nl/blg-818031.pdf>

<sup>35</sup> The Netherlands, Minister of Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2017), 'Aanbevelingen rapport 'Woonwagewoner zoekt standplaats' en reactie op oordeel 2017-55', Letter to National Ombudsman, 15 September 2017, available at: <https://zoek.officielebekendmakingen.nl/blg-818031.pdf>

Firstly, the minister argues that he is not in the position to appoint a minister responsible for Travellers and their human rights, as the central government is currently in an outgoing position (*demissionair*). “The next government will be in the position to make such a choice”, the minister concludes at this point. Secondly, “a dialogue is getting started with all parties involved, including the Association of Sinti, Roma and Travellers in the Netherlands (*Vereniging Sinti Roma Woonwagengewoners, VSRWN*) and other organizations engaged in the improvement of the position of these populations”. The minister expects this will result in “a framework offering municipalities and residents space for local policy”. Thirdly, a contested guide and tool for municipalities is removed from the central government’s website. This tool contained discriminatory elements by the Netherlands Institute Human Rights.<sup>36</sup> Furthermore, the above mentioned dialogues will lead to a new guide relating to mobile home policies (*standplaatsenbeleid*). In addition to this, the minister will include Travellers (*woonwagengewoners*) in an already programmed guide for municipalities about effective local policies on anti-discrimination, inclusively concrete examples and recommendations. Fourthly, these guides and dialogues “aim to improve the knowledge within municipalities about the human rights dimension concerning the cultural identity of Travellers (*woonwagengewoners*)”. Finally, municipalities already “declared to appreciate a certain form of monitoring”, a view shared by the minister concerning the mobile home policy. At this point, the minister intends to consult the aforementioned parties, in order to examine the possible content and form of such monitor in the nearby future.

As mentioned earlier, the ministry of Interior explored a further dialogue with the various players at stake, resulting in two rounds with municipalites and housing corporations (June, October) and three rounds (14 September, 19 October, 30 November) with civil society parties such as residents, non-governmental (self)organisations (lead by Association Sinti Roma travelers Netherlands/VSRWN) and lawyers associates (Public Interest Litigation Project/Nederlands Juristen Comité Mensenrechten, Houthoff Buruma Lawyers Amsterdam). The Public Interest Litigation Project (PILP) kept track of a possible lawsuit against the State, by taking stock of all possible constraints relating access to the right to live in a mobile home, as reported by residents by written communication and in a meeting (8 November). This document has been handed over to the ministry (November 30).<sup>37</sup> Another document presented to the ministry (November 29) is a pilot survey (46 respondents, 85%) regarding mobile homes and pitches in one particular municipality: state of the art, in terms of acute and long term needs (housing prognosis).<sup>38</sup> This pilot carried out by the selforganisation together with residents and independent researcher (Het Huurdershuis, Tenants Office) might service as a model for national implementation, in function of a newly developed mobile home or pitches policy by the Dutch government in 2018.<sup>39</sup>

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<sup>36</sup> The Netherlands, Netherlands Institute Human Rights judgement (*College van de Rechten van de Mens*) (2017), *Opinion 2017-55*, 1 May 2017, available at: [www.mensenrechten.nl/publicaties/oordelen/2017-55/detail](http://www.mensenrechten.nl/publicaties/oordelen/2017-55/detail)

<sup>37</sup> Overzicht Knelpunten: Discriminatie, Beleid en regelgeving m.b.t. woonwagens, bewoners en standplaatsen. PILP/NJCM en Houthoff Buruma advocaten, 13 november 2017. Memorandum (4 pages) aan ministerie Binnenlandse Zaken en Koninkrijksrelaties.

<sup>38</sup> Onderzoek Standplaatsbehoefte gemeente Haarlemmermeer 2017-2042. *Het Huurdershuis Arnhem en de Vereniging Sinti Roma Woonwagengewoners Nederland VSRWN*, 11 paginas, 29 november 2017.

<sup>39</sup> All internal civil society meetings and its consultations with the ministry were attended by the writer of this Chapter. Underlying written resources are incoming mails and the documents mentioned (but not published as yet).

- Health

There are no changes or discussions to report concerning health issues.

### **3. Monitoring mechanisms & indicators**

A qualitative periodical monitoring on Roma and Sinti inclusion is currently carried out and its report foreseen in December 2017.<sup>40</sup> This section will be extended in December 2017 when the results of the monitoring study are published.

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<sup>40</sup> RISBO - Erasmus University Rotterdam (2017), 'Social Inclusion Monitor', Web page, available at: [https://www.risbo.nl/uk/r\\_project.php?prj=471](https://www.risbo.nl/uk/r_project.php?prj=471)

# Chapter 4. Asylum, visas, migration borders and integration

## 1. Criminalisation of migrants

We have reviewed the Annex of the FRA report "Criminalisation of migrants in irregular situation", regarding the legislation punishing facilitation of irregular entry and stay and exceptions for humanitarian assistance and can state that on 30 September 2017 no changes have occurred in Dutch law since the annex was compiled.

In the Annex there is an error: Article 66 of the Aliens Act must be Article 66a of the Aliens Act.

## 2. Investigations or judicial procedures for migrant smuggling

Billie Minear is an American kindergarten teacher who lived in Istanbul and was then married to a Syrian refugee.<sup>41</sup> Billie Minear helped her two sisters-in-law to enter the Netherlands. These two sisters fled with their parents from Syria in 2013 to Egypt. Later they migrated to Istanbul to stay with their brother who fled from Syria a year before his parents and sisters. This brother married Bill Minear in Istanbul. Minear accompanied her sisters-in-law on two occasions (14 October 2014 and 15 February 2016) on flights from Istanbul to the Netherlands and helped them secure borrowed passports for the trip. She said in an article that she did not receive any financial gain.<sup>42</sup> In an interview with the Dutch immigrant authorities while seeking asylum, one of Minear's sisters-in-law mentioned Minear and her involvement in her journey to the Netherlands. Dutch security officials soon put out a European-wide warrant for Minear's arrest. On 9 July 2017 Billie Minear was arrested at the Turkish-Greek border by the Greek authorities. After a detention of more than two weeks in Greece Minear was brought to the Netherlands and detained there. She was interviewed by the examining judge (*Rechter-Commissaris*). On 4 August 2017 Minear she was released by the examining judge from detention.

The judicial proceedings are still going.<sup>43</sup> Billie Minear is at the moment living in the United States. The Public Prosecution Service still intends to prosecute her on the charge of smuggling migrants but they wait for the response to two requests for mutual assistance sent to foreign authorities. These responses are necessary for the Public Prosecution Service to have a case against Minear.

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<sup>41</sup> Maas, J. (2015), 'Mensensmokkelaar? Ik wilde alleen mijn familie helpen', *AD*, 11 August 2015, available at: [www.ad.nl/buitenland/mensensmokkelaar-ik-wilde-alleen-mijn-familie-helpen~a72ebde4/](http://www.ad.nl/buitenland/mensensmokkelaar-ik-wilde-alleen-mijn-familie-helpen~a72ebde4/) ; Banco, E. (2015), 'Breaking The Law For Love', *International Business Times*, 8 december 2015, available at: [www.ibtimes.com/breaking-law-love-2046848](http://www.ibtimes.com/breaking-law-love-2046848)

<sup>42</sup> Banco, E. (2015), 'Breaking The Law For Love', *International Business Times*, 8 december 2015, available at: [www.ibtimes.com/breaking-law-love-2046848](http://www.ibtimes.com/breaking-law-love-2046848)

<sup>43</sup> Information provided in a telephone interview by an official from the Public Prosecution Service on 3 October 2017.

# Chapter 5. Information society, data protection

## 1. EU data protection reform

The bill implementing the Police Directive is still not sent to the House of Representatives. It was scheduled that the bill would be submitted to the House of Representatives on August 2017.<sup>44</sup> Therefore, the bill has not been published. The Advisory Division of the Council of State has already made its advice but this will only be published when the bill is submitted to the House of Representatives

The bill implementing Passenger Names Record Directive is still under review of the The Advisory Division of the Council of State (*Raad van State*).<sup>45</sup> The Council of State provides the government with independent advice before the bill is being submitted to the House or Representatives.

The first draft for the bill implementing the General Data Protection Regulation (GDPR) was open for internet consultation from 9 December 2016 to 20 January 2017.<sup>46</sup> A total of 67 comments were written on the bill during the internet consultation. The consultation period is the first stage in the Dutch legislative process.

Upon the request of the Ministry of Security and Justice, the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens* or AP) published its advice on April 6 2017 on the draft bill for the implementation of the General Data Protection Regulation (GDPR).<sup>47</sup> The Dutch Data Protection Authority was critical, and proposed amendments regarding 37 of the 48 articles. Primarily, it emphasized the importance of ensuring a policy neutral approach, and its position as an independent party. In emphasizing its independent role, the Dutch Data Protection Authority proposed to amend articles 9 and 10 of the draft bill in order to ensure that it does not require approval from the Minister of Security and Justice. Under the current draft bill, the Dutch Data Protection Authority cannot litigate independently on EU level. The Dutch Data Protection Authority has therefore proposed to either be given legal personality, or that an arrangement is made that will no longer require the Dutch Data Protection Authority to acquire the approval and/or involvement of the Ministry in order to litigate. Furthermore, the Dutch Data Protection Authority requested for an annual budget separate from the national budget, which it believes would be in accordance with article 52 paragraph 6 of the GDPR.

The Dutch Data Protection Authority advised the Ministry of Security and Justice to hold off sending the the bill to the House of Representatives until it has incorporated its amendment proposals. The bill implementing the General Data Protection Regulation (GDPR) is not submitted to the House of

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<sup>44</sup> The Netherlands, Ministry of Foreign Affairs (*Ministerie van Buitenlandse Zaken*) (2017), *Kwartaalrapportage stand van zaken implementatie EU-richtlijnen 2017. Tweede Kwartaal 29017*, available at: [www.rijksoverheid.nl/documenten/publicaties/2017/07/21/kwartaalrapportage-stand-van-zaken-implementatie-eu-richtlijnen-2017](http://www.rijksoverheid.nl/documenten/publicaties/2017/07/21/kwartaalrapportage-stand-van-zaken-implementatie-eu-richtlijnen-2017)

<sup>45</sup> The Netherlands, Ministry of Foreign Affairs (*Ministerie van Buitenlandse Zaken*) (2017), *Kwartaalrapportage stand van zaken implementatie EU-richtlijnen 2017. Tweede Kwartaal 29017*, available at: [www.rijksoverheid.nl/documenten/publicaties/2017/07/21/kwartaalrapportage-stand-van-zaken-implementatie-eu-richtlijnen-2017](http://www.rijksoverheid.nl/documenten/publicaties/2017/07/21/kwartaalrapportage-stand-van-zaken-implementatie-eu-richtlijnen-2017)

<sup>46</sup> The Netherlands, National Government (*Rijksoverheid*) (2017), 'Uitvoeringswet Algemene verordening gegevensbescherming', Web page on [www.internetconsultatie.nl](http://www.internetconsultatie.nl), available at: <https://www.internetconsultatie.nl/uitvoeringswetavg/details>

<sup>47</sup> The Netherlands, Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*) (2017), *Advies wetsvoorstel Uitvoeringswet Algemene verordening gegevensbescherming*, Letter sent to State Secretary for Security and Justice, 6 April 2017, available at: [https://autoriteitpersoonsgegevens.nl/sites/default/files/atoms/files/advies\\_uitvoeringswet\\_avg.pdf](https://autoriteitpersoonsgegevens.nl/sites/default/files/atoms/files/advies_uitvoeringswet_avg.pdf)



Representatives yet, so it is unknown whether the ministry of Security and Justice has heeded the advice of the Dutch Data Protection Authority.

The Dutch Data Protection Authority commissioned the consultancy firm Andersson Elffers Felix (AEF) to make a report with regard to the future organization of the Dutch Data Protection Authority in anticipation of the implementation of General Data Protection Regulation in 2018.<sup>48</sup> The Dutch Data Protection Authority sent this report to the State Secretary for Justice on 6 April 2017.<sup>49</sup> The State Secretary for Security and Justice submitted the report to the House of Representatives on 31 May 2017.<sup>50</sup>

The report concludes that the Dutch Data Protection Authority will require a significant growth in both human as well as financial resources to be able to efficiently carry out its increased responsibilities. The report suggests that an increase of four times its current size is not unrealistic. In terms of its budget, the report highlights an expected increase from its current annual budget of EUR 7,7 million, to (a maximum of) EUR 29,4 million. This is due to the broader role that the Dutch Data Protection Authority will have under the GDPR, which will no longer be limited to a supervisory body, but will also include the authority to sanction, as well as an advisory role for both citizens and organizations.

## 2. Use of big Data

The Netherlands Scientific Council for Government Policy (*Wetenschappelijke Raad voor het Regeringsbeleid* or WRR) published a Policy Brief on Big Data and Security Policies.<sup>51</sup> The brief is based on the report 'Big Data in a Free and Secure Society' (*Big Data in een vrije en veilige samenleving*) of the WRR, which was presented to the Dutch Minister of Security and Justice on 28 April 2016.<sup>52</sup> The Netherlands Scientific Council for Government Policy is an independent advisory body for the Dutch government and its position is governed by a special Act.

The main argument of this brief is: Big Data analytics in national security, law enforcement and the fight against fraud can reap great benefits for states, citizens and society but require extra safeguards to protect citizens' fundamental rights. This requires new frameworks: a crucial shift is necessary from regulating the phase of the collection of data to regulating the phases of data analysis and use.

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<sup>48</sup> Andersson Elffers Felix (2017), *Organisatorische vertaling. Verordening & Richtlijn gegevensbescherming*, Utrecht, Andersson Elffers Felix (AEF), available at: [www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2017/05/31/tk-bijlage-eindrapportage-aef-met-aanbiedingsbrief-vz-ap/Eindrapportage+over+gevolgen+van+de+Algemene+Verordening+Gegevensbescherming+%28AVG%29+voor+de+Autoriteit+Persoonsgegevens+%28AP%29.pdf](http://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2017/05/31/tk-bijlage-eindrapportage-aef-met-aanbiedingsbrief-vz-ap/Eindrapportage+over+gevolgen+van+de+Algemene+Verordening+Gegevensbescherming+%28AVG%29+voor+de+Autoriteit+Persoonsgegevens+%28AP%29.pdf)

<sup>49</sup> The Netherlands, Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*) (2017), *Eindrapportage AEF over AP*, Letter sent to State Secretary for Security and Justice, 6 April 2017, available at: [www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2017/05/31/tk-bijlage-brief-aan-dhr-dijkhoff-inzake-aef-geanonimiseerd/tk-bijlage-brief-aan-dhr-dijkhoff-inzake-aef-geanonimiseerd.pdf](http://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2017/05/31/tk-bijlage-brief-aan-dhr-dijkhoff-inzake-aef-geanonimiseerd/tk-bijlage-brief-aan-dhr-dijkhoff-inzake-aef-geanonimiseerd.pdf)

<sup>50</sup> The Netherlands, State secretary for Security and Justice (Staatssecretaris van Veiligheid en Justitie) (2017), *Gevolgen Algemene verordening gegevensbescherming voor de Autoriteit Persoonsgegevens en meldingen datalekken*, Letter to the House of Representatives, 31 May 2017, available at: <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/05/31/tk-gevolgen-algemene-verordening-gegevensbescherming-voor-de-autoriteit-persoonsgegevens-en-meldingen-datalekken/tk-gevolgen-algemene-verordening-gegevensbescherming-voor-de-autoriteit-persoonsgegevens-en-meldingen-datalekken.pdf>

<sup>51</sup> The Netherlands, The Netherlands Scientific Council for Government Policy (*Wetenschappelijke Raad voor het Regeringsbeleid* or WRR) (2017), *Big Data and Security Policies: Serving Security, Protecting Freedom. WRR-Policy Brief 6*, The Hague, WRR, available at: [https://english.wrr.nl/binaries/wrr-eng/documents/policy-briefs/2017/01/31/big-data-and-security-policies-serving-security-protecting-freedom/WRR\\_PB6\\_BigDataAndSecurityPolicies.pdf](https://english.wrr.nl/binaries/wrr-eng/documents/policy-briefs/2017/01/31/big-data-and-security-policies-serving-security-protecting-freedom/WRR_PB6_BigDataAndSecurityPolicies.pdf)

<sup>52</sup> The Netherlands, The Netherlands Scientific Council for Government Policy (*Wetenschappelijke Raad voor het Regeringsbeleid* or WRR) (2017), *Big Data in een vrije en veilige samenleving*, The Hague, WRR, available at: [www.wrr.nl/binaries/wrr/documenten/rapporten/2016/04/28/big-data-in-een-vrije-en-veilige-samenleving/R095-Big-data-vrije-veilige-samenleving.pdf](http://www.wrr.nl/binaries/wrr/documenten/rapporten/2016/04/28/big-data-in-een-vrije-en-veilige-samenleving/R095-Big-data-vrije-veilige-samenleving.pdf)

On 1 July 2017 the first part of the Act on client's right to electronic data processing in healthcare (*Wet cliëntenrechten bij elektronische verwerking van gegevens in de zorg*) took effect.<sup>53</sup> This act amends and renames the Act on the use of Citizen Service Number in the Health Care (*Wet gebruik burgerservicenummer in de zorg*) into the Act additional regulations on the processing of personal data in the health care (*Wet aanvullende bepalingen verwerking persoonsgegevens in de zorg*).<sup>54</sup> This act also amends, in a minor way, several other acts like the Health Insurance Act (*Zorgverzekeringswet*). This act makes that from 1 July 2017 healthcare practitioners who wish to transfer patient data to other healthcare practitioners, even if the transfer is to take place within the same organization, require to inform the patient, as well as to obtain the patient's consent, prior to the transfer. The second part of the Act on client's right to electronic data processing in healthcare will take effect in in 2020. The intention of the second part is to give patients increased control over their data. They will for example be able to determine which data may be accessed by which practitioner. Furthermore, patients will be given the right to free access to their online data, which should also show who entered the data, and who can and has access(ed) it. Health insurance companies and company doctors will not be given access to this data.

On 11 July 2017 the Senate passed the bill for the Act on the Intelligence and Security Services 2017(*Wetsvoorstel Wet op de inlichtingen- en veiligheidsdiensten 2017*).<sup>55</sup> This bill will replace the current Act on the Intelligence and Security Services 2002 (*Wet op de inlichtingen- en veiligheidsdiensten*) on 1 January 2018. The act lays down the authorities of the General Intelligence and Security Service (*Algemene Inlichtingen en Veiligheidsdienst or AIVD*) and the Military Intelligence and Security Service (*Militaire Inlichtingen- en Veiligheidsdienst*) and extends the powers of the services to intercept internet traffic and email and phone communications allowing for interception by a so called investigation mandate (the so called dragnet). At this moment an initiative of a group of students in Amsterdam going on to collect enough signatures for a corrective referendum on the Act on the Intelligence and Security Services. 300,000 signatures are needed for 16 October 2017.<sup>56</sup> On 3 October 2017 some 179.000 signatures were collected.<sup>57</sup>

The Administrative Jurisdiction Division of the Council of State (the highest administrative court in the Netherlands) ruled on of July 26, 2017, that the Dutch Tax and Customs Administration is required to delete the Automatic Number Plate Recognition (ANPR) data it obtained from the police.<sup>58</sup> The Council

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<sup>53</sup> The Netherlands, Bulletin of Acts, Orders and Decrees of the Kingdom of the Netherlands (Staatsblad van het Koninkrijk der Nederlanden) (2017), 'Besluit van 13 juni 2017, houdende vaststelling van het tijdstip van inwerkingtreding van de Wet van 5 oktober 2016 tot wijziging van de Wet gebruik burgerservicenummer in de zorg, de Wet marktordening gezondheidszorg en de Zorgverzekeringswet (cliëntenrechten bij

elektronische verwerking van gegevens)', Vol. 2017, No. 279, available at: <https://zoek.officielebekendmakingen.nl/stb-2017-279.pdf>

<sup>54</sup> The Netherlands, Wet aanvullende bepalingen verwerking persoonsgegevens in de zorg (Act additional regulations on the processing of personal data in the health care), 10 april 2008, available at: <http://wetten.overheid.nl/BWBR0023864/2017-07-01>

<sup>55</sup> The Netherlands, Senate (*Eerste Kamer der Staten-Generaal*) (2017), 'Wet op de inlichtingen- en veiligheidsdiensten 2017', available at: [www.eerstekamer.nl/wetsvoorstel/34236\\_implementatie\\_richtlijn](http://www.eerstekamer.nl/wetsvoorstel/34236_implementatie_richtlijn)

<sup>56</sup> Teken Sleepwet (2017), 'Sleepwet Referendum', Web page at: <https://teken.sleepwet.nl/>

<sup>57</sup> NOS (2017), 'Nog niet genoeg handtekeningen voor referendum aftapwet', Web page, available at: <https://nos.nl/artikel/2195961-nog-niet-genoeg-handtekeningen-voor-referendum-aftapwet.html>

<sup>58</sup> The Netherlands, Administrative Jurisdiction Division of the Council of State (Afdeling bestuursrechtspraak van de Raad van State), Case. no.201507913/1/A3, ECLI:NL:RVS:2017:2008, 26 July 20-17, available at: <http://deemlink.rechtspraak.nl/uitspraak?id=ECLI:NL:RVS:2017:2008>

of State found that because the ANPR data can easily be led back to an individual, it does indeed qualify as personal data.

In July the Dutch Data Protection Authority was in several occasions told by the Dutch Courts that it failed to take enforcement actions where it should have done so.

On 7 July 2017 the District Court Utrecht (*Rechtbank Midden-Nederland*), in two cases concerning the processing of medical data, ruled that the Dutch Data Protection Authority had casually and wrongfully concluded that enforcement action was not required.<sup>59</sup> The Court therefore ruled that it has eight weeks to rectify these shortcomings.

On 13 July 2017 the District Court Arnhem (*Rechtbank Gelderland*) ruled that the Dutch Data Protection Authority failed to take action against the municipality of Arnhem which introduced a new underground waste container system which requires its residents to use a registered card.<sup>60</sup> As a result, each time a resident makes use of the containers, the municipality registers their identity, as well as their address and frequency of use of the containers. Upon the request of a resident who felt that this processing of personal data constituted a breach of their right to privacy, the Dutch Data Protection Authority started an investigation. In April 2017, the Dutch Data Protection Authority decided not to take any enforcement actions against the municipality. The Court dismissed the decision of the Dutch Data Protection Authority to not take enforcement actions against the municipality.

### **Directive on security of network and information systems (NIS Directive)**

The first draft for the bill implementing the NIS Directive or the bill for the Cybersecurity Act (*Cybersecuritywet*) was open for internet consultation from 16 June 2017 to 16 July 2017.<sup>61</sup> A total of seven comments were written on the bill during the internet consultation. The consultation period is the first stage in the Dutch legislative process. The definite bill is not sent to the House of Representatives yet. This bill will replace the Data Processing and Cybersecurity Notification Obligation Act (*Wet gegevensverwerking en meldplicht cybersecurity*)<sup>62</sup> which has passed the Senate on 11 July 2017 and was published in het Bulletin of Acts, Orders and Decrees of the Kingdom of the Netherlands (*Staatsblad van het Koninkrijk der Nederlanden*) on 3 August 2017.<sup>63</sup> This Act has not taken effect yet.

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<sup>59</sup> The Netherlands, District Court Utrecht (*Rechtbank Midden-Nederland*) (2017), AWB - 16 \_ 3326, 7 July 2017, ECLI:NL:RBMNE:2017:3421, available at:

<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBMNE:2017:3421> / The Netherlands, District Court Utrecht (*Rechtbank Midden-Nederland*), Case no. AWB - 16 \_ 4199, 7 July 2017, ECLI:NL:RBMNE:2017:3422, available at:

<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBMNE:2017:3422>

<sup>60</sup> The Netherlands, District Court Arnhem (*Rechtbank Gelderland*) (2017), Case no. AWB - 16 \_ 2340, 13 July 2017, ECLI:NL:RBGEL:2017:3665, available at:

<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBGEL:2017:3665>

<sup>61</sup> The Netherlands, National Government (*Rijksoverheid*), (2017) 'Cybersecuritywet', Web page on [www.internetconsultatie.nl](http://www.internetconsultatie.nl), available at: <https://www.internetconsultatie.nl/cybersecuritywet/details>

<sup>62</sup> The Netherlands, State secretary for Security and Justice (*Staatssecretaris van Veiligheid en Justitie*) (2017), Explanatory Memorandum to the bill Cybersecurity Act, available at: <https://www.internetconsultatie.nl/cybersecuritywet/document/2941>

<sup>63</sup> The Netherlands, Bulletin of Acts, Orders and Decrees of the Kingdom of the Netherlands (*Staatsblad van het Koninkrijk der Nederlanden*) (2017), 'Wet gegevensverwerking en meldplicht cybersecurity', Vol. 2017, No. 316, available at: <https://zoek.officielebekendmakingen.nl/stb-2017-316.pdf>

## Chapter 6. Rights of the child

### 1. Child poverty in relation to access to housing

Table 1: Legal and policy measures in relation to housing

Legislative or policy developments during 2017 in the area of access to housing	No new legislative or policy developments occurred in 2017.
Existing measures to facilitate access of families with children accessing social housing or housing assistance	Households with an income of up to €36,135 have access to social housing. Waiting lists are long for these houses and municipalities can prioritize households who are in urgent need of a housing (among which are families with children). The legal basis of social housing is the Housing Act 2014 ( <i>Huisvestingswet 2014</i> ) and municipal bylaws <sup>64</sup>
Measures in place for protection from homelessness in cases of forced eviction when there are children living in the household	Policies directed at the homeless are a responsibility of the municipalities. Supporting the homeless by providing shelters is a responsibility of the municipalities under the Social Support Act 2015 ( <i>Wet Maatschappelijke Ondersteuning 2015</i> ). <sup>65</sup> Most forced evictions are caused by debt and the inability to pay the rent. A study on homeless families in shelters published in 2015 shows that the majority of the municipalities have made agreements with housing corporations about reporting arrears of rent so measures can be taken to prevent evictions. <sup>66</sup> To prevent homelessness among families, two-thirds of the municipalities indicate that they always try to find alternative housing. Sometimes families can stay in their homes because of so-called second chance measures. All these efforts can not prevent families of children moving into shelters. These shelters are provided by local welfare institutions and funded by the municipalities under the Social Support Act 2015. The aforementioned study also shows that social workers in all municipalities as a standard procedure consider the involvement of children in a forced eviction. <sup>67</sup>

<sup>64</sup> The Netherlands, Housing Act 2014 (*Huisvestingswet 2014*), 4 June 2014, available at: <http://wetten.overheid.nl/BWBR0035303/2017-07-01>

<sup>65</sup> The Netherlands, 2015 Social Support Act (*Wet maatschappelijke ondersteuning 2015*), 9 July 2014, available at: <http://wetten.overheid.nl/BWBR0035362/2016-08-01>

<sup>66</sup> Planije, M. & Tuynman, M. (2015), *Gezinnen in de maatschappelijke opvang. Opvang en ondersteuning van dakloze gezinnen*, Utrecht, Trimbos-Instituut, available at: <https://www.trimbos.nl/?act=winkeldl.download&prod=820>

<sup>67</sup> Planije, M. & Tuynman, M. (2015), *Gezinnen in de maatschappelijke opvang. Opvang en ondersteuning van dakloze gezinnen*, Utrecht, Trimbos-Instituut, available at: <https://www.trimbos.nl/?act=winkeldl.download&prod=820>

	<p>There is evidence that municipalities in recent year fail to prevent families getting homeless.<sup>68</sup> The Ombudsman for Children of the municipality of Amsterdam has sounded in August 2017 the alarm bell about the rising number of homeless families in Amsterdam. In 2016 the number of homeless families rose with 30%. She also point out that the municipality fails to support municipalities fails to prevent homelessness among families.</p>
<p>Examples of projects co-funded by EU funds for facilitating access to housing for children and families at risk of homelessness</p>	<p>No such project were found.</p>
<p>Any research or data collection on access to housing for families with children/children and families at risk of homelessness and commentary and visibility of children in data on access to housing/prevention of homelessness</p>	<p>Netherlands Statistics publishes each year figures about the number of homeless people in the Netherlands but these figures do not include figures about children.<sup>69</sup></p> <p>In 2015 a study is on homeless families in shelters was published in 2015<sup>70</sup> It the most extensive study on this subject so far and was carried out by questioning municipalities which support families at risk of homelessness. This study estimates that between 800 and 900 families stay in shelters. The number of children is estimated between 1200 and 1400. All these children stay with their parents or one of their parents. The real number is probably because not all municipalities participated in this study.</p> <p>In 2017 a new study was conducted on homeless families in shelters of which the preliminary results were published in a factsheet.<sup>71</sup> This study was carried out by questioning welfare organisation who provide shelter for homeless families. This study found that among the organisations questioned 2209 families stay and 2755 children stay in shelters.</p>

<sup>68</sup> Van Gelder, L. & Van Kempen, K. (2017), '217 families raakten huis kwijt, Kinderombudsman kritisch', *Het Parool*, 10 August 2017, available at: <https://www.parool.nl/amsterdam/217-families-raakten-huis-kwijt-kinderombudsman-kritisch~a4510579/>

<sup>69</sup> Netherlands Statistics (*Centraal Bureau van de Statistiek*) (2016), 'Dakloos: vaker jong en niet-westers', Press release 23 December 2016. available at: [www.cbs.nl/nl-nl/nieuws/2016/51/dakloos-vaker-jong-en-niet-westers](http://www.cbs.nl/nl-nl/nieuws/2016/51/dakloos-vaker-jong-en-niet-westers)

<sup>70</sup> Planije, M. & Tuijnman, M. (2015), *Gezinnen in de maatschappelijke opvang. Opvang en ondersteuning van dakloze gezinnen*, Utrecht, Trimbo-Instituut, available at: <https://www.trimbos.nl/?act=winkeldl.download&prod=820>

<sup>71</sup> VanMontfoort (2017), *Ben ik in beeld? Kinderen in opvangenvoelingen*, Woerden, VanMontfoort, available at: [www.vanmontfoort.nl/images/stories/pdfs/Factsheet%20Kinderpostzegels%20PDF%20DEF.pdf](http://www.vanmontfoort.nl/images/stories/pdfs/Factsheet%20Kinderpostzegels%20PDF%20DEF.pdf)

## 2. Protection of unaccompanied children in the context of migration

Table 2: Formal best interests evaluation in the context of children in migration

<p>WHEN? : In which situations is undertaken?</p>	<p>The lawyer representing the unaccompanied child in the proceedings or the legal guardian may ask for a diagnostic pedagogical assessment resulting in an official report with an expert advice on the best interest of the child. He can ask for such by assessment by contacting the Centre for Children Migration and Law (<i>Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht</i>) of the University of Groningen.<sup>72</sup></p> <p>Nidos is an independent family guardian organisation which, under Dutch civil law, fulfils the guardianship task for unaccompanied minors. This task is carried out by professionals employed by Nidos. These legal guardians will in each decision take the best interest of the child into account. Currently Nidos is working on interpreting the criterion ‘the interests of the by deploying the BIC method as used and developed by the Centre for Children Migration and Law of the University.’<sup>73</sup></p>
<p>HOW?: What is the method used?</p>	<p>The Centre for Children Migration and Law (<i>Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht</i>) uses the BIC-model (Best Interest of the Child-Model) as the basis for conducting a diagnostic pedagogical assessment.<sup>74</sup> This model also informs the method used by the family guardian organisation Nidos. The Centre for Children Migration and Law has developed a special questionnaire the Best Interest of the Child – Questionnaire (BIC-Q). The BIC-Q can be filled in from the perspective of the professional, the parent and the child. In addition to the BIC-Q the child</p>

<sup>72</sup> University of Groningen - Centre for Children Migration and Law (RU Groningen - Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht) (2017), 'Pedagogical assessments > Registration', Web page, available at: <http://www.rug.nl/research/study-centre-for-children-migration-and-law/orthopedagogical-diagnostic-tests/sign-up>

<sup>73</sup> Nidos (2017), 'Methodology', Web page, available at: [www.nidos.nl/en/home/missie-en-visie-van-nidos/methodiek/](http://www.nidos.nl/en/home/missie-en-visie-van-nidos/methodiek/)

<sup>74</sup> University of Groningen - Centre for Children Migration and Law (*RU Groningen - Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht*) (2017), 'Pedagogical assessments > Methodology', Web page, available at: <http://www.rug.nl/research/study-centre-for-children-migration-and-law/orthopedagogical-diagnostic-tests/methodology>

		gives his or her own opinion by means of a Best Interest of the Child – Self report (BIC-S).
WHO?	Who is the staff involved in the procedure?	<p>Staff involved are staff of the Centre for Children Migration and Law (<i>Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht</i>) of the University of Groningen external researchers in cooperation with the Study Centre for Children, Migration and Law. These external researchers are behavioural scientists and psychologists and member of the Association of Educationalists in the Netherlands (NVO) or the Dutch Association of Psychologists (NIP).</p> <p>Legal guardians of Nidos are trained professionals who must have a relevant qualification from a University of Applied Sciences. They also need to be registered with the Youth Quality Register.<sup>75</sup></p>
	What is the training and qualification of that staff?	<p>Staff of Centre for Children Migration and Law are behavioural scientists and psychologists with academic degree and PhD.<sup>76</sup></p> <p>The legal guardians of Nidos have followed a study Social Work or Pedadagogy on one of the Universities of Applied Sciences in on the following three disciplines : Social Work, Pedagogy, Social Pedagogy.<sup>77</sup></p>
	How is the guardian involved?	<p>The legal guardian may ask for a diagnostic pedagogical assessment resulting in an official report with an expert advice on the best interest of the child.<sup>78</sup></p> <p>The legal guardians of Nidos involve their unaccompanied minors in all major decisions.<sup>79</sup></p>
	How is the child involved?	<p>The Centre for Children Migration and Law (<i>Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht</i>) uses in each diagnostic pedagogical assessment the Best</p>

<sup>75</sup> Nidos (2017), 'Werken als jeugdbeschermer', Web page, available at: [www.nidos.nl/home/organisatie-en-medewerkers/werken-bij-nidos/werken-als-jeugdbeschermer/](http://www.nidos.nl/home/organisatie-en-medewerkers/werken-bij-nidos/werken-als-jeugdbeschermer/)

<sup>76</sup> University of Groningen - Centre for Children Migration and Law (*RU Groningen - Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht*) (2017), d

<sup>77</sup> Nidos (2017), 'Werken als jeugdbeschermer', Web page, available at: [www.nidos.nl/home/organisatie-en-medewerkers/werken-bij-nidos/werken-als-jeugdbeschermer/](http://www.nidos.nl/home/organisatie-en-medewerkers/werken-bij-nidos/werken-als-jeugdbeschermer/)

<sup>78</sup> University of Groningen - Centre for Children Migration and Law (*RU Groningen - Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht*) (2017), 'Pedagogical assessments >Procedure', Web page, available at: <http://www.rug.nl/research/study-centre-for-children-migration-and-law/orthopedagogical-diagnostic-tests/method>

<sup>79</sup> Nidos (2017), 'Werken als jeugdbeschermer', /

		<p>Interest of the Child – Self report (BIC-S) in which the child gives his or her opinion.<sup>80</sup> The Centre has developed a special questionnaire the Best Interest of the Child – Questionnaire (BIC-Q). The BIC-Q can be filled in from the perspective of the professional, the parent and the child. In addition to the BIC-Q the child gives his or her own opinion by means of a Best Interest of the Child – Self report (BIC-S).</p> <p>The legal guardians of Nidos use a special guardianship method for unaccompanied children in which problems relating to return and various forms of reception are discussed by the legal guardian and the minor. Nidos aims at dialogue-oriented actions, in which the client’s contacts form the basis of the procedure.<sup>81</sup></p>
<p>Existing guidance on how to determine the best interests of the child</p> <p>Provide full reference</p>		<p>Staff of the Centre for Children Migration and Law (<i>Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht</i>) have published about the BIC-model<sup>82</sup> and the questionnaires<sup>83</sup> they use.</p>
<p>Please also briefly elaborate on other guidance on best interests which might have been developed for children in need of protection, beyond the area of migration.</p> <p>Provide full reference</p>		<p>In the Dutch child protection sector all professionals work according the so called delta method.<sup>84</sup></p>

### 3. Online bullying, hate speech and radicalisation

<sup>80</sup> University of Groningen - Centre for Children Migration and Law (*RU Groningen - Onderzoeks- en Expertisecentrum voor Kinderen en Vreemdelingenrecht*) (2017), 'Pedagogical assessments > Methodology', Web page, available at: <http://www.rug.nl/research/study-centre-for-children-migration-and-law/orthopedagogical-diagnostic-tests/methodology>

<sup>81</sup> Nidos (2017), 'Client participation', Web page, available at: <https://www.nidos.nl/en/home/clientenparticipatie/>

<sup>82</sup> Kalverboer, M.E. & Zijlstra, E. (2010), *Het belang van het kind in het Nederlands recht. Voorwaarden voor ontwikkeling vanuit een pedagogisch perspectief*, Amsterdam, SWP.

<sup>83</sup> Kalverboer, M.E. et al (2012), 'The Best Interest of the Child Questionnaire, reliability and validity: Preliminary data on the question 'where to live after detention or secure treatment?', *Criminal Behaviour and Mental Health* (22), 1, p.41-52, available at: <http://hdl.handle.net/11370/53b24ee3-e274-430f-b204-6a6793894794>

<sup>84</sup> PI Research & Van Montfoort (2009), *Handboek Deltamethode Gezinsvoogdij: De nieuwe methode voor de uitvoering van de ondertoezichtstelling*, Duivendrecht / Woerden, PI Research / Van Montfoort.



No new legal and policy developments took place in 2017 addressing online bullying, hate speech and online extremism and/or radicalisation.

# Chapter 7. Access to justice including crime victims

## 1. Common principles for collective redress mechanism

At the moment a bill for an amendment to the Act on collective damages action is under review of the House of Representatives.<sup>85</sup> This Act is implemented in the Code of Civil Proceedings and the Civil Code. The Bill seeks to strike a better balance than the existing regime between the interests of claimants and defendants in collective actions. It aims to make collective settlements more attractive for all parties involved by improving the quality of representative organizations, coordinating the collective (damages) procedures and offering more finality.

The most relevant elements of the bill include:

- The legal entity claiming damages needs to fulfil stricter requirements with respect to its governance, funding and representation.
- Only non-profit entities would be allowed to file the collective action, as under current law.
- A collective action for damages must be sufficiently closely connected with the Netherlands.
- If more than one legal entity brings a collective action for the same events, the district court will appoint an exclusive representative for all parties. All other representative legal entities, however, still remain parties to the proceedings.
- Members of the class for whose benefit the action is brought, can choose to opt-out at the beginning of the proceedings. If too many members of the class opt-out, the district court may decide that the claim cannot be brought.
- Parties that opt-out are required to proceed on an individual basis.
- The judgment of the district court is binding on all parties that did not opt-out.

## 2. Victims' Rights Directive

On 7 March 2017 the Senate (*Eerste Kamer der Staten-Generaal*) passed the bill implementing Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime.<sup>86</sup> This Act implementing the Directive 2012/29/EU took effect on 1 April 2017.<sup>87</sup>

On 1 April 2017 the general administrative order (*algemene besluit van bestuur*) 'Decree supporting victims of crime' (*Besluit slachtoffers van strafbare feiten*) took effect. This Decree details how the right of victims in the criminal procedure is implemented.<sup>88</sup> It contains the following chapters: (1)

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<sup>85</sup> The Netherlands, Senate (*Eerste Kamer der Staten-Generaal*) (2017), Afwikkeling van massaschade in een collectieve actie, Web page, available at: [www.eerstekamer.nl/wetsvoorstel/34608\\_afwikkeling\\_van\\_massaschade](http://www.eerstekamer.nl/wetsvoorstel/34608_afwikkeling_van_massaschade)

<sup>86</sup> The Netherlands, Senate (*Eerste Kamer der Staten-Generaal*) (2017), Implementatie richtlijn minimumnormen voor de rechten, de ondersteuning en de bescherming van slachtoffers van strafbare feiten, Web page, available at: [www.eerstekamer.nl/wetsvoorstel/34236\\_implementatie\\_richtlijn](http://www.eerstekamer.nl/wetsvoorstel/34236_implementatie_richtlijn)

<sup>87</sup> The Netherlands, Bulletin of Acts, Orders and Decrees of the Kingdom of the Netherlands (*Staatsblad van het Koninkrijk der Nederlanden*) (2017), 'Besluit van 23 maart 2017 tot vaststelling van het tijdstip van inwerkingtreding van de wet van 8 maart 2017, en van het Besluit van 24 augustus 2016, houdende regels voor de rechten, de ondersteuning en de bescherming van slachtoffers van strafbare feiten', Volume 2017, No. 128, available at: <https://zoek.officielebekendmakingen.nl/stb-2017-128.pdf>

<sup>88</sup> The Netherlands, Decree supporting victims of crime' (*Besluit slachtoffers van strafbare feiten*), available at: <http://wetten.overheid.nl/jci1.3:c:BWBR0038468&z=2017-04-01&g=2017-04-01>

definitions; (2) organisation supporting victims; (3) right to information; (4) protection measures; (5) the needs of specific groups of victims (like minors or victims of sexual violence or victims of discriminatory violence); (6) redress.

On 1 May 2017 the new Instruction Victim Support (*Aanwijzing slachtofferzorg*) of the Public Prosecution Service took effect.<sup>89</sup> This directive lays down the rules for the Public Prosecution Service on how to behave towards victims. It contains rules concerning the investigation and prosecution phase of criminal proceeding. The rules consider the following victim rights: right to protection (including the individual assessment of the need of protection), right to information, right to speak during the trial, right to make a written statement, right to compensation. This new directive was made in view of the Act implementing the Directive 2012/29/EU.

On 1 May the 2017 the ministerial Regulation information to crime victims (*Regeling algemene informatievoorziening slachtoffers*) took effect.<sup>90</sup> This regulation mandates police officers to inform victims about their rights at the start of criminal proceedings.

On 9 May 2017 the House of Representatives passed a bill which provide for compensation for emotional distress arising from serious accidents and crimes. The bill amends the Civil Code (*Burgerlijk Wetboek*), the Code of Criminal Procedure (*Wetboek van Strafvordering*), the Criminal Code (*Wetboek van Strafrecht*), and the Damages Fund for Violent Crimes Act (*Wet schadefonds geweldsmisdrijven*).<sup>91</sup> The bill compensates the next of kin of victims who have died, and the dependents of victims who have severe and permanent injuries, as the result of an event caused by another party, such as a road accident, a medical error, an industrial accident or a violent crime. The bill is currently under review of the Senate.<sup>92</sup>

### 3. Violence against women

Table 3:

Legislative or policy developments during 2017 in the areas listed below:	
Substantive criminal law in line with Articles 33 to 48 of the Istanbul Convention	No changes in criminal law occurred in line with Articles 33 to 48 of the Istanbul convention.

<sup>89</sup> The Netherlands, Public Prosecution Service (*Openbaar Ministerie*) (2017), Instruction Victim Support (*Aanwijzing slachtofferzorg*), available at: <http://wetten.overheid.nl/jci1.3:c:BWBR0039515&z=2017-05-01&g=2017-05-01>

<sup>90</sup> The Netherlands, Minister of Security and Justice (Minister van Veiligheid en Justitie) (2017), Regulation information to crime victims (*Regeling algemene informatievoorziening slachtoffers*), available at: <http://wetten.overheid.nl/jci1.3:c:BWBR0039405&z=2017-04-01&g=2017-04-01>

<sup>91</sup> The Netherlands, Minister of Security and Justice (*Minister van Veiligheid en justitie*) (2015), Wijziging van het Burgerlijk Wetboek, het Wetboek van Strafvordering en het Wetboek van Strafrecht teneinde de vergoeding van affectieschade mogelijk te maken en het verhaal daarvan alsmede het verhaal van verplaatsteschade door derden in het strafproces te bevorderen, available at: <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2015/07/20/wetsvoorstel-vergoeding-affectieschade/tk-voorstel-van-wet-teneinde-de-vergoeding-van-affectieschade-mogelijk-t.pdf>

<sup>92</sup> The Netherlands, Senate (*Eerste kamer der Staten-Generaal*) (2017), ‘Vergoeding van affectieschade’, Wetsvoorstel, available at: [https://www.eerstekamer.nl/wetsvoorstel/34257\\_vergoeding\\_van](https://www.eerstekamer.nl/wetsvoorstel/34257_vergoeding_van)

Protection in line with Articles 50 to 53 and 56 of the Istanbul Convention	No new developments took place in line with Articles 50 to 53 and 56 of the Istanbul Convention
Investigation and Prosecution in line with Articles 49, 54, 55, 56 and 58 of the Istanbul Convention	On 1 April 2017 the general administrative order ( <i>algemene besluit van bestuur</i> ) ‘Decree supporting victims of crime’ ( <i>Besluit slachtoffers van strafbare feiten</i> ) took effect. This Decree details how the right of victims in the criminal procedure is implemented. <sup>93</sup> This Decree entitles victims of sexual violence to be interviewed by police officers of the same gender. This was standing practice but is now codified.
Information, support, and legal assistance in line with Articles 19 to 28 and 57 of the Istanbul Convention	<p>On 1 April 2017 the general administrative order (<i>algemene besluit van bestuur</i>) ‘Decree supporting victims of crime’ (<i>Besluit slachtoffers van strafbare feiten</i>) took effect. This Decree details how the right of victims in the criminal procedure is implemented.<sup>94</sup> It mandates that some categories of victims are entitled to special protection, like persons who are in a dependent relationship with their aggressor.</p> <p>The Ministry of Security and Justice allocates extra funds to 16 municipalities in 2016 and 2017 (€ 4,2 million) for the set up of extra Centres of Sexual Violence.<sup>95</sup> These centres are regional organisations which support victims of sexual violence. These extra funds enable the opening of three new Centres of Sexual Violence in 2017 so victims of sexual violence in all regions have access to a centre.</p> <p>The Decree Mandatory Reporting Code on Domestic Violence and Child Abuse (<i>Besluit verplichte meldcode huiselijk geweld en kindermishandeling</i>) will be amended.<sup>96</sup> The Decree makes it compulsory for organisations and independent professionals</p>

<sup>93</sup> The Netherlands, Decree supporting victims of crime’ (*Besluit slachtoffers van strafbare feiten*), available at: <http://wetten.overheid.nl/jci1.3:c:BWBR0038468&z=2017-04-01&g=2017-04-01>

<sup>94</sup> The Netherlands, Decree supporting victims of crime’ (*Besluit slachtoffers van strafbare feiten*), available at: <http://wetten.overheid.nl/jci1.3:c:BWBR0038468&z=2017-04-01&g=2017-04-01>

<sup>95</sup> The Netherlands, State Secretary for Health, Welfare and Sport (*Staatssecretaris van Volksgezondheid, Welzijn en Sport*) (2017), ‘Voortgangsrapportage GIA januari 2017’. Letter to the House of Representatives, 2 February 2017, available at: <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/02/02/kamerbrief-over-voortgangsrapportage-gia-januari-2017/kamerbrief-over-voortgangsrapportage-gia-januari-2017.pdf>

<sup>96</sup> The Netherlands, Bulletin of Acts, Orders and Decrees of the Kingdom of the Netherlands (*Staatsblad van het Koninkrijk der Nederlanden*) (2017), ‘Besluit van 23 juni 2017, houdende wijziging van het Besluit verplichte meldcode huiselijk geweld en kindermishandeling en het Besluit kwaliteit kinderopvang en peuterspeelzalen om te bewerkstelligen dat gevallen van ernstig huiselijk geweld of ernstige kindermishandeling dan wel vermoedens daarvan bij het advies- en meldpunt huiselijk geweld en kindermishandeling worden gemeld’, Vol. 2017, No. 291, available at: <https://zoek.officielebekendmakingen.nl/stb-2017-291.pdf>

	<p>in certain sectors (health care, education, child care, youth care etc) to adhere to a reporting code. The amendment mandates that each reporting code incorporates an assessment framework. Based on the assessment framework, the professional weighs the risk and the nature and severity of domestic violence or child abuse. The amendment will take effect on 1 January 2019.</p>
<p>Surveys concerning violence against women</p>	<p>The Research and Documentation Centre (WODC) of the Ministry of Security and Justice has repeated the prevalence study into domestic violence, which was last conducted in 2010, in 2016. Results will probably be published in 2017 but have not been published yet.</p>

## Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

**1. Measures taken to implement the CRPD at national level:** Please outline legal and policy reforms/initiatives introduced to implement the CRPD in your country. Include reforms/initiatives proposed, underway or completed in 2017; mention especially any initiatives that specifically concern children and women.

On 1 January 2017 an article was added to the Act on equal treatment on the grounds of disability or chronic illness which states that by a general administrative order (*algemene maatregel van bestuur*) rules will be laid down concerning the accessibility of services.<sup>97</sup> This general administrative order outlining the rules of accessibility was expected to take effect on the same date : 1 January 2017. But this did not happen. More than six months later it did happen. On 21 June 2017 the Decree Accessibility for persons with a disability of chronic disease (*Besluit algemene toegankelijkheid voor personen met een handicap of chronische ziekte*) took effect.<sup>98</sup>

On 28 March 2017 the State Secretary for Health, Welfare and Sport sent a plan for the implementation of CRPD to the House of Representatives.<sup>99</sup> This plan outlines what has to be done for the implementation of CRPD. It contains agreements between the national government and social partners, agreements between national government and local governments, goals to be achieved in each relevant social domain, a time path, and financial commitments.<sup>100</sup>

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<sup>97</sup> The Netherlands, Act on equal treatment on the grounds of disability or chronic illness (*Wet gelijke behandeling op grond van handicap of chronische ziekte*), Article 2a, <http://wetten.overheid.nl/jci1.3:c:BWBR0014915&paragraaf=1&artikel=2a&z=2017-01-01&g=2017-01-01>

<sup>98</sup> The Netherlands, Decree Accessibility for persons with a disability of chronic disease (*Besluit algemene toegankelijkheid voor personen met een handicap of chronische ziekte*), 21 June 2016, available at: <http://wetten.overheid.nl/BWBR0039653/2017-06-21>

<sup>99</sup> The Netherlands, State Secretary for Health, Welfare and Sport (*Staatssecretaris van Volksgezondheid, Welzijn en Sport*) (2017), 'Implementatieplan VN Verdrag Handicapverdrag inzake de rechten van personen met een handicap', Letter to the House of Representatives, 28 March 2017, available at: <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2017/03/28/aanbieding-implementatieplan-verdrag-inzake-de-rechten-van-personen-met-een-handicap/aanbieding-implementatieplan-verdrag-inzake-de-rechten-van-personen-met-een-handicap.pdf>

<sup>100</sup> The Netherlands, Ministry of Health, Welfare and Sport (Ministerie van Volksgezondheid, Welzijn en Sport) (2017), *Implementatieplan VN Verdrag Handicap verdrag inzake de rechten van personen met een handicap*, available at: <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/convenanten/2017/03/13/implementatieplan-vn-verdrag-inzake-de-rechten-van-personen-met-een-handicap/implementatieplan-vn-verdrag-inzake-de-rechten-van-personen-met-een-handicap.pdf>

## 2. Monitoring of CRPD implementation at national level:

- a) Using track changes, update the Table 4 below on structures for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities (CRPD) as outlined in Article 33 of the CRPD in your country.
- b) Describe key developments/changes relating to these structures, with a particular focus on the independence of the monitoring framework (Article 33(2)) and the involvement of civil society in the monitoring framework. Outline key activities/outputs of the monitoring framework.

The research Institute Nivel published on 3 July 2017 a preliminary report about the indicators it will use when monitoring the implementation of the CRPD.  
<sup>101</sup>Nivel is commissioned by the The Netherlands Institute for Human Rights (*College voor de Rechten van de Mens*) to monitor the implementation of the CRPD

The report explains how Nivel selected 17 criteria in the form of quantitative indicators to assess the implementation articles 19 ( Living independently and being included in the community) and 27 (Work and employment) of the CRPD. The report gives no information about the implementation of these articles , it only explains how and why Nivel came to this set of criteria. In 2018 Nivel will publish a report based on data from 2016 and 2017 and using this set of criteria.

Table 4: Structures set up for the implementation and monitoring of the CRPD

<b>EUMS</b>	<b>Focal points within government for matters relating to the implementation of the CRPD – Article 33 (1)</b>	<b>Coordination mechanism – Article 33 (1)</b>	<b>Framework to promote, protect and monitor implementation of the CRPD – Article 33 (2)</b>	<b>Key developments in Article 33 structures</b>  <b>Activities/outputs of monitoring framework</b>
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<sup>101</sup> Boeije, H., Oldenkamp, M. & Meulenkamp, T. (2017), *Tussenrapportage monitoring implementatie VN-verdrag gelijke rechten voor mensen met beperkingen: naar duurzame indicatoren*, Utrecht, Nivel, available at: [www.nivel.nl/sites/all/modules/custom/wwwopac/adlib/publicationDetails.php?database=ChoicePublicat&priref=1003132&width=650&height=500&iframe=true](http://www.nivel.nl/sites/all/modules/custom/wwwopac/adlib/publicationDetails.php?database=ChoicePublicat&priref=1003132&width=650&height=500&iframe=true)

<b>AT</b>	Federal Ministry for Labour, Social Affairs and Consumer Protection ( <i>Bundesministerium für Arbeit, Soziales und Konsumentenschutz</i> ); the 9 regional authorities ( <i>Länder</i> ) designated their own sub-focal points	Federal Ministry of Labour, Social Affairs and Consumer Protection ( <i>Bundesministerium für Arbeit, Soziales und Konsumentenschutz</i> ) with the involvement of the Federal Disability Advisory Board ( <i>Bundesbehindertenbeirat</i> )	<a href="#">CRPD monitoring committee</a> ( <i>Monitoringausschuss</i> )	
<b>BE</b>	Federal Public Service Social Security ( <i>Federale Overheidsdienst/Service public fédérale sécurité sociale</i> ) Directorate-General for Strategy and Research; the 7 communities and regions designated their own sub-focal points.		<a href="#">Interfederal Centre for Equal Opportunities (Unia)</a> ( <i>Interfederaal Gelijkekansencentrum/ Centre interfédéral pour l'égalité des chances</i> )	
<b>BG</b>	Ministry of Labour and Social Policy, Policy for People with Disabilities, Equal Opportunities and Social Benefits Directorate, Integration of people with disabilities department ( <i>Министерство на труда и социалната политика, дирекция "Политика за хората с увреждания, равни възможности и социални помощи", отдел "Интеграция на хората с увреждания"</i> )	Not established/designated	Not established/designated	



<b>CY</b>	Ministry of Labour, Welfare and Social Insurance, Department for Social Inclusion of People with Disabilities (Τμήμα Κοινωνικής Ενσωμάτωσης Ατόμων με Αναπηρίες, Υπουργείου Εργασίας, Ευημερίας και Κοινωνικών Ασφαλίσεων)	Pancyprian Council for Persons with Disabilities	<a href="#">Independent authority for the promotion of the rights of persons with disabilities</a> (Ανεξάρτητη Αρχή Προώθησης Δικαιωμάτων ΑμεΑ) within the <a href="#">Office of the Commissioner for Administration and Human Rights</a> (Γραφείο Επιτρόπου Διοικήσεως και Ανθρωπίνων Δικαιωμάτων)	
<b>CZ</b>	Ministry of Labour and Social Affairs ( <i>Ministerstvo práce a sociálních věcí</i> )	Ministry of Labour and Social Affairs ( <i>Ministerstvo práce a sociálních věcí</i> ) in cooperation with Ministry of Foreign Affairs ( <i>Ministerstvo zahraničních věcí</i> ), Government Board for People with Disabilities ( <i>Vládní výbor pro zdravotně postižené občany</i> ) and National Disability Council ( <i>Národní rada osob se zdravotním postižením</i> )	Not established/designated	
<b>DE</b>	Federal Ministry for Labour and Social Affairs ( <i>Bundesministerium für Arbeit und Soziales</i> ); the 16 federal states ( <i>Länder</i> ) designated their own sub-focal points	Federal Government Commissioner for Matters Relating to Persons with Disabilities ( <i>Beauftragte der Bundesregierung für</i>	<a href="#">German Institute for Human Rights</a> ( <i>Deutsches Institut für Menschenrechte</i> )	

		<i>die Belange von Menschen mit Behinderung)</i>		
<b>DK*</b>	Ministry of Children and Social Affairs ( <i>Børne- og Socialministeriet</i> )	Inter-ministerial committee of civil servants on disability matters	<a href="#">Danish Institute for Human Rights</a> ( <i>Institut for Menneskerettigheder</i> ); <a href="#">Danish Disability Council</a> ( <i>Det Centrale Handicapråd</i> ); <a href="#">Danish Parliamentary Ombudsperson</a> ( <i>Folketingets Ombudsmand</i> )	
<b>EE</b>	Ministry of Social Affairs ( <i>Sotsiaalministeerium</i> )	Cooperation Assembly between ministries ( <i>Puuetega inimeste koostöökogu</i> ), Estonian Chamber of Disabled People ( <i>Eesti Puuetega Inimeste Koda</i> ) and four DPOs	Committee of the Rights of Persons with Disabilities under the <a href="#">Estonian Chamber of Disabled People</a> ( <i>Eesti Puuetega Inimeste Koda</i> )	
<b>EL</b>	Ministry of Labour, Social Security and Social Solidarity, Directorate of International Relations ( <i>Υπουργείο Εργασίας, Κοινωνικής Ασφάλισης και Κοινωνικής Αλληλεγγύης, Διεύθυνση Διεθνών Σχέσεων</i> )	not established/designated	not established/designated	
<b>ES</b>	Ministry of Health, Social Services and Equality ( <i>Ministerio de Sanidad, Servicios Sociales e Igualdad</i> ); Ministry of Foreign Affairs and Cooperation ( <i>Ministerio de Asuntos Exteriores y Cooperación</i> ); Ministry of	National Disabilities Council ( <i>Consejo Nacional de la Discapacidad</i> ); Spanish Monitoring System for Disability ( <i>Observatorio Estatal de la Discapacidad</i> )	<a href="#">Spanish Committee of Representatives of People with Disabilities</a> ( <i>Comité Español de Representantes de Personas con Discapacidad</i> ); <a href="#">Ombudsman</a> ( <i>Defensor del Pueblo</i> )	

	Employment and Social Security (Ministerio de Empleo y Seguridad Social).			
<b>FI</b>	Ministry of Foreign Affairs (Ulkoasiainministeriö); Ministry of Social Affairs and Health (Sosiaali- ja Terveysministeriö)	Advisory Board for the Rights of Persons with Disabilities (Vammaisten henkilöiden oikeuksien neuvottelukunnasta) within Ministry of Social Affairs and Health (Sosiaali- ja Terveysministeriö)	<a href="#">Human Rights Centre</a> (Ihmisoikeuskeskus); <a href="#">Human rights delegation</a> (Ihmisoikeusvaltuuskunta); <a href="#">Parliamentary Ombudsman</a> (Eduskunnan oikeusasiamies)	
<b>FR</b>	Ministry of Social Affairs and Health (Ministère des Affaires sociales et de la santé); Interministerial Committee for Disability (Comité interministériel du handicap)	Interministerial Committee for Disability (Comité interministériel du handicap)	<a href="#">Public Defender of Rights</a> (Le Défenseur des Droits); <a href="#">National Advisory Council for Human Rights</a> (Commission Nationale Consultative des Droits de l'Homme) and <a href="#">National Advisory Council for People with a Disability</a> (Conseil national consultatif des personnes handicapées)	
<b>HR</b>	Ministry of Social Politics and Youth (Ministarstvo socijalne politike i mladih)		<a href="#">Ombudsman for Persons with Disabilities</a> (Pravobranitelj za osobe s invaliditetom); Commission of the Government of the Republic of Croatia for people with disabilities (Povjerenstva Vlade Republike Hrvatske za osobe s invaliditetom)	
<b>HU</b>	Ministry of Human Capacities, Department for Disability Affairs (Emberi Erőforrások Minisztériuma,	National Disability Council (Országos Fogyatékoságügyi Tanács); Interministerial Committee on Disability (Fogyatékoságügyi Tárcaközi Bizottság)		

	<i>Fogyatékoságügyi Főosztály)</i>		
<b>IE**</b>	Department of Justice and Equality, Equality Division		<a href="#">Irish Human Rights and Equality Commission</a> supported by the National Disability Authority
<b>IT</b>	Ministry of Labour and Social Policies ( <i>Ministero del Lavoro e delle Politiche Sociali</i> )		<a href="#">National Observatory on the Situation of Persons with Disabilities</a> ( <i>Osservatorio Nazionale sulla condizione delle persone con disabilità</i> )
<b>LT</b>	Ministry of Social Security and Labour ( <i>Socialinės apsaugos ir darbo ministerija</i> )		<a href="#">Office of the Equal Opportunities Ombudsperson</a> ( <i>Lygių galimybių kontrolieriaus tarnyba</i> )
<b>LU</b>	Ministry of Family, Integration and for the Greater Region ( <i>Ministère de la Famille, de l'Intégration et à la Grande Région</i> )		<a href="#">Luxembourg Human Rights Consultative Body</a> ( <i>Commission consultative des Droits de l'Homme du Grand-Duché de Luxembourg</i> ); <a href="#">Centre for Equal Treatment</a> ( <i>Centre pour l'égalité de traitement</i> ); <a href="#">Ombudsman</a> ( <i>Médiateur au service de citoyens</i> )
<b>LV</b>	Ministry of Welfare ( <i>Labklājības ministrija</i> ), National Council of Disability Affairs ( <i>Invaliditātes lietu nacionālā padome</i> )		<a href="#">Ombudsperson of the Republic of Latvia</a> ( <i>Latvijas Republikas Tiesībsargam</i> )
<b>MT</b>	National Focal Point Office within the Ministry for the Family and Social Solidarity ( <i>Ministeru għall-Familja u -Solidarjeta` Soċjali</i> ); Parliamentary Secretariat for the rights of persons with a disability and active ageing ( <i>Segretarju parlamentari għad-drittijiet ta' persuni b'diżabilita' u</i>	Fair society action council ( <i>Kunsill Azzjoni lejn Soċjeta' Ġusta</i> )	<a href="#">Commission for the Rights of Persons with a Disability</a> ( <i>Kummissjoni għad-Drittijiet ta' Persuni b'Diżabilità</i> )

	<i>anzjanita' attiva)</i>			
<b>NL</b>	Ministry of Health, Welfare and Sport ( <i>Ministerie van Volksgezondheid, Welzijn en Sport</i> )		<a href="#">Netherlands Institute for Human Rights</a> ( <i>College voor de Rechten van de Mens</i> )	
<b>PL</b>	Ministry of Labour and Social Policy ( <i>Ministerstwo Pracy i Polityki Społecznej</i> )	Ministry of Labour and Social Policy ( <i>Ministerstwo Pracy i Polityki Społecznej</i> ) and the Team for the implementation of the CRPD provisions (chaired by the Government Plenipotentiary for Persons with Disabilities ( <i>Pełnomocnik Rządu do Spraw Osób Niepełnosprawnych</i> ))	<a href="#">Commissioner for human rights</a> ( <i>Rzecznik Praw Obywatelskich</i> )	
<b>PT</b>	Ministry of Foreign Affairs, Directorate General of External Policy ( <i>Ministério dos Negócios Estrangeiros, Direção-Geral de Política Externa</i> ); Ministry of Solidarity, Employment and Social Security, Strategy and Planning Office ( <i>Ministério da Solidariedade, Emprego e Segurança Social, Gabinete de Estratégia e Planeamento</i> )	Ministry of Solidarity, Employment and Social Security, National Institute for Rehabilitation ( <i>Ministério da Solidariedade, Emprego e Segurança Social, Instituto Nacional para a Reabilitação</i> )	National mechanism for monitoring and implementation of the CRPD ( <i>Mecanismo nacional de monitorização da implementação da Convenção</i> )	
<b>RO</b>	Ministry of labour, family, social protection and older	National Authority for Persons with	Council for monitoring the implementation of the UN CRPD	

	persons ( <i>Ministerul Muncii, Familiei, Protecției Sociale și Persoanelor Vârstnice</i> )	Disabilities ( <i>Autoritatea Națională pentru Persoanele cu Dizabilități</i> )	(Monitoring council) ( <i>Consiliul de monitorizare a implementării Convenției</i> )	
<b>SE</b>	Ministry of Social Affairs and Health ( <i>Socialdepartementet</i> )	High-Level Interministerial Working Group led by the Division for social care of the Ministry of Health and Social Affairs ( <i>Socialdepartementet</i> )	Not established/designated	
<b>SI</b>	Ministry of Labour, Family, Social Affairs and Equal Opportunities, Directorate Disability, Veterans and Victims of War ( <i>Ministrstvo za delo, družino, socialne zadeve in enake možnosti, Direktorat za invalide, vojne veteran in žrtve vojnega nasilja</i> )		<a href="#">Council for Persons with Disabilities of the Republic of Slovenia</a> ( <i>Svet za invalide Republike Slovenije</i> )	
<b>SK</b>	Ministry of Labour, Social Affairs and Family, Department for the Integration of Persons with Disabilities ( <i>Ministerstvo práce, sociálnych vecí a rodiny, Odbor integrácie osôb so zdravotným postihnutím</i> );		<a href="#">Commissioner for Persons with Disabilities</a> ( <i>Komisár pre osoby so zdravotným postihnutím</i> )	
<b>UK</b>	Department of Work and Pensions, Office for Disability Issues		<a href="#">Equality and Human Rights Commission</a> (England and Wales); <a href="#">Scottish Human Rights Commission</a> ; <a href="#">Northern Ireland Human Rights Commission</a> and <a href="#">Equality Commission for Northern Ireland</a>	