

**Addendum to the Commentary  
on the 4th periodic report of the Netherlands on the  
International Covenant on Civil and Political Rights (ICCPR)**

**The Netherlands, 25<sup>th</sup> June 2009**

**This Addendum has been written by the Dutch section of the International Commission of Jurists (NJCM) with contributions by the following NGOs:**

- **Art. 1 (Dutch National Association Against Discrimination)**
- **Netwerk VN-Vrouwenverdrag (Dutch CEDAW Network)**
- **VluchtelingenWerk Nederland (Dutch Council for Refugees)**

**The Addendum is further submitted on behalf of the following NGOs:**

- **Aim for Human Rights (former Humanist Committee on Human Rights)**
- **CG-Raad (Dutch Council for the Chronically Ill and the Disabled)**
- **COC Nederland (Dutch Association for Integration of Homosexuality)**
- **Johannes Wier Foundation for Health and Human Rights**
- **Justitia et Pax Nederland**

Contact information:

Dutch section of the International Commission of Jurists  
(Nederlands Juristen Comité voor de Mensenrechten, NJCM)  
P.O. Box 9520  
2300 RA Leiden  
The Netherlands  
Phone: +31 (0)71 527 7748  
Fax: +31 (0)71 527 7383  
Email: [njcm@law.leidenuniv.nl](mailto:njcm@law.leidenuniv.nl)  
Website: [www.njcm.nl](http://www.njcm.nl)

## Introduction

This Addendum contains an update to the Commentary which was presented to the UN Human Rights Committee (HRC) by 14 Dutch NGOs in August 2008.<sup>1</sup> The Commentary was submitted ahead of the HRC's pre-sessional meeting in October 2008, a preliminary to its upcoming examination of the Netherlands' 4<sup>th</sup> periodic report on the implementation of the ICCPR in July 2009. This Addendum includes developments which have occurred since August 2008 in a number of areas described in the Commentary, as well as comments to some of the written replies by the Netherlands in response to the List of Issues.<sup>2</sup> For ease of reference, the Addendum uses the same headings as the List of Issues.

### ***Counterterrorism measures and respect for rights guaranteed in the Covenant***

#### **A3**

##### National fingerprint database

In order to implement the European regulation on passport security, the Netherlands has recently passed a law which introduces biometric passports containing an RFID-microchip with digital information about the passport owner.<sup>3</sup> Under the European regulation, a digital facial image and the fingerprints of the passport owner will have to be stored on this microchip for identification purposes and in order to prevent fraudulent use.<sup>4</sup> However, by storing the data of all biometric passports in a central database for criminal investigation purposes (including counter-terrorism), the Netherlands has gone one giant leap further than the European regulation. This 'national fingerprint database' will thus come to include the fingerprints of every Dutch citizen, regardless of any criminal activity, hence turning people's travel documents for personal use into security documents for use by the State. Citizens will hardly have any control over the biometric information stored about them. Many experts have also warned that data breaches and identity theft are inevitable. Both the Dutch Data Protection Authority and other experts have consequently found this new law on biometric passports to be in serious violation of the right to privacy.<sup>5</sup> The Dutch NGOs accordingly urge the Human Rights Committee to address this grave breach of Article 17 ICCPR in its upcoming session.

### ***Equality between men and women, and principle of non-discrimination***

#### **A4**

##### Women and part-time employment

Dutch women often work part-time. A study by the Social and Cultural Planning Office of the

---

<sup>1</sup> Dutch section of the International Commission of Jurists (NJCM) *et al.*, *Commentary on the Fourth Periodic Report of the Netherlands on the International Covenant on Civil and Political Rights (ICCPR)*, 8 August 2008.

<sup>2</sup> *Replies to the List of Issues (CCPR/C/NLD/Q/4) to be taken up in connection with the consideration of the fourth periodic report of the Netherlands*, UN Doc. CCPR/C/NLD/Q/4/Add.1 (May 2009).

<sup>3</sup> *Wijziging van de Paspoortwet in verband met het herinrichten van de reisdocumentenadministratie*, adopted by the Dutch Senate on 9 June 2009. For the text of the law (in Dutch), see Parliamentary Documents I, 2008/09, 31 324 (R1844) A, 20 January 2009. This law is scheduled to enter into force (fully) on 21 September 2009.

<sup>4</sup> See *Council Regulation (EC) No. 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States*, arts. 1(2) and 4(3).

<sup>5</sup> See e.g. Data Protection Authority ('College Bescherming Persoonsgegevens'), *Advies betreffende wijziging Paspoortwet i.v.m de herinrichting van de reisdocumentenadministratie*, 30 March 2007, available at [http://www.cbpreweb.nl/downloads\\_adv/z2007-00010.pdf](http://www.cbpreweb.nl/downloads_adv/z2007-00010.pdf); Tilburg University, Tilburg Institute for Law, Technology and Society (TILT), *Open Letter to Parliament*, 8 June 2009, available (in Dutch) at <http://vortex.uvt.nl/TILTblog/?p=69#more-69>; IKON Radio, 7 June 2009, *Nederland: rechtsstaat of snuffelstaat?*, available at [www.ikonrtv.nl/daw/uitzending.asp?IntItem=1&IntEntityId=185](http://www.ikonrtv.nl/daw/uitzending.asp?IntItem=1&IntEntityId=185). Cf. *S. and Marper v. United Kingdom*, ECtHR 4 December 2008, Appl. Nos. 30562/04 and 30566/04.

Netherlands shows that 75% of Dutch working women have part-time jobs.<sup>6</sup> This is almost twice the average in the European Union. The study indicates that most women reduce their working hours after having their first child. Views on parenthood in the Netherlands appear to be quite traditional. The majority of both men and women feel that it is best for children to be taken care of entirely by their parents.<sup>7</sup> However, these traditional views are not just ascribed to Dutch women. According to the study, also in France, the former West-Germany and Spain a substantial proportion of the population believes that families suffer if women work full-time. These views on parenthood explain why many working mothers have part-time jobs. Remarkably, however, both this study as well as more recent research suggest that the majority of Dutch women who work part-time (59%) do not have (young) children.<sup>8</sup> The reasons for their part-time employment are very diverse and include both personal as well as sociological factors, including traditional role patterns.<sup>9</sup> Both studies further show that financial incentives are found to increase the labour participation of women.<sup>10</sup>

A different study (by the Central Bureau for Statistics) concludes that the number of parents that received a childcare allowance increased by 20% in 2008.<sup>11</sup> The success of the relevant Childcare Act (*Wet Kinderopvang*, introduced in 2005) shows that women are willing to work more hours and send their children to day-care or hire a nanny. However, this new Act on professional childcare has been amended in 2009. This happened after the Dutch Government concluded that because of its success, the costs to uphold the Act were higher than anticipated. The Government proposed a number of changes to the Act, some of which have recently been adopted by the Second Chamber of Parliament. These changes include a higher personal contribution by parents for childcare, stricter conditions for childcare by grandparents or other relatives and friends and a reduction of the maximum allowance. Both the Dutch Council of State and the national association of host parent agencies (*Vereniging van Gastouderbureaus*) have expressed their concern that such changes may lead to a drop in the labour participation of women.<sup>12</sup> The Dutch NGOs share this concern.

### ***Prohibition of torture and inhuman and degrading treatment and punishment*** **A6**

#### Relevance of the Salah Sheekh case

According to the Netherlands, the relevance of the Salah Sheekh case<sup>13</sup> lies merely in the admissibility aspect. However, this is not the case. The most important conclusion drawn by the European Court of Human Rights (ECtHR) was that in this case the applicant did not have to establish ‘further special distinguishing features’ in order to show that he ran a real risk of a violation of Article 3 of the European Convention on Human Rights (ECHR). Moreover, the Court noted that the risk of a violation of Article 3 ECHR was assessed insufficiently by the Netherlands. So far the Dutch Government has not brought its asylum legislation and policies in clear line with this jurisprudence. Therefore we consider the State’s reaction to this subject to be insufficient.

---

<sup>6</sup> See Sociaal en Cultureel Planbureau, *Nederland Deeltijdland. Vrouwen en deeltijdwerk* (February 2008), at 46; available at [www.sep.nl/dsresource?objectid=19663&type=org](http://www.sep.nl/dsresource?objectid=19663&type=org).

<sup>7</sup> See *ibid.*, at 34.

<sup>8</sup> See Sociaal en Cultureel Planbureau, *Verdeelde tijd. Waarom vrouwen in deeltijd werken* (November 2008), at 17, 129; available at [www.sep.nl/dsresource?objectid=19856&type=org](http://www.sep.nl/dsresource?objectid=19856&type=org).

<sup>9</sup> See *ibid.*, at 106-107, 129-132.

<sup>10</sup> See *supra* note 6, at 11, 68; *supra* note 8, at 101. English summaries of both studies are included at 75-77 and at 136-140, respectively.

<sup>11</sup> Centraal Bureau voor de Statistiek, *Ontvangers en kinderen met kinderopvangtoeslag, 2007-2008*; available at [www.cbs.nl/nl-NL/menu/themas/arbeid-sociale-zekerheid/publicaties/artikelen/archief/2009/2009-2711-wm.htm](http://www.cbs.nl/nl-NL/menu/themas/arbeid-sociale-zekerheid/publicaties/artikelen/archief/2009/2009-2711-wm.htm)

<sup>12</sup> See SC Online, *Zowel de Raad van State als de Vereniging van Gastouderbureaus vrezen dat de wijziging van de Wet Kinderopvang kan leiden tot daling van de arbeidsparticipatie* (March 2009), available at [www.sconline.nl/wetsvoorstellen/details/2009/03/18/Wijziging-van-de-Wet-kinderopvang-in-verband-met-e.xml](http://www.sconline.nl/wetsvoorstellen/details/2009/03/18/Wijziging-van-de-Wet-kinderopvang-in-verband-met-e.xml). See also Parliamentary Documents II 2008/09, 31 874, no. 4.

<sup>13</sup> *Salah Sheekh v. The Netherlands*, ECtHR 11 January 2007, Appl. No. 1948/04.

### Revision of the Aliens Act 2000

With regard to the proposals for revision of the Dutch Aliens Act 2000, we would like to note that only the framework proposals for revision have been approved by Parliament. This means that more detailed proposals still have to be submitted to and discussed by Parliament. The State Secretary for Justice has promised to send more detailed proposals to Parliament before the summer recess of 2009.

### Ex nunc assessment

The Dutch NGOs would like to note that an expansion of the *ex nunc* assessment in asylum procedures is not as such proposed by the Dutch Government. Since the coming into force of the Aliens Act 2000, the Netherlands has refused to apply a real *ex nunc* assessment. Since 2000, the assessment by Dutch courts has been limited to facts and circumstances which the asylum seeker could and therefore had to submit during the 48 hours procedure. Facts and circumstances submitted at a later stage are not taken into account. Therefore the applied assessment since 2000 cannot be qualified as an *ex nunc* assessment. The current proposals contain an *ex nunc* assessment in the full sense of the word; i.e. all relevant facts and circumstances submitted until the appeals procedure will be considered by the courts. Therefore the *ex nunc* assessment will not be expanded, but finally applied in the true sense of the word. This does not mean, however, that the courts will apply a full assessment of the facts of the case. Unfortunately the courts continue to apply a marginal scrutiny, even though a full assessment of the facts of the case was recently recommended to the Dutch authorities by the Commissioner on Human Rights of the Council of Europe.<sup>14</sup>

### ***Prohibition of slavery or forced or compulsory labour***

**A7**

### Assistance and protection for victims of trafficking in human beings

In the Human Trafficking Task Force all relevant actors are represented, with the exception of NGOs, despite the fact that the Dutch National Rapporteur on Trafficking in Human Beings explicitly advised this in her recommendation to establish such a Task Force. The Dutch NGOs do acknowledge positive developments, such as the more frequent use of the discretionary power of the State Secretary of Justice and the improvement of the B9-regulation. However, assistance and protection continue to be dependent on the capacity and willingness of victims to cooperate in the investigation and prosecution of their traffickers. Many victims are not able or willing to do so for various reasons. This means that a considerable number of victims of trafficking is still excluded from help and protection. Moreover, recent research shows that the police fails to adequately identify victims and that a considerable number are illegitimately held in alien detention in violation of the B9-regulation, without access to the assistance and protection to which they are entitled.<sup>15</sup> In a considerable number of cases the police refused to take down the victim's report, refused to grant a reflection period or let the victim wait in detention for weeks, before coming into action.

### ***Liberty and security of the person and right to a fair trial***

**A9**

### Racial profiling

The Dutch NGOs would like to point out that although the collection of data on the ethnicity of victims and offenders of crimes may provide the statistical information that is at present lacking, the practice of racial profiling brings along a risk of ethnical stereotyping and of a one-sided approach to possible offenders. This may lead to increased feelings of discrimination and victimization among the main target group: young urban males from minority groups. Research indicates that discrimination on

---

<sup>14</sup> See *Report of the Commissioner of Human Rights of the Council of Europe on his visit to the Netherlands*, 11 March 2009; available at [www.commissioner.coe.int](http://www.commissioner.coe.int).

<sup>15</sup> See *Uitgebuit en in de bak! Slachtoffers van mensenhandel in vreemdelingendetentie (Exploited and detained! Victims of trafficking in alien detention)*, Bonded Labour in the Netherlands, Amsterdam 2009; [www.blinn.nl](http://www.blinn.nl).

the part of the authorities and other public officials has a greater negative impact on people from ethnic minorities than other forms of racial discrimination.<sup>16</sup> The Dutch NGOs would like to recommend that the police pay extra attention to the prevention thereof.

### ***Violence against women***

#### **A15**

##### Gender related violence

Gender related violence is a very persistent problem in the Netherlands. Some forms of violence, e.g. domestic violence, get far more attention than other forms, e.g. sexual violence. An integrated policy on gender related violence, which is considered a necessity,<sup>17</sup> is lacking in the Netherlands.

Though there has been considerable progress in creating a national framework for combating domestic violence, one of the problems is the gender-neutral language by which it is formulated. The CEDAW Committee has twice expressed its concern about this.<sup>18</sup> The Government's reply to Question 15 in the List of Issues is a clear example of such problematic gender-neutrality, since it disguises the fact that the overwhelming majority of perpetrators are male, that the overwhelming majority of the adult victims are female and that most male victims are boys suffering from violence by their male relatives.

The Dutch Government has commissioned expert research on gender related violence which was published in the autumn of 2008, but it is not yet clear when the Government will respond to the conclusions and recommendations of the expert's report.

### ***Protection of the family***

#### **A19**

##### Family migration and reunification: discriminatory integration conditions

The separate Act on compulsory integration in the country of origin, the Integration Abroad Act, is still in force. The Act requires would-be immigrants from certain countries to pass an examination showing a basic level of knowledge of Dutch language and Dutch culture, before they are eligible for a long-term visa. The fact that inhabitants from particular countries (e.g. EU Member States, Canada, the United States, Japan and South Korea) are exempted from the examination, makes that the Act has been termed discriminatory, among others by Human Rights Watch (HRW).<sup>19</sup> In a reaction to the HRW report, the Minister for Integration stated that the level of cultural, economic and social development of these countries is comparable to the Netherlands.<sup>20</sup> The Dutch NGOs feel that this argument is insufficient and not an objective justification for this discrimination. This Act leads to a violation of Article 26 ICCPR.

The Netherlands underlines that its present family migration policy complies with the requirements stemming from international obligations. However, the European Commission in its recent report of October 2008 on the application of Family Reunification Directive 2003/86/EC is very critical about the Dutch family reunification policy.<sup>21</sup> On several subjects the Commission doubts the compliance of the Dutch rules with the Family Reunification Directive. Especially in relation to the Netherlands, the

---

<sup>16</sup> See *Monitor Rassendiscriminatie 2005 (Racial Discrimination Monitor 2005)*, Landelijk Bureau Rassendiscriminatie (currently 'Art. 1'), Rotterdam, June 2006.

<sup>17</sup> See e.g. the 2006 Resolution of the UN General Assembly on the intensification of efforts to eliminate all forms of violence against women (A/RES/61/143; an initiative of France and the Netherlands).

<sup>18</sup> See CEDAW/C/NLD/CO/4 (2007), para. 19; CEDAW/C/NLD/Q/5 (2009), para. 10.

<sup>19</sup> HRW, *Netherlands: Discrimination in the Name of Integration* (14 May 2008); available at [www.hrw.org/en/news/2008/05/14/netherlands-discrimination-name-integration](http://www.hrw.org/en/news/2008/05/14/netherlands-discrimination-name-integration).

<sup>20</sup> Parliamentary Documents II 2007/08, 29 700, no. 56, at 3.

<sup>21</sup> See *Report from the Commission to the European Parliament and the Council on the application of Directive 2003/86/EC on the right to family reunification*, COM(2008) 610/3.

Commission concludes that the national requirements (e.g. the requirement of an authorisation for temporary stay, the requirement to pass an integration exam abroad and a three month period within which refugees have to ask for family reunification) are applied very strictly, while the authorities are not obliged to assess the application on an individual basis. The Dutch NGOs endorse the conclusion of the Commission. Due to the strict policy on family reunification combined with the strict application of this policy, the Dutch NGOs consider the Netherlands to be in breach of its obligations under Article 23 ICCPR.

#### Gender inequality

As requested by Dutch Parliament when taking up the recommendation of the CEDAW Committee, the effects of the tightening of the Dutch rules on family migration in 2004 have been recently evaluated.<sup>22</sup> One of the remarkable conclusions was that female residents (the hosts) experience more difficulties in being reunited with their partners (originating from non-EU countries) than male hosts. The difficulties are being caused mainly by the raise of the income requirement. In absolute number residential permits have dropped considerably, especially for non-western women (48%, and 32% with men). The gender differences with respect to Turkish, Moroccan and Surinam hosts seem less evident. The idea that the host should have sufficient resources to bear the full cost of the residence of the partner (i.e. an income 20% above the breadwinners statutory minimum wage) is in sharp contradiction with the gender equality of the Netherlands. Accordingly, the Dutch NGOs doubt whether the present family migration policy of the Netherlands complies with its international obligations under the ICCPR.

#### ***Non-discrimination and equality, and protection of minorities*** **A25-A26**

##### Indirect discrimination

Since the 2006 Urban Areas (Special Measures) Act (sometimes called the ‘Rotterdam Act’) has been in force in certain parts of the city of Rotterdam. The Act effectively denies groups of persons with a low income the opportunity to obtain social housing in designated neighbourhoods. Because of the large proportion of ethnic minorities (in 2005: 45.7%) with a low income, they are specifically affected by this Act. In the view of the Dutch NGOs, the proportionality and the subsidiarity of the measure as described in the Government’s replies to the List of Issues are insufficient to justify the possible indirect discrimination. In order to reach the goal of diversifying low-income urban areas, other measures than denying persons the right to choose a house are more appropriate. The Dutch NGOs accordingly consider this Act to be in violation of Article 12(1) in conjunction with Article 26 ICCPR.

##### Right to take part in public affairs

In order to be able to vote or to be elected for European Parliament, Dutch Parliament or provincial authorities, one needs to have Dutch nationality. The requirements to become a Dutch citizen have become more stringent, especially since 2003 when the requirement was introduced to pass a written exam in Dutch and knowledge of Dutch society. In 2008, only 3% of all aliens in the Netherlands were allowed to naturalize, while this used to be more than 10%. As the costs for naturalization will be raised drastically, the decrease will probably sharpen from January 2010 onwards. The Minister of Justice announced in his letter to Parliament of 12 November 2008, that the fees for naturalization will rise as of 1 January 2010 with 150% to €552 per person. At the same time, the possibility to get a reduction rate for people with a low income will be abolished. The naturalization of children will be charged also, while this used to be free. An extra financial barrier is that the fee is introduced for the indefinite permit for asylum. This is a prerequisite for naturalisation. If this will be the same as for the regular indefinite permit, it will cost €200 per person (no family reduction). Due to these barriers for

---

<sup>22</sup> See *International family formation restricted? An evaluation of the raised income- and age requirements with regard to the migration of foreign partners to the Netherlands*, Research and Documentation Centre (WODC), March 2009; available at [www.wodc.nl/onderwerpen/migratie-en-integratie/gezinshereniging/view.ashx](http://www.wodc.nl/onderwerpen/migratie-en-integratie/gezinshereniging/view.ashx); CEDAW/C/NLD/CO/4 (2007), para. 28.



naturalization, the Dutch Government acts in contravention of Article 34 of the Refugee Convention which stipulates that States shall make every effort to reduce the charges and costs of naturalization procedures. Consequently, a violation of Article 25 ICCPR is also apparent because the possibility to vote or to be elected is too limited for aliens who stay in the Netherlands for a longer period.

During the European elections more hurdles to exercise one's right to vote have been introduced in the Netherlands, this time potentially affecting every Dutch citizen: under new (experimental) regulations for 80% of all Dutch municipalities, all persons who were entitled to vote could only do so by showing their official identification (passport, driver's licence or national ID card; these in addition to their (regular) voter registration card). It has been estimated that a total of 150,000 Dutch people (especially the elderly) in the electorate did not possess such valid proof of identification, thus limiting their ability to vote.<sup>23</sup>

### Personal data protection

In order to identify Antillean and Aruban youths in urban centres in the Netherlands who are deemed to be "at-risk" of committing crimes or experiencing social problems, the Dutch Government decided to establish a database: the Reference Index of Antilleans (*Verwijsindex Antillianen*). For registration in the database, any young person of Antillean origin who would live up to certain criteria would be included. The database would be used by 'case managers'; social workers in various municipalities. Police and criminal rehabilitation services would also have access to the database. Individuals included in the database would be placed under enhanced scrutiny, including preventive law enforcement interventions. Because the Index includes ethnic data, the Minister for Integration was required by Dutch law to apply for permission from the Dutch Data Protection Authority. The waiver was granted in December 2006. As a result, an organization representing the Antillean and Aruban population in the Netherlands challenged the waiver before The Hague District Court. The court ruled in favour of the Dutch Caribbean Consultative Body, concluding that "processing data in that reference index regarding Antillean origin of at-risk youths is not an appropriate method to reach the intended purpose."<sup>24</sup> The Government, together with 21 municipalities that intended to use the database, appealed the decision before the highest administrative court in the Netherlands, the Administrative Jurisdiction Division of the Council of State. This court reversed the previous decision of the district court and, referring to the urgent problems facing these Antilleans, allowed the waiver.<sup>25</sup> The court also referred to the ECtHR decision in *D.H. and others v. Czech Republic*,<sup>26</sup> but found no violation of the norm set by the ECtHR. The Council of State's decision invoked critical comments from academic circles. It was stated that the Council did not sufficiently acknowledge that the determining fact to be included in the database was the ethnic Antillean origin of the person. Ethnic registration is said to have a stigmatising effect.<sup>27</sup> After sustained protests by the Antillean community and the Governments of the Netherlands Antilles and Aruba, and after a renewed advice by the Council of State, the Dutch Government rightfully decided to withdraw the Reference Index of Antilleans.<sup>28</sup>

---

<sup>23</sup> See e.g. *Stembureau is onverbiddelijk bij legitimatieplicht*, *Volkskrant* 4 June 2009, available at [www.volkskrant.nl/binnenland/article1209559.ece/Stembureau\\_is\\_onverbiddelijk\\_bij\\_legitimatieplicht; Identificatieplicht\\_op\\_stembureau\\_oneerlijk](http://www.volkskrant.nl/binnenland/article1209559.ece/Stembureau_is_onverbiddelijk_bij_legitimatieplicht; Identificatieplicht_op_stembureau_oneerlijk), *Parool* 3 June 2009, available at <http://degescandemens.nl/20090603Parool.jpg>; *Bijleveld houdt vast aan id-plicht in stemhokje*, *Elsevier* 2 June 2009, available at [www.elsevier.nl/web/Artikel.htm?contentid=235904](http://www.elsevier.nl/web/Artikel.htm?contentid=235904); *Naar stembureau zonder ID wordt vergeefse tocht*, *Volkskrant* 29 May 2009, available at [www.volkskrant.nl/binnenland/article1206866.ece/Naar\\_stembureau\\_zonder\\_ID\\_wordt\\_vergeefse\\_tocht](http://www.volkskrant.nl/binnenland/article1206866.ece/Naar_stembureau_zonder_ID_wordt_vergeefse_tocht).

<sup>24</sup> The Hague District Court 26 July 2007; available (in Dutch) at [www.rechtspraak.nl/ljn.asp?ljn=BB0711](http://www.rechtspraak.nl/ljn.asp?ljn=BB0711).

<sup>25</sup> Administrative Jurisdiction Division 3 September 2008; available (in Dutch) at [www.rechtspraak.nl/ljn.asp?ljn=BE9698](http://www.rechtspraak.nl/ljn.asp?ljn=BE9698).

<sup>26</sup> *D.H. et al. vs. Czech Republic*, ECtHR 13 November 2007, Appl. No. 57325/00.

<sup>27</sup> See e.g. E. Brouwer and D. Houtzager: *De Verwijsindex Antillianen. Registratie naar etniciteit*, in: *Nederlands Juristenblad* 6 February 2009, no. 5.

<sup>28</sup> Parliamentary Documents II 2008/09, 31 855, no. 4.