



REFERENCE: CERD/108th session/2022/FU/MK/ks

3 January 2023

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, during its 108th session, considered the follow-up report submitted by the Government of the Kingdom of the Netherlands, pursuant to article 9 (1) of the Convention and rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs **12 (b), (c) and (d), 18 and 20 (a), (b) and (c)** of the Concluding Observations (CERD/C/NLD/CO/22-24), adopted following the consideration of the State party's combined 22nd to 24th periodic reports, at its 104th session, held in August 2021.

The Committee appreciates the opportunity provided to continue its dialogue with the State party and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its combined 25th to 28th periodic reports, which is due for submission, in a single document, on 9 January 2027.

Paragraph 12 (b), (c) and (d) of the Concluding Observations

The Committee welcomes the information provided by the State party on the current process of intensifying its interministerial approach to tackling online hate speech and about the appointment of a National Antidiscrimination and Antiracism Coordinator, and on its decision to complement the MiND website with information in other languages and contact details for hotlines in other countries, in 2022. The Committee recommends that the State party expedites the implementation of these steps and requests updated information on the outcome in its next periodic report.

H.E. Mr. Paul Bekkers
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With regard to ensuring an effective implementation of agreements concluded between social media companies and MiND, and evaluate their impact, the Committee regrets the lack of specific information and examples on the effects of its agreements with social media companies in combating the spread of racist stereotypes and the absence of an equivalent system in Curaçao. The Committee recommends that the coverage of MiND be extended to the entire Kingdom and that the State party include information on the effects of its agreements in its next periodic report.

Finally, while the Committee notes the information provided on the criminal liability of politicians for public comments made outside parliament, it nevertheless regrets that the State party did not report on any concrete application of existing legal and administrative provisions on the issues of concern.

The Committee considers the responses to these recommendations partially satisfactory and requests the State party to provide, in its next periodic report, information on measures taken to fully implement these recommendations.

Paragraph 18 of the Concluding Observations

The Committee notes that racial motivation constitutes an aggravating factor under Aruba criminal law. While welcoming the submission of a bill to raise the maximum statutory sentence for any criminal offence committed with a discriminatory aspect, the Committee regrets that the practice with regards to the registration and treatment of racist motives in criminal offences has not yet been harmonized throughout the Kingdom. In particular, the Committee notes that there is no specific system to register complaints about racist offences in Curaçao. The Committee recommends that the State party expedite the adoption of the above-mentioned law and that the trainings offered to police forces on racial discrimination be extended to all police officers in the Kingdom. The Committee recommends that the State party include, in its next periodic report, details of the training and guidance provided to police forces and prosecutors. It considers the response to this recommendation unsatisfactory.

Paragraph 20 (a), (b) and (c) of the Concluding Observations

The Committee notes the steps taken by the Ministry of Education, Culture and Science to increase the objectivity of students' assessments, as well as the provision of grants to schools to implement programs aimed at improving the transition from primary to secondary schools. While welcoming the introduction of new measures, the Committee regrets the lack of information on their effective implementation and on the level of achievement of their intended outcomes. The Committee recommends that the State party provide further information regarding the methodology used in the assessment of the effects of these measures.

The Committee also notes that, with regard to students with ethnic minority or immigrant backgrounds facing discrimination in obtaining internships, the proposition of a bill on the supervision of equal opportunities in recruitment and selection is welcome, but the Committee regrets that this bill was on hold at the time of submission of the interim report. The Committee recommends that the State party expedite the adoption of the law and include, in its next periodic report, information on the

guidelines for teachers to assist students who face discrimination when applying for internships.

Finally, the Committee welcomes the promotion of the Frisian and Papiamentu languages in school, but regrets the lack of information about other minority languages. The Committee considers the answer to this recommendation partially satisfactory and recommends that the State party provide updated information in its next periodic report, on measures taken to ensure that students are not restricted or punished for speaking their home language at school, as well as details on teachers' training with regards to multilingual education.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of the Kingdom of the Netherlands, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Verene Shepherd
Chair

Committee on the Elimination of Racial Discrimination