

THE NETHERLANDS REVIEW

I. Justice System

B. Quality of justice

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

In its 2023 concluding observations, the Committee on Enforced Disappearances regretted that it has not been provided with specific information on cases in which the International Convention for the Protection of All Persons from Enforced Disappearance has been invoked and directly applied before the national courts in all parts of the Kingdom. The Committee called upon the Netherlands to ensure the direct applicability of the Convention both in law and in practice, including through appropriate training to enhance awareness of the Convention, including with regard to its scope, significance and direct applicability. The Committee also recommended that the Netherlands review the definition of enforced disappearance in the International Crimes Act to ensure its full compliance with article 2 of the Convention ([CED/C/NLD/OAI/1](#), paras. 7, 10).

Other

Disappearance of migrants: in its 2023 concluding observations, the Committee on Enforced Disappearances expressed concern about reports of alleged disappearance of migrants at sea while attempting to reach Dutch territories in the Caribbean and about the high number of unaccompanied minors that have disappeared from asylum reception centres in the European part of the Netherlands, including in the context of suspected human trafficking. Among other things, the Committee recommended that the Netherlands redouble its efforts to prevent and effectively investigate the disappearance of migrants by sea to Dutch territories in the Caribbean and of unaccompanied minors from asylum reception centres in the European part of the country ([CED/C/NLD/OAI/1](#), paras. 13, 14, 23, -224).

Access to information by persons with a legitimate interest: In its 2023 concluding observations, the Committee on Enforced Disappearances recommended that the Netherlands ensure that any person with a legitimate interest can effectively access at least the information contained in article 18, paragraph 1, of the International Convention for the Protection of All Persons from Enforced Disappearance. The Committee also reiterated that Netherlands should guarantee that those persons have access to prompt and effective judicial remedies to obtain that information without delay and the possibility of appealing against a refusal to disclose this information ([CED/C/NLD/OAI/1](#), paras. 21, 22).

III. Media pluralism and media freedom

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications

Under the 4th cycle of the Universal Periodic Review, the Netherlands supported recommendations to strengthen measures to ensure the safety of journalists and other media experts, particularly regarding acts of aggression and intimidation against journalists, and their protection against hate crimes. The country also committed to continue its strong global leadership on the protection of media freedom. ([A/HRC/52/16/Add.1](#)).

IV. Other institutional issues related to checks and balances

A. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

Under the 4th cycle of the Universal Periodic Review, the Netherlands supported the recommendation to establish measures to formalize and strengthen the human rights institute and to take concrete steps to eliminate differences in human rights protection and welfare levels between the European and the Caribbean Netherlands. The Netherlands also committed to taking necessary measures in curbing structural racism and discrimination, including by strengthening the work of the National Coordinator against Discrimination and Racism and to review the current formation of the national mechanism for the prevention of torture with a view to bringing it fully into line with the guidelines on national preventive mechanisms and the Paris Principles ([A/HRC/52/16/Add.1](#)).

C. Accessibility and judicial review of administrative decisions

Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

Under the 4th cycle of the Universal Periodic Review, the Netherlands supported recommendations to guarantee safeguards and judicial oversight in decision-making by public authorities to prevent bias and discrimination, including racial profiling through the use of semi-automated systems and to adopt a framework to prevent human rights violations in relation to the use of algorithmic decision-making systems. ([A/HRC/52/16/Add.1](#)).