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**Convention on the
Rights of the Child**

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Advance Unedited Version

COMMITTEE ON THE RIGHTS OF THE CHILD
Fiftieth Session
12 – 30 January 2009

**IMPLEMENTATION OF THE CONVENTION
ON THE RIGHTS OF THE CHILD**

**List of issues to be taken up in connection with the consideration
of the third periodic report of the Kingdom of the Netherlands**

**Under this section the State party is requested to submit in written form
additional and updated information, if possible by 24 November 2008**

PART I

1. Please inform which measures are planned to strengthen alternative care including preventive social care, outpatient and placement opportunities and decreasing the waiting lists. Please provide data on investigations or research outcomes concerning cases of waiting lists and children left without adequate care.
2. Please provide information on the monitoring and complaint system of the public care system and the placing procedures to avoid drift and multi-placement.
3. Please inform whether uninsured children in the Netherlands Antilles receive all necessary medical treatment, or if they only receive preventive treatment. Please also inform whether women in the Netherlands Antilles who are not insured have the right to give birth in a hospital.
4. Please provide information on any steps taken to provide round-the-clock care for disabled children and/or educational services or day care for all children with disabilities. Please also explain if any government plans to

combat discrimination and promote the social integration of disabled children in will be introduced.

5. Please provide information on any measures taken by the authorities to prevent drug use by children in the Netherlands Antilles.
6. Please describe briefly the results of the measures introduced in the Netherlands since 2004 to prevent bullying in schools.
7. Please inform the Committee whether a systematic investigation has been undertaken to obtain information about the possible existence of commercial sexual exploitation of children, including in the Netherlands Antilles.
8. Please provide information on which types of crimes may lead to pre-trial detention of children, the availability of alternatives to pre-trial detention and any plans to reduce the use of pre-trial detention.
9. Please indicate the issues affecting children that the State party considers to be priorities, requiring the most urgent attention with regard to the implementation of the Convention.

PART II

Under this section, the State party is invited to briefly (3 pages maximum) update the information provided in its reports with regard to:

- new bills or enacted legislation;
- new institutions;
- newly implemented policies; and
- newly implemented programmes and projects, and their scope.

PART III

Data and statistics, if available

1. In the light of article 4 of the Convention, please provide updated data for 2006, 2007 and 2008, on budget allocations (including trends analysis) regarding the implementation of the Convention throughout the Kingdom in the areas of education and health.
2. Please provide updated data for 2005, 2006 and 2007 for all three parts of the Kingdom on the number of persons below 18 who have been tried as adults. Please also inform the Committee on the number of reported cases of abuse or ill-treatment of children occurred during their arrest and/or detention as well as on the follow-up given to these cases.
3. Please provide updated data for 2005, 2006 and 2007 for all three parts of the Kingdom on the number of children involved in sexual exploitation,

including prostitution, pornography and trafficking, and the number of those children who were provided access to recovery and social reintegration services.

PART IV

The following is a preliminary list of major issues (which does not contain issues already covered in Part I) that the Committee may take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive as other issues might be raised in the course of the dialogue:

1. The status of the Convention in the State party's legal system.
2. The establishment of an ombudsman for children.
3. Protection from discrimination, in particular with respect to children belonging to ethnic minorities, asylum-seeking children, immigrant children, children living in poverty, children with disabilities, children in alternative care and children in conflict with the law.
4. The State party's strategy to significantly strengthen the Convention's overall implementation, with particular attention to the general principles of the Convention (non discrimination (art. 2), the best interests of the child (art. 3), survival and development (art. 6), and the right of the child to express his/her views and be heard (art. 12).
5. Children in alternative care.
6. Domestic violence, including corporal punishment, child abuse and sexual abuse.
7. Children with disabilities, in particular their access to education and social and health services as well as cultural and recreational activities.
8. Basic health and welfare, access to health services, adolescent health (e.g. suicide, teenage pregnancies), mental health.
9. Children and education, including measures to address bullying in schools, special needs of children and human rights education.
10. Leisure and play.
11. Alcohol and substance abuse.
12. Trafficking and sexual exploitation of children, including support provided to the victims.
13. Administration of juvenile justice, in particular with regard to the age of criminal responsibility, conditions of places of detention for children, pre-trial detention, trials in adult courts and placement with adults.

14. Children belonging to an ethnic minority.



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**OPTIONAL PROTOCOL ON THE SALE OF CHILDREN,
CHILD PROSTITUTION AND CHILD PORNOGRAPHY**

**List of issues to be taken up in connection with the consideration of
the initial report of the Kingdom of the Netherlands**

**The State party is requested to submit in written form additional and updated
information, if possible, before 24 November 2008.**

1. Please provide (if available) statistical data (including by sex, age group, urban/rural area) for the years 2005, 2006 and 2007 on:
 - (a) The number of reported cases of sale of children, child prostitution and child pornography, with additional information on type of follow-up provided on the outcome of the cases, including prosecution, withdrawals and sanctions and rehabilitation for perpetrators;
 - (b) The number of reported cases of children trafficked to and from the Netherlands and Aruba, as well as trafficked within the country, for the purpose of sexual exploitation;
 - (c) The number of reported cases of crimes related to child sex tourism involving Dutch citizens, with additional information on type of follow-up provided on the outcome of the cases, including prosecution, withdrawals and sanctions for perpetrators; and
 - (d) The number of child victims provided with recovery assistance and compensation as indicated in article 9, paragraphs 3 and 4 of the Protocol.

2. Please advise if there are any plans to extend the Optional Protocol to the Netherlands Antilles.
3. Please indicate whether the ombudsman's office or any other independent monitoring mechanism on child rights have the mandate to receive complaints from, or on behalf of children on violations of the Optional Protocol.
4. Please indicate whether the State party has a plan of action in relation to the sale of children, child prostitution and child pornography, and if so, please provide information on the competent authorities responsible for its implementation and coordination.
5. Please indicate whether the recommendation from the Board of Procurators General to apply tougher sentencing in child pornography cases has been followed up.
6. Please indicate if any steps have been taken towards criminalizing the production and dissemination of material advertising the sale of children, child prostitution or child pornography.
7. Please provide information on the relevant legal framework on domestic and inter-country adoption procedures and surrogacy, including legislation criminalizing offences under article 3 (a)(ii).
8. Please provide information on measures taken to strengthen international assistance in connection with investigative, criminal and extradition proceedings brought in respect of the offences covered by the Optional Protocol.
9. Please indicate whether special training, particularly social and psychological, is provided to persons working in the area of recovery and social reintegration of child victims of the offences under the Optional Protocol.
10. Please advise if any systematic investigation has been undertaken to obtain information about the existence of commercial sexual exploitation of children in Aruba.
11. Please advise if education concerning sexual exploitation has been included in the school curricula.
