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Committee on Economic, Social and Cultural Rights

Concluding observations on the seventh periodic report of the Netherlands*

1. The Committee considered the seventh periodic report of the Netherlands[1] at its 42nd and 43rd meetings,[2] held on 16 and 17 September 2025, and adopted the present concluding observations at its fifty-eighth meeting, held on 26 September 2025.

A. Introduction

2. The Committee welcomes the submission by the State Party of its seventh periodic report and the supplementary information provided in the replies to the list of issues.[3] The Committee appreciates the constructive dialogue that it held with the State Party's multisectoral delegation, which included representatives from the ministries of the Netherlands as well as from Aruba, and thanks the delegation for the supplementary information provided. However, it regrets the scarce information provided on the application of the Covenant on the islands of the Dutch Caribbean (Bonaire, Saba and Sint Eustatius), and the countries of Curaçao and Sint Maarten, as well as the absence of an independent delegate from each of them.

B. Positive aspects

3. The Committee notes the adoption of important measures by the State Party to advance the enjoyment of economic, social and cultural rights, including the significant increase of the statutory minimum wage since 2022 and its indexation to inflation, together with the adoption of a national programme on poverty reduction and indebtedness, which have contributed to a notable decline in poverty rates. It also commends the extension of parental leave in 2022 and the increase in childcare allowances aimed at promoting gender equality and supporting families in 2024, as well as the adoption of the national action plan on business and human rights (2022–2026).

C. Principal subjects of concern and recommendations

Implementation of the Covenant across all constituent countries of the Kingdom

4. The Committee notes the State Party's governance structure, which includes four autonomous countries, the Netherlands, Aruba, Curaçao and Sint Maarten, and three special municipalities in the Caribbean (Bonaire, Sint Eustatius and Saba). It is concerned about

* Adopted by the Committee at its seventy-eighth session (8–26 September 2025).

1 E/C.12/NLD/7

2 See E/C.12/2025/SR.44 and E/C.12/2025/SR.45

3 E/C.12/NLD/RQ/7

persistent disparities in the enjoyment of economic, social and cultural rights among the constituent countries and territories of the Kingdom, owing to varying financial and administrative capacities and the limited availability of disaggregated information in respect to the Caribbean Netherlands and Aruba, Curaçao and Sint Maarten. The Committee reiterates that the State Party holds the ultimate responsibility for the implementation of the Covenant across all territories under its jurisdiction, including Aruba, Curaçao, Sint Maarten and the Caribbean Netherlands.

5. **The Committee recommends that the State party:**

(a) Take effective measures to reduce disparities in poverty rates and access to social security, including social benefits, housing, health care and utility costs between the European territory and the Caribbean Netherlands;

(b) Ensure that Covenant obligations are fully implemented across Aruba, Curaçao and Sint Maarten, including through stronger coordination and accountability mechanisms at the Kingdom level;

(c) Establish robust mechanisms for collecting and publishing disaggregated data in all constituent countries and in the Caribbean Netherlands to properly monitor and design adequate and effective public policies for the enjoyment of Covenant rights;

(d) Ensure the meaningful participation of authorities and civil society from all constituent countries in the design, implementation and monitoring of Covenant-related policies.

Domestic application of the Covenant

6. The Committee notes the steps taken to enhance the consideration of Covenant rights in the legislative process, including the ongoing development of a manual to strengthen the assessment of economic, social and cultural rights in policymaking. It remains concerned, however, about the low application of Covenant rights before domestic courts, the absence of examples of direct invocation of the Covenant, and the fact that the State Party has not yet taken steps to incorporate the Covenant fully into its domestic legal order and to ratify the Optional Protocol to the Covenant.

7. **Recalling its 2010 and 2017 recommendations, the Committee recommends that the State Party:**

(a) Ensure that the provisions of the Covenant are given full effect in its domestic legal order, including through incorporation into national legislation, so that Covenant rights may be directly invoked and applied by courts and policy makers;

(b) Strengthen training and awareness-raising on the Covenant among judges, lawyers, prosecutors and public officials, and provide information in the next periodic report on any case law invoking Covenant rights;

(c) Guarantee that effective judicial and non-judicial remedies are available for violations of Covenant rights, including through legal aid in relevant cases;

(d) Complete its review of the Optional Protocol to the Covenant and proceed to ratify it, thereby enabling individuals and groups to seek remedies at the international level;

(e) Be guided by the Committee's general comment No. 9 (1998) on the domestic application of the Covenant.

National human rights institutions

8. The Committee welcomes the recent appointment of the first Ombudsman of Aruba, which represents a significant step in strengthening accountability across the Kingdom. It is concerned, however, that no national human rights institutions have yet been established in Curaçao and Sint Maarten, and that gaps remain in the coverage and enforcement of economic, social and cultural rights across the constituent countries of the Kingdom. It is also concerned that the National Human Rights Institute may not have sufficient financial

and human resources to discharge its mandate effectively, including in relation to the Caribbean Netherlands.

9. **The Committee recommends that the State Party:**

(a) Expedite the adoption of the pending bill to enable the Netherlands Institute for Human Rights to make rulings on discrimination complaints concerning the Caribbean Netherlands;

(b) Establish, without delay, national human rights institutions in Curaçao and Sint Maarten, and strengthen the Ombudsman institution in Aruba, ensuring compliance with the Paris Principles;

(c) Ensure that all such institutions are provided with adequate financial, human and technical resources to carry out their mandates independently and effectively.

Maximum available resources

10. The Committee is concerned about the concentration of wealth in the State Party, the persistence of inequality, and reports that the Netherlands continues to be listed among jurisdictions that facilitate tax planning and profit-shifting. It also welcomes some measures taken by the State Party to strengthen financial oversight and reduce illicit financial flows, however it is also concerned about the lack of systematic public assessment of revenue losses from tax avoidance and illicit financial flows (art. 2 (1)).

11. **The Committee recommends that the State Party:**

(a) Conduct a comprehensive and participatory assessment of the effects of its fiscal policies on the enjoyment of Covenant rights, particularly by disadvantaged and marginalized groups;

(b) Adopt a more progressive and socially just fiscal policy, including through strengthened wealth and corporate taxation, and ensure the redistribution of resources to reduce inequality among all territories of the Kingdom;

(c) Strengthen efforts to combat illicit financial flows, tax evasion and fraud, particularly by wealthy individuals and businesses, including through enhanced measures to disincentivize the use of shell companies for profit-shifting, and by ensuring greater scrutiny of financial flows and beneficial ownership;

(d) Conduct an independent, participatory impact assessment of the extraterritorial effects of its tax policies, particularly the corporate tax policies on the economies of developing countries;

(e) Ensure greater transparency and accountability in budgetary processes, including through public participation and oversight;

(f) Be guided by the Committee's statement on tax policy and the International Covenant on Economic, Social and Cultural Rights.

Obligations of a State Party under the Covenant as a member of international financial institutions

12. The Committee is concerned that the State Party, as a member of such international financial institutions as the International Monetary Fund and the World Bank, has not taken sufficient steps to asses and to ensure that the conditionalities that those institutions attach to loans and debt servicing do not result in unjustified retrogression in the enjoyment of the rights covered by the Covenant in borrowing States.

13. **The Committee recommends that the State Party make every effort to ensure that the international financial institutions of which it is a member do not attach unsustainable loan conditionalities or impose excessive debt-servicing burdens that would undermine the capacity of borrowing States, particularly developing countries, to meet their obligations under the Covenant. In particular, such conditionalities should not lead to the adoption of unjustified retrogressive measures or violations of**

the obligations under the Covenant or have a disproportionate impact on disadvantaged individuals and groups in the borrowing States. In that regard, it also recommends that the State Party ensure that the international financial institutions of which it is a member carry out a human rights impact assessment prior to the provision of a loan. The Committee draws the attention of the State Party to its statement on public debt, austerity measures and the International Covenant on Economic, Social and Cultural Rights and the letter on austerity measures sent by the Chairperson of the Committee to States Parties on 16 May 2012.

Official development assistance (ODA) and international cooperation

14. The Committee notes with appreciation the State Party's longstanding commitment to international cooperation. It is, however, concerned that the State Party's official development assistance has declined in recent years and currently is below the United Nations target for official development assistance. It is further concerned that the reorientation of ODA towards migration management, and trade interests may weaken its contribution to the realization of economic, social and cultural rights in partner countries (art. 2(1)).

15. **The Committee recommends that the State Party:**

(a) Take all measures necessary to progressively increase its official development assistance to reach at least 0.7 per cent of gross national income, in line with the United Nations target for official development assistance;

(b) Ensure that development cooperation is firmly grounded in a human rights-based approach, including through systematic human rights impact assessments of ODA programmes;

(c) Avoid tying development assistance to migration management or other conditionalities that may undermine the enjoyment of Covenant rights in recipient countries;

(d) Ensure coherence between its trade, climate, security and development policies so as to maximize their contribution to the realization of economic, social and cultural rights abroad.

Extraterritorial obligations

16. The Committee is concerned about reports that arms exports from the State Party to Israel and other commercial engagements may contribute to gross and systematic human rights violations in the Palestinian Occupied territories, in particular in the Gaza Strip. The Committee is further concerned about conditionalities being imposed by the state party, during its trade negotiations with developing countries, especially on issues relating to intellectual property rights, that adversely impact upon farmers rights related to conservation and sustainable use of plant genetic resources for food security and agriculture.

17. **The Committee recommends that the State Party:**

(a) Ensure that its arms export controls and licensing decisions are fully consistent with its obligations under the Covenant; in particular, take all necessary and urgent measures to ensure a complete ban and its effective implementation on the export and transit of weapons, weapon parts, and dual-use items to Israel as well as cease all trade and investment relations that can contribute to the current gross and systematic human rights violations of the Palestinian people, particularly in the Gaza Strip, to life, food, health, water and sanitation, housing, and the right to self-determination, as enshrined in the Covenant and in light of International Court of Justice 2024 decisions. [4] **It also recommends taking all necessary steps to avoid**

[4] International Court of Justice, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, 19 July 2024 and Order of 26 January 2024, Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Provisional Measures, para. 86(1).

recognising, aiding, or assisting the Israel occupation in Palestinian territory, including by ensuring that all business enterprises domiciled in its territory or under its jurisdiction are not involved in the illegal Israeli settlements.

(b) Allow developing countries to retain policy space in trade negotiations, especially those relating to conservation and sustainable use of plant resources for food security and agriculture and in respect to the 1991 Act of the International Convention for the Protection of New Varieties of Plants.

Business and human rights

18. The Committee welcomes the State Party's commitment to adopt a binding regulation for Business and Human Rights with the transpose of the European Union Corporate Sustainability Due Diligence Directive into national law. The transposition should be done in order to have a regulatory framework requiring all business enterprises domiciled in its jurisdiction to carry out human rights' due diligence throughout their operations and supply chains.

19. **The Committee recommends that the State Party:**

(a) Expedite the adoption of binding legislation on human rights due diligence, covering all business enterprises domiciled in its jurisdiction and entities under their control, across their domestic and overseas operations and supply chains;

(b) Strengthen judicial and administrative mechanisms to ensure access to effective remedies for victims of business-related human rights violations, including those committed abroad;

(c) Strengthen the existing complaint and redress mechanisms and collect information on complaints filed by victims of abuses of economic, social and cultural rights committed by State-owned and private business enterprises operating or domiciled in the State Party and entities that they control, including those in their supply chains and those operating abroad;

(d) Monitor and evaluate the implementation and outcomes of the 2022–2026 national action plan on business and human rights, with the meaningful participation of civil society and social partners;

(e) Be guided by the Committee's general comment No. 24 (2017) on State obligations under the Covenant in the context of business activities, in particular with regard to the introduction of mandatory human rights due diligence.

Climate change

20. The Committee is concerned that the State Party may not meet its greenhouse gas reduction targets, particularly in light of recent postponements of climate measures. It is also concerned that the state party's climate and environment policies do not consistently integrate its human rights obligations, risking unequal protection for disadvantaged groups. It is further concerned about the lack of systematic and meaningful consultation with affected communities in Caribbean Netherlands on environmental governance, resource use, climate adaptation and the disproportionate impacts of climate change upon them, where rising sea levels, extreme weather events and high energy costs pose serious risks to the enjoyment of Covenant rights including those linked to self-determination and natural resources. Moreover, communities in Caribbean Netherlands face ongoing environmental harms, without equal protections that are provided in European Netherlands.

21. **The Committee recommends that the State Party:**

(a) Take all measures necessary to meet its nationally determined contributions under the Paris Agreement and align its climate policies with its obligations under the Covenant;

(b) Implement its international obligations of assistance and development cooperation to prioritize climate finance, technology transfer, capacity building and information sharing with its development partners;

(c) Accelerate the transition towards renewable energy, phasing out reliance on fossil fuels and ensuring a just and inclusive energy transition, with special attention to workers and low-income households;

(d) Expedite the adoption of human rights-based climate and environmental frameworks in the Caribbean Netherlands and ensure equivalent protective standards to those of the European Netherlands and strengthen adaptation and resilience measures, including infrastructure for disaster preparedness, safe housing, water supply and affordable renewable energy, ensuring free, prior and informed consent and the meaningful participation of affected communities;

(e) Be guided by the Committee's statement on climate change and the Covenant (E/C.12/2018/1).

Corruption

22. The Committee is concerned about reports of gaps in the enforcement of anti-corruption measures and the absence of a comprehensive and unified national strategy against corruption, (art. 2(1)).

23. **The Committee recommends that the State Party:**

(a) Adopt a comprehensive national anti-corruption strategy with clear objectives, timelines and monitoring mechanisms; and ensure effective accountability and sanctions for corruption-related offences.

(b) Ensure the independence, coordination and adequate resourcing of all anti-corruption bodies, and strengthen safeguards against conflicts of interest in public administration.

Data collection

24. The Committee welcomes the establishment of a commission for a national statistical system in Aruba and ongoing efforts to improve data collection in the Caribbean Netherlands. The Committee remains concerned, however, that disaggregated data on the enjoyment of Covenant rights are not systematically collected across all constituent countries of the Kingdom, and that gaps remain in statistics relating to disadvantaged groups, including migrants, persons with disabilities, minorities, and residents of the Caribbean Netherlands, Aruba, Curaçao and Sint Maarten (art. 2 (2)).

25. **The Committee recommends that the State Party:**

(a) Expedite the adoption and implementation of a comprehensive equality data strategy, ensuring sufficient financial, human and technical resources;

(b) Strengthen statistical systems in Aruba, Curaçao, Sint Maarten and the Caribbean Netherlands to ensure the availability of timely, reliable and comparable data on the enjoyment of Covenant rights;

(c) Improve its data-collection system by, inter alia, collecting data disaggregated by race, colour, ethnicity, gender, sex, age, language, religion, disability status, national origin, migration status, region (urban or rural) and other relevant criteria, with a view to formulating evidence-based public policies and designing special measures for individuals and groups that are disadvantaged in the exercise of their economic, social and cultural rights;

(d) Utilize the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner for Human Rights[5] to guide data collection and reporting.

[5] See HRI/MC/2008/3.

Non-discrimination

26. The Committee welcomes the legal and policy measures adopted to combat discrimination, including the amendment of the Penal Code to increase penalties for hate speech, the activities of the Netherlands Institute for Human Rights in addressing discrimination cases, and public awareness campaigns to promote diversity in employment. The Committee remains concerned, however, about structural discrimination faced by migrants, refugees, asylum seekers and ethnic minorities in employment, housing, education and social security. It is also concerned that socioeconomic status and multiple/intersectional discrimination are not explicitly recognized as prohibited grounds of discrimination in national legislation and about draft bills under consideration that would criminalize irregular migrants and restrict their access to Covenant rights. It is further concerned over unequal protection of cultural identity, heritage, and land-related rights for communities in Caribbean Netherlands (art. 2 (2)).

27. **The Committee recommends that the State Party:**

(a) Amend anti-discrimination legislation to explicitly include socioeconomic status and multiple/intersectional discrimination as prohibited grounds, and ensure the equal protection of all individuals from discrimination in both the public and private spheres;

(b) Strengthen enforcement of anti-discrimination laws, including by considering empowering National Human Rights Institutions to issue legally binding rulings, including in the Caribbean Netherlands;

(c) Intensify efforts to combat structural discrimination in employment, housing, social security, health and education, including through targeted programmes for migrants, refugees, asylum seekers, minorities and disadvantaged groups;

(d) Ensure effective implementation of the Public Sector Equality and Human Rights Duty, and oversight participatory mechanisms;

(e) Reconsider envisaged adoption legislation that would criminalize irregular migrants or otherwise restrict their access to economic, social and cultural rights;

(f) Ensure that Caribbean Netherlands enjoys the same protection as European Netherlands for enjoyment of the Covenant rights;

(g) Be guided by the Committee's general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

Equality between men and women

28. The Committee welcomes the adoption of a quota system for company boards, the increase of childcare allowances, the extension of parental leave to nine weeks of partially paid leave since 2022. It also notes positively the adoption of a draft bill to implement the European Union Pay Transparency Directive and the narrowing of the gender wage gap in the public sector. The Committee remains concerned, however, about the persistence of significant gender inequalities, including the overall gender pay gap, the overrepresentation of women in part-time and low-paid employment, and continued occupational segregation. It is also concerned about reports of discrimination against pregnant workers, the inadequacy of parental leave provisions to ensure the equal sharing of care responsibilities, and the underrepresentation of women in managerial and decision-making positions. The Committee further notes disparities in gender equality outcomes in the Caribbean Netherlands (art. 3).

29. **The Committee recommends that the State Party:**

(a) Accelerate efforts to close the gender pay gap by fully implementing the EU Pay Transparency Directive, introducing mandatory transparency measures, and reviewing job classification and valuation systems;

(b) Take targeted measures to address occupational and vertical segregation, including promoting women's participation in managerial and decision-making positions in both the public and private sectors;

(c) Strengthen protection against discrimination on the grounds of pregnancy and parenthood, including effective monitoring and sanctions for violations;

(d) Expand parental leave entitlements, improve their adequacy and accessibility, and adopt incentives to encourage men to take parental leave and share care responsibilities equally;

(e) Enhance the availability, accessibility and affordability of care services for children and the elderly as well as support system for persons with disabilities, including in the Caribbean Netherlands, to support women's equal participation in the labour market;

(f) Be guided by the Committee's general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.

Right to work

30. The Committee remains concerned about persistent inequalities in access to employment, including the overrepresentation of women in part-time and low-paid jobs, and structural discrimination against ethnic minorities, migrants, refugees and asylum seekers. It is also concerned about the limited progress made in recognizing foreign qualifications, which hinders access to adequate employment opportunities for migrants and refugees. The Committee notes the challenges faced by persons with disabilities in gaining access to the open labour market, as also highlighted by the Committee on the Rights of Persons with Disabilities[6] (art. 6).

31. **The Committee recommends that the State Party:**

(a) Review its employment policies to address the root causes of unemployment, focusing on women, ethnic minorities and persons with disabilities, and incorporate measures to overcome the structural and institutional barriers hindering their access to the labour market, and be guided by the Committee's

(b) Introduce binding quotas and strengthen reasonable accommodation measures to ensure the full participation of persons with disabilities in the labour market;

(c) Review social and tax policies to incentivize full-time work for women, while ensuring that flexible work arrangements remain available without reinforcing gender stereotypes;

(d) Accelerate procedures for the recognition of foreign qualifications and skills to facilitate access to adequate employment for migrants, asylum seekers and refugees;

(e) Be guided by the Committee's general comment No. 18 (2005) on the right to work, and its statement on the duties of States towards refugees and migrants under the International Covenant on Economic, Social and Cultural Rights (E/C.12/2017/1).

Right to just and favourable conditions of work

32. The Committee welcomes measures to strengthen occupational health and safety policies, and the State Party's commitment to achieving zero annual workplace deaths by 2040. The Committee remains concerned, however, about the high prevalence of precarious employment, with nearly 40 per cent of the workforce engaged in flexible or temporary contracts, including "false" self-employment and platform work, which limits access to

[6] CRPD/C/NLD/CO/1, para.59.

social protection. It is further concerned about persistent occupational health and safety risks, high rates of occupational illness, and insufficient resources allocated to enforcement and labour inspections (art. 7).

33. **The Committee recommends that the State Party:**

(a) Take stronger measures to limit the excessive use of temporary and flexible contracts, and ensure that workers in non-standard forms of employment, including platform workers and self-employed persons, are guaranteed adequate social protection;

(b) Ensure that minimum wage levels continue to guarantee a decent standard of living for workers and their families, and monitor compliance across all sectors;

(c) Strengthen labour inspection systems and provide them with sufficient human and financial resources;

(d) Intensify efforts to prevent occupational accidents and illnesses, including by increasing access to occupational health services and expanding training for employers and workers.

Migrant workers, refugees and asylum seekers

34. The Committee welcomes the funding of the Fair Work Organization to support workers in claiming unpaid wages, the opening of physical and mobile information points, and the development of legislation to strengthen the supervision of temporary employment agencies, and the lifting of restrictions on asylum seekers' access to the labour market. The Committee remains concerned, however, about persistent discrimination faced by migrants, refugees and asylum seekers in access to employment, housing, social security and education. It is also concerned about their continued vulnerability to exploitation, including through abusive recruitment practices and substandard housing conditions (arts. 2 (2), 6 and 7).

35. **The Committee recommends that the State Party:**

(a) Ensure effective protection of the economic, social and cultural rights of all migrants, asylum seekers and refugees, regardless of status, in line with article 2 (2) of the Covenant;

(b) Strengthen labour inspections, separate them from migration control functions, and ensure effective monitoring and sanctions against abusive practices affecting migrant workers;

(c) Guarantee access to adequate housing, essential services, health care and legal remedies for all migrants, refugees and asylum seekers, including those in an irregular situation.

Trade union rights

36. The Committee notes with appreciation the State Party's tradition of social dialogue and tripartite consultation, as well as ongoing discussions with trade unions to strengthen collective labour agreements. The Committee remains concerned, however, about reports of restrictions on the right to strike and collective bargaining, and about obstacles faced by trade unions in representing and protecting workers, particularly those in precarious or flexible employment arrangements (art. 8).

37. **The Committee recommends that the State Party:**

(a) Ensure that all workers, including those in precarious and non-standard forms of employment, can fully exercise their rights to freedom of association, collective bargaining and strike action, without undue restrictions;

(b) Review and, where necessary, amend legislation and practices that unduly restrict trade union rights, in line with article 8 of the Covenant and relevant

ILO conventions, particularly the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);

(c) Strengthen protection against anti-union discrimination and ensure effective remedies and sanctions in cases of violations;

(d) Continue to promote meaningful social dialogue and collective bargaining across all sectors, including for vulnerable workers in the gig economy and temporary agency work.

(e) Be guided by the Committee's Statement on freedom of association, including the right to form and join trade unions.

Right to social security

38. The Committee welcomes the State Party's comprehensive social security system and commends the significant reforms introduced to make it more human-centred. The Committee remains concerned, however, about the complexity of the benefits system and its disproportionate impact on disadvantaged groups, including migrants and minorities. It is also concerned that social benefits are not always sufficient to guarantee an adequate standard of living, that racism in the institution and socio-economic discrimination in the administration of benefits, including through the automated risk-profiling systems used to detect fraud, have not been fully prevented or effectively addressed, and that disparities persist in the adequacy of benefits between the European and Caribbean Netherlands (arts. 2 (2) and 9).

39. **The Committee recommends that the State Party:**

(a) Simplify and streamline its social security system to ensure accessibility and prevent excessive administrative burdens on beneficiaries;

(b) Ensure that all social security benefits are adequate, accessible and non-discriminatory, and that they are regularly adjusted to the cost of living;

(c) Eliminate any discriminatory practices in the administration of benefits; take appropriate measures to ensure that algorithmic risk-profiling tools do not replicate or reinforce discrimination on the grounds of ethnicity, race or socio-economic status; and strengthen accountability and oversight mechanisms.

(d) Harmonize benefits in the Caribbean Netherlands to at least the level available in the European Netherlands, including unemployment, disability and child benefits, while accounting for the higher cost of living in the Caribbean region; and ensure equal protection of social security in all four countries of the Kingdom.

(e) Ensure that persons with disabilities have effective access to adequate income support and tailored measures that promote both social protection and labour market participation.

(f) Be guided by the Committee's general comment No. 19 (2007) on the right to social security and its statement entitled "Social protection floors: an essential element of the right to social security and of the Sustainable Development Goals". [7]

Protection of the family and children

40. The Committee welcomes the measures taken by the State Party to strengthen family protection, including the adoption of a national action plan on femicide. The Committee remains concerned, however, about the absence of a comprehensive national action plan on gender-based and domestic violence, the insufficient number of shelters and support services for victims, and gaps in addressing digital and economic violence. It is also concerned about the persistence of long waiting lists and regional disparities in access to affordable childcare and specialized youth care, as well as staff shortages in child protection services. The Committee further notes that parental leave reforms remain inadequate to ensure equal sharing of care responsibilities, and that gender stereotypes regarding family

[7] E/C.12/2015/1.

and care work persist. It also regrets lack of precise information in respect to all territories of the Kingdom (arts. 3 and 10).

41. **The Committee recommends that the State Party:**

(a) Adopt a comprehensive national action plan on gender-based and domestic violence taking on board the existing actions and the new action plan "Stop Femicide", ensuring that it addresses all forms of violence, including economic and digital violence, and provide adequate funding for shelters, support services and specialized assistance for children, across all regions and constituent countries of the Kingdom including in the Caribbean Netherlands;

(b) Strengthen child protection systems by increasing investment in specialized youth care, addressing staff shortages, and ensuring that services are accessible and of equal quality across all regions and constituent countries of the Kingdom;

(c) Improve the accessibility, affordability and availability of childcare, ensuring equal access across regions, including the Caribbean Netherlands, and reducing waiting lists;

(d) Revise parental leave schemes to make them more adequate and equitable, introduce incentives for men to take parental leave, and continue efforts to challenge gender stereotypes in family roles and promote the equal sharing of domestic and care responsibilities.

Right to an adequate standard of living

42. The Committee welcomes the significant progress made by the State Party in reducing overall poverty, with the national poverty rate falling from 7 per cent in 2018 to 3 per cent in 2023, as well as the introduction of free school breakfast programmes. The Committee remains concerned, however, that poverty rates remain disproportionately high among children, single-parent households and migrant families, and that reliance on food banks has increased. It is also concerned about persistent poverty and much higher rates in the Caribbean Netherlands than in the European territories, where cost of living is higher, particularly utility and food prices (art. 11).

43. **The Committee recommends that the State Party:**

(a) Develop a multidimensional poverty measurement tool, covering all constituent countries of the Kingdom, including the Caribbean Netherlands to better identify disadvantaged groups and guide targeted policy responses;

(b) Intensify efforts to address child poverty and poverty among single-parent and migrant households through adequate income support, social transfers and community-based services;

(c) Adopt a comprehensive national strategy on the right to adequate food, aimed at reducing food insecurity and malnutrition, reliance on food banks and ensure the sustainability and expansion of free school meal programmes;

(d) Take effective measures to reduce the cost of living in the Caribbean Netherlands, particularly by addressing high prices of food, electricity and water;

(e) Provide in its next periodic report disaggregated data on poverty and food insecurity across the European and Caribbean Netherlands, as well as Aruba, Curaçao and Sint Maarten;

(f) Be guided by the Committee's general comment No. 15 (2002) on the right to water and general comment No. 12 (1999) on the right to adequate food.

Right to adequate housing

44. The Committee welcomes the allocation of €5 billion until 2029 to support the construction of affordable homes, and the requirement that 30 per cent of new housing be devoted to social housing. The Committee remains concerned, however, about the severe

shortage of adequate and affordable housing, estimated at nearly 400,000 units, the sharp increases in rental costs, and the decline in social housing units. It is also concerned about the persistence of homelessness, affecting at least 33,000 people, and about the lack of a comprehensive, rights-based homelessness strategy.

45. **The Committee recommends that the State Party:**

(a) Expand investment in social housing and ensure its long-term availability, including by regulating sales and conversions of social housing stock;

(b) Strengthen rent regulation, enhance tenant protections, and prevent excessive rent increases in both the public and private housing sectors;

(c) Adopt all necessary measures to repeal laws which directly or indirectly criminalize people living in homelessness and ensure the national implementation of the Housing First approach, including by providing municipalities with the powers and resources they require to house all people experiencing homelessness as quickly as possible;

(d) Ensure access to adequate housing for disadvantaged groups; in particular ensure that migrants and asylum seekers are afforded with timely and effective access to social homes in line with their recognised acute need as well as adequate, culturally appropriate accommodation and stopping sites for, Roma, Traveller, and other nomadic communities, including access to water, sanitation and electricity;

(e) Prevent speculative use of housing and require housing investors to uphold human rights standards and improve the efficacy of its housing-related climate renovation and adaptation policies so that they can achieve its net-zero ambitions;

(f) Provide detailed information in the next periodic report on housing conditions in the Caribbean Netherlands and the other constituent countries;

(g) Be guided by the Committee's general comment No. 4 (1991) on the right to adequate housing.

Right to health

46. The Committee welcomes the State Party's universal healthcare system and its commitment to providing essential health services to all persons, regardless of migration status. The Committee remains concerned, however, about persistent inequalities in access to affordable healthcare, including for low-income households and persons in the Caribbean Netherlands, where the cost of care and limited availability of specialized services create significant barriers. It is also concerned about long waiting times and regional disparities in youth mental health services, and about the shortage of qualified health professionals across several sectors (art. 12).

47. **The Committee recommends that the State Party:**

(a) Guarantee equal and affordable access to healthcare for all persons, including migrants, refugees and asylum seekers regardless of status, and ensure the availability of interpreter services where needed;

(b) Urgently address waiting times and regional disparities in youth mental health services, including by recruiting and retaining qualified professionals and ensuring adequate funding of community-based care;

(c) Strengthen healthcare infrastructure and services in the Caribbean Netherlands, including access to specialized care, preventive services, and medical evacuation facilities, while ensuring affordability;

(d) Continue to expand public health and prevention programmes, particularly on healthy nutrition, alcohol and tobacco reduction, and reproductive health, with targeted measures for disadvantaged groups;

(e) Provide disaggregated data on health outcomes and access to services, including by sex, age, disability, ethnicity, migration status and region, across all constituent countries of the Kingdom;

(f) Recalling the recommendation from 2017, review the practice of early surgery and medical interventions on intersex children, in order to make sure that they are mature enough to be consulted on their preferred treatments on the basis of their informed choices and consent;

(g) Be guided by the Committee's general comment No. 14 (2000) on the right to the highest attainable standard of health.

Right to education

48. The Committee commends the State Party for its performant educational system. It notes the Equal Opportunities Alliance and other initiatives aimed at reducing educational disparities. It also notes efforts to enhance teacher salaries and recruitment, and the provision of scholarships for students from the Caribbean Netherlands. However, the Committee remains concerned, about persistent inequalities in access to quality education affecting children having a different ethnic origin, a migration and/or a low-income family background, as well as children with disabilities. It is also concerned about the persistent socio-economic and residential segregation of students enrolled in primary and secondary education, especially in urban areas. It is further concerned about long waiting lists for childcare and pupil transport challenges, especially in the Caribbean Netherlands. The Committee further notes with concern the shortage of teachers and the high student-to-teacher ratios, and the limited participation of civil society in the design of the curriculum, including on citizenship education (arts. 2 (2) 13 and 14).

49. **The Committee recommends that the State Party:**

(**a) Take targeted measures to address educational disparities affecting children having disadvantaged socio-economic, minority and/or migration background, including by expanding support programmes in underperforming schools and disadvantaged regions;**

(b) Evaluate the impact of socio-economic and residential segregation of children having a different ethnic origin, a migration and/or low-income family background, during primary and secondary education, on their educational performance and educational paths and take measures to reduce the inequality between them and their peers;

(c) Ensure inclusive education for children with disabilities by providing reasonable accommodation, investing in accessible infrastructure, and strengthening teacher training in inclusive pedagogy;

(d) Address teacher shortages through improved recruitment, retention and professional development policies, and ensure equitable distribution of qualified teachers across regions and schools;

(e) Guarantee equal access to affordable and quality childcare and pupil transport, including in the Caribbean Netherlands;

(f) Ensure meaningful participation of civil society organizations, teachers, students and parents in curriculum reform processes, and mainstream human rights, including economic, social and cultural rights, in curricula at all levels;

(g) Be guided by the Committee's general comment No. 13 (1999) on the right to education.

Right to take part in cultural life

50. The Committee welcomes measures to promote access to arts, sports and cultural activities for children from low-income households, and the preparation of a national plan for culture and arts education in Aruba that integrates local history and the Papiamento language. The Committee remains concerned, however, about persistent cultural, socio-

economic and geographic barriers to cultural participation, especially for disadvantaged communities and persons living in rural areas and in the Caribbean Netherlands. It is also concerned about disparities in cultural funding and about the insufficient promotion and protection of local languages and cultural heritage in all constituent countries of the Kingdom (art. 15(1)).

51. **The Committee recommends that the State Party:**

(a) Intensify measures to remove economic and geographic barriers to cultural participation, including by providing subsidies and community-based programmes targeted at disadvantaged households;

(b) Ensure equitable distribution of cultural funding across all regions with particular attention to the Caribbean Netherlands, Aruba, Curaçao and Sint Maarten;

(c) Promote and protect local languages and cultural heritage, including Papiamento and other regional languages, and integrate them into educational and cultural programmes, involving local communities and educators, particularly in the Caribbean Netherlands.

(d) Guarantee the meaningful participation and consultation of native population in decisions that affect their cultural and social development, including environmental policies particularly in the Caribbean Netherlands;

(e) Develop cultural infrastructure and facilities in underserved areas, including libraries, museums and community arts centres, and ensure accessibility for persons with disabilities;

(f) Be guided by the Committee's general comment No. 21 (2009) on the right of everyone to take part in cultural life.

Right to enjoy the benefits of scientific progress and its applications

52. The Committee welcomes the State Party's continued investment in research and innovation, as well as public initiatives to promote open science and digitalization in education and research. It notes positively the establishment of scholarship programmes for students from the Caribbean Netherlands and initiatives to foster scientific cooperation across the Kingdom. The Committee remains concerned, however, about the uneven distribution of research and innovation funding, the underrepresentation of women, migrants and minorities in science, technology, engineering and mathematics (STEM) fields, and the persistence of a digital divide, particularly in the Caribbean Netherlands. It is also concerned about the increasing use of algorithmic tools in public administration without sufficient safeguards to prevent discriminatory impacts and without adequate independent oversight of such systems (arts 2 (2), 3 and 15).

53. **The Committee recommends that the State Party:**

(a) Adopt targeted measures, including affirmative action and incentives, to increase the participation of women, migrants, refugees, minorities and other underrepresented groups in STEM education, research careers and leadership positions;

(b) Address the digital divide, particularly in the Caribbean Netherlands, by ensuring universal, affordable access to high-speed internet, digital tools and training for students, researchers and communities;

(c) Ensure the equitable distribution of research and innovation funding across all regions within each constituent country of the Kingdom, including Aruba, Curaçao and Sint Maarten, and monitor its impact on disadvantaged groups;

(d) Strengthen policies on open access to publicly funded research;

(e) Undertake human rights impact assessments of algorithmic tools used in public administration and ensure transparency and effective independent oversight in their design and use.

D. Other recommendations

54. **The Committee encourages the State Party to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

55. **The Committee recommends that the State Party consider ratifying the core human rights instruments to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the Convention on the Rights of the Child and the Optional protocol to the Convention on the Rights of Persons with Disabilities.**

56. **The Committee recommends that the State Party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the implementation of the 2030 Agenda for Sustainable Development at the national level, including in the recovery from the COVID-19 pandemic, with international assistance and cooperation when needed. Achievement of the Sustainable Development Goals would be significantly facilitated by the State Party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Moreover, the Committee recommends that the State Party support the global commitment of the decade of action to achieve the Sustainable Development Goals. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind. In this regard, the Committee draws the State Party's attention to its statement on the pledge to leave no one behind.**[8]

57. **The Committee recommends that the State Party take steps to progressively develop and apply appropriate indicators on the implementation of economic, social and cultural rights to facilitate the assessment of progress achieved by the State Party in complying with its obligations under the Covenant for various segments of the population. In that context, the Committee refers the State Party to, inter alia, the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner for Human Rights.**[9]

58. **The Committee requests that the State Party disseminate the present concluding observations widely at all levels of society, including at the country of the Netherlands and it Caribbean Islands, and the constituent countries of Aruba, Curaçao and Sint Maarten, in particular among parliamentarians, public officials and judicial authorities, and that it inform the Committee in its next periodic report about the steps taken to implement them. The Committee emphasizes the crucial role that Parliament plays in implementing the present concluding observations and encourages the State Party to ensure its involvement in future reporting and follow-up procedures. The Committee encourages the State Party to continue engaging with the Netherlands Institute for Human Rights and with non-governmental organizations and other members of civil society in all parts of the Kingdom in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.**

59. **In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State Party is requested to provide, within 24 months of the adoption of the present concluding observations (30 September 2027), information on the implementation of the recommendations contained in paragraphs 19 (a) (business and human rights), 21 (d) (Climate change) and 27 (c) (non-discrimination) above.**

60. **The Committee requests the State Party to submit its eighth periodic report, to be prepared in accordance with article 16 of the Covenant by 30 September 2030, unless otherwise notified as a result of a change in the review cycle. In accordance**

[8] E/C.12/2019/1.
[9] HRI/MC/2008/3.

with General Assembly resolution 68/268, the word limit for the report is 21,200 words.