

Human Rights Report 2014

Foreword

In 2014 the world appeared to be facing a rapidly spreading conflagration: rapid advances by ISIS, unabated bloodshed in Syria, Boko Haram's mass kidnapping of schoolgirls and millions of people falling victim to warfare and violence. The conflict in Ukraine and the MH17 air disaster made it painfully clear that peace was no longer the norm on Europe's external borders. And in this list of horrors, we have not even mentioned the thousands of innocent men, women and children who died in the waters of the Mediterranean on their way, so they hoped, to a better future.

On 25 June 2014, the day elections were held for the new Libyan parliament, the leading human rights activist Salwa Bugaighis was murdered. In 2011 she had played an important role in the fall of dictator Muammar Gaddafi. She never lost her hope and optimism, despite the anarchy and tribal violence into which Libya rapidly descended after the revolution. Bugaighis' unflinching dedication to freedom and democracy is a great inspiration in the fight for equality and liberty for all, in every part of the world.

When identity mutates into ideology, attitudes harden and human rights are often the first victim. The assault on *Charlie Hebdo* early this year in Paris was more than just a cowardly attempt to muzzle the free press: it was an attack on everyone who believes in a free and open society. But it is precisely now, when our values and principles are under threat, that we must work harder than ever to achieve 'Justice and Respect for All', the title of the policy letter published in June 2013. This Human Rights Report reflects the Dutch efforts in this direction in 2014. Through dialogue and cooperation we work to give real meaning to the concept of the universality of human rights, targeting both civil and political rights, and economic, social and cultural rights.

Dutifully crossing items off a list or making declarations doesn't bring global protection for human rights any closer. In an age where more and more governments are restricting civil society space, what we need is an innovative approach focused on action. Mideast Youth, an Arab organisation that was awarded the Human Rights Tulip in 2014, is a good example. Mideast Youth builds online platforms to give a voice to young people who are working to promote human rights. The platforms create a safe environment in which these young people can discuss issues that are taboo in parts of the Middle East, such as equal rights for LGBT people, equality for religious and ethnic minorities like the Baha'i and Kurds, and the protection of labour migrants.

On 10 December 2014 the Nobel peace prize was awarded in Oslo to Malala Yousafzai. Malala has for several years fought courageously for the rights of women and girls and nearly died as a result. Yet as she said at the ceremony, she speaks not for herself but for those without a voice. Malala's words are an inspiration as we try to make justice and respect for all a reality, precisely for those whose voices are not heard.

The Minister for Foreign Trade and Development Cooperation joins me in issuing this report.

Bert Koenders
Minister of Foreign Affairs

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Abbreviations

ASEAN - Association of Southeast Asian Nations
AU - African Union
CM - Committee of Ministers (CoE)
CoE - Council of Europe
COHOM - Council Working Party on Human Rights (EU)
CSR - corporate social responsibility
DRC - Democratic Republic of the Congo
ECHR - European Convention for the Protection of Human Rights and Fundamental Freedoms
ECJ - European Court of Justice
ECRI - European Commission against Racism and Intolerance (CoE)
ECtHR - European Court of Human Rights
EEAS - European External Action Service (EU)
EIDHR - European Instrument for Democracy and Human Rights (EU)
EU - European Union
EUSR - EU Special Representative
FOC - Freedom Online Coalition
HRC - Human Rights Council
HDIM - Human Dimension Implementation Meeting (OSCE)
HR - High Representative of the Union for Foreign Affairs and Security Policy
IACHR - Inter-American Commission on Human Rights
ICC - International Criminal Court
ICTR - International Criminal Tribunal for Rwanda
ICTY - International Criminal Tribunal for the former Yugoslavia
IDAHOT - International Day Against Homophobia and Transphobia
ILO - International Labour Organization
LGBT - lesbian, gay, bisexual and transgender
NGO - non-governmental organisation
ODIHR - Office for Democratic Institutions and Human Rights (OSCE)
OECD - Organisation for Economic Co-operation and Development
OHCHR - Office of the High Commissioner for Human Rights (UN)
OSCE - Organization for Security and Co-operation in Europe
R2P/RtoP - Responsibility to Protect
SRHR - sexual and reproductive health and rights
SSD - Security Sector Development (Dutch programme in Burundi)
STL - Special Tribunal for Lebanon
UN - United Nations
UNGA - United Nations General Assembly
UPR - Universal Periodic Review
VPs - Voluntary Principles on Security and Human Rights

Introduction

Current international developments and the state of human rights present the Netherlands with new challenges in implementing its human rights policy. The large number of civilians who became embroiled in internal or regional conflicts in 2014 and the extreme forms of violence involved in these conflicts are overwhelming. In addition, human rights are under great pressure in many countries that are not involved in conflicts. Civil society space and critical voices are being restricted.

Human rights defenders and journalists are being threatened and legislation is being enacted to curb the funding of NGOs by foreign sources. The inextricable connection between human rights, democracy, and the rule of law has become all the clearer over the past year.

For the Netherlands, human rights are the cornerstone of foreign policy. The Netherlands worked actively in 2014 to promote human rights worldwide, guided by the policy letter 'Respect and Justice for All'. At bilateral and multilateral levels, the Netherlands pursued the following **priorities**: human rights defenders, equal rights for LGBT people, equal rights for women, the most serious human rights violations (including torture and the death sentence), freedom of expression and internet freedom, freedom of religion and belief, human rights and development, and human rights and the business world. The primary multilateral forums involved are the European Union, the Council of Europe, the Organization for Security and Co-operation in Europe (OSCE), and the United Nations. The primary instruments at the Netherlands' disposal for promoting human rights are its embassies, the Human Rights Ambassador, and the Human Rights Fund. In addition, Dutch ministers highlight human rights issues on visits to other countries.

The promotion of human rights must not be allowed to become a ritual dance. It must truly help to improve the human rights of individuals and benefit the victims of human rights violations throughout the world. To bolster effectiveness and to achieve concrete results, the Netherlands seeks primarily to improve **dialogue and cooperation with different partners at different levels** (local, national, regional, and international). It has therefore specifically sought to cooperate with non-Western as well as Western partners (government bodies, NGOs, regional organisations, knowledge institutions, and businesses), because they understand the local context and sensitivities, and therefore often have a better idea of how to engage in effective dialogue and to devise a constructive approach to human rights issues. For instance, a start was made in 2014 on **trilateral cooperation**¹ with Tunisia in Yemen and Mali, the focus being on Sexual and Reproductive Health and Rights (SRHR) and women's rights, focusing especially on young people and women. In the September Human Rights Council, the Netherlands collaborated closely with Brazil, Chile, Colombia, and Uruguay to draft the resolution condemning violence and discrimination against LGBT people. For tactical reasons, the Netherlands operated behind the scenes: it was the four Latin American countries that tabled the resolution.

The Netherlands also seeks to promote and protect human rights through **innovative approaches**. In the past year, much use was made of **social media**. For instance, numerous stories were published on the Dutch human rights blog (mensenrechtenwereldwijd.nl) about the dilemmas that arise when working as a diplomat and progress made in human rights in diverse countries. But social media are not used merely as a tool for disseminating information. They also enable people who are interested to take an active part in global human rights campaigns. Take the international UN campaign 'End Violence Against Women Now', for instance – a 16-day campaign against gender-related violence. Dutch foreign minister Bert Koenders drew attention to it on Twitter and several embassies wrote blogs about their efforts to eradicate violence against women.

¹ 'Trilateral cooperation' means cooperation with a second partner such as a country, NGO, corporate enterprise etc. in a third country. The focus is on cooperation with non-Western partners, with the second partner possibly taking on a leading role in the region.

Two 'Diplohacks'² took place over the past year, one in Tbilisi and the other in London, the latter during the Global Summit to End Sexual Violence in Conflict.³ The events led to the creation of apps that can be used, for instance, to help women who have experienced sexual violence to contact care workers. They encouraged more and more initiatives of this kind, such as a 'Tweetup'⁴ organised by the Dutch embassy in Dakar.

On 9 December, Mr Koenders presented the 2014 Human Rights Tulip to Mideast Youth, an organisation that gives young people an opportunity to speak out on online platforms about subjects that are taboo in the region, such as homosexuality and equal rights for minorities. The public cast almost 60,000 votes on the website www.humanrightstulip.nl.

If the Netherlands is to pursue an effective foreign policy on human rights, its own **credibility** in the international arena is of crucial importance. The Netherlands adopts an open attitude to the critical comments and recommendations of international organisations relating to its own observance of international human rights obligations, and cooperates with international organisations to achieve the effective protection of human rights both at home and abroad. All recommendations are taken seriously and judged on their merits, in line with the Dutch tradition of developing and promoting the international legal order.

Two good examples of this open attitude were the reception in the Netherlands of the Council of Europe's Commissioner for Human Rights, Nils Muižnieks, in May 2014, and that of the UN Working Group of Experts for People of African descent in July 2014. Also in 2014, the Netherlands voluntarily published a report on the degree to which the recommendations that the Netherlands received from other countries in 2012 during its Human Rights Review (UPR) have since been implemented.

The most important set of guidelines for strengthening human rights in the Netherlands is the National Action Plan on Human Rights.⁵ The government issued an interim report on the implementation of the National Action Plan in December 2014,⁶ with an overview of the actions it had implemented, such as preparing the Bill for the ratification and implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and stepping up efforts to tackle forced marriage and abandonment.

On 10 December 2014, a year after the publication of the National Action Plan on Human Rights, the Minister for the Interior and Kingdom Relations organised a roundtable conference with participants from civil society, advisory and supervisory bodies, government and the academic community. The conference discussed both the implementation of the National Action Plan and questions on specific themes from the plan. In addition, in July 2014 the government introduced a Bill to ratify the Convention on the Rights of Persons with Disabilities into the House of Representatives.

In April 2014 the Human Rights Institute issued its second annual report, focusing on human rights in the Netherlands in 2013.⁷ In December 2014 the government published its response to this report, in combination with the above-mentioned interim report on the National Action Plan on Human Rights. At the foreign ministry's request, the Institute also gave a workshop in 2014 for representatives of the governments of Aruba, Curaçao, and St Maarten, the aim being to share the experience gained in the Netherlands of setting up a human rights institute with the Caribbean countries of the Kingdom.

The **EU** is an increasingly important channel for the Netherlands' external human rights policy, since a voice representing 28 countries is stronger than the voice of one. The Netherlands therefore sets out to strengthen cooperation at EU level. This means that the human rights situation and the rule of law in the entire EU, not just at home, are important to the credibility of the Netherlands' external actions.

² A *diplohack* is a working meeting of diplomats and selected partners at which innovative answers and solutions are devised to specific challenges and dilemmas. The 'hack' refers to turning the challenge inside out.

³ <http://bit.ly/1D6fELa>

⁴ A *Tweetup* is an organised meeting on Twitter surrounding a specific subject, in which interaction takes place both offline and online.

⁵ <http://bit.ly/1DDecm6>

⁶ <http://bit.ly/1DDenhc>

⁷ <http://www.mensenrechten.nl/publicaties/detail/34891>.

Partly for this reason, the Netherlands exerts itself to improve the safeguards for human rights and the rule of law throughout the EU. See section 2.1 below.

There were several **evaluations** of human rights policy in 2014. The Policy and Operations Evaluation Department (IOB) of the Ministry of Foreign Affairs wrote a report entitled 'Navigating a sea of interests: Policy evaluation of Dutch foreign human rights policy (2008-2013)'. This policy audit and the accompanying government response will be sent to the House of Representatives in June 2015. The findings of an internal evaluation of the pilot on religious freedom are included in section 1.6. The findings of the external interim evaluation of the pilot project on the receptor approach are included in section 1.8.

1. Themes

1.1 Human rights defenders

Supporting human rights defenders is one of the priorities of Dutch human rights policy. The 'Justice and Respect for All' policy letter, the national Action Plan for Human Rights Defenders, and the **EU Guidelines on Human Rights Defenders** are the main sources of guidance on this issue. The EU Guidelines are intended for staff at EU missions (EU delegations and the embassies of the member states) and are worked out in greater detail in the guidance note adopted in March 2014 by the Political and Security Committee.

The Netherlands works as much as possible at the EU level with other like-minded countries and with civil society to support and protect human rights defenders. In 2014, as in previous years, the work of human rights defenders and their ability to operate freely came under heavy pressure in many countries. In a large number of states, they were arrested. In several regions of the world, new legislation specifically targeting NGOs, especially those concerned with human rights, and efforts to 'frame' human rights defenders as 'foreign agents' are negative developments that are making it difficult for them to do their work. In addition, legislation making it hard for NGOs to obtain funding has been passed or is before parliament in countries including Azerbaijan, Bangladesh, Egypt, Kyrgyzstan, Nigeria, Pakistan and Tajikistan.

Policy development

As announced in the policy letter, in collaboration with two NGOs (Justice and Peace Netherlands and the Human Security Collective) the Netherlands co-hosted an international seminar in The Hague entitled 'Speak Truth to Power' in January 2014. The seminar was preceded by a preparatory expert meeting in December 2013. Participants included human rights defenders and representatives of the EU institutions and member states. The policy recommendations that emerged from the seminar were used by the European External Action Service (EEAS) in drafting the guidance note accompanying the EU Guidelines.

In addition to contributing to the guidance note the Netherlands played an active role at EU level in drafting the conclusions adopted by the Foreign Affairs Council on 23 June 2014 on the occasion of the tenth anniversary of the EU Guidelines on Human Rights Defenders.⁸ In its conclusions, the Council stated that the EU would intensify its political and material support to human rights defenders. On 17 June the Dutch Human Rights Ambassador took part in a panel discussion organised by Ireland on ways to improve the implementation of the EU guidelines. And in the same month, the **OSCE's** Bureau for Democratic Institutions and Human Rights (ODIHR) drew up its own guidelines on protecting human rights defenders.

Human Rights Tulip

On 9 December the **Human Rights Tulip** was awarded to Mideast Youth. This NGO builds online platforms to give a voice to young people who are working to promote human rights. The platforms create a safe environment in which these young people can discuss issues that are taboo in parts of the Middle East, such as equal rights for LGBT people, equality for religious and ethnic minorities like the Baha'i and Kurds, and the protection of labour migrants who live in harsh conditions in large parts of the Middle East. The websites are accessible and interactive, to ensure that positive messages are both expressed and heard.

In choosing the winner, the jury members and the minister focused on how innovative the activities of the nominated organisations and individuals are. National and international NGOs, the public, Dutch embassies, organisations and individuals could put forward nominations for the Human Rights Tulip. From the 160 nominations, Hivos, the supporting partner, and the Ministry of Foreign Affairs selected 30 candidates on the basis of quality, innovation and courage. The public could vote online for one of the 30 (www.humanrightstulip.nl). Almost 60,000 votes were cast and three favourites emerged. Hivos and the Ministry then issued wild cards to three other promising candidates. An international jury considered all six candidates and advised the Minister of Foreign Affairs, who ultimately chose Mideast Youth.

⁸ <http://bit.ly/1F6tbHI>.

Expansion of Shelter City

The **Shelter City** programme brings human rights defenders to the Netherlands on a temporary basis. In 2014 it hosted four defenders, three in The Hague and one (for the first time) in Middelburg. In 2014 several other cities joined the programme: Utrecht, Nijmegen, Amsterdam, Maastricht and Groningen, substantially increasing its capacity. The programme is run by Justice and Peace, the municipalities and local partners (including NGOs and universities), in close cooperation with the Ministry of Foreign Affairs.

Projects

In 2014 the Netherlands financed a range of projects aimed at supporting human rights defenders from the Human Rights Fund.

- A project run by the International Federation for Human Rights (FIDH) supports human rights defenders in its advocacy work vis-à-vis the EU and VN.
- A project conducted by Front Line Defenders offered assistance worldwide to human rights defenders in 2014 in the form of practical support in emergencies and for capacity building. Training courses on subjects such as the secure use of IT were attended by 597 activists. Front Line Defenders also assisted over 600 human rights defenders in urgent need. The assistance included financial support (to buy security cameras, for instance) and immediate relocation.
- The East and Horn of Africa Human Rights Defenders Project, for which support started in 2014, focuses on protection and capacity development of human rights defenders in this region.
- The Netherlands Helsinki Committee conducted a project focusing on support for human rights defenders in a number of former Soviet republics. Activists from 15 NGOs attended courses in communication to help them address the problem of stigmatisation of human rights work.
- The international Movies that Matter programme supports human rights film festivals throughout the world through advice, workshops for people wanting to organise their first festival and financial assistance.
- The Netherlands supported a report entitled 'We are not afraid! Land rights defenders targeted for confronting unbridled development' published by the Observatory for the Protection of Human Rights Defenders, an organisation set up by the World Organisation Against Torture (OMCT) and FIDH. The report discussed the dangers faced by land rights defenders, a specialised group of human rights defenders.
- In 2014 Justice and Peace organised the first The Hague Training Course on Human Rights Defenders and Security for 20 activists with support from the Human Rights Fund.

In collaboration with the Broad Consultation on Human Rights, the Ministry of Foreign Affairs organised lectures in Amsterdam and Nijmegen giving human rights defenders from Pakistan, Turkey and Ethiopia the opportunity to share their stories and to enter into debate with a Dutch audience. They talked about the impact of counterterrorism legislation, freedom of speech for lawyers and freedom of speech on and offline.

Embassies

The **embassies** implement the EU guidelines together with the missions of other member states and the EU delegations. In 2014 this entailed regular meetings with human rights defenders, presence at legal proceedings against activists (for instance in Azerbaijan, Bangladesh, Russia and Saudi Arabia), drafting local EU action plans (including in Afghanistan and Mexico) and making démarches.

Although in China foreign observers are seldom permitted to attend legal proceedings, the Netherlands made regular attempts, sometimes within the EU framework, to gain access. One such case was that of Professor Ilham Tohti (a moderate Uighur now serving a life sentence after being convicted on separatism-related charges). Access for observers to his trial in Urumqi in September 2014 was denied.

The Netherlands also spoke out in public. One example was the Dutch ambassador in Kenya who on Human Rights Day (10 December) expressed his concern at impending legislation which will shrink civil society space even further.

On the same day, many Dutch missions showed films from the Movies that Matter programme and focused attention on particular human rights defenders through social media.

The embassies also use resources from the Human Rights Fund to finance organisations providing support to human rights defenders. In the Democratic Republic of the Congo (DRC), for instance, Protection International (PI) provided training in protection strategies to 150 activists and 9 organisations in North and South Kivu. It also offered temporary protection to a number of activists. In Kazakhstan the NGO Kadyr Kassiyet works to improve the safety of human rights defenders, including those located far from the capital, through capacity building, legal advice and representation at proceedings, and national and international lobbying. In Colombia the embassy supports the NGO Pastoral Social, whose project 'Salida Temporal' provides temporary relocation in other regions of Colombia or elsewhere in Latin America for human rights defenders under threat and their families. While relocated, the activists concerned work as interns with local NGOs.

1.2 Equal rights for LGBT people

Achieving equal rights for LGBT people is a long-term struggle, one that demands great patience, determination and tact. In 2014 the Netherlands focused on three aims: decriminalising homosexuality all over the world, combating discrimination and violence based on sexual orientation and gender identity, and promoting the social acceptance of LGBT people.

2014 demonstrated once again that the freedom to be who you are and to choose who you love is not accepted in many parts of the world. In several countries new legislation increasing existing penalties for homosexuality was tabled. Violence and discrimination against LGBT people was unfortunately a daily occurrence in many countries. Many victims are afraid to report this to the police; as a result offences are poorly documented. Anti-gay propaganda laws in places such as Russia have led to increasing stigmatisation and discrimination of LGBT people. During the Winter Olympics in Sochi, the Netherlands expressed its concerns on this issue at high level (through prime minister Mark Rutte).

Even in countries where the legal status of LGBT people is properly regulated, social acceptance can lag far behind. And in this context it is worth remembering that there is still much work to be done in the Netherlands. Among young LGB people, for example, attempted suicide is five times more common than among heterosexual youth.⁹ Nevertheless, the fact that the government is clearly trying to improve the situation of LGBT people in the Netherlands lends greater credibility to our international efforts in this field.

Happily 2014 also offered some glimmers of hope. Palau and Northern Cyprus decriminalised homosexuality. Finland, Luxemburg, Scotland, various US states and Mexico introduced same-sex marriage, while Estonia made it possible for same-sex couples to enter into a registered partnership. In September the Gay Pride parade returned to Belgrade after four years and took place without any serious incidents.

Multilateral efforts

The Netherlands plays a leading role internationally in the field of LGBT rights. It is co-chair (with the EU Delegation) of the UN LGBT Core Group set up in 2008 in New York. This interregional group aims to keep LGBT equality on the **UN** agenda. The Netherlands is working to encourage more countries in the South to join the group. On 25 September the core group organised the first open LGBT ministerial meeting in the margins of the 69th session of the UN General Assembly, attended by Prince Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights. The event was chaired by the then Dutch foreign minister Frans Timmermans. His US and Argentinian counterparts also addressed the meeting. It was announced that four new countries (El Salvador, Monaco, Seychelles and South Korea) had signed up to the first Joint Statement on human rights, sexual orientation and gender identity delivered at the General Assembly session of 2008.

To mark **International Human Rights Day** on 10 December the core group hosted an event devoted to LGBT equality entitled 'Love Is a Family Value: Supporting All Families & Family Members'. The event focused on the negative consequences of exclusion from the family (homelessness, depression and suicide). Human rights defenders from countries including St Lucia, the United States and Zambia talked about their experiences.

There was a breakthrough in September 2014 when the **Human Rights Council** adopted a resolution on human rights, sexual orientation and gender identity. Never before had so many members of the Council voted for a resolution condemning human rights violations based on sexual orientation and gender identity. The resolution was submitted by four Latin American states (Brazil, Chile, Colombia and Uruguay). The Netherlands had worked hard behind the scenes to help ensure that the resolution was passed; although the Dutch government would like to have seen an institutionalised reporting mechanism established within the UN, the resolution nevertheless sent a message of support to those fighting worldwide for LGBT equality. It also requested a UN report on the human rights situation of LGBT people everywhere, to be published in June 2015.¹⁰

⁹ Nine per cent of LGB youngsters as opposed to 2% of heterosexuals (SCP, 2015).

¹⁰ A/HRC/RES/27/32, <http://bit.ly/1HLhuGR>.

Regional efforts

In 2014 EU delegations and member state missions continued to implement the EU guidelines on equal rights for LGBTI people adopted in 2013 by the Council of the **European Union**. In Gambia, for example, the EU spoke out against the tough anti-gay legislation that came into effect in November 2014. And the issue of LGBT equality was raised in human rights dialogues with countries including Kazakhstan, South Africa and Uzbekistan. In August 2014 the EU Office to Hong Kong and Macao co-organised a conference on the position of LGBTI people in Hong Kong and the European Union. Where it was more effective, the Netherlands engaged in quiet diplomacy. It regards the guidelines as an important instrument in strengthening a common EU approach to discrimination based on sexual orientation and gender identity wherever it occurs. In 2014 the Netherlands therefore regularly advocated within the EU's Human Rights Working Group (COHOM) a more systematic approach to implementation. The Netherlands works towards equal rights and against discrimination within the European Union, alongside an active European external policy on combating discrimination and violence against LGBT people. A survey published by the European Union Agency for Fundamental Rights in December 2014 found that amongst the LGBT subgroups in Europe, trans persons suffer the most from discrimination, exclusion and violence. In May 2014, at the European IDAHO forum in Malta, the Minister of Education, Culture and Science advocated a leading role for Europe in promoting national LGBT policy and coordinating cooperation. The Ministry of Education, Culture and Science (OCW) is also seconding an expert on LGBT equality to the European Commission.

The Netherlands continued to work to ensure that equality for LGBT people remains on the agenda of the **Council of Europe**. Through OCW it extended the secondment of an LGBT expert to the Council's Sexual Orientation and Gender Identity Unit (SOGI). SOGI supports member states in implementing Recommendation CM/Rec (2010)5 of the Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity. At the end of 2014 it launched a second project in this field. In 2014 the Netherlands also supported the European Commission against Racism and Intolerance (ECRI), in its work of monitoring the situation of LGBT people.

The Netherlands once again raised the issue of LGBT equality in the **Organization for Security and Co-operation in Europe** (OSCE) in 2014, despite systematic opposition from the Vatican and the Russian Federation in particular. One tactic was to emphasise within the EU framework and in larger coalitions of like-minded countries that the OSCE commitments in the field of non-discrimination and tolerance also apply to LGBT people. This argument was restated in the declarations made to mark International Day Against Homophobia and Transphobia (IDAHOT) and Zero Discrimination Day. The Netherlands has also always emphasised that monitoring discrimination based on sexual orientation falls within the mandate of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR). Nowadays, the ODIHR reports on such discrimination as part of its hate crime reporting programme.

The Netherlands regularly drew the attention of the various countries within the OSCE region to LGBT rights and enabled activists to participate in OSCE events. It was actively involved in a side-event on LGBT people during the Human Dimension Implementation Meeting (HDIM). At the same event, the Dutch Human Rights Ambassador spoke to LGBT activists from Central Asia. Foreign minister Bert Koenders spoke at a roundtable discussion in the margins of the OSCE Ministerial Council in Basel with human rights defenders from the OSCE region, some of whom were LGBT activists.

The resolution adopted by the **African Commission on Human and Peoples' Rights** (ACHPR) in May 2014 represented a historic breakthrough.¹¹ The resolution calls on all signatories to the African Charter on Human and Peoples' Rights to end all acts of violence and human rights violations, including those based on sexual orientation and gender identity, and to introduce legislation to criminalise such acts. The resolution disproves the commonly made argument that equality for LGBT people would run counter to African values and traditions. It thus provides the Netherlands with a basis for entering into dialogue with African countries on this issue.

¹¹ <http://bit.ly/1Ejv84p>.

Bilateral efforts

A major instrument for addressing countries on a bilateral basis concerning the human rights of LGBT people is the Human Rights Council's Universal Periodic Review (UPR). In 2014, for example, the Netherlands recommended that Gambia reverse the measures it had taken to increase the penalties for homosexuality, in accordance with its international obligations. The review of Côte d'Ivoire advised further steps to counter discrimination against LGBT people, while one of the recommendations for Brunei was to guarantee equal rights for this group by amending the Criminal Code.

LGBT equality is a regular theme in the visits made by the **Human Rights Ambassador**. In 2014 he discussed the issue with the authorities and NGOs in Georgia and Zimbabwe. Though countries may be wary of speaking clearly on this subject in public, in confidential bilateral contacts they sometimes adopt a more conciliatory and constructive attitude.

Embassies play a crucial role in monitoring the situation of the LGBT community and where possible supporting local activists. Particularly in countries where it is difficult or even dangerous to be open about your sexual orientation or gender identity, embassies can offer a safe environment in which to meet. To mark the **International Day Against Homophobia and Transphobia** (IDAHOT) on 17 May, many embassies organised events to focus attention on these widespread phenomena. The embassy in Senegal, for example, raised the rainbow flag on the ambassador's residence and hosted a private debate for LGBT organisations, which have to operate under the radar. The embassy in Tunisia held a private lunch meeting followed by a workshop for Tunisian activists, led by COC Netherlands, the Dutch LGBT organisation. In Tirana the embassy participated in the first ever LGBT Pride parade in Albania and the ambassador hosted a film screening and panel discussion with Albanian LGBT organisations.

During Amsterdam Gay Pride 2014, a group of LGBT activists visited the Netherlands. They were invited as part of the Ministry of Foreign Affairs **Influentials Programme**, implemented by the Netherlands Enterprise Agency (RVO.nl) in collaboration with OCW. Activists from countries including Kyrgyzstan, Romania, South Africa and Tunisia followed an intensive programme to learn more about the situation of LGBT people in the Netherlands. In addition, a group of well-known Chinese experts and bloggers in the LGBT field were invited by Radio Netherlands Worldwide (RNW). They took part in a seminar hosted by the Ministry of Foreign Affairs in the Rode Hoed cultural centre and moderated by China expert Garrie van Pinxteren. The seminar tackled sensitive issues such as the likelihood of same-sex marriage being introduced in China, the one-child policy and the difficult progress in social acceptance of LGBT people in that country. LGBT activists regularly stay in the Netherlands under the Shelter City initiative for a period of respite, to follow training courses and to broaden their networks.

At the annual conference of **Workplace Pride** in June 2014 the then foreign minister Frans Timmermans announced that the ministry would be joining the organisation.¹² Workplace Pride strives to increase acceptance of LGBT people in the workplace and in society. The ministry's membership links its internal personnel policy with its external human rights policy. Central to both are essential values such as non-discrimination and diversity.

Human Rights Fund

Close cooperation with civil society organisations is crucial to an effective approach to this often sensitive area. Through the **Human Rights Fund**, the Netherlands supported a variety of projects aiming to improve the position of LGBT people all over the world.

- The Hivos project 'Free to be Me – Rights, dignity and equality for LGBT people in East and Southern Africa' focused on increasing the social acceptance of LGBT people and supporting activists. In 2014 the project successfully supported the legal battle against harsher anti-gay legislation in Uganda. LGBT refugees in Kenya, just over the border, were informed about HIV/AIDS and where necessary referred to a doctor or hospital. In southern Africa LGBT activists were trained in the secure use of social media and increasing their social and physical safety. Finally, the second African Same-Sex Sexualities and Gender Diversity Conference took place from 17 to 20 March 2014. At the conference African academics and activists discussed sexual orientation and gender identity from an African perspective. A report on the conference will be published in 2015.

¹² Officially, as of April 2015.

- In 2014 the Ministry of Foreign Affairs also worked closely with COC Netherlands on a number of projects. These included a three-year project aimed at dialogue and information exchange regarding homosexuality and Islam. The project is based on the knowledge, leadership and network of The Inner Circle, a South African organisation. Dutch support is crucial to building a solid base for the rapidly growing queer Muslim movement. The movement makes a valuable contribution to improving the position of LGBT people of Muslim origin around the world. Another project that received support was one focusing on training in international lobbying and advocacy for activists from Africa, Asia and Central and Latin America, the most important aim being to enable them to make their voices heard in international human rights organisations and to call their governments to account. Activists from the Caribbean region, for example, were trained in the UPR process. In addition, COC Netherlands provided support on an ad-hoc basis to a large number of embassies by putting them in contact with local LGBT activists or organisations, and advising them on activities and opportunities for small-scale funding of the local LGBT movement. In collaboration with ILGA-Europe, COC Netherlands launched a project to strengthen LGBT movements in Armenia, Azerbaijan, Belarus, Georgia, Russia and Ukraine, where attitudes to LGBT people are rapidly deteriorating. The aim is to consolidate, in innovative ways, the horizontal and local ties between LGBT organisations and organisations which do not specifically target the LGBT community but which could make a substantial contribution to improving their situation if mobilised. One approach is to see how journalists, care workers, lawyers, the business community and other local parties can contribute to strengthening the position of LGBT individuals.
- With support from the Human Rights Fund, Oxfam Novib launched a project in 2014 that aims to work with local partners to improve the position and rights of sexual minorities in Pakistan, South Africa and Zimbabwe. Creating safe spaces where activists can meet to exchange information and experiences is one of the cornerstones of the project. Zimbabwean activists conducted strategic discussions in what is known as a transgender solidarity circle in the context of the Sixteen Days of Activism Against Gender-based Violence campaign. The use of social media and IT were chosen as essential tools in their struggle for equal rights. This resulted in a 'Tweetathon', a debate on Twitter focusing attention on the situation of LGBT people in Zimbabwe.

Embassies too contribute to the fight for LGBT equality through the Human Rights Fund. The embassy in the DRC, for example, worked on a project with the Congolese NGO *Si Jeunesse Savait*, the South African NGO Coalition of African Lesbians and the South African embassy in Kinshasa. The aim of the project is to refer members of the LGBT community in Kinshasa via an anonymous mobile hotline to reliable and non-discriminatory medical, psychosocial and legal assistance.

1.3 Equal rights for women

Women's rights and gender equality are priority themes for both the Minister of Foreign Affairs and the Minister for Foreign Trade and Development Cooperation. Giving women a greater say in decision making will help us meet the demographic, social, political and economic challenges we face today. The Netherlands focuses its efforts on combating violence against women, encouraging women's leadership and political participation, following up on UN Security Council Resolution 1325 and promoting women's economic self-reliance. In the negotiations on the post-2015 development agenda, the Netherlands is pushing to include gender equality and sexual and reproductive health and rights (SRHR) among the objectives. In addition, it regularly addresses the entire spectrum of women's rights in the framework of the UPR reviews.

Through the **Human Rights Fund** the Netherlands contributed in 2014 to projects with the following aims: political participation for women in Bangladesh, Colombia, India, Kenya and Tunisia, combating sexual violence in conflict in central and eastern Africa, eliminating female genital mutilation (FGM) in Egypt, Ethiopia, Kenya and Sudan, and preventing gender-based violence in Iraq and Gaza. Dutch missions have also contributed to promoting women's rights worldwide through local organisations.

In 2014 the Netherlands contributed to UN Women, the UN organisation dedicated to gender equality and empowering women through strengthening female leadership (including in conflict situations), political participation and economic self-reliance, and by combating violence against women. In addition to its regular, voluntary contribution, the Netherlands also provided funding for the gender programme run by the Office of the UN High Commissioner for Human Rights (OHCHR). This was used to finance the protection of female human rights defenders in Latin America.

Women's Rights and Gender Equality Task Force (TFVG)

In the spring of 2014 a **Women's Rights and Gender Equality Task Force** was set up at the Ministry of Foreign Affairs (TFVG) to coordinate the ministry's international gender policy. Both the task force and all other departments of the ministry, including embassies, can make use of the external expertise gathered by the Gender Resource Facility for advice in the field of women's rights and the integration of gender objectives. For example, the facility assisted the embassy in Burundi in drafting a regional programme to promote women's rights and SRHR in the Great Lakes Region.

Combating violence against women

As in previous years, in 2014 the Netherlands helped place violence against women on the agenda in various international organisations and by various means. The meeting of the **Third Committee of the UN General Assembly** considered the draft resolution on eliminating violence against women which the Netherlands and France present every two years. The resolution was approved by consensus and attracted a record number of votes from member states (112). It addressed the issue of responsibility for violence against women and called on member states to take concrete measures in the field of prevention, victim support and combating impunity. In the same forum, another resolution co-sponsored by the Netherlands, on combating child marriages, was adopted.

In 2014 the Netherlands supported several initiatives on women's rights at the UN in Geneva.

- The Netherlands worked towards the recognition of the vulnerability of women in conflict situations, and their role in peace processes (Resolution 1325) in connection with various country resolutions tabled in the Human Rights Council, including resolutions on Syria.
- In collaboration with OHCHR and the Graduate Institute of International and Development Studies, the Netherlands and Canada organised a **course in women's rights** for the delegations to the Human Rights Council. As a result, women's rights are now more firmly anchored in the work of the Council.
- In cooperation with the World Health Organization (WHO), the United States and Uruguay, the Netherlands organised a meeting in Geneva on 25 November on ways to strengthen healthcare systems in caring for victims of gender-based violence.

In June 2014 the United Kingdom hosted the Global Summit on Ending Sexual Violence in Conflict. The then foreign minister Frans Timmermans took part in the summit on behalf of the Netherlands and pledged that the Netherlands would deploy political, financial and staffing resources to continue its efforts to combat this degrading and traumatising phenomenon. It has already seconded a senior expert in the field of sexual violence and gender issues to the UN MONUSCO mission in the DRC.

The Netherlands attaches great value to the new Council of Europe Convention on preventing and combating violence against women and domestic violence (**Istanbul Convention**), which entered into force on 1 August 2014. The ratification process in the Netherlands is expected to be completed in 2015.

The Netherlands makes an annual contribution to the **UN Trust Fund to End Violence against Women** (€2 million in 2014). In 2014 the Fund devoted particular attention to vulnerable groups like refugees or women and girls in (post)conflict situations. New projects target legal assistance for disabled women in Zimbabwe, increasing the self-reliance of lesbian and transgender women in Thailand and medical, psychosocial and legal assistance for vulnerable women in the DRC.

Throughout the year the Netherlands worked systematically to embed the elimination of violence against women and girls in the Sustainable Development Goals (SDGs) and the broader post-2015 agenda. For this reason the Netherlands sees the inclusion within the gender goal of the SDGs of a specific target concerning the elimination of all forms of violence against women and girls, including child marriage and FGM, as a milestone, especially as there has been absolutely no mention of violence in the Millennium Goals up to now.

On the **International Day for the Elimination of Violence against Women** (25 November) the Minister of Foreign Affairs received Dr Shirin Ebadi, the Iranian women's rights activist and Nobel prize winner. On 25 November, in collaboration with the Society for International Development, Netherlands Chapter (SIDNL), the ministry organised a lecture by Dr Ebadi entitled 'No Women, No Peace' on the deterioration in the position of women in conflict situations in the Middle East.

As part of the **16 Days of Activism against Gender-based Violence** campaign (25 November - 10 December) the mission network supported global activities via social media (#orangeurhood, #16days). Various embassies contributed to the human rights blog with discussions of Dutch efforts in the field of women's rights in the countries concerned.

Considering **child marriage** to be a form of violence against women, the Netherlands is pushing for its elimination.

- In October the Netherlands co-sponsored a resolution entitled 'Eradication of Child, Early and Forced Marriage' in the **Third Committee of the UN General Assembly**. The resolution was supported by 116 countries, including 27 from the African Group, and called on states to develop policy and draft legislation aimed at banning child marriages. It also called for attention for this theme in the post-2015 framework. Partly through Dutch efforts, the resolution also focused on sexual and reproductive health and rights.
- The Netherlands acts together with countries like Canada and the United Kingdom, as well as UN organisations, private donors and the NGO consortium Girls not Brides in the fight against child marriage.
- Acting in concert with civil society organisations in Bangladesh, the Netherlands worked to prevent the passing of legislation lowering the marriageable age for girls. And in Yemen, it exerted pressure on the government through the national dialogue process to raise the minimum age for marriage to 18. The current conflict in Yemen has unfortunately put considerable obstacles in the way of the dialogue on child marriage.
- As of 2014 the Netherlands is financing projects that aim to prevent child marriages from the child marriage fund of the Ministry of Foreign Affairs (one-off, following the Voordewind amendment to the budget) and an earmarked contribution to UNICEF (2014-2017).
- In July the Netherlands took part in the **Girl Summit** in London, aimed at mobilising efforts to eradicate child marriages and FGM. The outcome of the summit was a report containing political commitments from the participating countries, including many where child marriages and FGM are regular occurrences. Under the leadership of the United Kingdom, a mechanism was established to monitor progress in this field. UN institutions like UNFPA and UNICEF are also involved.

Political participation of women

In 2014, along with Botswana, the Czech Republic, Indonesia and Peru, the Netherlands again introduced a resolution entitled '**Equal Political Participation**' in the Human Rights Council. The resolution focuses on equal participation for all in public debate and decision-making processes. As well as devoting specific attention to human rights defenders, the resolution also addressed the importance of political participation for women, on the initiative of the Netherlands.

Through the **Funding Leadership Opportunities for Women (FLOW)** programme, 34 civil society organisations concerned with women's rights received funding to promote women's political participation and leadership. These organisations train women candidates for public office, develop their leadership qualities and build capacity in the fields of politics, gender and human rights.

Led by Hivos, the **Women on the Frontline** programme works to develop capacity for new initiatives and women's organisations in countries in transition in the Middle East and North Africa. Partner organisations are thus enabled to exert more influence on transition processes in their countries.

Women, peace and security

The **National Action Plan on Resolution 1325** is a joint effort of over 50 organisations including the Ministries of Foreign Affairs, Defence, Education, Culture & Science and Security & Justice, and the National Police. The current plan will run until the end of 2015 and focuses on women's leadership and political participation. The Ministry of Foreign Affairs contributes €4 million annually to the costs of implementing the National Action Plan.

The plan focuses on a limited number of countries where peace and security are under severe pressure. These include fragile states, (post)conflict zones and countries in transition: Afghanistan, Burundi, Colombia, the DRC, South Sudan, Sudan and countries in the Middle East and North Africa region (MENA).

In pursuing its security policy the Netherlands pays specific attention to the position of women in conflict zones. **Integration of Resolution 1325** is a precondition for participation in missions and operations. In 2014, for example, a Dutch diplomat was appointed as the NATO Secretary General's Special Representative for Women, Peace and Security. The Netherlands also worked with Spain to provide a training course on a comprehensive approach to gender in operations for civil and military participants in multilateral missions and offered the same course, together with AFRICOM, to African peacekeepers.

During the UN General Assembly's ministerial week, the then foreign minister Frans Timmermans drew the attention of the international community to the fate of women in regions where **violent extremism** is on the rise, and to the positive role women can play in countering this problem. He listened to contributions from women in countries such as Iraq and Syria and offered long-term support to their organisations and for the principle of inclusivity, in line with Resolution 1325.

A good example of the application of **Resolution 1325** in practice was the Dutch initiative to give Syrian women a voice in the Syrian peace process. In January 2014, at a conference in Geneva, a group of nearly 50 Syrian women formulated a shared vision for the future of Syria and demands relating to the peace process, and established the Syrian Women's Initiative for Peace and Democracy (SWIPAD). The initiative called on the world to support the peace process in Syria, embraced the Geneva Communiqué and advocated the active participation of women in the peace and transition process. The Netherlands supports the initiative, together with **UN Women**, and is deploying political resources to provide it with access to the main international players in the Syrian peace negotiations in Geneva. Since its formation, SWIPAD has strengthened its position and in the absence of an international peace process is working on promoting a political solution to the conflict. The UN and other international actors have recognised the importance of the movement. The Netherlands has also helped facilitate consultations between UN Special Envoy, Staffan de Mistura, and the women's delegation.

As announced in the policy letter 'Justice and respect for all' (2013), the Dutch government and its civil society partners in the National Action Plan 1325 hosted an international conference on 16 and 17 February 2015 entitled 'Women: Powerful Agents for Peace and Security' in Amsterdam. The conference brought together over 200 participants from more than 30 countries, mainly representatives of civil society organisations in conflict zones. The outcomes will serve as the basis for the Dutch recommendations for the UN Global Study and High Level Review of Resolution 1325 on women, peace and security and the next Dutch National Action Plan 1325. The conference offered excellent opportunities for networking, while the participants formed coalitions and made plans for shared activities.

Sexual and reproductive health and rights (SRHR)

The Netherlands continued to be active in the field of sexual and reproductive health and rights (including in respect of HIV/AIDS) in 2014, spending €416 million promoting these rights around the world.

2014 witnessed a comprehensive review of the **Programme of Action of the International Conference on Population and Development** (ICPD Programme of Action, 1994). The Netherlands has always highlighted and championed the human rights aspect of the ICPD, particularly sexual and reproductive rights. The review clearly showed that human rights, gender equality and non-discrimination are essential to sustainable development. A special session of the UN General Assembly in September 2014, attended by the Minister for Foreign Trade and Development Cooperation, celebrated the 20th anniversary of the Cairo conference agenda and worldwide political support for the ICPD Beyond 2014 Global Report (the follow-up to the Cairo Programme). The Netherlands will continue to work towards the implementation of the Report, and towards a greater emphasis on adolescents, young people and vulnerable groups within the agenda. It is also taking the lead in linking the ICPD human-rights based agenda to the debate on the new post-2015 development agenda.

The **UN Commission on the Status of Women** (CSW) meets every year in March. In 2014 it reviewed the challenges and achievements of the Millennium Development Goals (MDGs), at the same time looking ahead to the priority to be awarded to gender equality in the post-2015 development agenda. The Minister for Foreign Trade and Development Cooperation attended the session and referred in her speech to SRHR and gender equality as conditions for the achievement of the goals in the post-2015 agenda. At a side event she spoke to religious leaders on ways they could contribute to gender equality, combating violence against women and girls, and equal opportunities for women.

At EU level, the Netherlands once again successfully negotiated the explicit inclusion of SRHR in the EU's position on the post-2015 development agenda, approved by the Foreign Affairs Council in December.

Sexual and reproductive health and rights are a sensitive issue for some partners. The Netherlands therefore actively pursues dialogue with those countries with different attitudes, seeking at the same time to find opportunities to cooperate on other themes where the relative positions diverge less. Talks took place on several occasions in 2014, for example, with spiritual leaders within the Vatican on the issue of child marriages.

In the **fight against HIV/AIDS**, the Netherlands focuses on groups at high risk of HIV infection, the so-called key populations (sex workers, gay men and drug users). In 2014 Dutch embassies, civil society organisations and UNAIDS joined forces to increase access to HIV/AIDS prevention, care and treatment for these key populations in Indonesia, Kenya and Ukraine. Through a combination of diplomacy, technical assistance and the mobilisation of marginalised groups, the Netherlands is also working to combat violence, discrimination and prejudice, an approach that has won international recognition.

In 2014 the Netherlands put particular effort into measures to create access to and promote the use of contraception, mainly for women and girls, through multi-year funding for the UNFPA Global Programme on Reproductive Health Commodities Security.

The Netherlands is one of the three bilateral donors that have contributed the most to the Family Planning 2020 goal of providing access to contraceptives to 120 million extra women by 2020.

With Denmark and two private funds (the Packard and Hewlett Foundations) the Netherlands launched a unique fund to help civil society organisations in the South break through the silence and taboos surrounding SRHR. The **AmplifyChange Fund** supports the advocacy work of local organisations and networks on sensitive themes such as access to contraception and sexual education for young people, combating discrimination based on sexual orientation and gender identity, and preventing unsafe abortions.

1.4 Serious human rights violations

The Netherlands works consistently to fight the most flagrant human rights violations (primarily the death penalty, torture, extrajudicial killings, forced disappearances, genocide, war crimes and crimes against humanity). In 2014 it condemned serious human rights violations and initiated action at EU and UN level.

Death penalty

Last year the number of executions known to have been carried out worldwide fell, though the number of death sentences handed down rose. In 2014, 607 people were executed, almost 22% fewer than in 2013. But 2,466 death sentences were pronounced, 28% more than in 2013.¹³ As in the past, most executions take place in China, Iran, Iraq, Saudi Arabia and the United States. Despite these alarming figures, progress was made in 2014 with regard to abolishing the death penalty. Worldwide, half of all countries have abolished capital punishment. The Netherlands continues to speak out – both through the EU and independently – against the imposition and enforcement of the death penalty.

- During foreign visits, the Dutch **Human Rights Ambassador** regularly draws attention to the cases of individuals who have been sentenced to death, regardless of their nationality.
- The Dutch **embassies** are tasked with monitoring national developments regarding the death penalty and, where necessary, with drawing individual cases to the attention of the authorities concerned. For example, in December 2014 the Dutch ambassador to Senegal expressed his concern to the Mauritanian government when for the first time a death sentence was imposed for apostasy on a 30-year-old Mauritanian.
- The current and former **EU High Representatives for Foreign Affairs and Security Policy** (Federica Mogherini and Catherine Ashton respectively) have pushed for the global abolition of the death penalty. In 2014, at the initiative of the Netherlands and others, they spoke out against executions in Afghanistan, Belarus, China, Egypt, Gaza, Iran, Japan, the Maldives, Pakistan, Singapore, Sudan, the United Arab Emirates, the United States and Vietnam. In a number of cases EU démarches were carried out, one relating to the mass death sentences imposed in Egypt on 529 members of the Muslim Brotherhood in March 2014.
- In December 2014 the EU introduced the two-yearly **resolution** on the death penalty at the UN General Assembly. The resolution calls for a worldwide moratorium on the use of the death penalty and was adopted by a record number of votes: 117, compared to 111 in 2012. As co-sponsor, the Netherlands actively supported the resolution.
- The **EU Guidelines on Death Penalty**, updated in 2013, have proved helpful to EU efforts in this area and are often followed, most recently in relation to Indonesia and Pakistan.

On 10 October, **World Day against the Death Penalty**, the EU High Representative and the Secretary General of the Council of Europe issued a joint declaration strongly condemning the death penalty in all cases and under all circumstances, and pledged to fight for its abolition worldwide. They also expressed their concern at the worsening situation in a number of countries, including the mass death sentences imposed in Egypt and the extension of the scope for imposing the death penalty under domestic legislation.

Responsibility to Protect

According to the Responsibility to Protect (RtoP or R2P) principle, every state has a responsibility to protect its population from the most serious human rights violations: genocide, crimes against humanity, war crimes and ethnic cleansing. If a state is unable or unwilling to do so, the international community has a responsibility to provide assistance or intervene. Such international intervention can take many forms, including preventive measures, and as a last resort, military action, provided this is sanctioned by the UN Security Council. Since the principle was adopted at the **World Summit** in 2005 it has gradually gained in authority: in 2014 the Security Council referred to it in 10 resolutions, mainly in connection with the situation in the Central African Republic, South Sudan and Syria.

¹³ *Death Sentences and Executions 2014*, Amnesty International, April 2015. These data do not include executions in China as no figures are available (<http://bit.ly/1FZZjbg>).

The increase in serious conflicts involving large-scale human rights violations all over the world, like the three mentioned here, confirms how important it is to keep highlighting the obligation resting on states and the international community to protect civilians, but it also shows how difficult a road the implementation of RtoP still has to travel.

- As in previous years, the Netherlands worked closely with Rwanda as co-chair of the Group of Friends on Responsibility to Protect in New York. This group of approximately 40 countries encourages debate on RtoP at the UN and with key countries. In addition, the Minister of Foreign Affairs and his Ghanaian counterpart co-hosted a ministerial meeting on RtoP during the UN General Assembly's 69th session (September 2014). The focus was on the relationship between RtoP and human rights. The latter are both an *indicator* – an increase in individual human rights violations can be suggestive of a greater risk of mass atrocities – and an *inhibitor* – firmly embedded fundamental rights and a system that respects them reduce the risk of mass atrocities.
- In 2014 the Netherlands was extremely active within the **Global Network of R2P Focal Points**. This network comprises 36 countries that are committed to developing and implementing RtoP at national and international level. In 2014 the Netherlands and Botswana organised the annual focal point meeting, which took place in Gaborone, Botswana. The key issues discussed at the meeting were the link between RtoP and the business community, and the question of the responsibility borne by private actors to identify and prevent mass atrocities.
- The Netherlands works closely with the office of the UN Secretary-General's Special Advisor on RtoP and has a (financial) partnership with a number of NGOs aiming to build support for the principle among states and within civil society, such as the Global Center for RtoP and the International Coalition for RtoP. In 2014 the Netherlands cooperated with these organisations to stimulate debate and promote acceptance and implementation of the principle both at the UN and in third countries.
- Regional organisations can play an important role in encouraging and assisting states to fulfil their responsibilities under RtoP. For this reason, the Netherlands joined a number of other EU member states, in consultation with the European External Action Service (EEAS), to promote an active role for the EU in the prevention of mass atrocities. It proposed an invitation from the Political and Security Committee and organised an experts meeting.

1.5 Freedom of expression and internet freedom

Freedom of expression

On 12 May 2014 the Council of the **European Union** adopted the Human Rights Guidelines on Freedom of Expression Online and Offline.¹⁴ The Netherlands played an active role in drafting these guidelines. Together with the European External Action Service (EEAS), it will proceed to implement them. The guidelines explain the international human rights standards regarding freedom of expression on and offline. Though freedom of expression online merits specific recognition, separate rights need not be created in this respect. The guidelines also provide practical guidance for the EEAS and the member states on how to contribute to preventing potential violations of freedom of opinion and expression, how to analyse concrete cases and how to react effectively when violations occur.

The 29th session of the Council of the International Programme for the Development of Communication (IPDC), a **UNESCO** body, was held from 20 to 21 November 2014. The IPDC is the UN forum for the discussion of violence against journalists. Nominated by the Dutch Permanent Delegation to UNESCO, a Dutch expert from Free Press Unlimited (FPU) was elected as chair of the Council and its Bureau for two years. According to the UNESCO report discussed at the session, 593 journalists were killed in the period between 2006 and 2013. Only 6% of these killings have been solved, investigations are ongoing in 29% of cases and in 65% of cases no information has been received from the member state concerned. The safety of journalists is thus in jeopardy. This prompted the Netherlands to take on the role of chairing the IPDC, via Free Press Unlimited.

On **World Press Freedom Day** (3 May), the Minister of Foreign Affairs drew attention to freedom of expression on Facebook by posting a photo of the Cuban blogger Carlos Alberto Pérez Benítez for RNW's [#selfie4freedom](#) competition.

The second of November 2014 was the first **International Day to End Impunity for Crimes against Journalists**, proclaimed by the **UN** in its resolution on the safety of journalists and the issue of impunity.¹⁵ The resolution condemned all attacks and violence against journalists, such as arbitrary detention, torture, executions and enforced disappearances. Foreign minister Bert Koenders spoke out in the strongest terms against attacks on journalists¹⁶ and the Dutch Permanent Delegation to UNESCO took part in a panel discussion organised by the FPU.¹⁷

In December the **Council of Europe** launched an internet-based platform to promote the protection of journalism and the safety of journalists. The platform will provide a public space where the Council and non-governmental partner organisations will post information about serious violations of media freedom and journalists' rights, on the basis of which the various organs of the CoE can take action. Initially, the Council's partners will comprise the International Federation of Journalists, the Association of European Journalists, Reporters Without Borders, Article 19, the International News Safety Institute and the Open Society Institute.

In 2014, through FPU, the **Human Rights Fund** supported two Syrian news organisations, one working from Turkey the other from Lebanon. Activities focused on disseminating high-quality news and securing the safety of journalists and private individuals reporting on violations. Again through FPU, the Netherlands financed a mobile application called *StoryMaker*. The application offers courses in secure digital communication and basic journalism on the mobile phone, as well as a way to safely upload video, photo and audio content. As a result, people who are not professional journalists can communicate their stories to the world. Users in Egypt, Iraq, Morocco and Tunisia received training in the use of the application.

The **embassies** too drew on the Human Rights Fund to finance activities promoting freedom of expression. The embassy in Kinshasa, for example, supported an NGO that trains journalists in the DRC in the legal aspects of their work, making them better able to pursue their profession.

¹⁴ <http://bit.ly/1H7FQM0>.

¹⁵ <http://bit.ly/1Q9zrSV>.

¹⁶ <http://bit.ly/1tbwWAq>.

¹⁷ <http://bit.ly/1H7GadE>.

Since 2013 **Radio Netherlands Worldwide** (RNW) has been pursuing its mission to promote freedom of opinion and expression in countries where these rights are severely restricted. RNW targets young people in Arab countries, China, Latin America and Sub-Saharan Africa with a range of stimulating multimedia productions on themes like human rights, sexual rights, democracy and good governance.

In 2014, RNW provided a platform for well-known writers and bloggers from the Middle East who can no longer freely publish their opinions in their own countries. The group now includes 30 members from Egypt, Libya, Morocco, Saudi Arabia and Syria. They publish several articles each week on RNW's Arab website, Huna Sotak. The articles are widely read; one of writer Belal Fadl's articles was viewed 87,000 times on the day it appeared. In 2014 a number of new communities and their sites came online. One example is the launch in spring 2014 of an Arabic Love Matters platform – in addition to the existing sites in Chinese, English, Hindi and Spanish – providing reliable information on love and sexuality. The new platform has 80,000 visitors each month. The videos on the associated YouTube channel are highly popular: they were watched nearly 5 million times in 2014.

For Sub-Saharan Africa RNW produces a weekly satirical video blog (vlog) that was viewed on YouTube around 2.5 million times in 2014. From 2015 the weekly vlog is being taken over by the BBC and broadcast in its Focus on Africa programme. In the highly polarised media environment of Côte d'Ivoire and Kenya, RNW works with local bloggers to provide unbiased information on the trials of current and former leaders at the International Criminal Court in The Hague. Ninety per cent of the visitors to these sites are from the two countries concerned. Discussions on social media are usually conducted constructively and respectfully.

Internet freedom

The world is currently at a crossroads when it comes to internet freedom. The future is uncertain, as in many countries legislation, surveillance or blocking tactics are being stepped up. The blocking of a large number of websites in countries like China, Cuba and Iran is cause for concern. At the same time, there are many places, especially in Africa, where there is hardly any legislation on internet use. The Netherlands continues to work towards a free, open and secure internet.

In 2014 the **Freedom Online Coalition** (FOC) continued to grow as Japan, Lithuania and Moldova joined, bringing the number of member countries to 24, in all parts of the world. The FOC was set up in The Hague in 2011 by a group of like-minded countries advocating a free and open internet. Since then the coalition has spoken out on issues such as the use and export of surveillance technology and measures restricting access to social media. FOC members also act in concert within various multilateral organisations like the UN and OSCE.

In addition, three multi-stakeholder working groups in the FOC undertake activities aimed at strengthening cooperation with civil society organisations and the private sector in a number of areas. The Netherlands chairs the Internet Free and Secure working group which examines ways of improving multi-stakeholder participation in the context of cybersecurity.

The fourth Freedom Online conference took place in Tallinn (Estonia) from 28 to 29 April 2014.¹⁸ In his welcoming speech, the foreign minister emphasised that journalists, bloggers and human rights defenders in urgent need can always count on the Netherlands' support. He spoke to local activists and stressed the importance of a significant contribution from civil society to international decision-making processes. At the conference the FOC adopted the Tallinn Recommendations, which confirm the coalition's underlying values and set out its agenda. In 2015 Estonia is due to hand over the chair to Mongolia, which will organise the next conference. The new FOC website was launched at Tallinn: www.freedomonlinecoalition.com.

In 2014 the **UN Internet Governance Forum** was held in Istanbul.¹⁹ Given recent events in Turkey, this was an interesting choice of location. Earlier in the year, the Turkish government had blocked various social media channels, including Twitter and YouTube. These measures met with considerable protest, precisely because of the progress being made in this field in the region. The Netherlands therefore supported local activists in various workshops.

¹⁸ For more information on the conference in Tallinn, see <http://bit.ly/1Jm8ia9>.

¹⁹ For an article on IGF 2014 in Istanbul, see <http://bit.ly/1HLiOti>.

The debate on striking a balance between the right to privacy and the need to protect national security launched by Germany and Brazil in 2013 continued at the 69th session of the UN General Assembly. It was characterised by an even greater focus on the need for proportionality in surveillance. In the Netherlands' view, values like freedom and privacy are key. The Netherlands also tabled these issues at the **Global Conference on CyberSpace 2015** (GCCS 2015), in addition to measures to tighten export controls on surveillance technology.

The Netherlands continued to support bloggers and journalists through the **Human Rights Fund** in 2014. One example was the Digital Defenders Partnership (DDP), which helps human rights defenders respond to digital threats. DDP supports projects that give courses on internet security, circumventing censorship, impartial reporting and journalism skills. In 2014 it developed a Digital First Aid Kit containing self-diagnostic tools for human rights defenders and others under attack.

In December the Advisory Council on International Affairs (AIV) presented an advisory report entitled 'The Internet: a global free space with limited state control' to foreign minister Bert Koenders. The report discusses the policy the Netherlands should adopt on internet freedom. The government's response to the report was expected to be sent to the House of Representatives following the Global Conference on CyberSpace 2015 (GCCS 2015).

1.6 Freedom of religion and belief

Freedom of religion and belief has been a priority within Dutch human rights policy since 2007. Reality unfortunately shows that it is still in urgent need of support. As in previous years, the Netherlands worked in 2014 to promote the right of individuals to express their identity, as informed by religious or other beliefs. This includes the right to hold theist, non-theist or atheist convictions and the right to change one's faith. At the same time, the Netherlands supports the separation of church and state, and opposes restrictions on the fundamental rights and freedoms of women, children or LGBT people in the name of religious or traditional values. The Netherlands draws no distinction between religious groups that face difficulty in freely practising their beliefs or convictions. Many Christians encounter such difficulties, but the same applies to Bahá'í, Ahmadiyya and atheists. The Netherlands deploys both multilateral and bilateral instruments to safeguard these people's rights.

At multilateral level the Netherlands works within the **UN Human Rights Council** (HRC) and the Third Committee of the UN General Assembly to strengthen freedom of religion and belief. In 2014 it once again actively contributed to the negotiations on the resolutions introduced by the EU and Organisation of Islamic Cooperation (OIC) on this theme. The EU resolution entitled 'Freedom of religion or belief' focused on the protection of individual rights when combating religious intolerance. The OIC resolution focused on combating intolerance, negative stereotyping, stigmatisation, discrimination, incitement to violence and violence against persons based on religion or belief, through the promotion of human rights and interreligious and intercultural dialogue, and through condemnation of advocacy of religious hatred. Both resolutions were approved by consensus.

The **EU Guidelines on the promotion and protection of freedom of religion or belief**, adopted in June 2013 by the Council of the **European Union**, are used by staff at the EU delegations and the embassies of member states. The priorities of Dutch policy in this area are reflected in the guidelines, and therefore support the implementation of Dutch policy. In collaboration with the European External Action Service (EEAS), the Netherlands plans to organise a meeting to increase the exchange of experiences regarding the implementation of the guidelines and to promote cooperation between the EU member states.

The Netherlands also draws attention at bilateral level to freedom of religion or belief. For instance, during his visit to Georgia the **Human Rights Ambassador** spoke to the authorities, NGOs and religious groups about the increasing religious tension in that country. He also advocated the separation of church and state and emphasised the importance of freedom of religion to stability and prosperity in Georgia. Dutch embassies also play a vital role. Projects are implemented in nine countries in the context of the pilot on religious freedom.

Pilot project on religious freedom

The aim of the pilot project launched in 2009 was to strengthen Dutch policy on freedom of religion and belief in relation to China, Egypt, Eritrea, India and Kazakhstan. These countries were selected based on the varying nature and severity of the problems, geographic location and the presence of NGOs. The long-term objective is to share at EU level the knowledge and expertise gained and to apply them in other countries. However, it emerged that there was no way to raise the issue of freedom of religion in Eritrea, partly because its government obstructs the work of national and international NGOs. Furthermore, the embassy there has been closed. For these reasons the pilot in this country was stopped. When in 2012 the pilot project was evaluated, the results were modest but encouraging and it was extended to include Armenia, Nigeria, North Korea, Pakistan and Sudan. In all nine countries religious freedom has become a standard component in the human rights activities of the embassies.

The sub-projects carried out as part of the pilot project focused on the following.

1. Facilitating dialogue between leaders of religious groups and/or between such leaders and the authorities. One example is the Imam-Priest Exchange in **Egypt**. Imams and priests meet to get to know one another better, break down barriers and develop local interreligious initiatives together.

2. Amending national legislation and/or government policy. Since 2013 a project has been running in **Kazakhstan** in collaboration with the Kazakhstan International Bureau for Human Rights targeting the promotion of article 18 of the International Covenant on Civil and Political Rights. Part of the project is an analysis of current legislation on religious freedom and violations of that freedom. The analysis will be raised in consultations with legislators and other authorities and referred to in legal proceedings.
3. Monitoring individual criminal proceedings and providing legal assistance. One example is a project in **India** offering professional legal representation to victims of religiously motivated violence and intolerance. These people are often unable to gain access to the legal system. The Netherlands is funding a project in **Pakistan** providing legal assistance to victims of discrimination based on current legislation regarding religion and blasphemy.
4. Raising awareness of problems related to religion. One example is the Responsibility to Report (R2R) training course for journalists in **Nigeria**. The aim is to encourage objective, accurate reporting to prevent further escalation of religious conflict caused by news items.
5. Developing and disseminating knowledge about faith and religion in general. In **China**, VU University Amsterdam, Renmin University and the Chinese State Administration of Religious Affairs organised an international conference on religion and social cohesion in Beijing. The conference developed a joint research agenda in the field of religion.

Many projects combine several of the above components, like the regional conferences on religious freedom organised in Tbilisi. In 2013 organisations and representatives from Georgia and **Armenia** and in 2014 from Azerbaijan took part. At least 80 representatives of orthodox/national churches, minority groups, NGOs and the authorities attended the 2014 conference. It thus offered a unique podium for consultations between a variety of interest groups, some opposed to each other, and resulted in a dialogue on the role of the state in protecting freedom of religion and belief.

Evaluation of the pilot on religious freedom²⁰

In 2014 the pilot on religious freedom was evaluated. Breaking the taboo on discussing freedom of religion and belief remains an intractable problem. The pilot provided insights into how these sensitive issues can nevertheless be raised in certain countries. The limited scope for setting up projects in some countries meant that the results of the pilot project were modest.

The main **recommendations** arising from the evaluation were as follows.

- Share the knowledge and expertise gained through the projects on a larger scale with other (EU) embassies in the countries concerned. If possible this should be followed by more joint action in the field of freedom of religion and belief.
- Share this knowledge and expertise with other countries where similar projects are being conducted or where there is interest in setting up such projects.
- Address religious freedom in combination with other human rights issues (for example, equal rights for women or LGBT people), using international mechanisms like the UPR, the Committee on the Elimination of Racial Discrimination (CERD) and the EU human rights dialogues.

The evaluation shows that religious freedom remains a meaningful element of human rights policy and is therefore eligible for financing through the Human Rights Fund. In addition to the countries that are already active in this field, projects can also be set up in other countries, in consultation with the embassies and on the basis of an analysis of the added value they might have. The recommendations outlined above will be taken into account as a part of the implementation of the general human rights policy. It emerged that no projects could be started in North Korea, given its isolation from the rest of the world. In view of the increasing religious intolerance in Georgia, the Netherlands has launched a two-year project there involving awareness-raising campaigns and the provision of legal assistance to religious minorities. The embassy in Tbilisi has a programme focused on freedom of religion and belief in Armenia that has already built up the necessary expertise and knowledge.

²⁰ Pledge made during the meeting between the Minister of Foreign Affairs and the Permanent Committee on Foreign Affairs to discuss various human rights policy documents on 30 June 2014.

1.7 Human rights and development

The Netherlands attaches great value to the entire spectrum of human rights, including **economic, social and cultural** (ESC) rights and civil and political (CP) rights. It contributes to the realisation of ESC rights through development cooperation. Alongside its programmes in the field of water and food security for example, the Netherlands works with trade unions – the traditional guardians of economic and social rights. From 2013 to 2016, the Ministry of Foreign Affairs is contributing €49 million to the Trade Union Cofinancing Programme. In the framework of this programme, CNV Internationaal and FNV Mondiaal (the international arms of two Dutch trade union federations) are making efforts to improve observance of workers' and trade union rights in low and middle-income countries, in particular by promoting social dialogue and strengthening the capacity of trade unions at company, sectoral and national level.

A number of specific projects supporting ESC rights are financed from the Human Rights Fund.

- In 2014 the Netherlands awarded a grant to WaterLex to assist its efforts to support national human rights institutions in Africa to improve water governance in the interests of local populations.
- The embassy in the Russian Federation supported the development of a website providing independent information about the environment with the aim of helping people defend their right to healthy living conditions.
- The embassy in Zimbabwe funded the development of an ESC rights 'barometer' to help civil society organisations in their advocacy work in this area.
- The embassy in Bangladesh provided funding to the Indigenous Peoples Development Service.

In addition, the Netherlands worked towards the integration of a human rights-based approach in the **post-2015 sustainable development agenda**.

- The post-2015 agenda will replace the Millennium Development Goals (MDGs) which expire at the end of 2015. In the negotiations on the agenda, the Netherlands pushed for a solid basis for human rights in the new Sustainable Development Goals (SDGs). In the proposal produced by the Open Working Group (OWG) human rights constituted one of the basic principles underlying the agenda as a whole. For example, in Goal 5 (gender equality), human rights are embedded in various sub-goals, including 5.3, which aims to 'eliminate all harmful practices, such as child, early, and forced marriage and female genital mutilation'. Human rights are further interwoven in Goal 3 (health), Goal 8 (decent work) and Goal 16 (peaceful societies). The Netherlands is thus satisfied with the outcome of the OWG.

Interim evaluation of the pilot project on the receptor approach²¹

The interim evaluation of the pilot project on the receptor approach confirmed the importance of alignment with the local social and cultural situation and finding the appropriate partners in the implementation of universal human rights.²²

- The evaluation indicated that the methodology of the receptor approach needs more detailed work and more specific examples. The aim of the pilot project is to test theory against practice. The evaluation found that to date the project had largely consisted of a desk study. The follow-up (up to the end of May 2015) should entail a more in-depth study.
- With regard to support for African countries in reporting to the CEDAW Committee, the evaluation recommended formal cooperation with local authorities to help them showcase local results more effectively.

²¹ The government undertook to make an assessment at the meeting between ministers and the Permanent Committee on Foreign Affairs on the subject of China on 9 April 2014.

²² See annexe 2 for the full assessment.

- The academic exchange with China seems to be working well. A range of academic seminars created the opportunity for valuable debate, while the participation of Chinese students in human rights courses in the Netherlands meant that they took their knowledge and experiences back to China. The evaluation emphasised the importance of striking a balance between identifying good examples of human rights initiatives in China on the one hand, and being alert to attempts to question the universality of human rights on the other.
- With regard to PhD research, the academic panel made a number of recommendations for evaluating the receptor approach including a clearer formulation of the underlying hypotheses and the appointment of second supervisors to support the principal supervisors.

Talks with the project research team will continue on the basis of the assessment.

1.8 Business and human rights

The Netherlands encourages the business community to respect human rights in accordance with the **UN Guiding Principles on Business and Human Rights** (UNGPs).²³ The aim is to prevent companies from abusing human rights either directly or within their supply chains. In December 2013 the government presented the National Action Plan on Business and Human Rights,²⁴ which was implemented in 2014. The Netherlands also pushed at international level for better implementation of the UNGPs, partly by encouraging other countries to establish national action plans and providing advice on how to do this. In addition, it supported a number of projects relating to business and human rights via the Human Rights Fund. Measures to combat child labour were also an important aspect of the Netherlands' efforts in this field.

National Action Plan on Business and Human Rights

In the summer of 2015 the government reported on the progress of the **National Action Plan** (NAP) and on broader corporate social responsibility policy.

- The government reviewed the order establishing the OECD National Contact Point (NCP), making it possible for the NCP to commission cross-company research.²⁵
- The 'international social conditions' for sustainable purchasing policy were evaluated. In January 2015 the evaluation report and the government's response were sent to the House of Representatives.²⁶ The evaluation recommended aligning the social conditions with the OECD Guidelines for Multinational Enterprises. The government is examining how this can best be done.
- ACCESS Facility – an organisation which focuses on improving access to non-judicial grievance mechanisms in relation to human rights violations connected with business and industry – received funding for an experts meeting on the effectiveness of grievance mechanisms.
- The Ministry of Foreign Affairs awarded a grant to UN Global Compact Network Netherlands for an online follow-up to its publication 'How to Do Business with Respect for Human Rights' (2010). The follow-up will focus on the specific challenges facing businesses in the South.
- The Social and Economic Council (SER) concluded a series of due diligence workshops for the business community. The workshops were organised in collaboration with SHIFT, the leading centre of expertise for the UNGPs. The SER also produced a handbook for businesses to help them draw up their own due diligence policy.²⁷ This was presented at a conference on due diligence held at the SER in March 2014 and opened by the Minister for Foreign Trade and Development Cooperation.
- The Centre for Research on Multinational Corporations (SOMO) provided an interdepartmental training course on the UNGPs for government officials working in the field of corporate social responsibility, trade and investment promotion and sustainable purchasing. The theme of business and human rights was also part of the International Policy Officer course, and the human rights course for embassy staff organised twice by the Ministry of Foreign Affairs in 2014.
- In 2014 the Research and Documentation Centre (WODC) commissioned research on the question of whether Dutch legislation regulates businesses' corporate social responsibility abroad in a way that is compatible with the UNGPs.²⁸ The study was carried out by Utrecht University (UU), which compared the situation in the Netherlands with that in a number of neighbouring countries. Results are expected in the autumn of 2015.
- In November 2014 the House of Representatives received KPMG's Sector Risk Analysis (SRA) and the government response to the analysis.²⁹ In the same year, talks began on the voluntary international CSR agreements to be concluded on the basis of the risk analysis. The aim is to reach agreements at sectoral level and in line with the UNGP action plan with regard to human rights problems which businesses cannot solve themselves.

²³ <http://bit.ly/1HnFkIg>.

²⁴ <http://bit.ly/XCVq6m> (in Dutch).

²⁵ <http://bit.ly/1HLk4fS> (Dutch).

²⁶ <http://bit.ly/1GaujIR>.

²⁷ <http://bit.ly/1JZ0jRj> (in Dutch).

²⁸ <http://bit.ly/1Oy0XGj> (Dutch).

²⁹ <http://bit.ly/1HLkSBI>.

The government plans to have concluded the first 10 voluntary agreements by the end of 2016, in line with SER recommendations and led by the business community.

- The Ministry of Foreign Affairs has identified 'business and human rights' and 'corporate social responsibility' as priority themes for the Dutch EU Presidency in the first six months of 2016. Consultations are ongoing as to how these themes will be handled.

A number of issues in the **NAP** cannot be concluded at a certain point but require the government's continuing attention. This applies to the following issues in particular.

- The integration of human rights in economic missions. The government is making every effort to integrate human rights in trade missions as far as possible. Civil society organisations are involved in preparing the missions by, for example, informing the participating companies about human rights risks in the countries concerned. Companies wishing to take part in an economic mission have to sign an advance declaration in which they undertake to comply with the OECD guidelines for multinational enterprises. Six-monthly reports on the economic missions keep the House of Representatives informed of the way in which human rights were raised.
- The government continues to invest in information for businesses to help them pursue a proper due diligence policy. In the framework of the voluntary international CSR agreements, for example, a new series of workshops for the sectors concerned has been organised by the SER and SHIFT. The government will continue to remind Dutch companies of their responsibilities under the UNGPs and the OECD guidelines for multinational enterprises. This is particularly relevant if Dutch businesses are accused of involvement in human rights violations.
- The embassies play an important role in helping companies take account of human rights when doing business. For instance, they inform business people about local CSR-related risks, organise meetings and talk to the local authorities. At the end of 2009, the missions in Brazil, China, Colombia, India, Russia, South Africa, Turkey and the United Arab Emirates started enhancing their policy focus on promoting human rights as part of business practice. In mid-2012, they were joined by the missions in Bangladesh, Thailand (with regard to Burma/Myanmar), Jordan, Kazakhstan, Nigeria, Panama and Tunisia. In 2014:
 - The Consulate-General (CG) in Istanbul launched a project in which companies were encouraged to take a stance against violence against women, including domestic violence. It issued a report explaining the effect of domestic violence on business and suggested ways of working on prevention. The CG also launched a campaign to increase awareness of the link between common products and human trafficking/exploitation.
 - The embassy in Brazil developed CSR guidelines for businesses with specific emphasis on the rights of children and adolescents. In addition, the embassy commissioned research into the CSR criteria observed by financial institutions in Brazil and entered into a dialogue on potential improvements with the BNDES development bank.
 - The missions in the Russian Federation supported a variety of projects designed to stimulate constructive interaction between companies and NGOs, specifically in the field of CSR standards. In addition, the embassy in Moscow funded a project teaching managers and students about CSR.
 - The embassy in India awarded a grant to Ecorys to teach young women the business skills to start their own small enterprises, thereby enabling them to earn an income, increase their economic independence and act as role models for other women. Ecorys worked with partners from the business community in this project.
 - The embassy in Bangkok continued its multi-year contribution to the Myanmar Centre for Responsible Business. The centre's mission is to guide the enormous inflows of new investments into Burma/Myanmar into the right channels by making investors aware of CSR issues and helping them deal with them responsibly.

Promotion of national action plans at international level

In December 2013 the Netherlands became the second country in the world to adopt a **national action plan**, in line with the government's conviction that such plans are the best way to implement the UNGPs. The concept of ownership is essential to the Principles, in both North and South. As a result, multinational enterprises are reminded of their responsibility to respect human rights in both their countries of origin and the countries where they do business.

In 2014 the Netherlands worked to promote the idea of national action plans internationally. In bilateral contacts it encouraged several countries to draw up their own NAP, sharing experiences and lessons learned to this end. The countries concerned included Belgium, Brazil, Chile, Costa Rica, Germany, Indonesia, Ireland, Mexico, Slovenia, South Africa, the United States and Yemen. In addition, the Netherlands stressed the importance of the plans at multilateral level.

- The Netherlands presented its own NAP to the other EU member states at the meeting of the EU High Level Working Group on Corporate Social Responsibility in February 2014.
- In February 2014, it held a similar presentation for the member states of the Council of Europe at the second meeting of the working party drafting a recommendation on business and human rights from the Committee of Ministers to the member states.
- In the same month, the Netherlands presented its NAP to the UN Working Group on the issue of human rights and transnational corporations and other business enterprises. The working group held an open consultation on the elements to be included in national action plans to ensure effective implementation of the UNGPs. The results were incorporated in the Guidance document published by the Working Group in December 2014.³⁰ The publication was partly financed by the Human Rights Fund.
- In September the Netherlands joined with the European External Action Service to organise a side event at the UN African Regional Forum on Business and Human Rights. The aim was to show the African Union (AU) and individual African countries what the EU is doing at regional and national level to implement the UNGPs. The Netherlands presented its NAP. The event resulted in a commitment from the AU to help its members draw up their own action plans.
- In November 2014 the annual human rights seminar was held in Vietnam in the framework of the Asia-Europe Meeting (ASEM). This year's theme was business and human rights. The Netherlands and the Danish Institute for Human Rights organised a side event on national action plans, in an attempt to inspire Asian and European countries to develop policy in this area.³¹ At the event the Human Rights Ambassador presented the Dutch NAP. In February 2015 Burma/Myanmar, Indonesia, Malaysia and the Philippines announced that they would be drafting their own national action plans.³²
- In December the Human Rights Ambassador took part in the opening panel session of the annual UN Forum on Business and Human Rights, where he presented the Dutch NAP. During the Forum the Netherlands was frequently described as a leading example in the field of business and human rights.

Other activities

The following activities by the Netherlands do not arise directly from the NAP but are relevant to the theme of business and human rights.

- The Netherlands participates in the international multi-stakeholder initiative Voluntary Principles on Security and Human Rights (VPs), set up in 2000. Participants include governments (such as Canada, the UK and the US), civil society organisations (including peace organisation IKV Pax Christi) and large multinationals in the gas, oil and mining sectors (such as Shell). The aim is to help companies in the energy and extractive sectors that operate in conflict zones to maintain the safety and security of their operations within a framework that respects human rights. As a participant, the Dutch government has a duty to convince other countries, more specifically those with conflict zones where the extractive industry is active, of the importance of the VPs and to recruit them to the initiative. To this end, the Netherlands has supported NGOs and other actors in countries including Angola, Colombia and Nigeria in their efforts to raise awareness of the VPs and the need for due diligence. In Angola a workshop was organised for interested parties in collaboration with the Angolan and British governments. Partly as a result of these efforts, Angola has announced that it will join the initiative.
- In 2014 the Netherlands focused in particular on strengthening human rights in international textile companies. In Bangladesh it supported the International Labour Organization (ILO) in implementing reforms to employment legislation and strengthening capacity in the Labour Inspectorate. In December 2014 it helped set up a Buyers' Forum in Pakistan, a joint initiative of international fashion brands which buy garments and textiles in that country.

³⁰ <http://bit.ly/1Gav5oY>.

³¹ <http://bit.ly/1yK53Jo>.

³² <http://bit.ly/1EjB0KV>.

Through the Forum the various brands will promote compliance with labour rights legislation. In addition, the Netherlands supports the ILO's Better Work Programme, which aims to improve respect for labour standards in Bangladesh, Burma/Myanmar, Cambodia, Indonesia and Vietnam. Via the Sustainable Trade Initiative (IDH), it also contributes to the new Race to the Top Initiative which focuses on creating a sustainable textile sector in Vietnam.

- The ILO is also a major partner in the field of business and human rights outside the textile sector. The International Labour Conference in June 2014 adopted a protocol supplementing ILO Convention 29 on forced labour. The government is studying the possibility of ratifying this protocol, which obliges ILO members to support due diligence by both the public and private sectors to prevent forced labour.
- During her visit to Turkey in June 2014, the Minister for Foreign Trade and Development Cooperation chaired a roundtable discussion with female CEOs on the theme of gender in business. She also spoke to Turkish officials and representatives of the metal processing sector on the issue of safety on the work floor.
- During the economic mission to Nigeria in June 2014 the trade and development minister visited the Niger Delta, where enormous environmental and social problems have been caused by oil leaks and illegal refining. The minister spoke to NGOs working in the field of the environment and human rights in the Delta. She also visited the Bodo and Bomu communities in Ogoniland. A former Dutch ambassador acted as mediator in 2014 to bring the Bodo community and the Shell Petroleum Development Company of Nigeria (SPDC) to the negotiating table.
- In October 2014 the minister travelled to China, where she had talks with Vice Minister of Commerce Mr Zhong Shan on the Chinese government's approach to corporate social responsibility and on compliance with CSR standards by Chinese companies. In Shanghai she attended a CSR seminar with businesses and civil society organisations. At a meeting with the palm oil processing sector she encouraged Chinese companies to work with NGOs to improve the sustainability of their supply chains.
- In November 2014 the minister signed a voluntary agreement with five Dutch energy companies on corporate social responsibility in the coal supply chain.³³ Later in the month she travelled to Colombia for a visit focusing on human rights in the coal mining industry. A seminar on this theme offered a platform for talks between the minister and victims of the armed conflict in the mining region. Another result of the visit was Dutch funding for independent research into the social risks associated with mining activities. The outcome could help mining companies take steps to prevent abuses.
- In November 2014 the Dutch Human Rights Ambassador travelled to Vietnam. He chaired a roundtable meeting with local NGOs and a number of entrepreneurs, mainly Dutch, where labour rights in Vietnam were discussed. The ambassador raised some of the points that were tabled, particularly on freedom of association, in his talks with the Vietnamese government.

Human Rights Fund

A large proportion of the **Human Rights Fund** benefits projects in the field of business and human rights. In addition to the funding provided to ACCESS Facility, UN Global Compact, and the UN Working Group on business and human rights as outlined above, the Fund contributed to a large number of projects in 2014 including the following.

- In 2014 the Ministry of Foreign Affairs awarded a grant to a coalition of investors and civil society organisations led by the Business and Human Rights Resource Centre. The coalition developed a Corporate Human Rights Benchmark, which ranks the 500 largest international companies in risk sectors – agriculture, clothing, IT and extractive industries – according to their human rights policies and performance. The coalition believes that transparency regarding performance can help drive a race to the top in the human rights field.
- In 2014 SOMO continued its 'Stand up for your rights' project, which trains organisations in the South to improve access to justice for victims of human rights violations.
- In 2014 the Institute for Human Rights and Business (IHRB) initiated the Nairobi Process, a project in the extractive industry in East Africa, with support from the Netherlands. The IHRB wants to achieve proper agreements between companies in this emerging sector and local communities, to prevent human rights violations from the outset.

³³ <https://www.government.nl/latest/news/2014/11/17/government-and-energy-producers-sign-voluntary-agreement-on-coal>.

- The Netherlands also continued support to the Fair Wear Foundation for a project targeting the textile sector in Bangladesh, China, India and Turkey. Workers are taught about their rights and a hotline has been set up for reporting violations.

Child labour

Child labour is one of the most distressing human rights issues. In 2014, as in previous years, it quite rightly attracted much attention in the media and politics. The numerous studies published by organisations like SOMO, the India Committee of the Netherlands, Terre des Hommes and the Stop Child Labour coalition made a major contribution to the public debate, as did the private member's memorandum submitted by MP Roelof van Laar.³⁴ In 2014 the government continued the fight against child labour with undiminished vigour.

- Support for the Stop Child Labour coalition's Child Labour Free Zones was substantially expanded in 2014. An amount of €5 million enabled the programme to be extended to six countries: India, Mali, Nicaragua, Turkey, Uganda and Zimbabwe. The programme is an outstanding example of an integrated, area-based approach, combining awareness-raising regarding the negative effects of child labour on both individual and national development with measures to strengthen the education system and facilitate collaboration with employers and local authorities to enforce the prohibition on child labour. The aim is to create communities which stand firmly behind the idea that children belong in the classroom, not the workplace.
- Child labour has been designated one of the four umbrella themes that must be explicitly addressed in the voluntary agreements concluded in the framework of the Sector Risk Analysis (see above).
- The business community also took measures in 2014 to fight child labour. Within the plan of action to increase the sustainability of the Dutch textile sector, a working party consisting of representatives of textile companies, trade associations, the Ministry of Foreign Affairs and various organisations promoting children's rights was set up to investigate ways to eradicate child labour in the sector. The working party is expected to come up with specific joint initiatives in 2015.
- Dutch support for the Child Labour Platform (CLP) continued in 2014. The CLP is an international network of companies that tackles child labour in the workplace and supply chains, creating a safe environment in which companies can exchange ideas on how to approach the problem.
- In 2014 the Netherlands also supported the ILO's International Programme on the Elimination of Child Labour (IPEC), more specifically its activities aiming to strengthen vocational education in Bolivia, Indonesia, Mali and Uganda. The Netherlands has earmarked the sum of €8.7 million for the period 2010-2015.
- In addition, the Netherlands contributes to raising awareness of the concept of 'decent work' in supply chains through a range of projects, some implemented by the ILO. These include collecting examples of best practices by multinationals. The decent work concept embraces the eradication of child labour.
- In November 2014, during a visit to India, the Minister for Foreign Trade and Development Cooperation met Nobel prizewinner Kailash Satyarthi. Satyarthi is the founder of Global March, an organisation that has been fighting child labour for many years. The minister informed Satyarthi that the Netherlands would be allocating €500,000 to support his organisation.
- In 2014 the government awarded a €1.1 million grant to UNICEF to promote awareness and implementation of the Children's Rights and Business Principles. The project in question focuses on Dutch companies, the textile sector in Bangladesh and the palm oil sector in Indonesia.
- Several embassies financed projects combating child labour in 2014. For example, the embassy in Turkey worked with IPEC, Turkish national and local authorities, and CAOBISCO, the trade association for the hazelnut processing industry, on a project to eliminate child labour in hazelnut picking. During her visit to Turkey in July 2014, the Minister for Foreign Trade and Development Cooperation signed a contract for the second phase of this project.
- Last year a €2 million grant was awarded to Defence for Children International/ECPAT for a project on child sex tourism and other forms of sexual violence against children. ECPAT is implementing this project in 30 countries.

³⁴ <http://bit.ly/1bdmsPZ> (in Dutch).

The Netherlands also fights child labour within the framework of the EU. The EU carried out démarches in 20 countries to urge better implementation of ILO Convention 182 against the worst forms of child labour. More specifically, the EU asked these countries to compile lists of 'hazardous work' as required by the Convention.

2. Forums and instruments

2.1 European Union

The EU's external human rights policy

Human rights and democracy are the **'silver thread' running through the EU's external policy**. The Netherlands has an interest in ensuring that the EU's external human rights policy is successful. Due to its status as a global player, the EU can often be more effective than the Netherlands could be acting alone.

- Federica Mogherini, the **EU High Representative for Foreign Affairs and Security Policy** continues to be the face of the EU's human rights policy. The European External Action Service (EEAS) assists the High Representative in developing and implementing this policy. Together they operate within the parameters set by the member states in the Council. The Netherlands continues to actively pursue the integration of human rights in the EU's external action. This is apparent, for example, from our country's close cooperation with the EEAS (e.g. in the form of secondments) and the declarations issued by the High Representative at the Netherlands' suggestion.
- The EU is a prominent defender of human rights outside its borders. This obviously means that it has to **speak with one voice**. Since 2013, the Council's Working Party on Human Rights (COHOM) has started meeting more regularly to ensure that the EU and the member states coordinate their human rights policies in practice. The Netherlands has added extra staff at its **Permanent Representation** to the EU for this purpose. In addition, the EEAS, the European Commission and the European Parliament communicated with each other throughout the year on EU human rights policy. The European Parliament published a report on the eradication of torture, calling on the EEAS, the European Commission and the member states to give greater support to measures aimed at preventing torture in third countries. As a result, the prevention of torture is likely to become a point for action in the new EU Action Plan on Human Rights and Democracy.

Dutch support for the EU Special Representative for Human Rights

The EU Special Representative for Human Rights (EUSR), Stavros Lambrinidis, gave European human rights policy a powerful boost in 2014. The Netherlands is pleased that his mandate has been extended until February 2017. The Special Representative focuses on the universality of human rights and has opted to pursue a combination of quiet and public diplomacy. Two issues have his particular attention: the protection of human rights defenders and the increasing restrictions on civil society space. In 2014 he pushed for an early warning mechanism for human rights defenders in urgent need, the release of imprisoned activists and amendments to legislation preventing NGOs from functioning properly. Between 2012 and 2014, Mr Lambrinidis spoke to over 100 ministers, UN representatives and regional organisations, and made official visits to 21 countries. For example, he visited Egypt on six occasions for reasons including the EU's concerns regarding the possible penalties facing civil society organisations that fail to respond to the Egyptian authorities' call to register as NGOs. In addition, he ensured that the Council of Europe's Venice Commission was involved in the drafting of new legislation on NGOs in Egypt. The Special Representative also called the Egyptian authorities to account on each occasion that the courts imposed (mass) death sentences. Mr Lambrinidis has made an important contribution to rendering European human rights policy more effective, coherent and visible.

Financial instruments available for EU human rights policy

Human rights and democratisation also play a crucial role in decisions on financing the EU's external policy. The Netherlands continues in EU discussions to emphasise the importance of **conditionality** and a targeted approach. The EU can increase the effectiveness of its external action in two ways: by formulating and applying the conditions linked to assistance in an unambiguous manner and by deciding on a country-by-country basis which instruments should be used. Many external policy instruments adopt an incentive-based approach in which respect for human rights, democracy and the rule of law play a major role.

The more a country shows that it is making an effort to improve human rights and pursue a broader reform agenda, the more support it can receive from the EU. The principle also applies within the European Neighbourhood Policy (ENP). In 2014, for example, the relevant transition funds did not distribute any financial assistance to Egypt or Belarus, whereas additional resources were made available to Georgia, Jordan, Moldova, Morocco, Tunisia and Ukraine.

Through the **European Instrument for Democracy and Human Rights** (EIDHR), the EU promotes the development and consolidation of democracy and the rule of law, and respect for human rights and fundamental freedoms worldwide. In 2013 negotiations took place on the EIDHR budget for the next six years (2014-2020). It was ultimately set at €1.3 billion, the same amount as for the previous period (2007-2013). In 2014 this was shared among the various priority themes for 2014-2017. An interim evaluation of the instrument is due to take place in 2017. A substantial proportion of funding (20-25%) has been allocated to protecting human rights and human rights defenders in countries where they are under the most pressure. During the budget negotiations the Netherlands insisted that despite the need for long-term planning, the instrument should remain flexible in terms of deployment and that there should be sufficient room to finance small projects run by small organisations. Again at the Netherlands' insistence, the EIDHR can now also be used to fund the development of national action plans on business and human rights in third countries. In 2014 over 500 new initiatives in 135 countries were financed from the EIDHR budget to the amount of €150 million.

2014 was the first full year of operation for the **European Endowment for Democracy** (EED). The EED was established to support democratic change in the EU's southern and eastern neighbours and has a budget of €28 million for the period from 2013 to 2015. It supports pro-democracy civil society organisations, independent media outlets and journalists, NGOs, trade unions and other social partners with a view to strengthening democratic processes in the long term. Together with the Netherlands, it financed a feasibility study on support for independent Russian-language media initiatives. In 2014 it received over 120 applications for support.

EU Strategic Framework and Action Plan on Human Rights and Democracy

In 2015 the EU will be drafting its new Action Plan on Human Rights and Democracy, as successor to the 2012-2014 action plan. Halfway through 2014 the EEAS launched an intensive consultation process involving EU institutions, member states and other stakeholders such as civil society organisations and academic institutions on the desired form and content of the new plan. The Netherlands had urged the EEAS to make timely preparations and conduct inclusive consultations for the plan and was pleased that this was done. It advocated a stronger focus in the new action plan on a smaller number of priorities, more attention for burden-sharing among the member states and clearer communication regarding EU efforts in the field of human rights. In 2015 negotiations will continue on priorities and associated action. The new action plan is expected to be completed in the summer of 2015.

EU guidelines

In 2013 and 2014 the Netherlands was actively involved in the drafting of the new EU guidelines on freedom of expression online and offline. The guidelines were adopted by the Foreign Affairs Council in May 2014. They provide guidance to EU delegations and the embassies of EU member states on how to promote and protect this freedom. The Netherlands insisted on attention in the guidelines for the safety of journalists and the protection of privacy. In addition, supplementary instructions – in the form of a guidance note – were drawn up for all EU delegations and embassies of the EU member states on how to contribute to the protection of human rights defenders in specific situations. For example, on the basis of the guidelines, the EU urged Kazakhstan to review a number of proceedings against human rights defenders, thereby increasing the international pressure on this country. The release of a female activist in November 2014 was most probably in response to this pressure. Finally, the Netherlands pushed for the consistent implementation of all EU human rights guidelines. Although there is still much room for improvement, these guidelines are proving to be an effective tool for raising these issues with EU delegations and the embassies of EU member states.

EU human rights strategies and dialogues

The **EU country strategies** are designed to strengthen human rights policy by aligning all the political, economic and other instruments of the EU delegations and the embassies of the member states. The strategies identify specific goals and priorities for each country. By the end of 2014, human rights strategies had been approved for 132 countries.

The strategies make a substantial contribution to EU human rights policy and help improve the division of labour between member states. In the spring of 2014 implementation in 123 countries was evaluated. This showed that although the strategies are an important tool in pursuing a more effective EU human rights policy, the focus on implementation must be maintained.

The EU human rights strategies are confidential. Together with a few other member states, the Netherlands has pushed for the **publication** of part of these strategies. Publication is not only a form of public diplomacy but also a way to consolidate cooperation with civil society and provide more insight into how the EU can assist NGOs and human rights defenders. In 2014 these efforts bore fruit: EU missions can now make a joint decision to publish part of the strategies. In 20 countries the EU had already implemented a form of publication. This is a good result, but publishing them in a larger number of countries would be even better. In 2015 the Netherlands will again work both in Brussels and at the embassies for the publication of part of the human rights strategies.

Last year **human rights dialogues** took place between the EU and 37 countries, and the EU discussed human rights issues with many of the 79 ACP countries that are signatories to the Cotonou Agreement. A dialogue with Burma/Myanmar was launched in 2014. Last year the human rights dialogue with the Russian Federation was unfortunately suspended and the dialogue with Azerbaijan postponed. A major improvement was that most of the dialogues were preceded by consultations with local civil society organisations and NGOs in Brussels, something which the Netherlands has actively promoted and monitored. The EU and the Netherlands continue to work on increasing the effectiveness of the dialogues. The human rights strategies have proved a valuable instrument in achieving better follow-up to the issues discussed in the dialogues.

EU accession to the ECHR

At the beginning of August 2013, the European Commission asked the European Court of Justice (ECJ) to issue an opinion on the compatibility of accession to the **European Convention for the Protection of Human Rights and Fundamental Freedoms** (ECHR) with the EU Treaties. The ECJ took longer to issue its opinion than expected. On 18 December 2014 the Court delivered Opinion 2/13.³⁵ It concluded that the draft accession agreement is incompatible with the treaties on a number of points. This will mean a considerable delay in the accession process. The government continues to work towards accession, while acknowledging the degree of care required.

Human rights and the rule of law in the European Union

Coherence in internal and external human rights policy rightly occupies a prominent position on the EU agenda and is a policy priority for the Netherlands. It is one of the prerequisites for **credible** external action by the EU. Many initiatives have already been launched and proposals made to promote various forms of human rights within the EU, for example in the field of data protection, fighting human trafficking and protecting children's rights. What is more, an internal action plan is in preparation to counter discrimination on the basis of sexual orientation and gender identity and the EU has adopted a framework for national Roma integration strategies. Every year the European Commission presents its findings on compliance with the EU Charter of Fundamental Rights, while the annual report of the European Union Agency for Fundamental Rights also provides an insight into the human rights situation in the EU.

The Netherlands is working to improve the safeguards for human rights and the rule of law within the Union. Part of that is the **rule of law mechanism** set up on the initiative of the Netherlands. The mechanism is intended to facilitate a dialogue, both structural and ad hoc, on developments with regard to the rule of law in the EU. The aim is to enable member states to call each other to account for shortcomings in their legal systems and to work together on solutions. This is primarily the responsibility of the member states, but there is a clear role for the Commission to play. In March 2014, the Dutch initiative resulted in 'A new EU Framework to strengthen the Rule of Law' (Commission Communication COM(2014) 158 final). The communication sets out a new procedure that the Commission can use to address threats of a systemic nature to the rule of law in EU member states. The procedure provides for a dialogue with the member state concerned. If this does not produce a satisfactory result, the Commission may activate one of the Article 7 mechanisms, entailing a suspension of voting rights if the state continues to violate the principles of the EU.

³⁵ <http://bit.ly/1yKG497>.

The Dutch initiative was discussed several times in the General Affairs Council. Support gradually grew for the Council to shoulder its responsibilities and take action in this area. In December 2014 the Council adopted conclusions stating that it would hold an annual dialogue on the rule of law that would be complementary to the work of the other EU institutions and international organisations. It would also, as needed, organise debates on specific themes within the Council. The first dialogue will take place in the summer, the second during the Dutch presidency. The dialogue mechanism will be evaluated at the end of 2016.

Although the EU has a strategic framework and action plan on human rights and democracy for external policy, it has no internal human rights strategy. Such an internal strategy could produce more coherence and synergy between existing initiatives and instruments, and supplement the rule of law mechanism. In June 2014 the Council referred to the possible development of an internal human rights strategy and, on the initiative of the Netherlands, to the need for improved coordination and evaluation of current practice. The government is of the opinion that this endeavour does justice to the idea of the EU as a community of values and will continue to push for measures to put this human rights agenda into practice.

2.2 United Nations

In 2014, the Kingdom of the Netherlands played an active role in the Human Rights Council and the Third Committee of the UN General Assembly in the promotion of human rights in the Netherlands' priority areas. On 21 October 2014 the Kingdom was elected to the **Human Rights Council** for three years. The last time it was a member was 2006-2010. The Human Rights Council is an important forum for the promotion of human rights worldwide and for calling countries to account for human rights violations. The review that each UN member state undergoes every four years (UPR) plays a significant role in this connection. The combination of the UPR's universal nature, the specific recommendations it makes and the involvement of civil society mean that it is a valuable instrument. The Netherlands works closely with the new UN High Commissioner for Human Rights, Prince Zeid Ra'ad Al Hussein, who took office on 1 September 2014.

Prince Zeid has said that he is prepared to push for sensitive issues which are important to the Netherlands, like **equal rights for LGBT people**. He and US Secretary of State John Kerry were present at the LGBT ministerial meeting organised by the Netherlands at the 69th session of the UN General Assembly in September 2014. The Netherlands was also actively involved in a new LGBT resolution submitted to the Human Rights Council by Brazil, Chile, Colombia and Uruguay expressing grave concern at acts of violence and discrimination based on sexual orientation and gender identity. Adopted on 26 September 2014, the resolution is seen as a victory for LGBT equality and as valuable support for the work of the Secretary-General, the High Commissioner and the OHCHR on this theme.

On the initiative of the Netherlands and France, the UN General Assembly approved by consensus a resolution calling for the elimination of all forms of **violence against women**. The resolution was co-signed by 112 countries. Together with Burkina Faso, Canada, Ghana, Italy, Kyrgyzstan, Turkey, Peru, Senegal, the United Kingdom and Zambia, the Netherlands introduced a resolution on **child marriage** which also attracted broad support (116 co-sponsors). This resolution called on member states to develop policy and draft legislation aimed at banning child marriages. With Botswana, the Czech Republic, Indonesia and Peru, the Netherlands successfully supported a resolution on the participation of **human rights defenders** in public debate and decision-making processes. It also supported the extension of the mandate of the Special Rapporteur on the situation of human rights defenders.

The Netherlands worked towards the adoption of a large number of resolutions addressing human rights violations in Iraq, Iran, North Korea, South Sudan, Syria and other countries. One outcome was an ambitious resolution on North Korea approved by the Third Committee of the UN General Assembly. The resolution included many recommendations made in the report of the UN Commission of Inquiry into the situation in North Korea, including one encouraging the Security Council to refer the situation to the International Criminal Court (ICC). On the initiative of the Netherlands, a reference to a possible role for the ICC was also included in the resolution on Syria. This resolution addressed human rights violations and the continuing acts of armed violence being perpetrated on the Syrian population by the Syrian regime, militias allied with the Syrian government and ISIS. It also strongly condemned attempts to hinder access by aid organisations. On 25 September the Human Rights Council adopted without a vote a resolution on technical assistance and capacity building for Yemen in the field of human rights. For the fifth time, the resolution was drafted by the Netherlands and agreed with Yemen.

In December 2013 the Secretary-General launched the 'Human Rights Up Front' initiative, to improve the UN's response to large-scale violations and ensure that efforts to promote and protect human rights are at the forefront of the UN's activities. Over a year after its inception, results are beginning to emerge, though it will take time for the initiative to reach full deployment. The Netherlands supports the way in which the UN took action in 2014 to improve its response to crisis situations, for instance in South Sudan. In January 2014, the UN mission there (UNMISS) set up eight refugee camps in various parts of the country to offer protection to the civilian population where it was in imminent danger in the current conflict. The Netherlands will continue to follow developments with regard to the initiative closely.

In 2014 the Netherlands contributed almost €8 million to the Office of the UN High Commissioner for Human Rights (**OHCHR**) for the work it does in monitoring compliance and promoting human rights worldwide, making it one of the top five donors. In 2014 the Netherlands contributed

€150,000 to the UN Trust Fund for Least Developed Countries and Small Island Developing States to support their participation in the Human Rights Council and the UPR.

The Netherlands did not confine itself in 2014 to reminding other countries of their obligations in the context of the UN. It also submitted three reports on the human rights situation at home:

- the sixth periodic report under the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW);
- an interim report in the second cycle of the Universal Periodic Review (UPR);
- follow-up information in response to the 2013 recommendations of the Committee against Torture relating to the periodic report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

In March 2014, the Committee on Enforced Disappearances considered during its sixth session the first report from the Netherlands under the International Convention for the Protection of All Persons from Enforced Disappearance (CED). All the documents relating to the report and the Committee's deliberations are available on the OHCHR website.³⁶

The government took note of the recommendations in the report of 22 May 2014 published by the UN Special Rapporteur on extreme poverty and human rights. The report centres on the obligation resting upon governments under the International Covenant on Economic, Social and Cultural Rights to make every effort to realise ESC rights. The Special Rapporteur concluded that human rights considerations should also play a role in fiscal policy. The government takes the view that the Dutch tax system does not stand in the way of people's ESC rights.³⁷

³⁶ <http://bit.ly/1HLm2x5>.

³⁷ Pledge made during the meeting between the Minister of Foreign Affairs and the Permanent Committee on Foreign Affairs to discuss various human rights policy documents on 30 June 2014.

2.3 Council of Europe and European Court of Human Rights

Freedom of expression, internet freedom and the protection of journalists occupy a prominent position on the agenda of the Council of Europe (CoE). During the Austrian chairmanship of the Committee of Ministers a conference entitled 'Shaping the Digital Environment - Ensuring our Rights on the Internet' (Graz, 13–14 March 2014) was held. Subjects included internet access (closing the digital gap), net neutrality, training in the use of the internet (digital literacy) and the further development of a multi-stakeholder model for internet governance. In April 2014 the Council published a guide to human rights for internet users aiming to make every internet user aware of his or her rights online and those of others. The guide was widely distributed. The Parliamentary Assembly also spoke out on internet security, better protection for internet users and internet access.

As a follow-up to the ministerial conference in Belgrade (7-8 November 2013) the Committee of Ministers issued a declaration on 30 April 2014 on the safety of journalists and other media actors in which it announced the launch of an internet-based platform to record and publicise serious violations of media freedom and journalists' rights.

On 30 April 2014 the Committee of Ministers adopted a recommendation containing guidelines for national legislation to **protect whistleblowers**. Several hearings were held in the Parliamentary Assembly on this subject; Edward Snowden testified by video link during one of them.

The Netherlands made every effort in 2014 to ensure that the Council maintained its focus on **LGBT equality**. The European Commission against Racism and Intolerance (ECRI, part of the CoE) decided not to confine monitoring of LGBT issues to incitement to hatred and violence but to extend it to cover the whole range of policy. The Netherlands contributed the sum of €100,000 for the period 2014-2015, and in 2014 it extended the secondment of an LGBT expert to the Council secretariat until the end of 2015.

In the Netherlands' view, the Council's role as guardian of European standards in the field of human rights, democracy and the rule of law is proof of its unique added value, manifest in the **European Convention on Human Rights (ECHR)** and its enforcement by the European Court of Human Rights. The Netherlands remains actively committed to the effective functioning of the Council of Europe's human rights system in general and the European Court of Human Rights (ECtHR) in particular.

In 2013, the Kingdom of the Netherlands signed two **new protocols** to the ECHR – no. 15³⁸ and no. 16.³⁹ They are currently before the House of Representatives for its approval. The Netherlands also remains closely involved in implementing the other action items of the Brighton Declaration.⁴⁰ As in previous years, each house of parliament will receive a separate report on Dutch cases before the Court and other international bodies with a complaints procedure, including statistics and summaries of relevant judgments and decisions in 2014.

In 2014 the Netherlands chaired the drafting group tasked with designing a non-binding instrument on **human rights and business**. The instrument will take the form of a recommendation from the Committee of Ministers to the CoE member states and must be ready by the end of 2015. In the negotiations on the text, the Netherlands is pushing for strongly worded provisions on access to justice for victims of human rights violations.

In 2014 the Convention on preventing and combating **violence against women** and domestic violence (Istanbul, May 2011) entered into force. The ratification process in the Netherlands is expected to be completed in 2015. Under Dutch chairmanship of the Gender Equality Commission, the Gender Equality Strategy 2014-2017 adopted in 2013 has been swiftly implemented. The conference on women and media held in Amsterdam in 2013 was followed by a conference in Helsinki in 2014 on the role of education in combating gender stereotypes. In connection with the entry into force of the Istanbul Convention, three studies were carried out into awareness-raising campaigns concerning various forms of violence against women, general obligations to prevent such violence and the obligation to establish programmes for perpetrators of domestic violence and sex crimes.

³⁸ <http://bit.ly/1IFDPfO>.

³⁹ <http://bit.ly/1c9SG8A>.

⁴⁰ <http://bit.ly/1bvLIIdZ> (in Dutch).

In the context of **strengthening the monitoring system**, in April 2014 Secretary-General Thorbjørn Jagland published his first report on the state of democracy, human rights and the rule of law in Europe. He identified several major challenges for Europe including discrimination against ethnic and national minorities, social exclusion of Roma, corruption, poor detention conditions, shortcomings in migrants' and asylum seekers' rights, and lack of freedom of expression and media freedom. At the 124th session of the Committee of Ministers on 6 May 2014, the Netherlands welcomed the report and expressed its support for the follow-up measures.

2.4 Organization for Security and Co-operation in Europe

The '**human dimension**' is an important component of the OSCE's overall security concept. The organisation monitors developments in the field of human rights, democracy and the rule of law in all 57 participating states.

Alongside the secretariat and the field missions, the OSCE has three autonomous institutions that supervise compliance with and implementation of agreements/commitments in the human dimension: the Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities (HCNM) and the Representative for Freedom of the Media. The Netherlands works to promote the activities of the OSCE Secretariat, the field missions and the OSCE human rights institutions.

At the Ministerial Council in Basel in December 2014 the Netherlands emphasised once again the importance of the human dimension and requested special attention for the **protection of human rights defenders**. During a roundtable discussion, the Minister of Foreign Affairs spoke to human rights defenders from the OSCE region on the challenges they face. Though their problems are highly diverse, they see a number of common trends including the abuse of counterterrorism legislation to intimidate and arrest human rights defenders and the imposition of restrictions on the rights of LGBT people and women in the name of traditional values. The group also discussed the situation in Ukraine, with particular emphasis on disappearances and torture in Crimea and the need for a comprehensive investigation of the events on the Maidan in 2013.

Unfortunately it proved impossible to reach a decision in Basel on two fundamental freedoms (freedom of expression and freedom of assembly and association). In view of the alarming developments in the OSCE region with regard to these freedoms and the lack of recent OSCE decision making in this area, the EU – prompted by the Netherlands and other states – took the initiative to table new decisions on these major issues. As expected, the difficult relations between the participating states in general and more specifically in the field of human rights presented obstacles to decision making. At the Ministerial Council's final meeting, a declaration was introduced on behalf of a large number of countries calling on the incoming Serbian chairmanship to table these issues in 2015. Nevertheless, the Basel Ministerial Council was relatively successful with regard to the human dimension in that it adopted a decision on combating **violence against women** and a declaration on enhancing efforts to combat **anti-Semitism**.

At the annual **Human Dimension Implementation Meeting** (HDIM) in Warsaw the Netherlands addressed the meeting on the issues of internet freedom and preventing and combating violence against women. It was also the co-organiser of a side event on enforced disappearances and co-sponsor of an event on equal rights for LGBT people, particularly in central Asia where their rights are under threat from a range of legislative proposals. The Dutch Human Rights Ambassador spoke in the margins of the meeting to the OSCE Representative for Freedom of the Media and announced that the Netherlands would be contributing €90,000 to a project – financed from the Stability Fund – to promote media freedom in Ukraine. The project will bring together Russian and Ukrainian speaking journalists to promote dialogue and learn objective reporting skills in conflict situations.

Once again the Netherlands actively promoted **access** to OSCE meetings for **NGOs and human rights defenders** as part of a project carried out in collaboration with the Netherlands Helsinki Committee. The joint recommendations from the NGOs on issues including combating anti-Semitism and hate crimes, preventing torture, promoting freedom of expression and freedom of assembly and association, and protecting human rights defenders were presented to the Swiss chairmanship (2014) of the OSCE and the upcoming Serbian chairmanship (2015).

Finally, in 2014 the Netherlands financed via the Human Rights Fund a number of projects aimed at improving the human rights situation in the OSCE region. Funds were allocated to projects supporting democratic processes in the Caucasus, Eastern Europe and Central Asia, strengthening public broadcasting in Central Asia, encouraging the participation of young people in the political process and preventing and combating hate crimes (against LGBT people, amongst others) in Bosnia and Herzegovina.

2.5 International courts and tribunals

The objectives of combating **impunity** and promoting the **international legal order**, which are enshrined in the Constitution, remain key elements of Dutch foreign policy. Genocide, war crimes and crimes against humanity must not go unpunished. Tracking down and prosecuting individuals accused of international crimes is first and foremost the responsibility of individual states. However, when countries are unable or unwilling to prosecute such persons at national level, there has to be an effective international system in place to try them. The international courts and tribunals, including the permanent **International Criminal Court (ICC)**, are a key part of this system. Besides supporting the ICC and the various ad hoc tribunals, the Netherlands continued in 2014 to publicly condemn serious human rights violations and drew attention at EU and UN level to the need to combat impunity. For example, it took advantage of the Human Rights Council's UPR mechanism to ask countries (including Armenia, Egypt and Kazakhstan) about their intentions with regard to ratification of the Rome Statute.

International Criminal Court

The Netherlands works hard to track down and prosecute individuals suspected of international crimes at national level and encourages other countries to shoulder their responsibilities in this area, in line with the principle of complementarity laid down in the Rome Statute: national and international legal systems should reinforce each other. The ICC comes into action when national governments are unwilling or unable to prosecute the most serious crimes themselves. The Netherlands makes every effort, both as host country and state party, to support the ICC.

- At present the ICC is formally investigating nine situations: in Uganda (since 2004), the Democratic Republic of the Congo (since 2004), Sudan (Darfur, since 2005), the Central African Republic (one situation since 2007 and one since 2014), Kenya (since 2010), Côte d'Ivoire (since 2011), Libya (since 2011) and Mali (since 2012).⁴¹
- In 2014 two cases ended in a final conviction. These were the proceedings against Germain Katanga and Thomas Lubanga, both warlords from the Democratic Republic of the Congo. The two men were found guilty of a number of war crimes. Katanga discontinued his appeal proceedings; in Lubanga's case the ICC Appeals Chamber confirmed the judgment of the Trial Chamber. Katanga and Lubanga were sentenced to 12 and 14 years' imprisonment respectively.
- In April 2014 by means of a declaration under article 12(3) of the Rome Statute, Ukraine accepted the jurisdiction of the ICC with regard to alleged crimes committed in its territory between 21 November 2013 and 22 February 2014 during the protests in Kyiv. That same month, the Prosecutor announced that she would be opening a preliminary examination to establish whether the criteria for a formal investigation had been met.
- In September 2014 the prosecutor announced the opening of a second investigation in the Central African Republic with respect to crimes allegedly committed by armed militias, including Séléka and Anti-balaka fighters, since August 2012.
- In December the prosecutor withdrew the charges against the Kenyan president Uhuru Muigai Kenyatta. The proceedings against deputy president William Samoei Ruto on charges of crimes committed during electoral violence in Kenya in 2007 and 2008 are still pending.⁴²

Other international courts and tribunals

In recent years the Netherlands has worked with the UN, the **International Criminal Tribunal for the former Yugoslavia (ICTY)** and the **International Criminal Tribunal for Rwanda (ICTR)** to effect the transition of these tribunals to their residual mechanisms, which will be responsible for witness protection, any review proceedings and archive management. The ICTY and ICTR will jointly transition to the **Mechanism for International Criminal Tribunals (MICT)**. The headquarters agreement for the MICT will be signed in 2015, after which it will be submitted for parliamentary approval. During this period, any requests for legal assistance from the MICT will be handled by the Netherlands under the legal regime of the ICTY. In December 2014 the MICT delivered its first judgment in the last appeals proceedings in cases brought before the ICTR, 20 years after the genocide in Rwanda.

⁴¹ See the letter to the House of Representatives on the ICC, with an update on the current situation at the Court at <http://bit.ly/1Ix7iA0> (in Dutch).

⁴² See the letter to the House of Representatives with the report on the thirteenth session of the Assembly of States Parties at <http://bit.ly/1H7KsBN> (in Dutch).

At the end of 2014, four cases were still before the ICTY Trial Chamber. After the final pleadings in the case against Radovan Karadžić, a verdict is expected in 2015. Six cases were still pending before the Appeals Chamber. Although this makes 2015 an important year for the Tribunal, the number of cases is declining and it is working towards closure.

In 2014 there was considerable public interest in the first trial relating to the assassination of prime minister Rafic Hariri before the **Special Tribunal for Lebanon** (STL). As host state, the Netherlands contributes to the functioning of the STL: it has provided rent-free premises and Dutch forensic researchers and advisers have testified as expert witnesses. The UN Secretary-General has announced that the STL's mandate will be extended by three years, beginning on 1 March 2015.

In September 2013 the **Special Court for Sierra Leone** (SCSL) upheld on appeal the judgment against former Liberian president Charles Taylor. At the end of 2013, it closed its doors. In 2014 important residual functions of the court were transferred to the smaller and highly efficient Residual Special Court for Sierra Leone (RSCSL). This mechanism provides witness protection and support, supervises the enforcement of sentences and manages the archives. Parliamentary approval for the headquarters agreement for the RSCSL, which is expected to take around 18 months, is on course. For the time being, the interim RSCSL agreement will be applied, during which period no requests for legal assistance can be processed.

Dutch support was continued for the trial of former Chadian dictator Hissène Habré by the **Chambres Africaines Extraordinaires** (CAE) in Dakar, a specially constituted tribunal composed of Senegalese and international judges. This is the first time an African dictator has been tried in Africa. The Netherlands is a member of the Comité de Pilotage, which ensures sound financial management of the tribunal and transparent, independent proceedings. The tribunal got off to a difficult start: in 2014 Chad refused to hand over Habré's two co-defendants, accused of torture during his regime. This led to delays. Since then the investigation phase has been successfully completed and the trial of Habré is expected to begin in June 2015.

2.6 Bilateral efforts

Human Rights Fund and other financial instruments

The budget allocated to the **Human Rights Fund** (MRF) in 2014 amounted to €33,680,000. This was supplemented with a one-off sum of €5 million following the motion on child labour introduced by MP Joël Voordewind in 2013. Two-thirds of the budget was delegated to embassies in countries that appear on the MRF country list. The remainder was spent centrally by the Ministry of Foreign Affairs on activities carried out in several countries or regions. The priorities outlined in the human rights policy letter 'Justice and Respect for All' naturally formed the basic criteria for the allocation of MRF resources. Within the framework of these policy priorities, embassies are free to decide how to allocate the resources delegated to them. An overview of MRF spending appears in annex 1.

In 2014 over 30 new, predominantly multi-year projects were financed from the central part of the MRF. From this sum, the amount of €300,000 was made available by the International Cultural Policy Unit (ICE) for human rights projects using culture as an instrument. Funding went to projects including the IFFR's Brave Cinema screenings and the IDFA Bertha Fund's 'Mensenrechten in Beeld'.

In 2014 Uganda was added to the country list at the request of the House of Representatives.⁴³ Even in countries which are not on the list, human rights activities may be financed by the Netherlands from the central part of the MRF. This may occur if, for example, the activity is being carried out in several countries and thus has a regional or worldwide impact. In addition to the MRF, the Ministry of Foreign Affairs has **other financial instruments** at its disposal which can be used to promote human rights. Below are some examples.

- A substantial share of the government's development cooperation resources – €400 million per year – is earmarked for protecting and strengthening SRHR (see section 1.3). Efforts to combat child labour and strengthen labour rights also command considerable sums from these resources.
- With a budget of €85.5 million for 2012-2015, the Funding Leadership and Opportunities for Women (FLOW) fund is the world's largest fund for women. Its resources are devoted to preventing and combating violence against women and improving their political and economic position.
- Radio Netherlands Worldwide (RNW) receives an annual grant of €14 million (up to the end of 2016) that is chiefly intended for promoting media freedom in countries where it is under threat.
- Through the cofinancing system MFS II, the Netherlands is providing the Press Freedom 2.0 programme with over €19 million in funding in 2011-2015.
- The Matra programme focuses on strengthening democracy and the rule of law in candidate EU member states and potential candidates in Southeastern Europe (Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia and Turkey). For example, training courses on the development of the rule of law are given in Albania, Serbia and Turkey. And in the countries of the Eastern Partnership, Dutch embassies support civil society organisations through the programme.
- The Matra South programme, which had a budget of €12.5 million in 2014, aims to support democratic transition in the Arab region and can also be used to support human rights projects. In 2013 and 2014, for example, it funded a project that employed Dutch experts to promote human rights in Morocco's prison system. Also in Morocco, a training course for journalists in multimedia reporting was set up with Dutch funding and in Jordan a human rights project for young people was financed.
- The Central America programme (MAP) is a Dutch regional development programme that focuses on strengthening security, the rule of law and human rights in Central America (see section 3.4).

⁴³ Undertaking given during the consultations on the Human Rights policy memorandum on 30 June 2014.

- Finally, in 2014 the Netherlands was once again one of the largest donors to the Office of the High Commissioner for Human Rights (OHCHR), with a contribution of €7.9 million.

Human Rights Ambassador

In 2014 the Dutch **Human Rights Ambassador** made visits to countries including Zimbabwe (17-20 February), Georgia (a bilateral visit from 17-18 March and participation in a regional conference on freedom of religion from 10-12 September), the United States (a bilateral visit combined with an international LGBT conference), Vietnam (a bilateral visit combined with the informal ASEM seminar on human rights and businesses from 18-20 November), Kuwait (a bilateral visit from 23-25 November) and Morocco (attendance at the second World Human Rights Forum from 27-30 November, combined with bilateral talks). As part of these human rights dialogues with various countries the Ambassador raised the issue of human rights violations and sought ways to cooperate in order to improve the human rights situation.

The Ambassador also took part in a number of conferences in addition to the ones mentioned above. These included the UNESCO World Summit in Paris (14-17 April), the Freedom Online Coalition conference in Tallinn (27-29 April), conferences on global and regional human rights mechanisms and equal rights for LGBTs (23-25 January and 1-4 September respectively), the session of the Human Rights Council in Geneva (16-17 September), the OSCE Human Dimension Implementation Meeting in Warsaw (22-25 September), an international LGBT donor conference in Washington (11-15 November) and the UN Business and Human Rights Forum in Geneva (2 December). The new Ambassador spent the first couple of months of his term of office getting to know Dutch, European and international civil society organisations.

Embassies

The Dutch **embassies** play a crucial and indispensable role in human rights policy. They provide the Ministry of Foreign Affairs with valuable information on the human rights situation in specific countries and regions, and often have an insight into how certain violations can best be raised with local authorities. As far as possible, they try to act together with EU delegations and the embassies of other EU member states. Embassies can sometimes offer human rights defenders a safe location in which to meet. They can also contribute to the promotion of human rights through public diplomacy. Examples include the activities organised by numerous missions to mark International Day Against Homophobia and Transphobia (IDAHOT) on 17 May and International Human Rights Day on 10 December. Finally, the embassies help promote human rights by supporting projects through the Human Rights Fund. These are often small-scale initiatives that nevertheless can have a great impact.

Sufficient capacity at the embassies is necessary if all the Netherlands' ambitions in the field of promoting human rights are to be achieved. That is why efforts are now targeting greater efficiency and more cooperation within the EU framework. At the same time, the Ministry is examining the extent to which a proportion of the extra resources it was allocated on the basis of the motion introduced by MP Bram van Ojik can be used to strengthen human rights policy.⁴⁴

⁴⁴ Pledge made during the meeting between the Minister of Foreign Affairs and the Permanent Committee on Foreign Affairs to discuss various human rights policy documents on 30 June 2014.

3. Human rights developments and Dutch efforts by region

3.1 North Africa and the Middle East

The destabilising effects of the war in Syria and the rise of ISIS had a major impact on developments in the Middle East in the past year. While the conflict in Syria intensified as the year went on, the increased violence in countries such as Libya and Iraq led to an erosion of human rights. The growing instability in a large number of countries in the Middle East is being accompanied by a further restriction of liberties. In 2014, the Netherlands devoted particular attention to promoting equal rights for women, freedom of expression, the protection of human rights defenders, labour migrants, and freedom of religion and belief. The promotion of equal rights for lesbians, gays, bisexual and transgender (LGBT) people is a highly sensitive issue throughout the region, partly because of the political, religious and cultural context, as a result of which Dutch efforts to support the LGBT community are conducted under the radar.

The human rights situation in **Algeria**, while it has greatly improved since the 1990s, remains fragile. This is clear, for instance, from the harsh action taken against peaceful demonstrators during elections, brief periods of detention imposed on human rights activists and those who criticise the government's actions, and legal steps against a number of bloggers. Although the Algerian Constitution safeguards freedom of expression, other laws contain restrictive measures. There are insufficient safeguards, for instance, for the right to freedom of assembly and association, as is clear from the failure to register civil society organisations. Violence against women, although it is a criminal offence and acknowledged as a problem by the government, remains a cause for concern. New legislation governing the position of women (which also covers violence against women) is currently being drafted. When Algeria's foreign minister Ramtane Lamamra visited the Netherlands, the Dutch hosts drew attention to the human rights situation. Human rights were also on the agenda during the bilateral talks between the EU and Algeria, especially at meetings to discuss the Association Agreement and negotiations on the Action Plan in the framework of the European Neighbourhood Policy (ENP). In 2004 the Netherlands supported projects relating to equal rights for LGBT people, and to care and assistance for, and the return and reintegration of, stranded migrants from the sub-Saharan region.

A new high point was achieved within the process of democratic transition in **Tunisia** in January 2014, with the adoption of a new Constitution in which fundamental rights such as freedom of expression, freedom of religion, and the equality of men and women are enshrined. In addition, promoting the active role of women in public life and the protection of minorities remained important priorities in postrevolutionary Tunisia. The deteriorating security situation and the perceived need for tougher action to combat terrorism frequently claim freedom of speech and the right to demonstrate as the first casualties. When Tunisia's foreign minister Mongi Hamdi visited the Netherlands in September, the challenges facing human rights were discussed both with the then Dutch foreign minister Frans Timmermans and with the Permanent Parliamentary Committee on Foreign Affairs. In addition, the foundations were laid, in talks with trade and development minister Lilianne Ploumen, for trilateral cooperation with Yemen and Mali in the area of sexual and reproductive health and rights (SRHR). In Tunisia, the Netherlands mainly supports projects geared towards freedom of expression, the protection of journalists, democratisation, and women's rights. In addition, the Dutch embassy in Tunis took an active role in supporting the local LGBT community. For instance, on the International Day against Homophobia and Transphobia (IDAHOT), an invitation-only lunch debate was organised to give Tunisian LGBT activists an opportunity to voice their concerns in a safe environment. In addition, a workshop was held that gave the LGBT activists suggestions for ways of pursuing the struggle for LGBT equality and for initiating a public debate about the issue.

The human rights situation in **Libya** deteriorated sharply in 2014 as a result of the increase in violence and the rise of extremist movements, as described in the report issued by the UN High Commissioner for Human Rights in January 2014. The various parties to the conflict are all guilty of serious human rights violations. Tripoli and Benghazi witnessed the murder, abduction and forced recruitment of activists, journalists and government officials. In the course of 2014, the UN tried to mediate between the parties in Libya to reach an agreement that could restore stability to the country. The Netherlands made statements focusing on the human rights situation, for instance in response to the murders of the activists Salwa Bughaighis and Tawfik ben Saud. In 2014 the Netherlands focused its efforts primarily on women's rights, freedom of expression, and strengthening the rule of law in Libya.

Morocco appears to follow two separate paths when it comes to developments in human rights. On the one hand is the relatively liberal 2011 Constitution, which pays considerable attention to human rights, the ratification of *inter alia* the Optional Protocol to the UN Convention Against Torture (OPCAT), and the organisation of the International Human Rights Forum in Marrakech (November 2014), through all of which Morocco presents a positive image. On the other hand, criticism has been expressed of the conservative nature of the legislation adopted to implement the new Constitution. In addition, there have been a growing number of reports from NGOs, especially since the heightened risk of terrorism, of the authorities acting to obstruct their meetings and assemblies. In 2014 the Human Rights Ambassador attended the Human Rights Forum organised in Morocco by the International Federation for Human Rights (FIDH), and took part in a number of panels. EU Commissioner Johannes Hahn also drew attention to the human rights situation during his visit to Morocco. Dutch efforts in 2014 focused mainly on equal rights for women, LGBT equality, freedom of expression, and highlighting the most flagrant human rights violations.

The **Egyptian** Constitution adopted in 2014 contains a number of relatively progressive human rights articles and guarantees a number of fundamental freedoms. The implementation of new legislation, however, is badly flawed. Essential amendments to legislation are being delayed until a new parliament has been elected. The government uses security concerns to justify restrictions, most notably on freedom of association and freedom of expression. For instance, it continues to arrest demonstrators on questionable grounds. Women still suffer from systematic problems such as violence, female genital mutilation (FGM), low employment, and the absence of completely equal rights. Egypt still has the death penalty, and mass death sentences were pronounced in 2014. During the visit of Egypt's foreign minister to The Hague, the then Dutch foreign minister Frans Timmermans expressed his concern about the repression of journalists in Egypt. The Netherlands also called for an investigation into the many deaths that have occurred during protests. EU High Representative Catherine Ashton and the EU's Special Representative Stavros Lambrinidis also expressed their concern about matters including the mass death sentences passed on suspected members of the Muslim Brotherhood when they visited Egypt. Until June 2014, the Netherlands coordinated the EU's monitoring of trials of activists. In 2014 the Dutch embassy supported projects relating to combating torture, promoting women's rights and the rights of employees (especially women), and promoting freedom of expression and of religion. For instance, it supported a project that brought imams and priests from different communities together for four weekends over the space of a year to attend workshops and to undertake joint activities, the aim being to promote interreligious dialogue and cooperation. In addition, the embassy remained in regular contact with local LGBT activists.

The conflict in **Syria** has expanded to impact on the entire region, causing the greatest humanitarian disaster since the Second World War.⁴⁵ The total number of dead within Syria has now risen to approximately 200,000. The vast majority of these deaths are attributable to the regime, and have been caused, for instance, by barrel bombing, snipers, and torture. A smaller proportion of the fatalities have been caused by extremist groups such as ISIS and Jabhat al-Nusra. It is believed that thousands, if not tens of thousands, of political prisoners are being held in Syrian prisons, often in appalling conditions. According to the UN, the inmates of Syrian prisons have insufficient food, water, space, sleep, hygiene and medical care, besides which they are subject to torture, ill-treatment, rape, sexual violence, and murder. The Independent Commission of Inquiry on the Syrian Arab Republic (CoI) monitors the human rights situation in Syria; it has been mandated to do so by the UN Human Rights Council. However, since the CoI is systematically denied permission to enter the country by the Syrian regime, it is obliged to base its conclusions on testimony and interviews obtained outside Syria. In international forums the Dutch government has consistently urged that the CoI be allowed to enter Syria. Another high priority in 2014 was the promotion of accountability. Support was given to a number of organisations that document human rights violations. The Netherlands also organised a number of events in this area, including meetings about accountability and about women in the Middle East and North Africa, held during the UN General Assembly. In addition, the Netherlands contributed to projects in areas controlled by the Syrian opposition to increase freedom of the press and projects to provide targeted training to police and sections of the justice system. Human rights receive considerable attention during these training courses. The foreign minister Bert Koenders, trade and development minister Lilianne Ploumen, and the EU High Representative have constantly drawn attention to the appalling situation in Syria, both in international bodies and during visits to the region.

⁴⁵ Steffan de Mistura, UN Special Envoy for Syria, on 15 January 2015; see <http://bit.ly/1DtctfY>.

In 2014 the EU stepped up sanctions against Syria, and issued declarations, some at the Netherlands' initiative, about the human rights violations being perpetrated there.

In **Iraq** too, the human rights situation deteriorated further in 2014 as a result of the rise of ISIS, especially in the provinces of Anbar, Ninevah, Kirkuk, Saladin, Diyala and North Babylon. In 2014 an estimated 16,000 people died and thousands were injured in the upsurge of violence. All sectarian groups in Iraq were affected: in the struggle against ISIS, in frequent attacks, acts of terrorism against minorities, and in the oppression of the population in the areas occupied by ISIS. During the Universal Periodic Review in the Human Rights Council, the Netherlands made several recommendations to Iraq, including that it accede to the Rome Statute and that it invite UN Special Rapporteurs to visit the country. The human rights situation and reports of abuses committed by the warring parties were also discussed during the visits conducted by Mr Koenders, Ms Ploumen, and the EU High Representative. In 2014, the Netherlands supported projects in Iraq relating to minorities, equal rights for LGBT people, and freedom of expression.

The human rights situation in **Lebanon** came under further pressure in 2014 from the spillover effects of the war in Syria. The vastness of the flow of refugees from Syria (1.2 million, equal to 25% of the Lebanese population) is having a severely destabilising effect. The EU ambassadors held talks with the Lebanese authorities in 2014 about the protection of Syrian refugees, for instance during the annual EU-Lebanon Subcommittee on human rights, which helped to dissuade Lebanon from closing its borders altogether. Terrorist attacks by groups such as ISIS and Jabat al-Nusra had a negative impact on action to curb torture and pre-trial detention in Lebanon. Bilaterally, the Dutch ambassador frequently raised the human rights situation at ministerial level and with the Lebanese prime minister. In 2014 the Netherlands supported projects relating to *inter alia* human rights defenders, women's rights, freedom of expression, freedom of religion, and equal rights for LGBT people. For instance, the embassy supported the Lebanese Centre for Human Rights (CLDH), which focuses on victims of torture.

Jordan is another country that has accepted large numbers of Syrian refugees (approx. 800,000). Some progress was made in Jordan at the beginning of 2014 in the area of human rights with the appointment of a national human rights coordinator and of a committee for a National Action Plan on Human Rights. However, the advance of ISIS brought these initiatives to a halt. While the government struggled to control the security situation, this led to further restrictions being imposed on political participation and freedom of expression. In 2014 Jordan lifted its moratorium on the death penalty after eight years, carrying out 11 executions. During his visit to Jordan, Dutch foreign minister Bert Koenders spoke to King Abdullah II about these worrying developments. EU High Representative Federica Mogherini also spoke to the King of Jordan about matters including the fate of Syrian refugees in his country. In 2014 the Netherlands supported projects relating to women's rights, freedom of expression, and corporate social responsibility.

The conflict between Palestine and Israel continued to have a major impact on the human rights situation in **Israel** and the **Palestinian Territories** in 2014. The Netherlands is extremely concerned about the human rights violations that occur in this conflict. In 2014 this included the confrontations around Gaza, which caused a large number of civilian casualties, the settlement policy, the increasing number of 'lone wolf' attacks on Israeli citizens in East and West Jerusalem, and the violence by Israeli settlers against Palestinians. These developments have led to a deterioration in the human rights situation, particularly in Gaza and East Jerusalem. The position of women, discrimination, land rights and shelter remain the major areas of concern. In 2014 these human rights issues were raised with the relevant authorities on several occasions at both political level and with senior government officials. The EU issued several declarations, primarily through the High Representative, relating to the settlement policy, the demolition of houses in the occupied West Bank, and developments in the Gaza Strip.

There have been certain positive developments in the human rights situation in **Israel**, for instance in relation to equal rights for LGBT people. There are also areas of concern in which little improvement was noted over the past year: the treatment of Palestinian minors in Israeli prisons, the treatment of the Arab minority (e.g. the policy relating to Bedouins) and the policy on African refugees in the country. In addition, draft legislation was once again put forward in the past year to restrict the freedom of nonprofit organisations critical of the government. The Dutch position on human rights issues was communicated to the Israeli authorities on several occasions and at several levels in 2014, including the Dutch foreign minister's talks with Israeli ministers. In addition, the Netherlands took a leading position among the EU member states in Tel Aviv in calling attention to the treatment of Palestinian minors in Israeli prisons.

At the Netherlands' request, this subject was also raised by the EU during the informal EU-Israel human rights working group. In 2014 the Netherlands supported projects promoting the position of the Arab minority in Israel, combating unlawful settlement building, and promoting the peace process. For instance, it supported a project of the Peres Centre for Peace in which Palestinian doctors are trained in Israeli hospitals, thus helping to alleviate the chronic shortage of medical expertise in the Palestinian Territories.

The greatest concerns as regards **Palestinian** human rights violations remained the death penalty and extrajudicial executions by the *de facto* Hamas authorities in Gaza. The number of reports of ill-treatment of prisoners and torture by primarily the security services also remain a cause for concern, as are the restrictions on freedom of expression and the press. The position of, and violence against, women in Gaza and the West Bank also gave cause for concern. In 2014, human rights were discussed during talks with the Palestinian Authority (PA) at ministerial level and with senior government officials. An encouraging move was the PA's signing of seven human rights conventions in April 2014: ICCPR, ICESCR, ICERD, CEDAW, CAT, CRC, and CRPD. Reports on compliance will thus be required from May 2015 onwards. The Netherlands' efforts focused in 2014 primarily on supporting the national human rights institute ICHR and on funding Israeli and Palestinian human rights organisations that are active in the Palestinian Territories. One of the projects supported by the Dutch mission focused on respect for human rights within the Palestinian police, and involved the adoption of a code of conduct which has since been incorporated into the police training curriculum.

Eighteen months after President Rohani took office, the human rights situation in **Iran** is still a cause for concern. There are large numbers of executions, in addition to torture, the repression of minorities, and restrictions on freedom of expression and of the press. Internet freedom remains restricted. The EU has expressed its concern and protested about the human rights situation in Iran several times in démarches and declarations. During the visit of EU High Representative Catherine Ashton in March 2014, the emphasis was on the worrying human rights situation. At bilateral level too, the Netherlands has frequently expressed its concerns, for instance during the Universal Periodic Review conducted by the UN Human Rights Council, in which the Netherlands made recommendations about the freedom of expression and the rights of religious, ethnic and sexual minorities. In addition, the Netherlands exerted itself to improve the position of human rights defenders, civil society organisations, women, and the free media. For instance, the Dutch embassy supported a project aimed at improving the prospects of disadvantaged young women, many of whom are victims of abuse.

The human rights situation in the **Gulf States** displayed a modest improvement in some areas over the past year, although the general situation continued to cause concern. In **Kuwait** freedom of expression remained problematic, with a large number of prosecutions for *lèse-majesté* and utterances e.g. on social media. The situation of the stateless Bidun remained a source of concern. One positive development in 2014 was Kuwait's appointment of its first female public prosecutors. The Dutch embassy supported activities including a seminar on the role of women in the judiciary and a training course for journalists from the Gulf region on reporting on human trafficking. In addition, the Dutch embassy, in partnership with the International Organization for Migration, organised a symposium on the role of the media in combating human trafficking. In **Bahrain** there is still considerable concern about the position of human rights defenders and the opposition's limited scope to act, as reflected by the arrest of opposition members and the sometimes excessive use of force against demonstrators. In addition, human rights organisations regularly report abuses in prisons and the lack of due process. One positive change was the strengthening of the independent National Institute for Human Rights (NIHR) and the efforts of the police ombudsman. **Oman** displayed a slow development towards more participation and direct influence. Conflicts and instability in the surrounding countries and the region as a whole, however, are having a negative impact on the implementation of political reforms. In the realm of equal rights for women (right to land, property, a car, education, financial resources, and employment), Oman plays a pioneering role in the region. At the beginning of 2015, Oman's National Human Rights Committee visited the Netherlands, and held talks with the Netherlands Human Rights Institute, among others. In the **United Arab Emirates (UAE)**, labour migrants are still in a vulnerable position. Several international NGOs have criticised the country due to poor employment and living conditions, the ban on trade unions, and the poor safety conditions faced by many labour migrants. In 2014 the International Labour Organization (ILO) announced an investigation of the situation of labour migrants in the country. Although freedom of expression is formally enshrined in the Constitution, this too is an area of concern. Dissident opinions are actively suppressed, and government critics are sometimes prosecuted.

The EU continued its dialogue with the UAE in the realm of human rights in 2014. Talks focused especially on women's rights and the employment rights of foreign construction workers. The Netherlands too spoke to the authorities about the human rights situation in the country, including the position of construction workers and the problem of people smuggling. In **Qatar**, the position of labour migrants remains the most conspicuous problem. In response to sustained international pressure, Qatar has announced a number of amendments to legislation to improve the legal status of employees. One positive point is that Qatar has extended a standing invitation for UN special procedures – the only country in the Gulf to do so. In 2015 elections will be held for the central municipal council, and the government has indicated that it will continue along the path of gradual democratisation. The annual EU-GCC ministerial meeting, which is held alternately in the EU and the Gulf, unfortunately did not take place in 2014. After the EU had supported a Swiss declaration on the human rights situation in Bahrain in the Human Rights Council, the GCC decided not to take part in the ministerial meeting that was planned to take place in Luxembourg. The EU regretted this decision, since it attaches importance to an open and constructive dialogue between the EU and the GCC, including on the issue of human rights. The Netherlands is among the more active EU member states in the region when it comes to broaching human rights issues. In 2014 both the Dutch Human Rights Ambassador and the EU High Representative visited Kuwait. At the end of 2014, the UN Special Rapporteur on the rights to freedom of peaceful association and of assembly visited Oman, which thus became the first country in the region to receive this UN Special Rapporteur.

The political and security developments in the region and in **Saudi Arabia** itself led to further restrictions on the scope for human rights defenders to do their work. In particular, human rights defenders and minorities run a greater risk of being arrested under the new counterterrorism legislation. In the area of women's rights (especially employment) the cautious steps that were taken in previous years were advanced further. The government is pursuing an active policy to encourage more women to take up employment and in the 2015 local elections, women will be able to vote and stand for election for the first time. The EU now has access to trials of human rights defenders and makes active use of this right, along with EU member states; Dutch representatives have thus attended a number of trials. Over the past year, the Netherlands has worked to promote equal rights for women and to bolster the role of women in business. The Netherlands expressed its concern to the Saudi authorities about the conviction of the blogger Raif Badawi, both bilaterally and at EU level.

In **Yemen** the National Dialogue Conference was concluded at the beginning of 2014. The results formed the basis for a new constitution. Agreement was also reached on raising the minimum age for entering into matrimony to 18, but this was not yet enshrined in legislation. In addition, Yemen was strongly urged to apply international human rights norms and standards. In this connection, efforts were made to establish an independent human rights committee. However, in the course of the year, Yemen's political and security situation deteriorated (reflected in political disturbances and attacks), which also adversely affected the human rights situation. The advance of the Houthis was accompanied by violence and probably the use of child soldiers. Actions by the terrorist organisation al Qa'ida in the Arabian Peninsula (AQAP) frequently claim victims, many of them civilians. In spite of these alarming political developments, the Netherlands supported a number of projects in 2014, relating to women's reproductive rights, CSR, and the drafting of a new constitution. In addition, the issues of gender equality and freedom of religion were raised in bilateral contacts and at EU level.

The Human Rights Ambassador's visit to Kuwait

During his visit to Kuwait in November 2014, the Human Rights Ambassador spoke to representatives of the foreign ministry, parliament, and a range of NGOs and individuals active in the areas of women's rights, labour migrants, stateless persons, and equal rights for LGBT people. He also visited various UN organisations. The visit preceded the Universal Periodic Review (UPR) of Kuwait in the UN Human Rights Council (January 2015).

Since 1962 Kuwait has had a constitution in which numerous freedoms are enshrined. It has a parliament that functions well and for which free elections are held at regular intervals. Parliament also has an effective monitoring role. It is possible to criticise the authorities, and differences of opinion can be discussed, as became clear during the Human Rights Ambassador's visit. The Kuwaiti opposite numbers were approachable and frank. Equal rights for LGBT people could also be cautiously broached in these discussions, although the Kuwaiti representatives were reticent on this subject.

The predicament of the stateless Bidun was an important issue for the Human Rights Ambassador. It was discussed in parliament, at the foreign ministry, and in talks with UNHCR and civil society organisations. It became clear during the talks that the Kuwaiti government acknowledges that approximately 40,000 Bidun are in principle entitled to Kuwaiti nationality, but that it makes little effort to actually naturalise them. Whether or not to grant Kuwaiti nationality is assessed on a case-by-case basis. The process of naturalising the Bidun is therefore progressing extremely slowly. This problem has existed since Kuwait gained its independence in 1961.

The Human Rights Ambassador also spoke to the Apostolic Nuncio about freedom of religion. The Nuncio is based in Kuwait and accredited throughout the Arabian peninsula. Islam is the state religion in Kuwait, and many rulings are issued under sharia law. Freedom of the other monotheist religions is permitted under the terms of Kuwait's constitution, but restrictions are imposed on public manifestations. Private religious gatherings held by adherents of other religions, such as Hinduism, are tolerated.

3.2 Asia

The human rights situation in Asia in 2014 differed greatly from one country and region to the next. Southeast and East Asia, in particular, exhibited vigorous economic growth and related social developments that also influenced these countries' human rights situation. Although economic growth in Asia was slower than in the years before, it was still considerably faster than in the eurozone. Such growth reduces the number of people living below the poverty line, and has a favourable impact on economic, social and cultural rights. People living in Asia are becoming more and more assertive and increasingly willing to denounce abuses linked to economic development, such as environmental pollution, poor labour conditions, and land grabbing. A state governed by the rule of law, with legal certainty and respect for human rights and their protection, are all important to ensuring a stable and sustainable economy. For this reason, the Netherlands also promotes corporate social responsibility and activities geared towards fostering human rights in relation to business. In December, the Human Rights Ambassador attended the ASEM Seminar on Human Rights in Hanoi, where the Netherlands organised a successful side event on National Action Plans on Human Rights and Business.

At the same time, there are signs of governments seeking to exercise more control over the population and to suppress criticism. In some cases this has resulted in the arrest of human rights defenders, the ill-treatment of bloggers, and draft legislation to restrict internet freedom and freedom of association. Finally, discrimination against women is a great problem in almost all parts of Asia. The same applies to religious intolerance: there are multiple tensions, such as those between Muslims and Christians in Pakistan and between Buddhists and Muslims in Burma/Myanmar.

Although it is too early to adequately assess the human rights policy of the new president of **Afghanistan**, Mohammad Ashraf Ghani, and Chief Executive Abdullah Abdullah, the first indications give cause for cautious optimism. Over the past year, for instance, parliament banned the recruitment of minors to the police and military, and women's rights are receiving more attention. However, opposition from conservative forces within society will continue to hamper the government's attempts to introduce reforms. Thus, human rights activists and journalists, although they enjoy the protection of the law, encounter threats and opposition in their work. Although progress has been made in several areas over the past few years, such as in access to education and medical care, the human rights situation remains a cause for concern. For instance, gender equality is enshrined in the Constitution, but implementation falls short, partly because of the weak rule of law. A little progress has been made regarding access to justice, but for a large proportion of the population such access does not yet exist in practice. The death penalty was carried out again last year after a hiatus of several years. Recent reports show that the number of civilian casualties resulting from the conflict has risen.

The Dutch embassy supports a number of human rights projects aimed at increasing access to the justice system by strengthening the formal legal sector in Kunduz. Along with other donors, the Netherlands supports the work of the Afghan Independent Human Rights Commission (AIHRC), which investigates human rights violations and speaks out about them. For Human Rights Day, the Dutch embassy organised an event with Marefat High School in Kabul to raise awareness among Afghan civilians regarding the universality of human rights. Besides the activities listed above, the Dutch embassy also supported bodies including the Afghan NGOs Equality for Peace and Democracy (EPD; for the political participation of women) and The Asia Foundation (TAF, for improving women's access to the justice system).

The human rights situation in **Bangladesh** has deteriorated further since 2013. The government led by the Awami League has strengthened its grip on national politics over the past year by introducing new legislation on obtaining funding from abroad and a new media policy. The sixteenth amendment to the Constitution gave parliament the right to dismiss Supreme Court judges. In addition, human rights defenders' scope for manoeuvre was curtailed. The human rights situation of the Rohingya refugees and indigenous communities remains a cause for concern. The Netherlands takes a leading role in the dialogue and activities to improve safety and working conditions in the textile industry. The trade and development minister, Lilianne Ploumen, discussed this subject several times both at national and international level, for instance when she visited Bangladesh in May. In addition, in the course of 2014, both in bilateral contacts and through diverse EU declarations, the Netherlands urged respect for human rights and democratic principles, the curbing of violence, deferral of executions, the abolition of the death penalty, and a constructive dialogue between the governing party and the opposition.

Drawing on the Human Rights Fund, the Netherlands took action in 2014 to promote equal rights for LGBT people and to protect human rights defenders, and encouraged activities in the area of human rights and business, the suppression of violence against women and girls, and the rights of the stateless Rohingya.

The progress that has been seen in **Burma/Myanmar** over the past two years appears recently to have come under pressure again. Journalists are being subjected to intimidation more frequently, and at least 10 individuals from media organisations were imprisoned in 2014. In areas affected by armed conflict, numerous human rights violations occur, the majority of victims being women. Religious freedom is under pressure, with growing tension between different sections of the population. The Dutch embassy in Bangkok supports diverse projects geared towards *inter alia* human rights defenders, gender equality, equal rights for LGBT people, and access to the justice system for women from minority groups. At the interface of assistance, trade, and human rights, corporate social responsibility received special attention, for instance in the form of the Netherlands' contribution to the Myanmar Centre for Responsible Business.

A point of unremitting concern is the situation of the stateless Rohingya minority in Rakhine State. The Rohingya have no access to citizenship, and are largely dependent on humanitarian organisations for access to healthcare and other basic services. In 2014 the humanitarian aid organisation Médecins sans Frontières (MSF) was denied access to Rakhine State. Talks were held with the authorities, up to the highest level, urging that humanitarian organisations be allowed such access. At the same time as President Thein Sein's visit to the Netherlands, MSF Holland signed a Memorandum of Understanding allowing it to return to Rakhine. Humanitarian access to Rakhine State remains a priority in 2015. In EU and multilateral frameworks, the Netherlands voiced its concern about the Rakhine Action Plan, presented by the authorities, which is currently being revised. Within the EU, the Netherlands is also among the countries that have taken the lead in determining the position in relation to country resolutions on Burma/Myanmar in the Third Committee of the UN General Assembly and the Human Rights Council. The position and rights of the Rohingya and other minorities, the situation of political prisoners, and access to the country for the Office of the UN High Commissioner for Human Rights (OHCHR) were central issues here.

NGOs in **China** operated under growing pressure in 2014. For many NGOs, including partners of the Dutch embassy in relation to LGBT rights, it became more difficult to organise events. In addition, freedom of expression came under further strain with the arrest and conviction of members of the New Citizens Movement and other human rights defenders. The harsh response to the student protests in Hong Kong increased pressure on domestic and foreign journalists. Growing concern was expressed about the situation in Xinjiang. Religious and cultural freedoms were further restricted. There were frequent acts of violence, leading to a number of cases of mass prosecutions. A large number of death sentences were carried out. The Dutch embassy exerted itself to promote transparency and the rule of law, among other things by supporting Chinese human rights defenders and by trying to attend their trials, partly in an EU framework, for instance in the case against Professor Ilham Tohti. Although permission to attend trials is seldom given, human rights defenders nonetheless appreciate such attempts. One positive development was the announcement at the Fourth Plenary Session of the Communist Party of legal reforms intended to make judges less dependent on local administrators. However, the details and the potential results of these reforms remain unclear.

The Dutch embassy adopts a multi-stakeholder approach to addressing complex human rights issues. In diverse projects, international NGOs and experts are brought together with local partners, including academics and official (or semi-official) bodies. The internet and social media are also deployed, for instance, in campaigns against arbitrary detention and to publicise cases of discrimination against LGBT people. The embassy supports various projects, such as those geared towards the protection of children and women from sexual and gender-related violence and abuse, the promotion of freedom of expression through critical investigative journalism, promoting equal rights for LGBT people, strengthening and promoting awareness of corporate social responsibility among Chinese policymakers and small and medium-sized businesses, and the protection of the rights of migrant workers. In October, the Dutch ambassador was able to visit Tibet for the first time since 2007. EU High Representative Catherine Ashton made public declarations in response to the death of the human rights defender Cao Shunli and the conviction of Xu Zhiyong. Through a spokesperson the EU expressed concern in response to the judicial process and sentence (of life imprisonment) in the case of Ilham Tohti, the increase in arrests and convictions of human rights defenders, and the situation in Xinjiang. In December 2014 the EU-China human rights dialogue took place in Brussels.

In **India**, there were once again a number of appalling violent crimes against women that became front-page news worldwide. The roots of this problem lie in deeply-entrenched, traditional role patterns, which are in part inspired by the caste system, despite its official abolition. This difference in treatment frequently limits opportunities for economic and social development, in particular for women and vulnerable minorities such as Dalits, and often leads to poor working conditions and exploitation. Prime Minister Narendra Modi's new government has focused more attention on the problem of violence against women, partly by initiating publicity campaigns and by stepping up prosecutions for sexual offences.

A positive development was noted in April, when the Supreme Court recognised transgender people as the third sex. At the same time, it is worrying that homosexuality is still a criminal offence in India. Child labour remains a structural problem. A positive news item was the acclaim and recognition given to the Indian children's rights activist Kailash Satyarthi from Indian society and the government after he was awarded the Nobel Prize for Peace. During the visit by trade and development minister Lilianne Ploumen in November 2014, constructive talks took place with Satyarthi and with Maneka Gandhi, Minister of Women and Child Development on issues including clamping down on child labour and cooperation to promote training courses for women in rural districts. In addition, talks were held with trade minister Nirmala Sitharaman about corporate social responsibility. The Dutch embassy deploys a variety of resources to draw attention to human rights, including social media, but also does so by supporting cultural expressions relating to human rights themes. In addition it supports projects relating to the position of human rights defenders, human rights and business, the political participation of women at local level, the protection of religious freedom, and children's rights.

Following peaceful parliamentary and presidential elections, **Indonesia** has had a new government since October 2014, led by President Joko Widodo. The Widodo government emphasises the importance of law enforcement, including carrying out death sentences in drug cases, which resulted in the execution of the Dutch national Ang Kiem Soei at the beginning of 2015, about which the House of Representatives has already been informed at length. As recently as December 2014, the Dutch embassy took part in the first of three EU démarches against the resumption of executions. The EU Special Representative for Human Rights, Stavros Lambrinidis, attended an ASEAN meeting on the death penalty during his visit in November 2014. The EU also expressed its concern about the death sentence during the annual EU-Indonesia human rights dialogue in November and in the political dialogue in December. One positive development for the human rights situation in Indonesia is that President Widodo recently announced measures aimed at promoting religious tolerance. The generally free media also play an important role in society. The press does not shrink from publishing criticism of the operation of the rule of law in the widest sense.

In 2014 the Dutch embassy supported a joint programme of The Asia Foundation (TAF) and the National Police Commission, set up to improve the police's ability to clamp down on violence against religious minorities. Through the programme with TAF, a special rapporteur for religious minorities was appointed within the National Human Rights Commission. The embassy also supports a programme in the Moluccas and Papua, geared towards promoting better relations and mutual trust between police and local communities by training police trainers. In partnership with the Indonesian armed forces (TNI), the embassy organised a two-day seminar on human rights and international humanitarian law, aided by an expert from the Dutch Defence Academy, which was attended by over 80 army, navy and air force personnel from all parts of Indonesia.

The human rights situation in Papua remains a cause for concern. In the margins of the Nuclear Security Summit, the then foreign minister Frans Timmermans discussed the human rights situation in Indonesia with his Indonesian counterpart, focusing especially on the situation in Papua. During these talks, Indonesia's then foreign minister, Marty Natalegawa, promised to study ways of fleshing out Papua's autonomy. In response to a motion introduced by the MPs De Roon and Wilders (*Parliamentary Papers II 2014/15*, 34 000 V, no. 24), the Netherlands urged that Papua be opened up to journalists, international organisations, and members of parliament during the bilateral consultations with Indonesia on 17 March 2015. The Indonesian representative stated that his government favoured an open attitude towards access to Papua and West Papua, but that those staying in these provinces must adhere to the purpose of travel for which their visa was issued.

In accordance with the pledge given by the then Minister of Foreign Affairs Frans Timmermans during his meeting with the Permanent Committee on Foreign Affairs to discuss various human rights policy documents on 30 June 2014, the plight of Moluccan prisoners being detained in poor conditions was raised once again, and the authorities were urged, in particular, to arrange for their transfer closer to home. The embassy reiterated this point in consultations with the vice-governor of the Moluccas in August 2014. Finally, detention conditions in Indonesian prisons in general were raised during the EU-Indonesia human rights dialogue in November 2014.

The human rights situation in **North Korea** is bad and unchanged in spite of growing pressure from the international community. The report of the UN Commission of Inquiry published in February 2014 states that the North Korean regime is guilty of systematic, widespread, and grave violations of human rights, which in many cases may amount to crimes against humanity. The report suggests that the UN Security Council could refer the situation to the International Criminal Court. This recommendation was adopted in a resolution of the Third Committee in November. In addition, on the recommendation of the Commission of Inquiry, the Office of the UN High Commissioner for Human Rights will open a field office in Seoul (scheduled for mid-2015). In December the UN Security Council discussed the human rights situation in North Korea for the first time in history. The cumulative pressure on the country because of the human rights situation, most notably the proposal that the situation be referred to the International Criminal Court, led to a somewhat more constructive attitude during the UN's Universal Periodic Review of human rights (UPR). In addition, North Korea sent its foreign minister to the UN General Assembly and published its own human rights report. In view of the experience of the past few years, it is questionable whether this somewhat more constructive attitude will endure.

In the year in which *Malala* Yousafzai was awarded the Nobel Prize for Peace, the human rights situation in **Pakistan** remained a matter for concern. There is continuing intolerance in relation to religious minorities, including Ahmadis, Hindus, and Christians, the worst atrocity being the case of the Christian couple who were burned alive in November 2014. An attack on a school in December, in which over 150 people were killed, led to the adoption of a National Action Plan with counterterrorism measures: these included the lifting of the moratorium on the death penalty for those accused of terrorist activities and a proposal to establish military tribunals. Since the moratorium on the death penalty was lifted on 19 December 2014, 95 people have been executed.

In 2014 the Preferential Agreements between the EU and Pakistan (GSP+) entered into force. In this connection, the first monitoring reports will be submitted in 2015 on the basis of the progress made in the implementation of UN human rights conventions. The Netherlands makes a concerted effort in this connection by actively linking the Preferential Agreements to human rights in Pakistan; for instance, it cooperated with the ILO to arrange a meeting of textile purchasers at which corporate social responsibility was discussed.

In the area of religious freedom, the embassy supported bodies including The Asia Foundation, which has laboured successfully, through a network of NGOs around the country, for mediation and the mitigation of tensions between religious communities, and for political representation of minorities at local level. In its activities, the embassy maintains close contact with human rights defenders and organises frequent meetings such as a round-table meeting about SRHR, attended by trade and development minister Lilianne Ploumen. The Dutch embassy takes a leading position within the EU in Pakistan in the area of women's rights, and drafted the EU Action Plan on Gender. At the beginning of 2015, the Human Rights Ambassador visited Pakistan.

On 11 December 2013, the Pakistani NGO Aahung was awarded the Human Rights Tulip. Aahung promotes SRHR in Pakistan, and does so in difficult conditions. On 9 January 2014 the Dutch embassy organised a roundtable meeting in Islamabad for Aahung. A select group of participants was invited, consisting of representatives of the Pakistani government, Western and non-Western embassies, UN agencies, civil society organisations, and the Dutch business community. This introduced Aahung to relevant political actors and possible partners in the capital city. As a result of the international recognition Aahung has achieved from the Human Rights Tulip award, the coaching that is part of the award, and the opportunity to draw on the embassy's network, it now has better access to the Pakistani government, and is able to develop still more effective strategies and expand its circle of partners.

Since the military coup in **Thailand** in May 2014, and the imposition of martial law, human rights violations have proliferated. The main result of the establishment of the National Council for Peace and Order (NCPO) to achieve 'reconciliation' has been to consolidate the power of the military government and the security forces. At the beginning of April 2015 martial law was replaced by a new, temporary law that is equally repressive; censorship rules are still in place, and *de facto* power remains in the hands of the army.

The coup resulted in a large number of arrests; restrictions were imposed on freedom of expression and assembly, and on the press and social media, and civilians have been tried by military tribunals. Outside the capital, supporters of the previous regime have been silenced. Members of the opposition, journalists, academics and human rights defenders are still in detention. Many have been accused of lèse-majesté, for which stiff sentences have been imposed. Human rights organisations have expressed their concern about the lack of due process. In 2014, the Dutch and other EU ambassadors frequently discussed human rights violations with the Thai authorities, civil society organisations, and human rights defenders. The Netherlands and other EU partners advocated a swift return to democratic governance, respect for human rights, and the timely implementation of the 'road map to elections'.

3.3 Sub-Saharan Africa

The human rights situation is a matter for concern in many African countries. Internal and regional conflicts in Nigeria and South Sudan, for instance, have led to violence, serious human rights violations, impunity, and flows of refugees. Violence against women in conflict situations is still a great problem. In a number of stable countries with economic growth, human rights defenders, journalists, NGOs and political opponents saw their scope to operate restricted in 2014. The rights and safety of LGBT people remained in serious jeopardy in several countries. Restrictive regulations imposed on civil society organisations and counterterrorism legislation have made it difficult for many people to work. In addition, intimidation, extrajudicial arrests, detention and executions continue to occur. Human rights violations are frequent in election periods. Key priorities include creating more space for civil society, promoting freedom of expression and the press, women's rights, combating female genital mutilation and violence against women, and promoting freedom of religion and belief. Fortunately, there are also a few positive results to report, such as the independent action taken by National Human Rights Committees and courts of justice and regional initiatives such as the African Court of Justice and Human Rights.

In 2014 the **African Union (AU)** pursued its own approach to human rights violations, and discussed them at two AU conferences, in January and June. The relationship between the International Criminal Court and a number of AU member states is under pressure: these states take the view that the ICC is used as a Western political instrument. In 2014 an alternative was presented: merging the African Court on Human and Peoples' Rights and the African Court of Justice to form the African Court of Justice and Human Rights. The Protocol on the Statute establishing this new organisation still needs to be ratified by at least 15 member states, a process that may take several years. The expanded jurisdiction of the African Court of Justice and Human Rights will make it possible for the court to try international crimes. According to the Protocol, senior government officials enjoy immunity, and cannot therefore be brought before the Court of Justice during their term of office. This is a fundamental difference between the new court and the ICC. Meetings of the AU's Peace and Security Council (AUPSC) have devoted special attention to preventing and combating sexual violence in conflicts. During these meetings, the importance of investing in human rights, in peacetime as well as in wartime, was emphasised at EU level. Although the meetings provided a good opportunity to exchange views and strengthen political commitment, no concrete results were achieved. In addition, an AU Special Envoy for Women, Peace and Security was appointed in 2014, with a mandate to promote the interests of women in conflict zones. The Netherlands contributes *inter alia* to a programme launched by the AU Committee for shared values (human rights, good governance, and democracy) and to the Peace and Security pillar of the AU programme geared towards capacity building, conflict mediation, and early warning mechanisms.

The human rights situation in **Burundi** remains precarious. In 2014 further restrictions were imposed on political freedoms in the run-up to the parliamentary and presidential elections planned for mid-2015. The government made it almost impossible for opposition parties to organise any events. Rallies were forbidden in advance, or broken up after they had started, citing the danger of public order disturbances. Constant reports were received of intimidation by the Imbonerakure, the youth movement of the governing party CNDD-FDD. The acceptance of homosexuality in society, and the opening up of the public domain by the government for the benefit of LGBT interest groups, still leave much to be desired. A film that the Dutch embassy had planned to screen at the end of 2013 had to be cancelled at the urgent request of the government; the film was eventually shown in 2014, but only to a private audience. The Netherlands supported the human rights training courses given to Burundi's National Police as part of the Security Sector Development (SSD) programme. The sanctions imposed by the Netherlands on part of the SSD programme in November 2012 (in response to four specific cases of extrajudicial execution) were suspended. The number of extrajudicial executions fell to four in 2014 (from 39 in 2013). The Dutch embassy discussed these four cases at length with the Burundian government during political dialogue and at progress meetings on the SSD programme.

In the **Democratic Republic of Congo (DRC)**, the human rights situation was fairly stable in 2014, although more arrests of journalists were reported. The human rights situation in the east of the country was still determined to a large extent by the armed conflict between rebel groups and the army. In November 2014 the Minister for Foreign Trade and Development Cooperation visited the DRC. She spoke to diverse human rights activists in Goma and Kinshasa. Disappearances are still the order of the day in the east of the country.

The embassy office in Goma has frequently asked the authorities about the fate of journalists and human rights defenders who have been arrested by security troops and urged their release. The organisation Protection International (PI) gave security training to 150 human rights activists and nine organisations in the provinces of North and South Kivu, with the aid of Dutch funding, thereby raising awareness of existing rights and improving the exchange of information to help prevent disappearances or worse. In addition, in a number of cases, PI offered temporary protection to human rights defenders, including the Sakharov Prizewinner Dr Denis Mukwege. The embassy supported activities including an *RCN* Justice & Democracy project set up to inform journalists about, and to train them in, the legal aspects of their work.

The human rights situation in **Ethiopia** was examined in detail during the Universal Periodic Review of the UN Human Rights Council in May 2014. Ethiopia subsequently adopted 188 recommendations for implementation in the years ahead and declined to follow a further 64. The recommendation put forward by the Netherlands to allow the Special UN Rapporteurs in the areas of the right to education, the right to food, and violence against women to enter Ethiopia was adopted. In 2014 the Ethiopian government started implementing the National Action Plan on Human Rights. Clear progress has been made, most notably in the area of socioeconomic development. The Ethiopian Human Rights Commission is stepping up implementation of its mandate, and conducted several studies of the country's human rights situation in 2014, scrutinising *inter alia* abuses in connection with arrests and police detention. Developments in relation to freedom of expression and association remain a cause for concern. It is alarming that journalists, bloggers and members of the opposition continued to be arrested in 2014. In addition, several independent media organisations were compelled to close down in 2014. In the political dialogue between the EU and Ethiopia, subjects such as scope for political action, restrictions on freedom of the press, religious tolerance, and the actions of security troops were frequently raised. In addition, the Dutch embassy finances diverse projects aimed at building the rule of law, strengthening the justice system, and improving the legal protection of human rights.

The human rights situation in **Gambia** has deteriorated further over the past year. Arbitrary arrests of journalists and members of the opposition still take place, often justified by allegations of treason. The failed coup of December 2014 resulted in harsher repression by the authorities and further restrictions on press freedom. In September 2014 Parliament adopted controversial anti-gay legislation, introducing stiffer sentences for homosexuality, which was already a criminal offence. Under the new legislation, homosexual acts are punishable by life imprisonment. The EU has decided to suspend €12 million of development aid because of the country's poor human rights record. The Netherlands played an important part in this decision. The dialogue between the EU and Gambia was already mired in difficulty in 2013, and in 2014 it deteriorated further; Gambia cancelled the meeting scheduled for November 2014.

The human rights situation in **Nigeria** deteriorated further in 2014, partly because of terrorist activity by Boko Haram. The militants attacked a large number of villages and towns, claiming numerous civilian casualties. Boko Haram acted with great cruelty, using children as suicide bombers and carrying out mass abductions; the abduction of almost 300 schoolgirls from Chibok in April provoked worldwide outrage. In 2014 fresh reports were received of excessive violence and grave human rights violations by security services and the army. No death sentences were carried out in 2014; this in contrast to 2013. The freedom of the media, the relative tranquillity in the Niger delta, and the independent operation of the National Human Rights Commission are other minor rays of hope. At the same time, however, LGBT equality is virtually out of the question, and a new act of parliament was adopted in January 2014 that further criminalises homosexuality and organisations working to achieve equal rights for LGBT people. The adoption of this legislation attracted harsh international condemnation and was challenged in the courts by local organisations. The Dutch embassy was closely involved in the EU dialogue with the Nigerian authorities about human rights violations and about the promotion of equal rights for LGBT people. The cooperation programme between the Dutch police and the National Agency for the Prohibition of Trafficking in Persons to curb human trafficking was continued. The Minister for Foreign Trade and Development Corporation visited Nigeria in June. She highlighted issues including corporate social responsibility and equal rights for women and LGBT people.

The general human rights situation in **Kenya** did not improve in 2014. In fact, diverse legislative and administrative developments actually appear to have had a regressive impact on the protection and promotion of human rights. Notable developments include the amendments to the controversial Security Laws, the NGO Act, and the Information and Communications Act.

The scope for civil society to act freely has shrunk; this applies especially to organisations that promote political reforms and the accountability of public officials. In addition, Kenya faces a high level of threat from terrorist activity, which adversely affects the human rights situation. The human rights situation is regularly raised by the EU, for instance in joint communiqués about the NGO Act and the Security Laws. The Dutch embassy in Kenya is active *inter alia* in promoting the protection of human rights defenders and the rights of LGBT people. One success was gained, when Kenya's High Court ruled that a transgender woman could change her name by law from Andrew to Audrey. The Netherlands and Norway together chair the LGBT embassy network. The Dutch embassy is also the EU's focal point for human rights in Kenya, and thus serves as a link between the donor community and civil society.

The human rights situation in **Mali** is primarily influenced by the conflict in the north of the country; the absence of a state presence means that this region suffers from a great lack of security. Although armed militias try to avoid civilians as much as possible, outbursts of violence nonetheless claim civilian casualties from time to time. Reports were received in 2014 of human rights violations by police or the Malian army, but thus far these appear to be isolated incidents. Women's rights have been under pressure during the crisis, but this situation appears to be slowly improving. Even so, violence against women and young girls remains a serious problem. Female genital mutilation (FGM) is very common in Mali, for instance. Homosexuality is not illegal, but it is still subject to a strong taboo. In the past year, several Dutch ministers paid particular attention to Mali; the prime minister and the foreign minister were among those who visited the country. The Dutch embassy contributed to diverse human rights projects as part of the drive to promote security and stability. For example, it gave financial support to the civil society legal aid organisation *Deme So* in Gao, Timbuktu, Mopti, and Ségou. In addition, the role of women in the peace process was strengthened through UNWOMEN, and efforts were made to root out FGM. The embassy also played a facilitating role in finding accommodation for a judge who had received threats because of his involvement in the Sanogo trial, which is dealing with the consequences of the coup.

Developments in **Uganda** provide grounds for cautious optimism. Legislation and regulations were adopted to combat torture and violence against women, and FGM was made a criminal offence. On the other hand, there was no significant improvement in tracking down alleged perpetrators and bringing them to justice. The public space for civil society organisations to operate freely is shrinking in the run-up to the 2016 elections. The adoption and signing into law of the anti-gay Bill caused alarm, although it was struck down by the Constitutional Court later in 2014. These developments, among others, prompted the decision to make delegated funds from the Human Rights Fund available to Uganda. The Dutch looked into the desirability and feasibility of drawing up a blacklist of Ugandans who were involved in drafting the anti-gay legislation.⁴⁶ Since it is important to keep communication channels open, and to persist in dialogue, even with those who favour legislation of this kind, the Dutch government feels that such a blacklist would not serve any useful purpose. The Dutch embassy's diplomatic efforts focused largely on the anti-gay legislation, for instance in consultations with the Ugandan authorities and in the dialogue with the Dutch-funded Ugandan LGBT organisation. The Netherlands also contributed to various projects, including a project run by the Muslim Centre for Justice and Law, whose activities to raise awareness of human rights have helped to reduce discriminatory practices against women and children in Uganda's informal Islamic legal system.

Human rights remain a cause for concern in **Rwanda**. Political parties have very little room to manoeuvre. Freedom of association and the freedom to organise are also under pressure in practice. Human rights NGOs are languishing. Vaguely-drafted laws, for instance in the field of genocide denial, divisionism, and the right to demonstrate, often lead to self-censorship in practice. On the other hand, the positive trend in respect of press freedom continued in 2014. There is more and more scope for debate and criticism in the public space, although certain subjects that are judged too sensitive are not discussed, leading to self-censorship. In 2014 there were no journalists detained in Rwandan prisons for practising their profession. The Dutch government raised the subject of the alarming reports of disappearances of members and sympathisers of the rebel movement FDLR (especially in March and April) in various bilateral talks in 2014 at the highest level. Religious freedom is enshrined in Rwandan law and homosexuality is not a criminal offence, although the social acceptance of LGBT people still leaves much to be desired. The Netherlands supports a media reform project aimed at enshrining new, more progressive media laws in Rwandan society.

⁴⁶ Pledge made during the meeting between the Minister of Foreign Affairs and the Permanent Committee on Foreign Affairs to discuss various human rights policy documents on 30 June 2014.

In addition, the Dutch embassy in Kigali helped to found the Human Rights Defenders Focal Point, a platform in which diplomats and Rwandan human rights defenders can meet. The embassy also funds projects aimed at curbing violence against women, promoting legal aid, land rights, reconciliation and peace-building in the wake of the 1994 genocide, the demobilisation and reintegration of rebels, and tracking down fugitive perpetrators of acts of genocide and bringing them to justice. At EU level, the Netherlands took part in diverse consultations with the Rwandan authorities about human rights issues.

Senegal is regarded as one of the most stable countries in West Africa. Reasonable safeguards are in place for the population's civil and political rights, but there is still room for improvement. For instance, homosexuality remains a criminal offence, and the implementation of the ban on FGM and child marriages is still proceeding sluggishly. The Netherlands focuses on improving the human rights situation in relation to the rights of the LGBT community and women's rights. Activities undertaken at EU level also focus on these two groups as well as on children's rights, particularly in relation to FGM and child marriages. The Netherlands has supported the LGBT community in various ways, *inter alia* by arranging a high-level dialogue between the Dutch foreign minister and the president of Senegal. The minister also opened a legal aid centre for women. The embassy supported a number of projects in 2014, including one that organises courses in women's prisons to increase detainees' chances of economic reintegration after their release. Among other things, it also supported an exhibition on the LGBT community in Africa, a course to train police to deal with victims of sexual abuse and ill-treatment, and a project to promote school attendance among girls. For IDAHOT (International Day Against Homophobia and Transphobia) 2014, a meeting with the LGBT community was organised at the embassy in Dakar, and on International Human Rights Day the film *La Pirogue* was screened.

In **Sudan** the government maintains that it seeks to promote transparency and freedom through a National Dialogue. In practice, however, peaceful members of the opposition and of civil society organisations are still being arrested and imprisoned. Newspapers have closed down and religious freedom has been impeded by the destruction of churches; apostasy leads to harsh punitive measures. In addition, the situation in Darfur became even worse in 2014, leading to more than 400,000 additional displaced persons. The EU Special Representative for the Horn of Africa visited Sudan several times and raised the issue of respect for human rights whenever possible. The Dutch embassy exerted itself to secure the release of Meriam Ibrahim, a pregnant woman who had been sentenced to death for alleged apostasy from Islam.⁴⁷ The woman was eventually able to leave Sudan, thanks to foreign assistance. Pressure was brought to bear in démarches and EU declarations to secure the release of opposition leader el Sadiq el Mahdi, which eventually succeeded. The Dutch embassy also joined forces with the women's university Ahfad and the War Trauma Foundation to support a narrative theatre project geared towards promoting equal rights between men and women.

The human rights situation in **Somalia** continues to cause grave concern. The Somali government has still not succeeded in setting up a human rights roadmap, task group or committee. For the rest, implementation remains the great challenge. Victims of human rights violations tend to avoid publicity. An increased number of reports were received in 2014 of rape committed by men in uniform. In addition, in May 2014 Human Rights Watch published a damning report on unfair trials in military tribunals. The UN Secretary-General's Special Representative for Children and Armed Conflict, Leila Zerrougui, criticised the Somali government in relation to child soldiers, torture, and the execution of children. Because of the absence of investigations, and a barely functional legal system, impunity and arbitrariness hold sway. In addition, the government has a *de facto* lack of authority over the regions outside the capital, Mogadishu. In regions controlled by al Shabaab, grave human rights violations are frequent: these include corporal punishment, stonings, and beheadings. In addition, the harsh regulations imposed by al Shabaab govern many aspects of social life. The Dutch embassy in Nairobi takes an active part in the international human rights consultations with the Somali authorities at EU level or in wider-ranging donor groups, and has advocated increasing the capacity of UNSOM (the UN mission in Somalia) to monitor human rights. The Netherlands supports Free Press Unlimited for freedom of the press and the capacity building operation of AWEPA (Association of European Parliamentarians with Africa) to strengthen the country's parliament. In the development cooperation programme, the Netherlands focuses on strengthening the rule of law in the framework of the New Deal for Somalia.

⁴⁷ Pledge made during the meeting between ministers and the permanent committee on human rights to discuss policy documents on 30 June 2014.

With the adoption of the new Constitution in 2013, some had hoped that a new era of respect for human rights might be dawning in **Zimbabwe**. However, the Constitution is yet to be implemented. The harmonisation of existing laws with the new Constitution, combined with a continuing lack of respect for the laws laid down in the new Constitution, are slowing the process down. This does not mean, however, that no progress has been made as regards the human rights situation in Zimbabwe over the past year. Major legislation that would have paved the way to restrict the freedom of the media has been declared unconstitutional, and the Constitutional Court has proved a champion of certain civil rights. It remains essential, however, to raise awareness and increase understanding of fundamental rights and freedoms among the population and the authorities. In February 2014, the Human Rights Ambassador visited Zimbabwe. The Dutch embassy in Harare set out to create a stronger support base for the International Criminal Court, by organising a conference on the ICC's work. In addition, it joined forces with UNICEF, ILO, the embassies of Ghana and Botswana, Hivos and a number of local citizens' groups in the struggle against child labour. The Dutch embassy adopted an innovative approach by organising TweetT@bles about the gender perspective on human trafficking in Zimbabwe, offering a platform for citizens to discuss these matters with ministers.

The Constitution of **South Africa** is regarded as one of the most progressive in the world. It provides for the extensive protection of human rights, socioeconomic as well as political rights. In practice, however, the state lacks the capacity to implement these laws or to guarantee compliance; furthermore, social and economic inequality remains considerable. In addition, according to the UN Office for Drugs and Crime (UNODC), South Africa has the highest number of rapes in the world, and there are frequent incidences of violence against LGBT people, in particular lesbian women. On the other hand, human rights organisations can go about their work unhindered, and the country has a free and critical press. The EU conducts a periodic human rights dialogue with South Africa, most recently in November 2014. In the run-up to this event, a local dialogue took place, chaired by the EU delegation in Pretoria. The Netherlands also contributes to human rights in South Africa through diverse projects. In September 2014 the Dutch embassy in Pretoria organised a successful outreach programme for the presiding judges of international courts and tribunals in The Hague, to give them an opportunity to clarify their work and strengthen their support base. Another example is the Master's programme 'Democratisation and Human Rights in Africa' at the University of Pretoria, which is financed by the embassy. In 2014, 27 students and lawyers from all over Africa obtained their Master's degree here.

Partly because of the conflict between government and opposition in **South Sudan** that erupted in December 2013, the human rights situation in this country deteriorated further in 2014. All parties involved in the conflict have committed grave human rights violations in large parts of the country. The rule of law remains weak, and the degree of impunity increased rather than decreased in 2014. The scope for freedom of expression and the airing of critical opinions by activists, media and civil society organisations has shrunk still further. Entire editions of newspapers are frequently seized and radio stations forced to close down, either temporarily or permanently. In the course of 2014, the UN Secretary-General and a number of countries, including the Netherlands, frequently called the government and the opposition to account for grave human rights violations and urged them to bring an end to impunity. For instance, the Dutch Minister for Foreign Trade and Development Cooperation expressed her concern about the ongoing human rights violations when she visited South Sudan in September. The embassy supports the activities of Free Press Unlimited in relation to freedom of expression and the provision of impartial information to as many people as possible in South Sudan. It also takes an active role in the protection network for human rights activists, and tries to plead their cause behind the scenes wherever possible. In 2014 a South Sudanese lawyer spent three months in the Netherlands as part of the Shelter City programme.

Visit of the Human Rights Ambassador to Zimbabwe

From 18 to 20 February, the Human Rights Ambassador (HRA) visited Zimbabwe. Before the visit, the HRA spoke to representatives of Zimbabwe Watch and Amnesty International. In Harare, the HRA spoke to the Permanent Secretary of the Ministry of Foreign Affairs, Joey Bimha, and to the Permanent Secretary of the Ministry of Women's Affairs, Gender and Community Development, Perpetua Gumbo. Talks were also held with the president of Zimbabwe's Human Rights Commission, Elasto Mugwadi, and with the Resident and Humanitarian Coordinator of UNDP. Extensive talks were also held with representatives of various NGOs and media. In addition, the HRA took part in a panel about human trafficking during a Twitter debate organised by the Dutch embassy (TweetT@ble), and gave a radio interview to ZiFM, Zimbabwe's first private radio station. The HRA also visited Chitungwiza, a suburb of Harare, where people have been evicted from their

homes arbitrarily since the elections and forced to watch their houses being demolished by the authorities, and where the government is badly falling short in the provision of basic services.

The talks with the Zimbabwean authorities were open and informative, and it became clear that Zimbabwe needs to enact a great many reforms to better safeguard the protection of human rights. It emerged from the talks with NGOs and human rights defenders that although violence has decreased, the repressive system is still intact; most of those who are now in positions of power have been involved in acts of violence. Corruption remains a great problem for the country, as does the internal struggle within political parties. Representatives of LGBT organisations emphasised in a roundtable debate that their situation in Zimbabwe is still extremely difficult. They said that Zimbabwe's leaders tend to use LGBT people as scapegoats to distract attention from the country's socioeconomic problems.

Several independent media outlets and organisations emphasised that the scope for the media has been expanded in recent times, but that much remains to be done if they are to be truly free. Access to the market is still a difficult problem. Zimbabwe is the only country in the region that does not yet have a private TV broadcasting station, because of the complicated registration procedure and the huge costs involved. In addition, freedom of the press is further restricted by making it difficult for journalists to obtain permission to report on official events. This hampers critical media in their work.

The Permanent Secretary of the Ministry of Women's Affairs, Gender and Community Development outlined two sides to the developments regarding women's rights in the talks with the HRA. While the Constitution provides ample opportunity for the promotion of women's rights, Zimbabwe's women still face considerable challenges. For instance, a recent report published by the government reveals that 42 per cent of women in Zimbabwe experience physical, emotional or sexual violence at some point in their lives. Other major challenges include access to education and economic input (including funding) for girls and women. In the light of these challenges, the importance of the Gender Commission was underscored. The Permanent Secretary welcomed the Dutch decision to support this Commission.

3.4 Western Hemisphere

Although the general trends in the Western Hemisphere are encouraging, those relating to human rights are not positive everywhere. South American countries, with Argentina and Uruguay at the forefront, are continuing to work more and more energetically, both at national level and in multilateral coalitions, to oppose discrimination, as reflected, for instance, in the visible progress that has been made in safeguarding equal rights for LGBT people. In central America in particular, there is growing concern about the increase in crime, much of it drug-related and cross-border. The failure to ensure that perpetrators are duly prosecuted makes the problem worse. The ongoing democratisation of Latin America appears to be stalling in places, with organised crime becoming interwoven with local government and a revival of authoritarian tendencies, which take their toll on freedom of the press, for instance.

In **Argentina** the new Civil Code was adopted in 2014. The laws it prescribes will be introduced in 2016 and contain both progressive and conservative provisions in the area of human rights. Argentina sets great store by combating discrimination, and takes a leading role in promoting equal treatment for LGBT people. In 2014 the Netherlands and Argentina together prepared for the 2015 launch of trilateral cooperation between the Netherlands, Argentina and El Salvador in the area of anti-discrimination. Among other things, the Dutch embassy is supporting a project that sets out to draw the attention of the academic community to the International Criminal Court and its significance in ensuring worldwide respect for human rights.

The long-term upward trend in the human rights situation in **Brazil** appears to have levelled off. Although human rights are on the agenda of the Rousseff government, many challenges remain. For instance, the indigenous population experience persistent problems in their efforts to actually claim land. The growth of the agricultural caucus in parliament after the October 2014 elections has not made the political climate any easier, especially in relation to the rights of the indigenous population. Concerns about prisons (some of which are badly overcrowded and plagued by poor conditions) are undiminished. Although Brazil has a positive image in relation to equal rights for LGBT people, this too has suffered setbacks, as a result of the growing influence of conservative, evangelical political parties. On the International Day Against Homophobia and Transphobia (IDAHOT), the embassy raised the rainbow flag and successfully encouraged the embassies of Belgium, Finland, the UK, Sweden, and the EU delegation in Brazil to follow suit. In addition, the Dutch embassy part-funded an exhibition on the theme of sexual identity. This project will spread its wings beyond the museums and central parts of the city. This creative approach will help to ensure that the issue is debated further afield, beyond the usual circles. A positive development was the publication on 10 December 2014 of the final report of the National Truth Commission on human rights violations during the military dictatorship (1946-1988). The Dutch media highlighted the issue of human rights in Brazil in connection with the country's hosting of the FIFA World Cup. It is encouraging that the Brazilian government is in general conscious of the problems, has adopted legislation to address them, and is trying to take measures to improve the situation. Because of its frequent contacts with Brazil's Human Rights Secretariat and NGOs, the Dutch embassy is closely involved with the developments in this area. Among other activities, it supported a project of human rights defenders working on behalf of communities that have been hit by evictions carried out to clear areas for major sporting events such as the FIFA World Cup (2014) and the Olympic Games (2016).

In **Chile**, the human rights situation provides grounds for optimism. In 2014, attention continued to focus on the implementation of the statutory ban on discrimination and consequently the equal treatment of members of minority groups, such as the indigenous population and LGBT people. Impunity in relation to violence against women also remained a cause for concern. The Dutch embassy, together with the European Union, contributed to a project of a Chilean LGBTI organisation to raise awareness of the predicament of LGBTI prisoners, who frequently experience discrimination from prison staff and fellow detainees.

Although **Colombia** has a relatively progressive human rights policy and pursues policies similar to the Netherlands in a variety of dossiers (e.g. equal rights for LGBT people and internet freedom), human rights nonetheless continue to be violated on a large scale. Many of these violations take place in the context of armed conflict (FARC, ELN, remnants of paramilitary groups, criminal gangs). Colombia remains the most dangerous country in the world for trade unionists. The negotiations with the FARC, and possibly before long with the ELN, hold out the prospect of a peace agreement. Such an agreement may have a positive impact on the human rights situation.

In November 2014 trade and development minister Lilianne Ploumen visited Colombia, accompanied by members of parliament, representatives of the business community, and members of the Colombia platform. In talks with the Colombian authorities, Drummond coalmine and civil society organisations, she discussed human rights issues, most notably corporate social responsibility, compensation for the victims of paramilitary groups, and the position of human rights defenders (including trade unionists). The EU's Human Rights working group, within which the Netherlands plays a key role, is extremely active. During 2014, the Netherlands served as the focal point for the theme of human rights defenders. Among other things, in 2014 the Dutch embassy supported Museo Casa de la Memoria, a museum established to inform young people about the background to and causes of armed conflict.

In **Cuba**, freedom of expression, freedom of the press, internet freedom and freedom of association are still subject to harsh restrictions. The independence of the judiciary is not guaranteed. The authorities make frequent use of temporary detention, intimidation and other forms of repression to discourage people from expressing dissatisfaction with the regime in public. Last year saw political convictions of members of opposition groups that the Cuban government has classified as illegal, leading to custodial sentences of two to six years. Positive signals appeared towards the end of 2014. Temporary detention was imposed much less frequently. A member of Ladies in White (Damas de Blanco) who had been held in prison since March 2012 without charge was unexpectedly released, and just before Christmas, President Obama and President Castro announced the resumption of diplomatic relations between the US and Cuba. This was accompanied by the release of 53 political prisoners. Throughout 2014, independent thinkers from academic, scientific, religious and artistic circles were left in relative peace. When the Dutch foreign minister visited Cuba in January 2014, he raised the issue of internet freedom with his Cuban counterpart, as well as the Netherlands' concerns about repression and the use of temporary detention. He also emphasised the importance of conducting dialogue with dissidents. EU démarches were issued regarding Cuba's position on the death sentence. The Netherlands holds consultations with like-minded countries that share information about human rights, both formally and informally, and supports a range of other activities to improve the human rights situation.

In the **Dominican Republic (DR)**, the situation of over 200,000 people of Haitian origin, who have lived and worked in the DR for generations, continues to cause concern. These Haitians are in danger of becoming stateless, since under the constitutional amendment of 2010, people born to foreign nationals in the DR can no longer claim *ius soli*.

The human rights situation in **Central America** continues to cause concern. **El Salvador** and **Honduras** have an extremely high incidence of murder and other acts of violence, often extending to femicide and extreme violence against women, journalists, and LGBT people. Freedom of the press remains under pressure in both countries. The human rights climate in **Guatemala** deteriorated in 2014, primarily in the area of impunity for crimes committed against human rights defenders, journalists, the indigenous population and the LGBT community. Frequent social conflicts erupt around infrastructural projects. Freedom of the press is under pressure. The events surrounding the trial of former dictator Efraín Ríos Montt as well as appointments made in the public prosecution service and judiciary raise fears of a return to authoritarianism. The ambassador-at-large visited **Costa Rica, Guatemala, Nicaragua, and Panama** in October 2014 for bilateral consultations in which human rights issues loomed large. The embassy in San José uses its network to offer protection to human rights defenders who are under attack. In May 2014, the embassy celebrated the International Day for Freedom of the Press in partnership with UNESCO and civil society organisations. It is exploring opportunities for trilateral cooperation with Argentina in El Salvador. In Costa Rica, the LGBT community reached a milestone, with same-sex partners acquiring access to social insurance schemes. The newly-elected president Luis Solís raised the rainbow flag at the presidential palace on IDAHOT 2014, and the Dutch embassy was represented at the country's first ever Gay Pride event.

The **Central America programme (MAP)** is a Dutch regional development programme that focuses on strengthening security, the rule of law, and human rights in Central America. For the entire programme, a sum of €44 million has been made available for the years 2012 to 2015. These funds are being used, through a regional human rights fund that is coordinated by the ICCO in Managua, to finance 24 projects⁴⁸ to support human rights defenders, journalists, corporate

⁴⁸ There is an overview of the projects at www.icco.org/fhdh.

social responsibility, and vulnerable groups (women, young people, LGBT people, and the indigenous population).

In **Panama**, weaknesses in the justice system and the position of the indigenous population continue to cause concern. In **Nicaragua** there are concerns about impunity in relation to violence against women, journalists, and LGBT people. The planned interoceanic canal also raises serious concerns about possible compulsory land expropriation and environmental damage. Finally, in Nicaragua too, authoritarian tendencies appear to be gaining strength.

Concerns about impunity in **Mexico** remain undiminished. Although the current federal government has taken important initiatives to tackle it, including reforms to the criminal justice system and the integration of police forces, too little is being done to bring perpetrators of serious criminal offences to justice. In particular, the local government of some states appears to have been infiltrated by organised crime. As a result, there are insufficient guarantees of prosecution and the efforts being made to tackle crime are inadequate. This subject is regularly discussed with Mexico at EU level. In 2014 the EU delegation made two declarations (in response to the murder of a journalist and the disappearance of 43 students in Iguala). The Dutch embassy works closely with NGOs in efforts to combat violence against women and in the areas of reproductive rights, equal rights for LGBT people, and corporate social responsibility.

Although **Suriname** has made progress in some areas, certain concerns remain. Some of the main points of concern in 2014 included Suriname's failure to formally abolish the death sentence, the relative weakening of the independent media because more and more journalists are being hired by the government, and the poor conditions in prisons and at police stations. The Counsel Act (which will provide, for instance, for the direct allocation of a lawyer) has still not been debated in parliament. Discrimination against LGBT people, Maroons, and the indigenous population also give cause for concern. In partnership with the EU delegation in Georgetown and the French embassy, preparations were made for a seminar on the abolition of the death penalty at the beginning of 2015. Suriname's civil society organisations, judiciary, legislative bodies and executive have pledged their cooperation.

In general **Uruguay** continues to maintain its ability to guarantee civil liberties and human rights, and plays an exemplary role in the region. In addition, the government has pursued a progressive and inclusive social agenda in recent years. During President Mujica's term of office, marijuana and abortion were legalised, and same-sex marriage became possible. During the run-up to the election, the new president, Tabaré Vázquez, emphasised his determination to tackle domestic violence against women and the rising rate of street crime.

In **Venezuela**, human rights remain under pressure. The period February–May 2014 witnessed violent street protests against government policy (growing lack of security, shortages, and restrictions on the freedom of expression). These protests were initiated by students, but were taken up by the more radical sections of the Venezuelan opposition, in particular the political party Voluntad Popular, led by Leopoldo Lopez. The riots left over 40 people dead and some 1,100 injured. Almost 1,700 demonstrators were arrested. At the end of 2014, 69 people remained in detention, including Leopoldo Lopez. Students and the opposition accused the government of excessive violence, and politically-motivated, arbitrary arrests. Prison conditions are appalling. In response to the political unrest in the spring of 2014, EU High Representative Catherine Ashton issued four declarations, in which she condemned the use of violence on both sides, called for peaceful dialogue, emphasised the importance of freedom of expression, called on the authorities to ensure impartial judicial proceedings, and voiced her concern about the detention of students and politicians. The European Parliament adopted two resolutions in 2014: that of 27 February expressed concern about the arrest of students and opposition leaders and called for their immediate release, and that of 18 December denounced the suppression of the opposition in fairly harsh terms.

The **United States** remains an important partner in relation to human rights, for instance within the UN. In 2014 the Netherlands joined forces with the US to strengthen human rights in third countries. These efforts are largely directed towards protecting human rights defenders (Lifeline), equal rights for women (Equal Futures Partnership) and equal rights for LGBT people (Global Equality Fund). In the US itself, discriminatory and disproportionate police violence attracted renewed publicity after fatal incidents in several states. The introduction of same-sex marriages spread rapidly after the Supreme Court ruled in 2013 that the 1996 *Defense of Marriage Act* (DOMA) was in part unconstitutional.

By 2014, 36 states and Washington DC had introduced same-sex marriage. Where the death penalty is concerned, the downward trend in the number of executions continued. Thirty-five executions were carried out in the US in 2014, four fewer than the year before. They were initially performed with a lethal drug that is subject to an export ban in the EU. New and partly unknown compositions of the substances used had the effect of causing unnecessary suffering to three of those executed. In 2014 seven people who had been sentenced to death were acquitted after spending years in prison despite being innocent: three after 39 years of incarceration, three after 30 years, and one after three years. At EU level, concerns have been raised with individual states on several occasions about the implementation of the death penalty. In November the Human Rights Ambassador visited the US for an international LGBT donor conference.

Efforts within the **Organization of American States (OAS)** in 2014 continued to build on the Kingdom's efforts in previous years. Since 1972, the Netherlands has had permanent observer status within the OAS, a body to which all countries in the Western Hemisphere belong. It is also a major donor of the Inter-American Commission on Human Rights (IACHR). In 2014 the Netherlands contributed €250,000 to the IACHR's Strategic Plan. The Netherlands attaches particular importance to the IACHR's activities to promote equal rights for LGBT people and to protect human rights defenders, and its support for the IACHR will continue in the coming year. The Netherlands also supports the OAS Program of Judicial Facilitators, which arranges for volunteers in Central America who can mediate in conflicts, provide public information, and support judges.

3.5 Europe and Central Asia

The human rights situation in Europe and Central Asia continues to demand undiminished attention and effort on the part of the Netherlands. There was considerable unrest in the eastern region of the continent in 2014, partly because of the events in Ukraine. The independence of the judiciary, freedom of the press and equal rights for LGBT people came under further pressure in some countries. Combating discrimination on the grounds of *inter alia* sex, religion, race, sexual orientation and gender identity remains essential. In addition to the Netherlands' bilateral efforts to promote human rights through the diplomatic missions and political channels, it also constantly endeavours in the Council of Europe, the European Union and the OSCE to find ways to improve the human rights situation in Europe and Central Asia. Through the instrument of the Universal Periodic Review (UPR), the Netherlands makes regular recommendations to the countries of Europe and Central Asia for human rights improvements.

Candidate member states and potential candidate member states of the EU

Every year, the government sends the House of Representatives an assessment of the progress that has been made in the accession procedure for candidate member states (and potential candidates). Strengthening the rule of law, democratic institutions, and respect for human rights are key elements of this assessment. Although progress was made in diverse areas in 2014, the pace of reform was sometimes slow. For instance, the European Commission's progress report on **Montenegro** urged this country to speed up investigations into cases of violence against journalists. In its progress report on **Serbia**, the Commission criticised the state of the media. These examples underscore the importance of the so-called 'New Method', in which the constitutional chapters 23 (Judiciary and Fundamental Rights) and 24 (Justice, Freedom and Security) are examined early in the negotiation procedure leading up to EU accession. The EU's core values are non-negotiable and should therefore be at the heart of the accession procedure.

Although human rights are firmly enshrined in the Constitution of **Kosovo**, in practice respect for these rights is haphazard. A seven-month political impasse had the effect of suspending many processes that had been launched. As part of the ongoing move towards further EU integration, however, the public and politicians alike have been looking more closely at human rights. Progress has been made in relation to freedom of expression and of religion. In spite of the launch of a national working group to promote the rights and social acceptance of the LGBT community, a social taboo still rests on this subject. Representatives of several EU embassies took an active part in the country's first LGBTI Pride Parade on 17 May 2014 (International Day Against Homophobia and Transphobia). In addition, an action plan was adopted in 2014 with a view to implementing UN Security Council Resolution 1325, although violence against women – primarily domestic violence – is still a pervasive problem. The embassy supported diverse activities, including projects to improve the living conditions and reintegration of prisoners and to support female victims of people smuggling.

The situation in **Bosnia and Herzegovina** was characterised in 2014 by social unrest. Journalists received a growing number of threats in the run-up to the national elections in October, the framework for which had previously been described as discriminatory by the European Court of Human Rights, since part of the population was denied the right to vote. Discrimination against Roma is still a problem, as are the low level of political participation among women and the position of LGBT people. The homophobic violence surrounding the LGBT film festival Merlinka in Sarajevo, in which three people sustained injuries, was particularly troubling. As part of the 'Structured Dialogue' that was launched between the European Commission and the Bosnian authorities in 2011, subjects relating to the rule of law and human rights are frequently raised. The Netherlands has observer status in this dialogue. Other activities supported by the embassy in 2014 included a project to help female war victims and one to promote objective reporting on the prosecution of persons accused of war crimes in Bosnia and Herzegovina.

Serbia made certain tentative advances in the area of human rights in the past year. A Pride Parade was held for the first time in four years, and there were no violent incidents. At the initiative of the Dutch and British embassies in Belgrade, 25 delegations sent a letter to the Serbian authorities and to Pride organisers emphasising the importance of the Parade in relation to human rights – specifically to the rights of freedom of expression and freedom of assembly. The professional approach adopted by the police and others showed that Serbia is taking the rights of the LGBT community more seriously. In spite of this success, the struggle for LGBT equality will continue to demand ongoing efforts in the future.

The elections for the National Minority Councils also took place virtually without incident. Strengthening the rule of law, combating corruption, and promoting human rights are central to Serbia's candidacy for EU membership. In addition, more must be done to improve freedom of the media. In its progress report, the Commission expressed concern about deteriorating conditions for the full exercise of freedom of expression. The Netherlands is closely following these developments and the implementation of the new media laws.

Montenegro achieved progress in the accession process in 2014, but the slow pace of reform, partly in relation to chapters 23 and 24 on the rule of law, attracted criticism. Progress is not measured solely in terms of laws and policy frameworks: concrete results and a country's track record are essential. The active examination by the Montenegrin authorities of the scope for introducing same-sex registered partnerships, the decision to host the IDAHO forum in 2015, and the successful Pride Parade held in Podgorica on 2 November are positive developments. Here, as in Serbia, the Dutch embassy took a leading role in supporting the organisation of the Pride event. The media situation needs to be addressed as a matter of priority in the negotiations on chapter 23, Judiciary and Fundamental Rights. In its progress report, the EU urged Montenegro to speed up investigations into cases of violence against journalists.

The human rights situation in **Turkey** was characterised in 2014 by growing concern about the freedom of the press, freedom of assembly, and freedom of expression. In its freedom of the press report for 2014, Freedom House downgraded Turkey's status from 'Partly Free' to 'Not Free'. The temporary closure of YouTube and Twitter, and the arrests in December of journalists and producers, among others, confirm this troubling trend. The EU High Representative and the EU Commissioner for Enlargement have expressed their concerns on this front on several occasions. At the Internet Governance Forum held in Istanbul from 2-5 September 2014, both the Dutch Special Envoy for Cybersecurity Uri Rosenthal and the then EU Commissioner Neelie Kroes emphasised the importance of freedom of expression, both online and offline. Remarks made by the Turkish president about the position of women were also disquieting. The Turkish government has spoken out against gender equality several times. Of the 136 countries that were assessed in the Global Gender Gap Report 2013, Turkey managed only a meagre 120th place. The social and legal position of LGBT people in Turkish society is another point of continuing concern. Freedom of religion is still not fully guaranteed. Although some positive steps have been taken towards the restitution of religious property to Christian congregations, much remains to be done in the area of religious freedom, as is underscored by the two judgments given against Turkey in the past year by the European Court of Human Rights in Strasbourg. In 2014 the Dutch embassy contributed to a project set up to safeguard the cultural and religious heritage of the Syrian Orthodox community in southeast Turkey for future generations.

The Netherlands has communicated its concern about the human rights situation to the Turkish authorities on several occasions, for instance during the visit of the then foreign minister Frans Timmermans in February 2014, which included talks with the then foreign minister Ahmet Davutoğlu and with human rights organisations. During the visit of the Minister for Foreign Trade and Development Cooperation Lilianne Ploumen in June 2014, talks revolved around the themes of child labour and gender in business. The embassy drew on the Human Rights Fund to support projects aimed, for instance, at promoting the political participation of women in the Marmara region and combating violence against women by improving the implementation of existing legislation. It also supported a transgender hotline, a project to chart violence against transgender women, and a project to encourage LGBT people to become active in politics, particularly local politics. One concrete result achieved by the latter was an LGBT protocol that was sent to 40 mayoral candidates. Four mayors were actually elected and are implementing this protocol.

In June 2014, **Albania** became an official candidate for accession to the European Union. Although much remains to be done in the areas of democracy, the rule of law, and human rights, the government appears to be tackling the necessary reforms in earnest. There is a great deal of work to do, particularly in relation to freedom of expression, gender equality, children's rights, and discrimination against Roma and other vulnerable groups. The legal position of LGBT people is slowly improving, although social acceptance in Albania lags far behind. One of the activities supported by the Dutch embassy, through the Matra Fund, was a project set up by the Albanian Human Rights Group to train judges in anti-discrimination legislation. By the time the project was wound down in October 2014, some 60 judges had undergone this training. The embassy also supported two projects to combat human trafficking.

Armenia adopted a National Strategy and Action Plan on Human Rights in February 2014, which was welcomed by the international community and NGOs in spite of thematic gaps and a lack of concrete indicators for implementation. In practice, little progress was made in 2014 in relation to the human rights situation. Concerns about freedom of expression persist, especially in the light of incidents involving violence against opposition members and activists. NGOs that raise socially sensitive issues, such as gender equality and equal rights for LGBT people, have been targeted by incidental acts of violence and hate speech, in some cases by politicians. The Dutch embassy drew on the Matra Fund in 2014 to finance a project aimed at strengthening small NGOs in Armenia that are active in the area of human rights. Counterpart International conducted research into the state of these NGOs and gave training courses to over 200 activists. In addition, seven small-scale projects were financed, relating to themes ranging from equal rights for LGBT people to problems with military service. Projects funded from the Human Rights Fund focused on promoting freedom of religion (see section 1.6 for more information about the current pilot project in Armenia). In this context, the Dutch embassy in Tbilisi supports an anti-discrimination project.

The human rights situation in **Azerbaijan** has deteriorated. There may be a few small rays of hope, for example the release of a few human rights defenders in October and December 2014 and the resumption of the dialogue between government and civil society in October. However, civil society remains under pressure (as illustrated by the detention of Leyla Yunus and Arif Yunusov, Rasul Jafarov, Intigam Aliyev, Anar Mammadli, Ilgar Mammadov, and Khadija Ismayilova) and restrictive NGO legislation has been introduced. The arrest of the journalist Khadija Ismayilova and the closure of the office of Radio Free Europe in December 2014 show that freedom of the press and freedom of expression are under growing strain. The Netherlands attaches importance to ongoing dialogue with the authorities in Azerbaijan about the country's human rights situation, both in bilateral contacts and at EU level. In bilateral contacts, for instance, the foreign minister pursued this dialogue when he visited Baku at the beginning of 2014. The human rights situation was also raised by the Special Representative for the Eastern Partnership in a discussion with Mahmud Mammad-Guliyev, the deputy foreign minister, in December 2014. In September 2014, the Netherlands referred to Azerbaijan in its national intervention during the part of the Human Rights Council's agenda that is devoted to discussions of the most troubling country situations. In addition, the EU issued declarations, for instance in response to arrests of human rights defenders. In the Committee of Ministers of the Council of Europe, the Netherlands was actively involved in monitoring compliance with judgments given against Azerbaijan by the European Court of Human Rights: in December 2014, for instance, in the case of Ilgar Mammadov and that of Mahmudov & Agazade. The Dutch embassy closely follows court cases involving human rights activists, and representatives attend trials where possible. These actions are coordinated with like-minded countries at EU level. In sessions of the Committee of Ministers, the Netherlands has frequently expressed its concern about the growing pressure on civil society and the restrictive NGO legislation. The Netherlands also emphasises the importance of freedom of expression and press freedom. In this connection, it pointedly reminded Azerbaijan, which held the Chairmanship of the Council of Europe from May to November 2014, of the importance of compliance with the international obligations to which the country has signed up, in particular the European Convention on Human Rights. Financing from the Matra and Human Rights Funds focused on issues including the position of human rights defenders, freedom of expression, and equal rights for LGBT people. Support was given, for instance, to a regional project of the Netherlands Helsinki Committee to assist human rights defenders in crisis situations, and to aid in capacity building, among other things to help oppose the stigmatisation of human rights defenders.

In June 2014, **Georgia signed** an Association Agreement with the European Union, in which human rights are a core issue. At the same time, new antidiscrimination legislation entered into force, and the country adopted a National Human Rights Strategy and Action Plan. In terms of implementation, there are concerns about religious tolerance towards ethnic and religious minorities, gender equality, domestic violence, and equal rights for LGBT people. The independence of the Public Prosecution Service also remains an area of concern. Because of security concerns, the LGBT movement did not dare to organise any events in 2014 to mark International Day Against Homophobia and Transphobia (IDAHOT). The Dutch embassy supported projects relating to the position of human rights defenders, equal rights for LGBT people and women, and religious freedom, among others. After the new government took office following parliamentary elections in 2012, legal action was taken against a number of former high-ranking officials for abuse of power.

In its bilateral talks with the Georgian authorities and at EU level, the Netherlands regularly emphasises the importance of fair and transparent legal proceedings. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) observed 14 trials of former high-ranking officials in 2013 and 2014 at the invitation of the Georgian government (partly financed by the Netherlands from its Matra Fund). In its final report, issued in December 2014, ODIHR concluded that on account of a number of shortcomings 'respect of fair trial rights . . . was not fully guaranteed by the Georgian criminal justice system.'⁴⁹ Georgia has accepted the report's recommendations and is devoting considerable attention to ongoing reforms of the justice system, with the support of the EU and of the Dutch embassy in Tbilisi (through Matra funds).

Kazakhstan continued to display a downward trend. Although some positive developments were noted in criminal law legislation and social human rights, fundamental rights such as freedom of expression, association and assembly came under further pressure. Such opposition as still exists has been marginalised, and independent media operate with difficulty. Key factors in this regard were the developments in Ukraine and the impact of the continuing advance of ISIS, partly with the aid of fighters from Kazakhstan, which has led the government to place more emphasis on the need to maintain the country's internal stability. For the same reason, the treatment of so-called 'non-traditional' religious groups has deteriorated, as the UN Special Rapporteur on freedom of religion or belief reported after visiting Kazakhstan. The then Dutch foreign minister Frans Timmermans drew attention to the position of human rights defenders when he visited Kazakhstan. In the Universal Periodic Review of this country in October 2014, the Netherlands recommended that independent international experts be given access to detention facilities, in order to monitor whether the country is complying with international standards in this regard. The Dutch embassy supported projects relating to human rights defenders, religious freedom, freedom of expression, equal rights for LGBT people, and human trafficking, among others.

The human rights situation in **Ukraine** deteriorated dramatically in 2014. The conflict between rebel troops and government forces in the east of the country led to grave human rights violations in that region, claiming many civilian casualties. Russia's annexation of Crimea was an unacceptable violation of Ukraine's sovereignty. The Netherlands is concerned about the rapid deterioration in the human rights situation in Crimea, especially in the position of Crimean Tartars, and will continue to highlight this issue in international forums. These troubling developments contrast sharply with the democratic reforms and the strengthening of fundamental freedoms and human rights that were announced by the new government in Kyiv in 2014. For instance, the antidiscrimination legislation and the law on access to public information were amended, and there appears to be no censorship or restriction of media freedom. The government's announcement that it was setting up a Ministry of Information to counter Russian propaganda, however, was met with criticism from media organisations. There are also grave concerns about the safety of journalists. The Dutch embassy drew on the Human Rights Fund to support projects including efforts by the All-Ukrainian Foundation for Children's Rights to protect children's rights in the context of the armed conflict in Ukraine. It also supported the NGO Podilska Legal League, set up to provide legal aid for women, and to increase knowledge and awareness of domestic violence and women's labour rights.

The human rights situation in **Russia** deteriorated further in 2014. Legislation was rapidly adopted or tightened up, placing further constraints on civil liberties, civil society, and press and internet freedom. The 'foreign agent' label was attached to more and more NGOs – without the intervention of the courts – because they receive funding from abroad and allegedly conduct 'political activities'. Formally speaking, these organisations can continue their work, but with considerably more restrictions, and they face fines if certain conditions are not met. In addition, it is very time-consuming for human rights NGOs to defend themselves against being labelled as 'foreign agents'. The introduction of legislation prohibiting the public promotion of 'non-traditional sexual relations' among minors (the 'anti-gay propaganda law') led to the further stigmatisation of LGBT people. The extent of foreign ownership in the Russian media has been further reduced and the Russian authorities are monitoring the internet and social media ever more closely. The human rights situation in the northern Caucasus also remains a cause for concern.

When the Dutch Prime Minister Mark Rutte visited Sochi during the Winter Olympics in February 2014, he met with representatives of Russian human rights organisations. In his talks with President Putin, the prime minister raised the subject of human rights and expressed his concern about issues including the position of LGBT people in Russia.

⁴⁹ <http://www.osce.org/odihr/130676?download=true>.

The Dutch sports minister attended a thematic meeting about sport and human rights in Sochi, and drew attention to these issues in several meetings. She also attended the Russian Open Games on 28 February and 1 March 2014, an event organised by the Russian LGBT sports federation. The Dutch embassy in Moscow and the consulate-general in St Petersburg actively maintain a network of contacts involved in the promotion of human rights, take part in activities, and monitor trials relating to human rights. The embassy also helps to promote human rights in Russia through the Human Rights Fund, with projects focusing on issues including freedom of expression, the protection of human rights defenders, equal rights for LGBT people, and corporate social responsibility.

The six-monthly human rights consultations between the EU and Russia serve as an important instrument in helping to sustain dialogue with Russia about the human rights situation, but earlier rounds have not gone smoothly. After the eighteenth round of the dialogue in November 2013, talks were therefore held on how to structure this dialogue more effectively. No consensus could be reached about this with Russia, as a result of which the dialogue was suspended after the last round in November 2013 and did not take place in 2014. It remains extremely important to resume these consultations.

The human rights situation in **Belarus** also failed to exhibit any improvements in 2014. Human rights defenders continued to be intimidated and independent journalists prosecuted throughout the year. In addition, three death sentences were carried out in 2014, and in spite of the positive signal of the release of the human rights defender Ales Bialiatski, a number of prominent political prisoners are still in detention. The freedom of the press deteriorated further: new legislation has made all internet communication subject to government censorship. The websites of the leading independent media that provided information about the financial crisis in Russia and Belarus were temporarily blocked. Restrictions on the right to peaceful association and assembly remained in place. Acts of intimidation and the breaking up of demonstrations led to an increase in the number of arbitrary 'preventive' arrests, primarily of political activists. The expulsion of the Russian judge Lena Tonkacheva, who spent years trying to improve the human rights situation in Belarus, is yet another example of the continuing intimidation of human rights defenders. The local elections in March were marked by violations of the OSCE norms for free and democratic elections and were in breach of Belarusian legislation. The government did however take certain steps relating to the promotion of the Belarusian language and making it possible for NGOs to hold seminars and conferences in public spaces.

The Dutch embassy in Poland – which also serves Belarus – conducts regular talks with the foreign ministry in Minsk, during which the Dutch focus attention on the human rights situation in the country. In addition, the embassy, in cooperation with the authorities in The Hague, urges coordinated action at EU level. Dutch representatives visit certain projects, thus implicitly supporting various groups in civil society: media, human rights defenders, LGBT activists, political prisoners and their families. The embassy uses its network to assess developments in the area of human rights. It remains in permanent consultation with other international donors and implementing agencies. To mark the OSCE's 'Human Dimension Implementation Meeting', the Human Rights Ambassador visited Warsaw, and spoke to Polish and Belarusian NGOs. He also gave an interview to the independent radio station European Radio for Belarus.

Countries within the European Union

Although the human rights situation in the **Baltic countries** is in general satisfactory, a few concerns remain. For instance, the national implementation of EU human rights directives (e.g. in relation to equal treatment and protection against hate crimes) is proceeding slowly, and conditions in refugee centres as well as the legal aid provided to asylum seekers are in need of improvement. In addition, the social acceptance of LGBT people lags behind other European countries. **Lithuania** has legislation prohibiting the dissemination of information that could be harmful to minors. This is taken to include information about homosexuality. In **Estonia**, on the other hand, parliament has adopted new legislation allowing same-sex registered partnerships. In both **Latvia** and Lithuania, problems sometimes still arise with overcrowded prisons and the poor treatment of prisoners. In addition, Latvia (and to a lesser degree Estonia) still has a large group of 'non-citizens': people who have no nationality and therefore do not have full political rights (e.g. the right to vote in national elections). The Netherlands' Baltic mission collaborated with Germany, Finland, and Denmark to organise a series of three seminars in Riga, Vilnius and Tallinn on the Rule of Law Initiative in the EU. The seminars were devised to gain wider support for this Dutch priority among the governments of the Baltic countries.

The embassy in Lithuania supported the screening of a film about equal rights for LGBT people followed by a panel debate. The Netherlands' Baltic mission took the initiative to visibly mark the International Day Against Homophobia and Transphobia (IDAHOT) by raising the rainbow flag at the three embassies and official residences on 17 May, and several like-minded countries followed suit. The embassy in Riga drew attention to the problems in Latvian prisons (violence, overcrowding, poor conditions) and to the importance of reintegrating prisoners in a documentary and a series of articles in the Latvian media by ReBaltica, a network of local journalists supported by the Dutch embassy that promotes independent investigative journalism. The Netherlands also supports a multi-year project of the Baltic Human Rights Society, which aims to establish an easily accessible human rights internet portal. The Dutch foreign minister gave a speech at the Freedom Online Coalition conference in Tallinn (April 2014).

In **Bulgaria**, the increase in xenophobia, hate speech and violence in relation to the growing numbers of refugees and minorities such as Turkish and Roma groups, in particular, gives rise to concern. In addition, the freedom of the media is under pressure. Conditions in prisons are frequently substandard, as emerged from an alarming report published by the Council of Europe. As part of its drive to promote human rights, the Dutch embassy supported a meeting to discuss tolerance and marginalisation as part of Pride Week in Sofia (16–21 June). It also organised a screening of *Dangerous Acts Starring the Unstable Elements of Belarus*, a Movies that Matter film, followed by a discussion with human rights defenders, students and others.

In 2014, **Germany** commemorated the fall of the Wall, 25 years previously. Throughout the country, the opportunity was seized to highlight the human rights violations that had taken place in the German Democratic Republic. When the Ministers of Foreign Affairs, Foreign Trade & Development Cooperation, and Security & Justice visited Berlin, the subjects raised included the international protection of human rights, for instance the struggle against impunity and for the rights of women and girls, as well as social rights. On 19 June a public debate was organised at the Dutch embassy on the acceptance of LGBT people in sport, especially in the world of soccer. The speakers included the former German professional soccer player Thomas Hitzlsperger and the chair of the Sports Committee of the German Federal Government. On the International Day for the Elimination of Violence against Women – and by way of preparing for International Human Rights Day – a public meeting was held with the Ethiopian women's rights lawyer Meaza Ashenafi on 25 November, in collaboration with the German women's rights organisation Terre des Femmes at the embassy in Berlin. The meeting was followed by a debate with Ms Ashenafi about her vision for the development of women's rights in Africa.

France has a mature, lively debate about human rights, which was also visible in 2014. France's ambition is to participate actively in promoting respect for fundamental rights, not just in France but worldwide. Prompted by events in the Middle East in the summer of 2014 and efforts to prevent people from leaving the country to pursue Jihad, several passionate demonstrations and debates took place in France. Debates centred on subjects such as the degree to which individual freedoms (e.g. internet freedom) may be restricted or subject to surveillance. Fundamental human rights are enshrined in French legislation and regulations, and respect for these rights is safeguarded in everyday life. France continues to work on improving the conditions of detainees and the prison system, in which it sometimes falls short of international norms. On 28 June 2014 the Dutch embassy became the first to officially take part in *Marche des Fiertés* (Parisian Gay Pride). Anne Hidalgo, the mayor of Paris, and representatives of the Dutch community also participated. For International Human Rights Day, the Netherlands cooperated with the French foreign ministry to support a French NGO, Solidarité Internationale LGBT, which is setting up a Francophone LGBT network. LGBT activists from Francophone Africa (DRC, Algeria, Tunisia, Burundi, and Senegal), Canada and France gathered together in invitation-only workshops and laid the foundations for the network.

There were no substantial changes to the human rights situation in **Greece** in 2014. Large numbers of asylum seekers and migrants still head for Greece. The quality of reception, detention, and access to asylum has been improved, with the implementation of the national action plan for asylum and migration, but further improvements are needed. As a result of the financial crisis, conditions in Greek prisons have deteriorated still further, with overcrowding, poor hygiene, and limited access to healthcare for Greek and foreign prisoners alike. The consequences of the crisis for the social and economic rights of the Greek population continue to attract harsh criticism. Unemployment remains high, at over 25%, with little prospect of any improvement in the short term. Poverty has greatly increased, and more and more children, too, are now living below the poverty line.

The crisis also impacts on the quality of the health system and the access of unemployed people (who lose their insurance) to medicine and doctors. In 2014, 11 embassies took part in Athens Pride, after embassies had first taken part in this event in 2013, at the initiative of the Dutch embassy. This participation was very heartening for Greek LGBT organisations, which greatly appreciated the international support. In November an international conference on sex education was held at the embassy, organised by the Greek NGO Lesbian and Gay Community of Greece (OLKE). The embassy also organised a breakfast meeting in 2014 on the theme of the use of social media by human rights organisations, to which 10 representatives of NGOs were invited.

The human rights situation in **Hungary** is marked by a number of troubling developments, as described in the report of the High Commissioner for Human Rights of the Council of Europe, which was published on 16 December 2014. Around the national elections of April 2014, in which the governing party Fidesz again won a two-thirds majority, the OSCE expressed its concern about issues including restrictions on political advertising, biased reports in the media, and politically biased changes to the electoral system. It should be added that the government has since lost its two-thirds majority, following two by-elections. Hungary has taken a minimalist approach to implementing judgments given by the European Court of Human Rights and the Court of Justice of the European Union concerning religious freedom, data protection, and the independence of the judiciary. A number of civil society organisations supported by Norwegian funds were subjected to extensive police investigations of alleged abuses in 2014, creating the impression that the NGOs were being subjected to undue pressure. No prosecutions have resulted thus far from these investigations. Freedom of the press and government influence on part of the media remain a cause for concern, although an earlier discriminatory tax on advertising has since been repealed. The situation of minorities such as Roma, asylum seekers and homeless persons is also an ongoing cause for concern. The number of homeless persons is growing, and insufficient shelter is provided; the homeless live far below subsistence level, which constitutes a violation of their human dignity. The enormous increase in the number of refugees (largely from Kosovo) and the related problems of their status and reception are also worrying. The Dutch embassy was one of the partners in the Verzio film festival, together with the Open Society Foundation, IDFA, and Open Society Archives. Three Dutch films were among those shown at the festival, their subject matter including the genocide in Rwanda and communism. Other controversial documentaries focused on human trafficking and enforced prostitution and the criminal trial of persons accused of racist murders of members of the Roma community in Hungary. The festival combined the screenings with educational programmes for young people and discussions before and after the documentaries. The embassy also organised various activities in 2014 to mark Holocaust Remembrance Year. For instance, it supported the publication and distribution of Hungarian translations of two educational books about the Second World War and the Holocaust. As part of a project to modernise the diplomatic service, a regional pilot project on the rule of law was launched in October 2014. This project includes Hungary, as well as the Balkan states and Romania, Moldova and Bulgaria.

The overcrowding in the prison system in **Italy** and the continued detention of suspects together with convicted criminals remain major challenges to the Italian authorities. Partly as a result of the large influx of migrants reaching Italy by boat, conditions in reception and detention centres leave much to be desired. Italy acknowledges this problem and has set up a parliamentary committee of inquiry to investigate the care of immigrants. Partly because of the poor conditions, refugees try *en masse* to continue their journey to other parts of Europe. This picture is confirmed by data published recently by the Ministry of the Interior. Of the approximately 170,000 immigrants who arrived in Italy in 2014, 'only' 64,886 requested asylum there. This breaches the Dublin Regulation, which provides that asylum must be requested in the first country of entry in the EU. In addition, Italy has a slow and inefficient legal system. Where equal rights for LGBT people are concerned, Italy lags behind the rest of the EU. For instance, it does not recognise any form of same-sex partnership. The Renzi government has announced reforms, in relation to both the justice system and LGBT equality, but without any concrete results thus far. The mayors of a number of cities, including Naples and Rome, have since started registering same-sex cohabitation contracts and recognising marriages concluded outside Italy. In the Universal Periodic Review of Italy in October 2014, the Netherlands urged Italy to fulfil prime minister Matteo Renzi's pledge to introduce legislation to recognise same-sex partnerships. It also recommended improvements to the asylum procedure upon arrival, especially in relation to minor asylum seekers. In 2014 the embassy contributed to a series of exhibitions, forums and commemorative meetings in diverse Italian cities focusing on the Dutch Jewish philosopher Etty Hillesum (1914-1943), who died in Auschwitz.

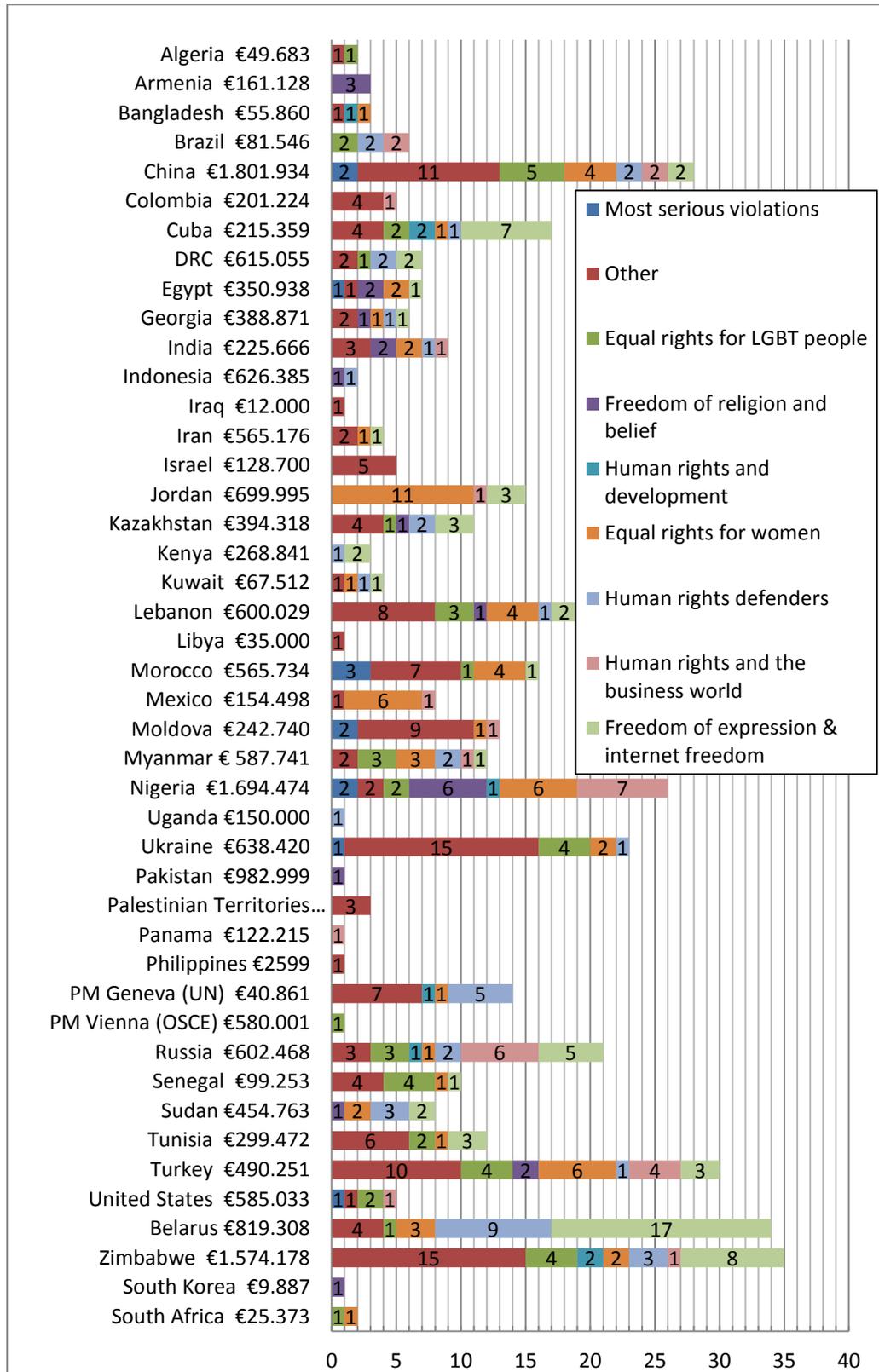
In **Spain**, too, migrants' rights are a continuing cause for concern, particularly in the autonomous Spanish enclaves of Ceuta and Melilla, on the Moroccan border. At least 14 people died in 2014 as a result of the harsh actions of the border police against migrants trying to reach the enclaves by boat across the Mediterranean Sea. This provoked criticism of Spain from European Commissioner Cecilia Malmström, among others. In April 2014 the UN criticised Spain's new health care legislation, which excludes illegal immigrants from medical care. In 2014, the Spanish government introduced an amendment to the Law for the Protection of Citizens' Security, despite protests from the opposition and among the Spanish population. This amendment restricts the freedom to demonstrate, and makes it easier to arrest and punish individuals and organisations that hold protests without prior notification. The law also includes an amendment that makes it possible to expel illegal migrants without any judicial process. This amendment has attracted a great deal of criticism from the EU and NGOs, since it is in breach of international conventions. Spain has a progressive policy on LGBT people. The Dutch embassy once again took part in Madrid's Gay Pride event (Orgullo Gay) in 2014.

In relation to **Poland**, international human rights organisations primarily point to violations relating to combatting terrorism. This springs from the case of the so-called CIA prisons: the European Court of Human Rights ruled that after the attacks of 11 September 2001, Poland had been complicit in the unlawful transfer, secret detention, and torture of two terrorism suspects. Alexander Kwaśniewski, who was then president of Poland, confirmed the existence of such a prison in 2014, in response to the publication of a report by the Senate Intelligence Committee. In addition, sexual and reproductive health and rights remain a cause for concern: Poland is one of a number of European countries that severely restricts access to abortion. There has been no change in Poland's policy on the limited access to safe, legal abortion, and sex education. Much remains to be done to secure equal rights for LGBT people. The LGBT community is fighting for legislation to recognise registered partnerships in Poland. In June the Dutch embassy joined with almost all EU member states and a number of other countries in signing a declaration in support of the Warsaw Equality Parade. Representatives of the Dutch embassy and many others also joined the Parade. On 11 September 2014, the Campaign against Homophobia joined forces with the Dutch embassy and the Flemish Representation to organise a public debate about the emancipation of LGBT people and the role of public figures in achieving it.

As an EU member state, **Romania** possesses a sound statutory framework, formally speaking, to guarantee and promote human rights. In practice, however, things are often different. Problems with the administration of justice (uniformity of case law, a lack of expertise and capacity) and a weak and passive government (especially at local level) hamper essential progress in human rights. Thus, discrimination against minorities is still a real problem. Romania has large Hungarian and Roma ethnic minorities. For ethnic Hungarians, the main concern is safeguarding the linguistic and cultural rights that were agreed in the early 1990s. Roma have an extremely weak position relative to others, and encounter deep-seated discrimination. The social acceptance of LGBT people, too, lags far behind the European average; the negative attitude of the Romanian Orthodox Church serves to reinforce the taboos that surround sexual orientation and gender identity. With a series of activities for the public, the embassy supported the debate on discrimination against and the exclusion of Roma.

In 2014, the **United Kingdom** continued to debate the country's possible withdrawal from the European Convention on Human Rights and Fundamental Freedoms. It also failed to implement the judgment (which the UK deems unjustifiable) given by the European Court of Human Rights in Strasbourg against the UK's blanket ban on convicted prisoners in detention voting in elections. The first same-sex marriages were concluded in England and Wales on 29 March 2014; Scottish couples have been able to follow suit since December. Northern Ireland has no plans as yet to introduce same-sex marriage. British and international human rights NGOs expressed their concern in 2014 about the new counterterrorism laws proposed by the UK, which would make it possible, among other things, to temporarily confiscate the passports of terrorism suspects or to strip persons with dual nationality of their British citizenship. From 10 to 13 June 2014, the Dutch embassy joined forces with Chayn (a voluntary organisation that uses digital solutions to combat sexual violence) and MakeSense (a network of social entrepreneurs) to organise a diplohack (#EndSVCHack) in the margins of the Global Summit to End Sexual Violence in Conflict. At this event, diplomats, digital and other technology developers and experts met to devise practical digital solutions to combat sexual violence in conflict zones.

Appendix 1: List of projects financed with delegated funds from the Human Rights Fund



Appendix 2: Interim Evaluation of the Pilot Project on the Receptor Approach