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Netherlands, The

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The Kingdom of the Netherlands, with a population of approximately 16.3 million, is a constitutional monarchy with a bicameral parliamentary legislative system consisting of the First Chamber, whose members are indirectly elected by the country's 12 provincial councils, and the Second Chamber, whose members are elected by popular vote. Elections held in November 2006 were free and fair. A prime minister and a cabinet representing the governing political parties (traditionally a coalition of at least two major parties) exercise executive authority. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens, and the law and judiciary provided effective means of addressing individual instances of abuse. There were reports of societal discrimination and violence against some religious and ethnic minorities, violence against women and children, and trafficking in women and girls for sexual exploitation.

Aruba and the Netherlands Antilles are two semiautonomous countries of the Kingdom of the Netherlands; they also feature parliamentary systems and full constitutional protection of human rights. In practice respect for human rights in these islands generally was the same as in the European Netherlands; however, conditions in the islands' prisons remained substandard in some respects.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Prison and detention conditions in the Netherlands generally met international standards. Shortcomings, particularly overcrowding, continued to exist in the Netherlands Antilles and Aruba; however, authorities continued to improve the staffing and capacity of prisons in both of these territories. A pilot project employing house arrest for selected inmates continued; new women's and juvenile sections opened at the correctional institute in Aruba, and the detention center in Bonaire was renovated. Several shootings and other violent disturbances took place among inmates of the Bon Futuro Prison on Curacao. Prison guards went on strike three times over labor conditions.

The government permitted visits by independent human rights observers in all three territories; however, no such visits occurred during the year.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions in practice.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the regional police forces, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest and Detention

Police officers, acting under the authority of the public prosecutor, conduct criminal investigations. Arrests must be ordered by prosecutor or senior police officer. Authorities must promptly inform detainees of the charges against them. Police may question suspects for a maximum of 12 hours and may detain a suspect for up to three days (with possibility of extension of three days in cases of "urgent necessity") by order of the public prosecutor without the permission of a magistrate; within four days, however, police must bring detainees before an examining magistrate for questioning. This magistrate also decides whether the detention may be extended and reviews the validity of continued detention every 30 days. Prolongation depends on progress in the preliminary investigation.

Defendants have the right to have their attorneys present during questioning; however the UN Committee Against Torture (CAT) expressed concern that persons in police detention may not have access to legal assistance during the initial period of interrogation. If the prosecutor believes an investigation is necessary, he must request a preliminary judicial inquiry from the investigative judge, who then assumes responsibility over the investigation. Authorities respected these rights in practice. There is no provision for bail.

Legislation that entered into effect in February modified some of these procedures in terrorism-related cases, permitting authorities to hold suspected terrorists up to 14 days if there is a "reasonable suspicion" of terrorist involvement.

In May CAT criticized the excessive length of pretrial detention and the high number of nonconvicted detainees in Aruba and the Netherlands Antilles.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected judicial independence in practice.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Trials are public. Juries are not used. The law requires that defendants be fully informed about the proceedings at every stage. In criminal trials the law provides for prompt access to counsel (inexpensively for persons with low incomes), the presumption of innocence, and the right to appeal. The government respected these rights in practice. Antiterrorism legislation, known as the Protected Witness Act, that took effect in November 2006, establishes special procedures permitting an examining judge to assess the reliability of official intelligence reports without exposing the identities of intelligence officers or releasing confidential intelligence information to the public. It enables intelligence officers to testify as "protected witnesses."

The CAT expressed concern that, in the Netherlands Antilles, a lawyer is allowed to be present during interrogation only with the prior authorization of a magistrate. Procedures and rights were the same or similar in Aruba and the Netherlands Antilles, where they were generally respected in practice.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. Lawsuits for damages related to a possible human rights violation may be brought before the regular court system or specific appeal boards. There were no problems enforcing domestic court orders.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected this prohibition in practice. Prior approval by a prosecutor is required for the use of most surveillance techniques, such as wiretapping or the use of undercover agents, in ordinary criminal or terrorist investigations.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

It is a crime to engage in public speech that incites hatred, discrimination, or violence against persons because of their race, religion, convictions, gender, sexual orientation, or handicap, and the government prosecuted several cases during the year. The prosecutor's office reviewed 46 cases on these grounds in 2006. The government urged prosecutors and police to give proper attention to incidents of discrimination.

In October 2006 the nongovernmental organization (NGO) Reporters Without Borders described the country as one in which there had been no recorded censorship, threats, intimidation, or physical reprisals targeting journalists.

Internet Freedom

There were no government restrictions on access to the Internet. Individuals and groups could engage in the peaceful expression of views via the Internet, including by email. Over 85 percent of the population had access to the Internet.

During the year authorities took measures to deal more effectively with incitement to discrimination on the Internet. Intensified efforts by the National Discrimination Expertise Center (LECD) resulted in the arrest and conviction of 11 administrators of or participants in right−wing extremist sites for discrimination or incitement to hatred, and more arrests were expected.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice. There were no reports that the government attempted to limit the freedom or exercise of religion during the year.

Despite calls by the parliament in 2006 for the authorities to ban face coverings worn by some Muslim women, the government did not impose restrictions on religious dress. Prevailing jurisprudence was that any restriction on wearing headscarves in schools and places of employment should be limited and based on security or other narrow grounds. In practice, headscarves were permitted almost everywhere, including in schools. The new government stated in February that it was willing to consider banning "face-covering clothing in the interest of public order and safety" without reference to religious practices, but did not take any action.

Societal Abuses and Discrimination

Muslims faced continuing societal resentment. Major incidents of violence against Muslims were rare, but minor incidents, including intimidation, brawls, vandalism, and graffiti with abusive language were common. On July 21, for example, the police in Haarlem arrested five persons, aged 16-21, on suspicion of throwing Molotov cocktails at a mosque the day before (the action did not damage the mosque). Small groups of young Muslims and youths identifying themselves as "native Dutch" were responsible for most instances of violence. A number of offenders were arrested, prosecuted, and convicted.

A number of outspoken politicians, mainly from the right, openly argued that Islam was incompatible with Dutch traditions and social values. Geert Wilders, whose Party

of Freedom won nine seats in the November 2006 general elections on an anti-immigrant and anti-Islam ticket, was the most prominent of several politicians seen as encouraging public opinion against Muslims by claiming that Islam preached violence and hatred.

The government continued a comprehensive outreach campaign to counter anti−Muslim sentiments and right-wing nationalism, including a $38 million (approximately 26 million euro) grant over four years for programs in both neighborhoods and schools. Authorities stressed their conviction that the majority of Muslims fit comfortably into Dutch society. At the same time, the government made clear that it would combat groups espousing violence in support of an Islamist extremist agenda. These efforts raised public awareness and triggered debate, but concerns about the policy's effectiveness remained.

The population included approximately 45,000 Jews. Anti-Semitic incidents continued to occur during the year, including verbal threats, cursing, and desecration of monuments and cemeteries. For example, a Jew wearing a yarmulke was pushed off of his bike by Moroccans in Amsterdam on January 10. Another Jew in Amsterdam wearing a yarmulke was repeatedly cursed at by Moroccan youths saying that "Jews should be gassed." On November 28, during massive protests against long school hours, some school children in the town of Leiden chanted "Hamas, Hamas, Jews should be gassed," prompting the police to make four arrests on charges of creating a public disturbance. Certain small groups opposed to Israeli policies in the Occupied Territories, such as the Arab European League and the Stop the Occupation Movement, frequently used seemingly anti-Semitic language and images to express their views. The two groups responsible for most anti-Semitic incidents were North Africans in sympathy with Palestinians and supporters of right-wing extremist ideologies.

Anti-Semitism among right-wing extremists appeared to increase during the year. The independent Registration Center for Discrimination on the Internet described several hundred right-wing Web sites as extremist, including those of Stormfront.org, Polinico, National Alliance, and Holland Hardcore. The sites targeted not only Jews but also Muslims, blacks, and homosexuals.

Extreme right-wing anti-Semites expressed themselves primarily by vandalizing Jewish buildings and monuments, and the Center for Information and Documentation on Israel (CIDI) expressed concern about the sharply increased vandalism of monuments and desecration of cemeteries. Dozens of such incidents were recorded during the year.

The CIDI, which frequently criticized what it regarded as inadequate prosecution of anti-Semitic manifestations, reported considerable improvement during the year. However, CIDI called for even stronger government action against anti-Semitic Internet sites, describing the Internet as one of the main sources for dissemination of anti-Semitic and racist ideologies. On March 1, the government opened a new cybercrime Web site through which citizens can report radical statements and hate e−mail.

The government continued to condemn anti-Semitism and to work with NGOs to combat it.

It is a crime to engage in public speech that incites hatred, discrimination, or violence against persons because of their race, religion, convictions, gender, sexual orientation, or handicap, and the government prosecuted several cases during the year. The government urged prosecutors and police to give proper attention to incidents of discrimination, which included discrimination on religious grounds. The government also took measures to deal more effectively with discrimination and incitement to hatred on the Internet. Intensified efforts by the LECD resulted in the arrest and conviction of 11 administrators of, or participants in, right-wing extremist sites on grounds of discrimination, and more arrests were expected. Critics, however, charged that law enforcement agencies could still do considerably more.

For a more detailed discussion, see the *2007 Report on International Religious Freedom*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The laws provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

The law prohibits forced exile, and the government did not employ it.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. The government remained committed to providing protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution; however, some observers asserted that some of the government's procedures placed persons at risk of refoulement. The authorities provided economic assistance to those whom it denied asylum and who chose to return home voluntarily.

Authorities denied asylum to persons who came from a so−called safe country of origin or who resided for some time in a safe country of transit. European Union guidelines were used to define such countries. NGOs, including Amnesty International, and the UNHCR, raised cases in which protection from refoulement appeared to have been violated and called for stricter policies to prevent refoulement, which the authorities promised to investigate. These charges also drew intense political scrutiny and gave rise to parliamentary hearings that reversed or delayed government proposals to return asylum seekers from central and southern Iraq, as well as homosexuals and Christian converts from Iran.

In May the CAT expressed concern that asylum procedures did not allow asylum seekers enough time to substantiate their claims and consult an attorney, which could lead to a violation of the principle of nonrefoulement. That same month, the European Court of Human Rights (ECHR) also criticized the "excessive formalism" of the country's asylum procedures and called for a more generous assessment of asylum requests that takes into account reports produced by human rights nongovernmental organizations (NNNGOs), such as Human Rights Watch. The ECHR also criticized the requirement that the claims of each asylum seeker be adjudicated individually based on individual circumstances. In the court's opinion, membership in a persecuted minority should be sufficient grounds to grant asylum. After review, however, the government concluded that an asylum seeker should continue to be required to demonstrate that he or she would personally face risks if deported.

In February, responding to widespread criticism that previous governments had failed to adjudicate the asylum requests of over 32,000 persons from 2000 and earlier, the new government announced a general amnesty for this group.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. These constitutional rights also apply to the Netherlands Antilles and Aruba, where they were also exercised in practice.

Elections and Political Participation

Parliamentary elections, held in November 2006, were free and fair.

Political parties operated without restriction or interference. In 2006 a court order prohibited the government from subsidizing the orthodox Protestant Political Reformed

Party (SGP), which did not accept female members on theological grounds. The SGP responded by permitting women to become party members and authorities reinstituted the subsidy. However, the SGP continued to deny women the right to run for office, and several NGO's appealed, arguing that the party must allow women to run for office. The SGP responded that to do so would interfere with freedom of religion and freedom of association, and that the party's female members were not seeking to run for office. On December 21, The Hague Appellate Court ruled that the SGP was in violation of the Convention on the Elimination of All Discrimination against Women and that the government was therefore obliged to take action to force SGP to change its policy. Both the SGP and the government filed an appeal against this ruling with the Supreme Court.

There were 56 women in the 150-seat Second Chamber of parliament, five female ministers in the 15-member cabinet, and six women among the 11 junior ministers. Women also held positions in the parliaments and cabinets of the Netherlands Antilles and Aruba.

There were approximately 15 members of ethnic minorities--Turkish, Moroccan, Surinamese--in the 150-seat Second Chamber of parliament. Two junior ministers in the cabinet are Muslims of Turkish and Moroccan background.

Government Corruption and Transparency

The law provides for criminal penalties for official corruption, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year.

There were press reports of corruption among some working-level law enforcement personnel at Schiphol airport, but the problem was not believed to be widespread or systemic. In September three Schiphol customs officers were arrested on suspicion of cocaine trafficking.

The government pursued an active anticorruption policy coordinated by the Internal Affairs Ministry's Bureau for Promotion of Integrity of the Public Sector. The National Criminal Investigation Service coordinates investigations under supervision of the national prosecutor for corruption.

There were no laws requiring officials to make financial disclosures.

The law provides for public access to government information, and authorities generally respected that right for both citizens and noncitizens, including foreign media. Those seeking information could appeal any refusal to the regular courts. Disputes occasionally arose in court over the scope of the government's right to withhold information based on the public interest. For example, there were disputes as to whether certain classified internal memos should be released.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

The government has a long tradition of hosting international legal tribunals, including the International Court of Justice, the International Criminal Tribunal for the former Yugoslavia, the International Criminal Court, and the headquarters of the International Criminal Tribunal for Rwanda.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, political preference, sexual orientation, and social status. The government generally enforced these prohibitions; however, violence against women and children, trafficking in persons, and discrimination against ethnic minorities, were problems.

Women

Rape, including spousal rape, is a criminal offense, and the government effectively prosecuted those accused of such crimes. The penalty for rape is imprisonment not exceeding 15 years or a fine. The maximum sentence for marital rape is eight years' imprisonment.

Domestic violence was the most prevalent form of violence in society. According to a fact sheet issued in April by the Ministry of Justice, 45 percent of the population has experienced domestic violence at some point in their lives. Of these, 10 percent reportedly experienced some form of physical, sexual, or mental abuse on at least a weekly basis, and 4 percent were raped. According to police records, approximately 80 percent of victims were women. Police estimated that approximately 12 percent of these cases were reported to police.

Spousal abuse carries a penalty one-third more severe than ordinary battery. Police records indicate that approximately 3 percent of the cases reported to police resulted in arrests.

The national organization Movisie (formerly TransAct), supported by the government, assisted victims of domestic violence and those investigating and prosecuting related crimes. The government subsidized shelters for battered women. In April the government launched a public information campaign against domestic violence. The increased focus resulted in a 10 percent increase in the number of incidents of domestic violence reported to the police between 2005 and 2006.

There were no statistics on honor killings during the year, but 279 cases of honor-related violence were reported in The Hague region alone in 2006. A government program to combat honor-related violence, begun in May 2006, continued. Authorities allocated approximately $18.2 million (13 million euros)) to the program, which is focused on social prevention, protection and criminal prosecution.

Prostitution is legal for persons who are at least 18 years of age and engage in the practice voluntarily. The Public Morality Act penalizes Dutch nationals who abuse minor children in foreign countries, even if the offense is not a crime in the country where it takes place.

The law requires employers to take measures to protect workers from sexual harassment. While there were no recent statistics on its prevalence, a 2003 study showed that 5.3 percent of female workers were sexually intimidated in the workplace. The government funded an ongoing public awareness campaign and has taken measures to counter harassment among civil servants, but no information was available about its effectiveness.

Under the law women enjoy the same rights as men, including rights under family law, property law, and in the judicial system.

Approximately 59 percent of women were employed, nearly two-thirds of whom worked part time, often because of an inadequate number of daycare facilities. The government was taking measures to make daycare more accessible. Female and male unemployment rates were 6.8 and 4.5 percent respectively. The Ministry of Social Affairs and Employment reported that women experienced a higher rate of unemployment, had fewer chances for promotion, and held lower-level positions than men, primarily because they more often worked part time. According to the ministry, women working in the private sector earned an average of 18 percent less than men, up from 23 percent less in 2006; however, when adjusted for level of experience and expertise required for the jobs, the differential was 7 percent.

The government provided affirmative action programs for women, and collective labor agreements usually included provisions to strengthen the position of women. An

official Equal Treatment Commission investigated complaints of discrimination against women.

Children

The government worked to ensure the welfare of children through numerous, well-funded health, education, and public information programs.

Education is compulsory, free, and universal, and mandatory attendance is enforced. In August the compulsory education act was amended, raising the age for compulsory attendance from 16 to 18 years. The act requires students in vocational education to reach a minimum level of job skills. The government hoped this approach will reduce the number of students leaving school before graduation by 19,000 per year.

Boys and girls had equal access to state-provided medical care.

Child abuse was a problem. In an April study, Leiden University concluded that more than 100,000 children were victims of abuse. Many of them had been physically or emotionally neglected. The study estimated that 4,700 children had been sexually abused; and 19,000 had suffered from physical abuse. Experts estimated that approximately 50 to 80 children died each year from some form of abuse. Despite increased government funding to the Council for the Protection of Children, there still were long waiting lists for assistance.

The law prohibits female genital mutilation (FGM). While the government's National Public Health Council estimated that at least 50 girls a year underwent FGM, the FGM Committee established by the Ministry of Health claimed that the number was much higher. In 2006 the government launched a three−year program to combat FGM through primary prevention and early identification. The maximum penalty for FGM is six to nine years' imprisonment.

Trafficking in Persons

The law prohibits all forms of trafficking in persons; however, trafficking in persons was a problem.

The Netherlands was a destination and transit country for trafficked persons. NGOs and police estimated that the number of women and girls trafficked for the purpose of sexual exploitation ranged from 1,000 to 3,600. The Foundation Against Trafficking in Women (STV), an independent NGO that helped victims of trafficking, registered 579 victims in 2006, up from 424 in 2005. The top five countries of origin were the Netherlands (157 victims), Nigeria (91), Bulgaria (42), Romania (35), and China (30). Of the 579 victims registered in 2006, 30 were male and 103 were under the age of 18. In the first six months of the year, the STV registered 198 victims, of whom 16 were male. A significant percentage of the 25,000 individuals engaged in prostitution in the country were reportedly trafficking victims.

Trafficking within the country was also a problem. Almost all of the 157 domestic victims registered in 2006 were girls with an immigrant background seduced by so-called lover boys, primarily young Moroccan or Turkish men and boys.

Most traffickers used threats of violence to the victim or the victim's family to control their victims. The groups most vulnerable to becoming victims of trafficking were underage girls and young women of Moroccan and Turkish descent (mostly lover-boy victims), underage asylum seekers, women with a dependent residence status (pseudomarriage), and women recruited in Africa.

The maximum sentence for trafficking in persons is normally six years. Sentences may be increased in certain cases. For example, the maximum term is 10 years when the victim is under age 16, 12 years when the person being trafficked is seriously injured, and 15 years when trafficking results in the victim's death. The legal definition of trafficking in persons includes labor trafficking.

In 2005 the public prosecutor's office prosecuted 146 traffickers, compared to 252 in 2004, and the courts convicted 98 traffickers, compared to 135 in 2004. In February the National Crime Squad's Expertise Center on People Trafficking and Smuggling (EMM) dismantled two major trafficking networks from Turkey and Romania. In 2006 the EMM completed the investigation of four labor exploitation cases, all of which were awaiting court action at year's end.

The government, in particular the ministries of justice, internal affairs, foreign affairs, welfare and health, and social affairs, actively combated trafficking in persons. Local police forces established special units to deal with trafficking, and the EMM brought together experts from the National Police Criminal Investigation Service, military border police, regional police forces, the Immigration and Naturalization Service, and the Social Information and Investigation Service. The national prosecutor for trafficking in persons supervised investigations conducted by the EMM, which also provided specialized training to police in the identification and protection of trafficking victims. The National Rapporteur on Trafficking in Persons, an independent, publicly funded agency, reports annually to the government on the nature, extent, and mechanisms of trafficking as well as on the effects of national policies. Authorities participated in international investigations and cooperated closely with other governments on trafficking. In April the justice ministry's independent think tank concluded in an assessment of the Brothel Legalization Act that an estimated 8 percent of prostitutes working in the licensed sector were coerced into prostitution.

The government provides a temporary residence mechanism (the B-9 visa) to allow trafficking victims three months to consider pressing charges against their traffickers. A victim who does so may remain in the country until the legal process has been completed. During this period, the victim receives legal, financial, and psychological assistance, and is permitted to work or attend vocational training. Victims may request a permanent residence permit on humanitarian grounds.

Specially trained police conducted regular inspections of brothels and other commercial sex establishments to verify that individuals in the sector were employed voluntarily and to identify any potential trafficking victims.

The government subsidized NGOs working with trafficking victims. For example, the STV offered victims social support, legal advice, medical aid, shelters, and counseling.

The Justice Ministry cofinanced the La Strada program, aimed at preventing trafficking in women in Central and East European countries.

Persons with Disabilities

Discrimination against persons with disabilities was prohibited, but government enforcement was inadequate, and there were some reports that such discrimination occurred. The penal code provides penalties for discrimination in employment, education, access to health care, and the provision of state services. The Equal Opportunity Commission (CGB) received several dozen complaints, mostly labor related, of such discrimination. The law requires access to public buildings for persons with disabilities, but public buildings and public transport often were not easily accessible in practice.

National/Racial/Ethnic Minorities

Incidents of physical assault against minorities were rare, but members of minority groups experienced verbal abuse and intimidation and were at times denied access to public venues such as discotheques. The Muslim community of approximately 850,000 persons faced increased discrimination (see section 2.c.).

Members of immigrant groups also faced discrimination in housing and employment. The minority unemployment rate remained roughly three times that of the ethnic Dutch workforce.

With the proliferation of Internet Web sites, the dissemination of racial and discriminatory material remained widespread. The NGO Discrimination on the Internet Registration Center cited a 24 percent increase in 2006 in reported expressions of discrimination over the previous year. Expressions of hostility toward Jews and Muslims, the two main target groups, sharply increased. A significant number of controversial expressions were voluntarily removed at the center's request. It reported the most serious cases (seven) to the Prosecutor's Office, which resulted in three convictions.

The government pursued an active campaign to increase public awareness of racism and discrimination. Depending on the circumstances, persons could file complaints of racism or discrimination with the civil and criminal courts, the CGB, the national ombudsman, the Commercial Code Council, the Council for Journalism, the European Court of Justice, and the ECHR.

The majority of cases filed in criminal courts concerned racial defamation. Civil lawsuits often alleged discrimination against persons who were not ethnically Dutch in the supply of services, such as mobile phones, or access to clubs. The CGB primarily addressed incidents of discrimination in the labor market, including discrimination in the workplace, unequal pay, termination of labor contracts, and preferential treatment of ethnically Dutch employees.

Other Societal Abuses and Discrimination

There was increasing harassment of homosexuals in larger cities, primarily from some groups of Muslim youth. For example, Moroccan youths beat a prominent foreign gay activist on the Dutch National Day, April 30. However, most harassment consisted of verbal epithets and abuse. Police gave antigay violence high priority. In response to criticism that the police did not register antigay incidents separately, the Amsterdam police for the first time in 2007 kept such records. It recorded 234 antigay incidents. Most of them involved cursing and threats, but in 79 cases violence was used.

Section 6 Worker Rights

a. The Right of Association

Workers are entitled to form or join unions of their own choosing without prior government authorization, and workers exercised this right in practice. Approximately 25 percent of the work force engaged in legal employment was unionized.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. The law provides for the right to organize, and specific laws provide for the right to collective bargaining; workers exercised these rights in practice. Approximately 86 percent of workers were covered by collective bargaining agreements. The law provides for the right to strike, and workers exercised this right by conducting legal strikes; some civil servants did not have the right to strike, but they had other institutionalized means of protection and redress. None of these protections extended to the significant number of workers who were employed in the underground economy.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that adults and children were trafficked for sexual exploitation and adults for labor exploitation. There were reports that Chinese workers were exploited in Chinese restaurants.

d. Prohibition of Child Labor and Minimum Age for Employment

The government enforced laws and policies to protect children from exploitation in the workplace; however, children were trafficked for commercial sexual exploitation.

The minimum age for employment is 16 years. Those in school at the age of 16 may not work more than eight hours per week. The law prohibits persons under the age of 18 from working overtime, at night, or in activities dangerous to their physical or mental well being. A tripartite labor commission composed of representatives of government, enterprises, and unions monitored hiring practices and conducted inspections. The commission enforced the laws effectively.

Holiday work and after-school employment are subject to very strict rules set by law. The Ministry of Labor's inspection office, which is charged with enforcement, found during the year that 75 percent of companies employing holiday workers and children under 18 complied with the regulations.

e. Acceptable Conditions of Work

The minimum wage for adults of approximately $1,840 (1,317 euros) per month provided a decent standard of living for a worker and family. Except in the underground economy, the Labor Inspectorate effectively enforced the minimum wage.

The law sets a 40-hour workweek. The average workweek was 30.6 hours (38.7 hours for full-time and 20 hours for part-time workers). Persons working more than 4.5 hours per day were entitled to a 30-minute rest period. Overtime is regulated. There are no exceptions for legal foreign workers. The Labor Inspectorate effectively enforced the labor laws.

The tripartite labor commission actively monitored and effectively enforced working conditions, including comprehensive occupational safety and health standards set by law. The Ministry of Labor and Social Affairs also monitored standards. Workers could remove themselves from dangerous working conditions without jeopardizing their continued employment, and they exercised this right in practice.

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