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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the third periodic report of the NETHERLANDS ANTILLES concerning the rights referred to in articles 1-15 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/ANT/3)

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I. GENERAL FRAMEWORK OF IMPLEMENTATION OF THE COVENANT

A. General legal framework for protection of human rights

1. Please provide information on the national human rights plans affecting the Netherlands Antilles and the independent human rights institutions with jurisdiction in the Netherlands Antilles.

B. Information and publicity

2. Please provide information on awareness campaigns and programmes, particularly educational programmes, to inform the public at large of the scope of rights under the Covenant.

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 2.2. Non-discrimination

3. Please indicate whether the principle of non-discrimination is recognized by the legislation of the State party that is applicable to the Netherlands Antilles.

4. Please indicate the legislative or other measures taken to combat discrimination in the exercise of rights under the Covenant, including against persons with disabilities and migrant children.

5. What measures have been taken by the State party to remedy the inequalities between the various islands, particularly in terms of health services and the school population?

6. Please indicate the legislative and practical measures taken by the State party to ensure equality between men and women in the enjoyment of rights under the Covenant.

III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6. Right to work

7. Please provide additional information concerning the effects of the new (2000) employment legislation (E/C.12/ANT/3, para. 43) on the enjoyment of the rights of workers under the Covenant, including the abolition of the obligation for industries to obtain dismissal permits, increased flexibility in working hours and the introduction of short-term employment contracts.

Article 7. The right to just and favourable conditions of work

8. Please clarify the information in paragraph 35 of the State party's third periodic report (E/C.12/ANT/3), in order to allow the Committee to better appreciate the scope of this paragraph.

9. What measures have been taken by the State party to implement the Committee's recommendations concerning inequality between

men and women, particularly unequal pay for equal work?

10. Please provide up-to-date information on the results of attempts to reduce and eliminate the differences between the various categories of minimum wage (E/C.12/ANT/3, para. 41). Please also indicate if the various categories guarantee a minimum income for all workers and their families.

11. Please provide information on the scope of labour inspection services in the Netherlands Antilles.

Article 8. Trade union rights

12. Please provide more precise information on the provisions of the Civil Code concerning legal recognition for associations (E/C.12/ANT/3, para. 48).

13. Please indicate the State party's current position on withdrawal of its reservation to the Covenant on the right to strike.

Article 9. Right to social security

14. Does the State party envisage ratifying the 1962 ILO Social Policy (Basic Aims and Standards) Convention (No. 117) and the 1962 ILO Equality of Treatment (Social Security) Convention (No. 118)?

15. Please provide disaggregated data (by sex and age) on the various categories of workers covered by the social security system and on the measures taken to extend this protection to those excluded from it.

16. Please indicate how the State party guarantees enjoyment of the right to health for the unemployed. Does the State party envisage adopting a universal health insurance scheme?

Article 10. Protection of the family, mothers and children

17. Please provide up-to-date information and data on the sexual exploitation and abuse of children living in the Netherlands Antilles.

18. Please indicate whether benefits are available to single-parent families in the Netherlands Antilles.

19. Please provide up-to-date information on the legislative or other measures taken by the State party to protect family members, particularly women and children, against domestic violence.

20. The new Labour Code prohibits children under the age of 14 from working. What occupations are open to 14 to 18-year-olds and what protection does the new Labour Code provide them with?

21. Please provide information concerning the outcome of the pilot project to help young people and families in the Kanga and Dein neighbourhoods (E/C.12/ANT/3, para. 46 (c)).

22. Please indicate the measures taken by the State party to combat trafficking in women.

23. Please indicate whether the practice of prostitution is regulated in the Netherlands Antilles and what measures have been taken by the State party to protect women practising prostitution.

Article 11. Right to an adequate standard of living

24. Please provide disaggregated data (by sex, age and geographic distribution between islands) concerning the sectors of the population living in poverty in the Netherlands Antilles.

25. Please indicate what natural disaster protection plans and programmes to assist the affected population have been put in place by the State party.

26. Please provide information and statistics on homelessness and forced evictions. Has the State party taken steps to resolve the housing shortage problem, in particular, the shortage of social housing (E/C.12/ANT/3, para. 101)?

Article 12. Right to physical and mental health

27. What measures have been taken by the Government to guarantee the population access to drinking water, including in prisons?

28. The State party issues so-called 'pro pauperi' cards to certain deserving families entitling them to free medical care. This may constitute discrimination against a great many other families. Please indicate the criteria for allocating these cards.

29. Please provide information on reform of the health-care insurance programme (E/C.12/ANT/3, para. 125) and particularly on measures taken to guarantee the enjoyment of the right to health for people not covered by the programme.

30. Please indicate whether there are specific programmes to reduce and prevent child mortality, maternal mortality, prenatal and neonatal mortality, and early pregnancy, and provide up-to-date statistics on these problems, in addition to information on sexual and reproductive health programmes implemented by the State party.

Articles 13 and 14. Right to education

31. Please indicate whether primary education is compulsory and free of charge in the Netherlands Antilles, as provided in articles 13 and 14 of the Covenant.

32. Please provide information on the effects of the new education system for children aged between 4 and 15, introduced in 2002 (E/C.12/ANT/3, para. 147 ff.).

33. Please indicate the proportion of children attending primary and secondary school in the Netherlands Antilles and provide data disaggregated by sex.

Article 15. Right to take part in cultural life and to benefit from scientific progress and the protection of intellectual property

34. Please provide information on the different ethnic groups in the Netherlands Antilles and on measures adopted to promote and preserve their values and cultural identity, including measures taken to preserve the various mother tongues spoken in the Netherlands Antilles.
