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TO: United Nations CRC - Convention on the Rights of the Child 89 Session (17 Jan 2022 - 11 Feb 2022) Palais Wilson, Ground Floor Conference Room Geneva, Switzerland

Per mail: civilsociety@ohchr.org; lnfoDesk@ohchr.org;

Distribution list

Amstelveen, 14 January 2022

"When you cease to make a contribution, you begin to die."

~ Eleanor Roosevelt

Re: additional information following the 89th pre-session - The Netherlands

Dear Sirs,

- In view of the meetings of the CRC Convention on the Rights of the Child, 89 Session (17 Jan 2022 - 11 Feb 2022),¹ regarding <u>Croatia</u>, <u>Cuba</u>, <u>Cyprus</u>, <u>Djibouti</u>, <u>Greece</u>, <u>Kiribati</u>, <u>Madagascar</u>, <u>The Netherlands</u> and <u>Somalia</u>, I wish to send you additional information regarding the situation in the Kingdom of The Netherlands.
- 2. As a former lawyer, a doctor in Dutch law, a spouse and mother of four children, and a European citizen, I feel a moral obligation and I am dedicated to your mission to promote and protect human rights and help to put an end to unimaginable crimes that threaten the peace, security and well-being of the world and beyond. "We will never, ever give up making this world better for everyone, everywhere."
- 3. Even today, I feel very much inspired by the example set by mrs. Eleanor Roosevelt:

 "Where, after all, do universal human rights begin? In small places, close to home so close and so small that they cannot be seen on any maps of the world. ... Unless these rights have meaning there, they have little meaning anywhere. Without concerned citizen action to uphold them close to home, we shall look in vain for progress in the larger world."

¹ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=1400&Lang=en_



- As a lawyer, I tried to provide adequate and effective legal assistance to parents and their children in the Dutch system of Child Protection Services in 2020 and 2021. This system is characterized by false files, perverted financial incentives, and also by violence, (sexual) abuse and forced medical and psychological/behavioral experiments, and by daily bullying, threats, intimidations and retaliations from the part of the State against children and their parents.
- Unfortunately, even the Dutch courts consider themselves (supply) chain partners, and the trials before the family courts do not meet the requirements that the child's interest is their primary consideration (article 3.1 UN Children's Treaty;, with rare exceptions there is no independent and impartial judiciary review of cases (article 37 sub d UN Children's Treaty) and consequently no fair trials (article 6 ECHR). On 30 December 2021, I requested the Amsterdam Deacon of the Dutch Bar Association, under protest, to disbar me.
- A number of civil society organizations no less than 109 in total constituting the Dutch NGO Coalition for human rights alone! (See Annex 1) - and a number of public institutions already provided you with information for your Convention on the Rights of the Child 89 Session as of 17 Jan 2022.

Symbol/Title	Download
Antillean Federation for Youth Care_NGO_Netherlands_Curacao_P5WG-II	View document
Asociacion Trabao di Hubentud na Aruba (ATHA)_Centro di Desaroyo_ (CEDE]_NGO_Netherlands_PSWG-I	View document
Asociacion Trabao di Hubentud na Aruba (ATHA)_Centro di Desaroyo_ (CEDE)_NGO_Netherlands_PSWG-II	View document
Dutch National Youth Counci_NGO_PSWG_II	View document
Dutch National Youth Council_NGO_PSWG_I	View document
Dutch NGO Coalition for Children's Rights_Additional Annex_Information following the Pre-session_PSWG	View document
Dutch NGO Coalition for Children's Rights_NGO_Annex_PSWG	View document
Dutch NGO Coalition for Children's Rights_NGO_PSWG_I	View document
Dutch NGO Coalition for Children's Rights_NGO_PSWG_II	View document
Heart-Centered Leadership Foundation_NGO_Netherlands_Aruba_PSWG	View document
Institute for Statelessness and Inclusion_ASKV_NGO_PSWG	View document
Netherlands organisation for sex diversity (NNID)_COC Nederland_Transgender Netwerk Nederland_NGO_PSWG_I	View document
Netherlands organisation for sex diversity (NNID)_COC Nederland_Transgender Netwerk Nederland_NGO_PSWG_II	View document
Partnership of Parents with Child Care (SamenWerkingsVerband van Ouders met Jeugdzorg)_NGO_Netherlands_PSWG	View document
Info from NHRIs	
Symbol/Title	Download
National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children_NHRI_Netherlands_PSWG	View document
Netherlands Institute for Human Rights, NHRI_PSWG	View document
Netherlands Institute for Human Rights, NHRI_PSWG_JI	View document
The Ombudsman for Children_NHRI_Netherlands_PSWG_I	View document

- However, as far as I can tell, these organizations are either linked some more than others to the (supply) chain partners of Dutch Child Protection services, or they are financially dependent on annual (government) subsidies for their continuation, etc. It is hard to escape the impression that the organizations are more focused on protecting the system and the (commercial) interest of the professionals in the (supply) chain than that they are serving the interest of children and their families, as they do not mention the abuses in Dutch Child Protection Services. They seem to downplay them, turn a blind eye to the abuses or use repression to those who wish the abuses to stop. The voices of the children and parents are not (sufficiently) adopted in the various reports brought to your attention. The last (Swiss) organization is a cooperation of a number of Dutch parents' support associations.2 "Parents and children are outlawed and powerless."3 Dutch Child Protection Services is a state in a state. However, the report of the Swiss organization dates from July 2019, and in view of recent developments, an update of the report would be welcome.
- There have been many developments and revelations of continuous children's rights violations in recent months, even in the past 48 hours.4 Other lawyers stepped forward and journalists allowed parents' voices to be heard; their stories confirm my criticism on the system, for which I was harshly put down via disciplinary proceedings.

² https://www.1limburg.nl/wanbeleid-bij-bureau-jeugdzorg-rechtszaak-dreigt

https://www.limburger.nl/cnt/dmf20210219 94971461

⁴ https://www.ftm.nl/artikelen/de-zaak-bram; https://www.volkskrant.nl/nieuws-achtergrond/is-een-kind-met-spoeduithuisplaatsen-een-te-hard-middel-hoe-yvonne-al-zes-jaar-strijdt-tegen-het-weghalen-van-haar-zoon~be326627/



- 9. None of the reports submitted to you mention the grave and fundamental, systemic, concerns about the rule of law in The Netherlands and the consequences thereof for children's rights. The Report of Commission Van Dam, December 2020 about the Children Tax Allowance Scandal led to the fall of the Dutch government, Rutte III. No one responsible has been brought to justice; in fact all politicians were cleared before the elections in March 2021, and the same (deputy) ministers have been sworn in again, under Rutte IV, at least many of them. The formation of a new government took almost 300 days, during which time the outgoing government passed many controversial laws, was unable to solve scandals such as the Children Tax Allowance Scandal, Groningen natural gas scandal and other scandals, and they appointed a considerable number of Presidents in the Judiciary.
- 10. The Report of Commission Bosman, January 2021, indicated system failures in many policy areas. Since then, there have been many developments illustrating the problems of the governance culture (repression, culture of fear) and the erosion of the parliamentary democracy (checks and balances within the Trias Politica). I also refer to the Report of the Venice Commission (October 2021), the self reflection reports of the Dutch administrative judges (October 2021) and the Supreme Administrative Council (November 2021). The Chairman of the Dutch Judiciary indicated that the lack of protection by the Dutch courts was a serious matter and the report may be interpreted as an apology by the courts. Older reports, such as the Commission Samson (2014) and Commission De Winter (2019) have not been properly addressed. This is even true for the Commission on Human rights in the Digital Era (2001). One can conclude that their recommendations have not been implemented, and the reports ended up in a bottom drawer, somewhere.
- 11. The Hague has a special position as a city of peace and justice. The city attracts many government leaders, international organizations, knowledge centers, aid organizations, companies and students. They work together here and share their knowledge. They are working on new ideas to solve global problems. And to build a sustainable future. How is it possible that domestically crimes against humanity can be committed for decades without anyone seeming to notice or even care? How does the Netherlands explain or justify its actions to the United Nations?
- 12. The answer is: with disinformation. The public and private bodies in the supply chain claim that the parents are threatening the child, and that the parents seek to provoke a conflict. And that the troop build-up, the tanks and heavy artillery from the side of Dutch Child Protection Services are all purely defensive. That's like the fox saying it had to attack the henhouse because its occupants somehow pose a threat. We've seen this gas-lighting before. When The Netherlands changed the Youth Care Act in 2015 (decentralization), it claimed that the parents were the aggressors to justify pre-planned military action, which took away the last control of government spending by the municipalities. It was all carefully planned and premeditated, with knowledge of the perverse financial incentives and with some additional mumbling about good people in a bad system. The heavy artillery even includes a national secret police force, erected in 2013 and since then maintained in close cooperation with the Dutch Association of Municipalities (VNG), which is not mentioned either by any of the civil societies organizations! Not even the Dutch Bar Association or the Committee on Human Rights have ever expressed their concerns about it. The industry is embedded in all levels of society, and by an ongoing show of power they are allowed to repress any and all attempt to discuss the crimes against humanity, the violence against women and girls, the damaging of children, and the continuous undermining of human dignity.
- 13. On 19 March 2021, I filed a petition with the Dutch Public Prosecution for crimes committed by the Dutch Child Protection Services. On 12 April 2021 I filed a petition with the Office of the Prosecutors of the International Criminal Court (ICC) in The Hague, requesting to prosecute the Netherlands for crimes against humanity. This information has not been shared with you by the 109+ civil societies organizations either, which is regrettable, and also remarkable. It is yet another illustration of the Dutch governance culture (of silence and fear, and of high rewards) under the Rutte regime.

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⁵ https://www.denhaag.nl/nl/bestuur-en-organisatie/stad-van-vrede-en-recht/den-haag-internationale-stad-van-vrede-en-recht.htm



- 14. I am concerned that you have not been provided, or hardly at all, with solid information about the structural problems and the massive scale of human rights violations, in relation to more than 15,000 compulsorily abandoned and/or adopted children since 1956, more than 42,000 children currently placed out of their homes via the courts (and in total approximately 95,000 children placed out of their homes according to the government via the unlawful 'voluntary placements') and the 450,000 placed under State supervision, possibly twice this number again via so-called 'voluntary' framework!, the 3,000 children locked up in closed youth care institutions (youth prisons), 2,500 disappeared asylum children, and/or 70,000 child allowances affair victim and other victims. They have been disenfranchised. The children are financially exploited. We cannot continue to sweep these problems under the carpet. And the industry is about to take over our education system as a whole.
- 15. The Dutch State invests heavily in perception management (EU Rule of law report 2021), rather than upholding the rule of law and protecting human rights:

The Dutch justice system continues to be characterised by a very high level of perceived judicial independence, and efforts continue to further foster the quality of justice.

As last year, the Netherlands continues to be perceived as one of the least corrupt countries in the EU and the world. Integrity is a key component of the framework governing the public administration. In 2020, an extensive programme on combating subversive organised crime was launched, including a holistic approach to prevent, detect and sanction corruption, after investigations showed that criminals are actively looking to exercise undue influence on civil servants.

- 16. In addition to the information provided to you by the Civil Society Organizations, I therefore wish to send you additional information and give a voice to the children and the parents who are structurally - ignored, let alone listened to. This information will be provided to you in the form of a selection of letters and other documents I wrote in the past two years on the topic (more information is available).
- 17. In these letters and documents, I also provide information about the designed system failures, which lead to grave infringements of the UN Children's Treaty and other human rights treaties, on a massive scale. In The Kingdom of The Netherlands the problems are no regrettable, unavoidable incidents which are timely corrected by the courts, but they show a pattern of the cooperation of all chain partners, including the Judiciary, to large scale abuses and crimes against children and their families. The reports submitted to you contain misleading terminology, f.e. "sometimes" (=almost always) and "not always" (=hardly ever), and they fail to mention that human rights violations are the modus operandi and the direct result of intentional, damaging legislation, directives, policies and procedures, and a complete lack of protection by the family judges.
- 18. One example thereof is the contact ban between children and their parents in the first year of a family separation, 6 which is in fact an example of an intentional policy of parental alienation and an infringement of article 9.3 UN Children's Treaty and a default modus operandi. All in all, the Dutch Child Protection Services goes against human dignity as described in article 1 Universal Declaration of Human Rights.
- 19. From the information provided to you today, it is also clear that many reorganizations of Dutch Child Protection Services have indeed taken place over the past decades. However, none of them were designed to improve the legal position of the children and their parents, and that there is no intention to change this in the short term. This is all clearly described and explained in the book (dissertation 2013) 'Tyranny in Dutch Child Protection Services' by dr. M.A.J. Clarijs.
- 20. Whistleblowers, regardless whether they are children and parents, lawyers, doctors, psychologists and/or employees of the system and their (supply) chain partners, put their lives, their work and their families in jeopardy, and risk to be targeted by the Dutch State (Rutte Doctrine). Some were forced to flee abroad and are being hunted down, even today.

⁶ https://nos.nl/artikel/2412999-defence-for-children-uit-huis-geplaatste-kinderen-krijgen-niet-juiste-hulp



- 21. Every year, the Roosevelt Foundation in Middelburg and the Franklin and Eleanor Roosevelt Institute in New York present the so-called 'Roosevelt Four Freedoms Awards'. These are intended for men, women and organizations that give inspiring substance to the Four Freedoms of Franklin D. Roosevelt: Freedom of speech, Freedom of religion, Freedom from want and Freedom from fear. The Roosevelt Foundation sees in Mrs. SviatlanaTsikhanouskaya a true leader of the democratic movement, which gives the people of White Russia a voice and hope for a better future in which the rule of law and fundamental human rights are respected. "Their commitment and courage are an example to others living in difficult conditions in countries where human rights and democratic values are violated."
- 22. "David Sassoli was a man of deep faith and strong convictions. Everyone loved his smile and his kindness, yet he knew how to fight for what he believed in. In 1989, he was in Berlin, among the young Europeans when the Wall came down. And ever since, he has stood on the side of democracy and of a united Europe. In over a decade of service in the European Parliament, he constantly defended our Union and its values. But he also believed that Europe had to strive for more. He wanted Europe to be more united, closer to its people, more faithful to our values. That is his legacy. And that is how I will remember him. As a champion of justice and solidarity, and a dear friend."8
- 23. There are many dark clouds over Europe and human rights are infringed in many countries, notably in France, Germany, Italy and Austria. Limitations on personal integrity, the freedom of speech and the freedom of movement are just examples on how the Member States are not respecting the basic human rights. The repression and retaliations are felt throughout society, by a coordinated policy of fear mongering.
- 24. I am sending you the following documents from the period 2020/2021 for your further review:
 - 1. Letter dated 21 July 2020 to the President of the European Commission;
 - 2. Letter dated 24 September 2020 to the President of the European Commission;
 - Letter dated 18 November 2020 regarding the dysfunctioning of the rule of law in The Netherlands:
 - 4. Letter dated 1 November 2021 to the Amsterdam Deacon of the Dutch Bar Association;
 - Letter dated 1 November 2021 to the Disciplinary Court of Appeal for lawyers;
 1 Annex 1 Developments and revelations after 4 October 2021;
 - 5.2 List of grounds for out of home placements in The Netherlands:
 - 6. Request, under protest, to Amsterdam Deacon of the Dutch Bar Association to be disbarred;
 - 7. Accompanying e-mails;
 - A. Criminal report with the Dutch Public Prosecutors Office regarding crimes in Dutch Child Protection Services (including Annex A);
 - B. Letter to ICC filing requesting the prosecution of crimes against humanity.
- 25. I trust the information provided above will help you to have a more complete understanding of the situation in the Kingdom of The Netherlands, and understand the gap between perception and reality.

Yours faithfully,

Mr. dr. H.W.R. Nakad-Weststrate, human rights advocate

⁷ https://www.fourfreedoms.nl/en/four-freedoms/eleanor-roosevelt-and-the-universal-declaration-of.htm

⁸ https://ec.europa.eu/commission/presscorner/detail/en/statement 22 301



ANNEX 1 _ Signatories of Dutch NGO Coalition

Annex to the Written inputs to the State report

Fifth NGO report of the Dutch NGO Coalition for Children's Rights to the UN Committee on the Rights of the Child

Consulted experts

Through the Coalition for Children's Rights, organisations join forces to protect the interests of the child and supervise the safeguarding of children's rights in Dutch law, policy and practice. The Coalition consists of key members Defence for Children, Kinderpostzegels, the National Youth Council, Save the Children, Terre des Hommes Netherlands and National Committee UNICEF The Netherlands, and has the Netherlands Youth Institute as their advisor. Besides its key members, the Coalition has many other partners.

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Infant mortality

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spel & ruimte

Cerunne Bouts Speeltuinbende/ Het Gehandicapte Kind

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Eelco Koppelaar Eelco Koppelaar, specialist in speelruimte Elske Oost-Mulder OBB creatieve (speel)ruimtedenkers

Ilse van der Put Wij zijn zet

Jootje Vaas Ontwerpbureau Jootje Vaas

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Yannick van den Brink Universiteit Leiden

Optional Protocol on the sale of children, child prostitution and child pornography

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Celine Verheijen Defence for Children - ECPAT lara de Witte Defence for Children - ECPAT

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against children

Sjoerd van Bemmel Centrum tegen Kinderhandel en Mensenhandel

Suzanne Kok National Rapporteur do against human trafficking and sexual violence against

children

Optional Protocol on the involvement of children in armed conflict

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Anne-Floor Dekker WO=MEN Dutch Gender Platform

Pien Klieverik Save the Children

Signatures

- 1. #ikbenOpen
- 2. 125Procent
- 3. Accare
- 4. After School Care, Saba Girls & Boys Sports Society
- 5. AJN Jeugdartsen Nederland
- 6. Alles is Gezondheid
- 7. Altrecht
- 8. Amnesty International Dutch Section
- 9. Arisa
- 10. Armoedefonds
- 11. Augeo Foundation
- 12. Beatrix Kinderziekenhuis / UMC Groningen
- 13. Body, Mind & Spirit AIDS Support Group Saba Foundation
- 14. Branches Gespecialiseerde Zorg voor Jeugd (BGZJ: Jeugdzorg Nederland, de Nederlandse ggz, VGN, VOBC)
- 15. Brijder Jeugd Verslavingszorg
- 16. BVjong, beroepsvereniging kinder- en jongerenwerkers
- 17. Centrum tegen Kinderhandel en Mensenhandel (CKM)
- 18. Centrum voor Mondiaal Onderwijs
- 19. Child Focus Foundation
- 20. Child Friendly Cities Netherlands
- 21. COC Netherlands
- 22. CoMensha
- 23. de Nederlandse ggz
- 24. Defence for Children
- 25. Diversion
- 26. Dokters van de Wereld
- 27. Dutch Youth Council (NJR)
- 28. Edukans
- 29. Expertise Center Education Care St. Eustatius



- 30. Expertisebureau Online Kindermisbruik (EOKM)
- 31. Expertisecenter Onderwijs Zorg Bonaire
- 32. Expertisecentrum Samen naar School
- 33. Fier. Landelijk expertise- en behandelcentrum op het terrein van geweld in afhankelijkheidsrelaties
- 34. Foundation for professional childcare in Bonaire
- 35. Foundation The Quill
- 36. Help a Child
- 37. Het Vergeten Kind
- 38. leder(in)
- 39. Ingrado
- 40. Institute on Statelessness and Inclusion
- 41. Instituut voor Onderzoek naar Leefwijzen & Verslaving (IVO)
- 42. Janusz Korczak Stichting
- 43. Jeugdeducatiefonds
- 44. Jeugdfonds Sport & Cultuur
- 45. Jeugdzorg Nederland (chairwoman: Ms. Anne Rotering, also chairwoman of Jeugdbescherming West/JB-West, The Hague)
- 46. Johannes Wier Stichting
- 47. Justlaw
- 48. Kenniscentrum Kinder- en Jeugdpsychiatrie
- 49. Kenniscentrum voor Makkelijk Lerenden
- 50. Kerk in Actie
- 51. Kinderpostzegels
- 52. Learning for Well-being Foundation
- 53. LVAK Landelijke Vakgroep Aandachtsfunctionarissen Huiselijk geweld en Kindermishandeling
- 54. Martijn Schut Advies Sociaal Domein
- 55. Missing Chapter Foundation
- 56. Movies that Matter
- 57. National Committee UNICEF The Netherlands
- 58. Nationaal Fonds Kinderhulp
- 59. Nederlands Juristen Comité voor de Mensenrechten (NJCM)
- 60. Nederlandse Associatie voor de Studie van Overgewicht
- 61. Nederlandse Vereniging voor Autisme (NVA)
- 62. Nederlandse Vereniging voor Kindergeneeskunde (NVK)
- 63. Netherlands Youth Institute
- 64. NNID Nederlandse organisatie voor seksdiversiteit
- 65. OBB creatieve (speel)ruimtedenkers
- 66. Per Saldo
- 67. Pharos
- 68. Plan International Nederland
- 69. Platform Ruimte voor de Jeugd
- 70. Restorative Justice Nederland
- 71. Rutgers72. Rutu Foundation, advancing mother tongue education
- 73. Sam& voor alle kinderen
- 74. Samen Sterk zonder Stigma
- 75. Save the Children
- 76. SOS Children's Villages
- 77. Speaking Minds
- 78. Stand Up For Your Rights
- 79. Sterk Huis
- 80. Steunpunt Onderwijs Het Gehandicapte Kind
- 81. Stichting Alexander
- 82. Stichting Halt
- 83. Stichting JIM
- 84. Stichting JongPIT



- 85. Stichting Kind en Ziekenhuis
- 86. Stichting Kinderen-Ouders-Grootouders
- 87. Stichting Kinderrechten en Menselijke Ontwikkeling: KinderrechtenNU en het Nederlands Genootschap van Kinderburgemeesters
- 88. Stichting LOS (Landelijk Ongedocumenteerden Steunpunt)
- 89. Stichting Ocan
- 90. Stichting Open Mind
- 91. Stichting Project FORSA
- 92. Team-Kim
- 93. Terre des Hommes Nederland
- 94. TNO Nederlandse Organisatie voor toegepast-natuurwetenschappelijk onderzoek
- 95. Transgender Netwerk Nederland
- 96. Trimbos-institute
- 97. University Leiden
- 98. Valente
- 99. Veilig Thuis
- 100. VeiligheidNL
- 101. Vereniging Sociale Advocatuur Nederland (VSAN)
- 102. Vereniging van Nederlandse Jeugdrechtadvocaten (VNJA)
- 103. Vereniging van stichtingen Leergeld in Nederland
- 104. Verwey-Jonker Instituut
- 105. VluchtelingenWerk Nederland
- 106. Voedingscentrum
- 107. Vrije Universiteit Amsterdam
- 108. WO=MEN Dutch Gender Platform
- 109. Young Amsterdam

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