

NETHERLANDS

CRC OPTIONAL PROTOCOL (SALE OF CHILDREN)

OBJECTIONS MADE TO OTHER STATES PARTIES RESERVATIONS AND DECLARATIONS

(Ed. note: for the text targeted by the following objections, see the Reservations and Declarations of the State which is the subject of the objection)

Note

With regard to the reservation made by Qatar upon accession, the Secretary-General received the following communication on the date indicated hereinafter:

...

Netherlands (7 April 2003):

"The Government of the Kingdom of the Netherlands has examined the reservation made by the Government of Qatar at the time of its accession to the Optional Protocol to the Convention on the rights of the child on the sale of children, child prostitution and child pornography. The Government of the Kingdom of the Netherlands considers that the reservation concerning the national law of Qatar, which seeks to limit the responsibilities of the reserving State under the Protocol by invoking national law, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law.

The Government of the Kingdom of the Netherlands recalls that, according to paragraph 2 of article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party are respected, as to their object and purpose, by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservation made by the Government of Qatar to the Optional Protocol to the Convention on the rights of the child on the sale of children, child prostitution and child pornography.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Qatar."

(Note 7, Chapter IV.11.c, Multilateral Treaties Deposited with the Secretary-General)

TERRITORIAL APPLICATION

Note

For the Kingdom in Europe. On 17 October 2006: extension to Aruba.

Following a modification of the internal constitutional relations within the Kingdom of the Netherlands (see note 2 under "Netherlands" in Historical Information [*the electronic version on the website of the Multilateral Treaties Deposited with the Secretary-General; <http://treaties.un.org/pages/HistoricalInfo.aspx>]), effective 10 October 2010, the Protocol applies to the Caribbean part of the Netherlands (Bonaire, Sint Eustatius and Saba).*

[Ed. note: Note 2 under Netherlands is as follows:

Netherlands

Note 2

By a communication received on 11 October 2010, the Government of the Netherlands informed the Secretary-General that "[t]he Kingdom of the Netherlands currently consists of three parts: the Netherlands, the Netherlands Antilles and Aruba. The Netherlands Antilles consists of the islands of Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba.

With effect from 10 October 2010, the Netherlands Antilles will cease to exist as a part of the Kingdom of the Netherlands. From that date onwards, the Kingdom will consist of four parts: the Netherlands, Aruba, Curaçao and Sint Maarten. Curaçao and Sint Maarten will enjoy internal self-government within the Kingdom, as Aruba and, up to 10 October 2010, the Netherlands Antilles do.

These changes constitute a modification of the internal constitutional relations within the Kingdom of the Netherlands. The Kingdom of the Netherlands will accordingly remain the subject of international law with which agreements are concluded. The modification of the structure of the Kingdom will therefore not affect the validity of the international agreements ratified by the Kingdom for the Netherlands Antilles: these agreements, including any reservations made, will continue to apply to Curaçao and Sint Maarten.

The other islands that have until now formed part of the Netherlands Antilles - Bonaire, Sint Eustatius and Saba - will become parts of the Netherlands, thus constituting 'the Caribbean part of the Netherlands'. The agreements that now apply to the Netherlands Antilles will also continue to apply to these islands; however, the Government of the Netherlands will now be responsible for implementing these agreements. In addition, a number of the agreements that currently apply to the Netherlands are hereby declared applicable, from 10 October 2010, to this Caribbean part of the Netherlands. The

agreements concerned are listed in the Annex which also includes a declaration, regarding the International Covenant on Civil and Political rights, on the modification of the internal constitutional relations within the Kingdom..."]
(Note 5, Chapter IV.11.c, Multilateral Treaties Deposited with the Secretary-General)