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European Committee off Social Rights
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Subject Non-accepted provisions of the European Social Charter

Dear Mr. Kristensen,

With reference to your letter dated December 1st, 2025, ESCR/2025/72 in which you propose to examine the non-acceptance of article 19 paragraph 12 of the revised European Social Charter, I would like to reply as follows.

Since 2002 the priority of the government of The Netherlands is geared towards promoting social cohesion. Learning the Dutch language as part of integration in Dutch society is an important component of this policy. Since 2004 the government is no longer involved in providing education to children in their parents' mother tongue. Through private initiative it is still possible to provide education in foreign languages outside the formal education system.

Article 9, paragraph 3 of the Primary Education Act and article 6a of the Secondary Education Act create the possibility to temporarily provide education in a different language than the Dutch language if this is beneficial for the development of the pupil. In that case, the Competent Authority should draw up a protocol. Using this protocol, teachers can connect with the plurilingual background of students in their didactic approach of learning the curriculum.

The government policy with regard to language education is still in place. As The Netherlands recognized that this policy is not fully in line with article 19 of the ESC, paragraph 12 of the revised ESC – which was no part of the original ESC – has not been ratified by The Netherlands. For that reason, The Netherlands still does not intend to ratify article 19 paragraph 12 of the revised European Social Charter as was earlier explained in our reports in 2016 and 2021.

Yours sincerely,

Nathalie Jaarsma
Director International Policy Department