

**Fact-sheet for CEDAW-Committee Nr. 2 – by Dutch NGO's
Wednesday 27-1-2010**

Answers to questions of members of CEDAW 25-01-2010 – Special groups of women, including discrimination

- **Gender gap between lesbian and gays in decision making**

Lesbian and bisexual women experience other forms of discrimination at the workplace compared to gay men. Researchers claim that it is less explicit in abusive language, but more on avoidance and being ignored. Until now gender differences have hardly been acknowledged in policies of the government social partners and the like to combat discrimination of LGBT.

With regard to participation of LBT women in decision-making in comparison to gay men: gay men in general more often are in decision-making positions, in politics, public administration, professional positions, private sector and civil society. This has to do with gender, visibility and with respect to NGO's to funding.

Lesbian and bisexual women are less visible than gay men and more often in the closet. Black and migrant lesbians face on top of the exclusion black and migrant women experience in general, multiple-discrimination, often combined with problems within their family and in their communities.

Transgenders are not present in decision-making positions.

Although the present government has provided some funding to LBT, this is still very little compared to funding available gay men and hiv/aids prevention (MSM-Men having Sex with Men).

In addition to Dutch shadow report, p. 70

- **Black and migrant women – education**

Whether the accessibility to education is affordable or selective due to the high fees, certain grades or quota, the most defining factor is the quality of education. It has to be maintained and upheld for everyone in any type of school.

Therefore if teaching units are incompetent, unmotivated, prejudiced by unfounded conceptions towards black, migrant and refugee communities, and if professionals are unable to deliver high standard education to all pupils, regardless of their background, they should be held accountable for not reaching the normal standards of output.

NGOs therefore ask the committee to encourage the government to introduce procedures hereto and to invest in teacher training (on the job as well) addressing how to deal with stereotypes of gender and race.

- **Anti-discrimination bureaus can reveal only the top of the iceberg**

Victims of discrimination will remain victims after visiting the bureau's with their complaints. They risk the chance to get fired after approaching the bureaus. So for combating discrimination the funding of anti-discrimination bureaus is not enough.

We therefore suggest the Committee to request the government to step up and to invest in programmes addressing stereotypes with respect to gender and race in society as a whole.

- **The diversity in Dutch lack, migrant and refugee communities**

In the Netherlands we have women and men from ethnic minorities for at least three generations and from different background. However the government acts in her policies irrespective the generations and backgrounds as homogenous, without acknowledging the diversity. Moreover the main tendency, as reflected in the use of the word describing these

groups ‘allochtoon’, meaning ‘not from here’, and as aliens, even though people might live in the Netherlands for more than 50 years. In this way the government reinforces stereotypes, instead of combating them.

We therefore suggest the Committee to change the way they approach black and migrant women and men: not to address them as not from our country, but as citizens and residents of the Netherlands with civil rights.

- **Increasing discrimination in society – diminishing interest of the government**

In recent years the number of discrimination-cases has been increased. At the same time there has been increasing tension between the native Dutch population and immigrants of foreign descent and other ethnic minorities.

After ratifying the Durban declaration, the Dutch government instituted a first National Action Plan against racism, which ran until 2007. The government however, never came from with a follow up action plan against racism. Finally in November 2009 a letter was sent to the parliament with a general vision on integration issues in which in only one paragraph announcing to address discrimination issues later on – unknown when.

In this context it is relevant that the colleague members of the Committee on Elimination of all forms of Racial Discrimination will meet with the Dutch government next month to discuss the CERD-report on racial discrimination issues.

I’m asking for your special attention because in its report to the CERD committee the government failed to address the issue of discrimination of black, migrant and refugee women.

- **New study about discrimination on the labor market**

A study of labor market discrimination against non-Western migrants was presented last week. It shows that discrimination is one of the reasons why the labor market participation of migrant women is lagging behind.

Many non-Western migrant women rely mostly on lower-skilled jobs because of their lower average educational level. In those segments of the labor market where many non-Western migrant women are looking for work, there are large differences in the chance of even being invited for an interview. Or in other words: discrimination.

Knowing the committee’s keen interest on this subject, we trust that you can discuss this issue.

- **New Prostitution Bill introduced without reference to CEDAW**

The government submitted the new prostitution bill to parliament without taking into account any of the concerns of the CEDAW Committee, as expressed in the Concluding Observations. NGOs think that the new Prostitution Bill will not combat trafficking and other forms of violence against sex workers. Instead of empowering them, it will further stigmatize sex workers, create more obstacles for them to work legally, safely and independently, and lead to a further flight into the illegal and unprotected sex sector.

Migrant women from so-called third countries cannot work legally, as the present Migrant Labour Employment Act prohibits the issue of working permits for work in the sex sector. NGOs think that criminalising clients that visit unregistered sex workers will shut down an important source of information. Because clients will stop reporting indications of abuse and coercion to the police, as they do now.

During a recent roundtable discussion with the MPs, NGOs urged them to wait with finalizing and introducing the Bill until it has received the Concluding Observations of the CEDAW Committee after the 45th session.

– shadow report pp. 51-52