

Opening statement of the

**KINGDOM
OF THE NETHERLANDS**

**International Convention on the Elimination of All Forms of Racial
Discrimination**

104th session of the Committee on the Elimination of Racial Discrimination

104th Session of CERD

9 – 25 August 2021 (Virtual Session)

(speaking time: 10 minutes)

Preface

Madam Chairwoman,
distinguished members of the Committee,
Attendees,

My name is Carsten Herstel, director-general of the Directorate-General for Social Security and Integration at the Dutch Ministry of Social Affairs and Employment.

Unfortunately, the minister responsible for combating racial discrimination in the Netherlands, Mr Wouter Koolmees, could not be here today.

It is a pleasure to replace him today and speak to you on behalf of the Netherlands, including the Caribbean parts of the country of the Netherlands: the islands of Bonaire, St Eustatius and Saba.

1. Improvement

The Netherlands has a highly diverse society; Many aspects of this society function well With differences between groups with and without a migration background decreasing.

At the same time discrimination and exclusion are a hard reality and a source of injustice and inequality in the lives of many

2. Reality of racism and discrimination

The COVID-19 pandemic has had a major impact on our society and has put a spotlight on various forms of social inequality.

It has drawn a reinforced focus on the need for resilience and cohesion within our society. Powerful signals of discrimination and racism within both society and the public sector have been heard and action is being taking.

The Black Lives Matter demonstrations in 2020, the calls for change coming from parliament and society, and the report by the Parliamentary Committee on Childcare Benefit entitled 'Unprecedented Injustice' have brought us to a tipping point.

It is beyond dispute that tackling racism and discrimination is a policy priority and that as a society

we strive for equality for all.

The UN Special Rapporteur on racism
has seen and praised
our statutory framework
and the dedication with which social equality
is pursued in the Netherlands.

Yet we must acknowledge
– as she observed in her report –
that our laws, our policies
and our dedication
are not always sufficient.

Too many Dutch people are still not protected
from unjustified difference in treatment
and too many still do not feel
like full and equal participants in Dutch society.

3. Increased efforts

Distinguished Committee-members and attendees,
we realise that we must increase our efforts
to combat discrimination and racism without delay.

That requires concerted action by government and society.

That's why we shall appoint a National Antidiscrimination
and Antiracism Coordinator who will launch a new action programme.
The government aims to prevent
and combat discrimination
on all legally recognised ground
and has increased its focus on
intersecting forms
of discrimination that people experience.

Specific manifestations of racism, ethnic discrimination,
xenophobia and related intolerance that have our focus
include discrimination on the grounds of origin,
skin colour and religion, anti-Muslim discrimination,
antisemitism,
and discrimination against Roma, Sinti and Travellers.

5. The Decade

The UN Decade for People of African Descent
- the Decade, in short -
has heightened our attention to anti-black racism.

Through research into specific exclusion mechanisms, empowerment of the African-Dutch
community,
and by fostering positive narratives

surrounding African-Dutch history
and culture as part of our society

we are working on mitigating stereotypes and prejudices regarding people of African descent

At the request of the government, an advisory committee on dialogue concerning slavery delivered a report

on the Netherlands' slavery past

and its continuing impacts on contemporary society.

This report contributes to a broader acknowledgment of this shared history and will help embed it in the national consciousness.

In addition to abovementioned measures and following up on dialogue with the Afro-Dutch community in light of the Black Lives Matter demonstrations,

a broad-based process aimed at strengthening

antiracism and antidiscrimination efforts

has been set in motion.

Of course, public-sector bodies need to be self-reflective and

are therefore also examining their own actions in regard to discriminatory behaviour, implicit bias and inclusivity .

We consider ourselves to be a tolerant and inclusive society

and strive to uphold this reputation by putting structures in place to tackle racism and discrimination.

However -as the UN Special Rapporteur also pointed out- we cannot let our self-image and endeavours prevent us

from seeing and acknowledging

the reality of racism and discrimination in our society,

from acknowledging that this is an ongoing battle that requires enduring attention and effort.

Our eyes have been opened in irreversible ways and must continue to remain so.

6. *Caribbean parts of the Netherlands*

Madam Chairwoman, distinguished members of the Committee,

The focus of the Dutch government in these effort

is not only on the European part of the Netherlands,

but also on its Caribbean parts:

the islands of Bonaire, Saba and Statia.

In 2019 the government adopted a social minimum benchmark, giving direction to actions of national and local governments

to combat poverty and improve people's lives

in the Caribbean Netherlands,

including by promoting employment opportunities for all.

In addition, various initiatives have been implemented

to specifically address racism and discrimination.

Bonaire, Saba and Statia were furthermore involved in the previously mentioned dialogue on slavery past and contemporary impact. After the summer discussions will continue, focusing on antidiscrimination policy in the Caribbean Netherlands.

I give the floor to Aruba for the opening remarks.

(NIET UITSPREKEN DOEN DE LANDEN ZELF)

Specially about situation on Aruba, Curaçao and St Maarten

Aruba

Madam Chairwoman, distinguished members of the Committee,

My name is Olivia Trimon-Croes, Deputy Director of the Department of Foreign Affairs of Aruba. I would like to make a few introductory remarks on the report on behalf of the Government of Aruba.

Aruba is a small country within the Kingdom of the Netherlands, historically, the Aruban society has been formed by the combination of migration waves from all over the world, which resulted in the contemporary diverse community. About a third of the Aruban population has a migration background from no less than 133 different countries of origin.

Both the Constitution of Aruba and the Criminal Code protect citizens from discrimination. Article 1 of the Constitution states that all persons in Aruba will be treated equally in equal circumstances. Discrimination on any grounds whatsoever, is prohibited.

Aruba is a multicultural society. An important factor contributing to the integration in society is the language of Papiamentu. Papiamentu is the most spoken language at home for the total population. It is the official language, next to Dutch. The Department of Culture Aruba, in cooperation with stakeholders promote Papiamentu through literature and other forms of expression, especially under children and youngsters. By promoting Papiamentu in different aspects, we preserve our identity and do carry on 'nation building'.

Furthermore, the introduction of Papiamentu as the primary language of instruction in primary education is being phased over a number of years. In this Aruban Multilingual School model, the other common spoken languages Dutch, English, and Spanish play a crucial role as foreign languages in the curriculum. This supports the development 21st century skills of the pupils and respects the multilingual characteristics of the Aruban society. In secondary education Papiamentu remains a compulsory subject, while planning for the diversification of the language model.

The COVID-19 pandemic, presented many challenges for our small island. The government introduced emergency relieve programs. The government also started a successful vaccination program for everyone residing in Aruba, regardless of migration status, to secure the inclusion of all and mitigate the spreading. The International organizations IOM, UNHCR/HIAS assisted with the vaccination program. The local community and NGO's assisted further with several initiatives.

Curaçao

Madam Chairwoman,

Curaçao is an autonomous country within the Kingdom of the Netherlands. Curaçao's small population is largely comprised of people of African-Curaçaoan descent and other ethnic groups who have migrated to the island, mainly from the region, but also from other parts of the world.

Racial discrimination is not tolerated in Curaçao. Both Curaçao's Constitution (*Staatsregeling*) and Criminal Code prohibit discrimination. The Constitution states that all persons must be treated equally in equal circumstances. Discrimination on the grounds of religion, belief, political opinion, race, sex or on any grounds whatsoever is not permitted.

Complaints of discrimination can be lodged with the Public Prosecutor's Office and the Office of the Ombudsman. According to the Public Prosecutor's Office only one case of discrimination has been filed in the past five years.

The government is committed to promoting inclusion. There is a national platform for the International Decade for People of African Descent, consisting of both governmental organisations and NGOs, which has organised several activities relating to the Decade.

The government acknowledged that the celebration of Sinterklaas and Black Pete caused pain to African descendants and has therefore stopped subsidising the celebration. The government and NGOs have actively discouraged the celebration of this event and raised awareness of its racist nature.

The COVID-19 pandemic has had a big socioeconomic impact on Curaçao. Through different policies and programmes the government, with the assistance of the Dutch government, is helping to alleviate the economic and social distress of the most vulnerable groups.

Apart from the pandemic, the government has also been dealing with the socioeconomic impact of the influx of migrants from Venezuela over the last few years.

Sint Maarten

Madame Chairlady, Ladies and Gentlemen,

My name is Patrice Gumbs Jr, Interim Director of the Department of Foreign Relations of Sint Maarten. On behalf of the Minister of Health, Social Affairs, and Labour, the Honourable Omar Ottley, I am pleased to highlight the efforts made by the Government, underscoring our continued commitment to combatting racial discrimination in Sint Maarten.

With an estimated population of 65,000 people and over 117 different nationalities, Sint Maarten is a 16-square mile, ethnically diverse part of Saint Martin, a 37 square-miles island shared with Saint-Martin, an overseas collectivity of France. This unique reality means that issues surrounding discrimination must be thoroughly considered. Both the Constitution and the Criminal Code protect citizens from discrimination. Article 16 of St

Maarten's Constitution states that "everyone in St Maarten shall be treated equally in equivalent circumstances". Discrimination on any grounds whatsoever is prohibited.

The Government strives to foster an inclusive society where all persons can reach their full potential. The different racial, ethnic, and national groups are encouraged to partake during national parades and manifestations to highlight and dignify the multifaceted Sint Maarten identity. They also have the freedom of expressing, practicing, and celebrating their own cultures, religions and beliefs through the holding of their own manifestations and parades or by any means they see fit. In honour of the UN International Decade for People of African Descent, the Government undertook several initiatives including submitting to the UNESCO Memory of the World Committee documentation to commemorate the route to freedom of enslaved African persons and cosponsored exhibits of art and poetry celebrating the links between African and Caribbean culture.

Madame Chairlady, Ladies and Gentleman, as a small island, despite our constitutional links with the Netherlands, the reality is that we are faced with the same challenges as many small island developing states. Hurricanes Irma and Maria in 2017 as well as the ongoing COVID-19 pandemic have severely impacted the socio-economic fabric of Sint Maarten. Consequently, policy positions have had to change to address the needs of the most vulnerable persons. I look forward to sharing some of these with you as well as addressing the issues raised by the Committee during this hearing.

Conclusion

My delegation is looking forward to this dialogue. We hope to be able to answer your questions and, on that basis, lay the groundwork for your recommendations. I'm certain that those recommendations will assist our efforts to strengthen and give new impetus to the Netherlands' approach to combating racism.