

**Unfinished Business  
Women's Rights in the Netherlands**

**Shadow Report for List of Issues & Questions by Dutch NGOs**  
An examination of the Sixth Periodic Report of the Netherlands  
for the CEDAW 65 pre-sessional working group 7-11 March 2016

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## Introduction

This shadow report is an assessment of the Sixth Periodic Report of the Kingdom of the Netherlands (CEDAW/C/NLD/6) and has been compiled on behalf of the Dutch CEDAW Network. The independent network consists of a core group of Dutch NGOs and several individual CEDAW specialists in the Netherlands. In addition to this core group many other NGOs are connected to the network, all lending their expertise. The Dutch Ministry of Education, Culture and Science funded the process of shadow reporting. Since no funding was provided for research on the implementation of CEDAW in the Caribbean parts of the Kingdom (the countries Aruba, Curacao, St Maarten and the islands Bonaire, St Eustatius and Saba) this report only covers the European part of the Kingdom, referred to as the Netherlands.

This shadow report has been compiled by two rapporteurs and is specifically meant for the 65<sup>th</sup> CEDAW pre-session to be held in March 2016, during which the Committee will formulate a List of Issues & Questions for the government of the Netherlands.

The first section of the report contains general concerns related to the implementation of the Convention in the Netherlands. Part A of the report covers different issues by CEDAW article. In part B issues concerning specific groups of women are presented.

52 Dutch NGOs endorsed this shadow report:

- African Sky, Landelijke Organisatie van Oost-Afrikaanse Vrouwen (National Organization of East-African Women)
- Amsterdams Coördinatiepunt Mensenhandel (Amsterdam Coordination Centre Human Trafficking)
- Art.1. Kenniscentrum discriminatie Nederland (Dutch knowledge centre on discrimination)
- Atria, Kennisinstituut voor emancipatie en vrouwengeschiedenis (Institute on Gender Equality and Women's History)
- COC Netherlands (Federation of Dutch associations for the integration of homosexuality COC Netherlands)
- Defence for Children - ECPAT Nederland
- Dona Daria, Kenniscentrum Emancipatie te Rotterdam (Expertise Centre for Emancipation)
- Emancipator, voor mannen en emancipatie (men and gender justice)
- FairWork
- Femmes for Freedom
- Fischer Advocaten (Fischer Lawyers)
- FNV vrouwenbond (Women's Union)
- GWNI (Graduate Women of the Netherlands International)
- HIVOS (Humanist Institute for Cooperation with Developing Countries)
- ICCO Cooperation
- IFOR Women Peacemakers Program
- Johannes Wier Stichting voor Gezondheidszorg en Mensenrechten (Foundation for Health and Human Rights)
- LNVH, Landelijk Netwerk Vrouwelijke Hoogleraren (Dutch Network of Women Professors)
- Mama Cash
- MOVISIE (Dutch centre for social development)
- Nederlandse Vereniging van Vrouwenbelangen, Vrouwenarbeid en Gelijk Staatsburgerschap (Netherlands Association of Women's Interests, Women's Work and Equal Citizenship)
- NJCM, Nederlands Juristen Comité voor de Mensenrechten (Dutch Section of the International Commission of Jurists)
- NOOM, Netwerk van Organisaties van Oudere Migranten (Network of Organisations of Elderly Migrants)
- NVR, Nederlandse Vrouwen Raad (Netherlands Council of Women)
- Oudere Vrouwen Netwerk Nederland (Elderly Women's Network Netherlands)
- OXFAM NOVIB
- Passage, christelijk-maatschappelijke vrouwenbeweging (Christian Community Women's movement)
- Proefprocessenfonds Clara Wichmann (Women's Rights Fund Clara Wichmann)
- Proud, Belangenvereniging voor sekswerkers in Nederland (Dutch Union for Sexworkers)
- RESPECT Network NL

- Rights 4 Change (Organization for human rights and gender justice)
- Shop Hulp en Opvang prostitutie en mensenhandel (Shelter and Advice and Relaxing Industry)
- Soa Aids Nederland (STD Aids the Netherlands)
- Stichting Los (Foundation for Support for Undocumented Migrants)
- SWexpertise, Platform improvement position sex workers
- TAMPEP International Foundation (European Network for HIV/STI Prevention and Health Promotion among Migrant Sex Workers)
- TIYE International (Platform of 21 National Associations of Black, Migrant and Refugee Women and Youth)
- TNN, Transgender Netwerk Nederland (Transgender Network Netherlands)
- VAM, Stichting Vrouwen en Arbeidsmarkt (Women and Labor Market Foundation)
- Vereniging voor Vrouw en Recht Clara Wichmann (Association Women and Law Clara Wichmann)
- Vluchtelingenorganisaties Nederland (Refugee Organisations Netherlands)
- VNVA, Vereniging van Nederlandse Vrouwelijke Artsen (Dutch Society of Female Doctors)
- Vrouwen van Nu (Today's Women)
- VVAO, Vereniging voor hoger opgeleide vrouwen (Netherlands Association for Highly Educated Women)
- Wemos Foundation
- WGNRR (Women's Global Network for Reproductive Rights)
- Wij Vrouwen Eisen (Dutch Abortion Committee We Women Demand)
- WILPF (Women's International League for Peace and Freedom, Dutch Section)
- WO=MEN, Dutch Gender Platform
- Women for Water Partnership
- WOMEN Inc.
- Women on Waves

## General concerns

### ***Impact of recent 'reforms' in the social sector on the status of women***

1. A significant development are 'reforms' and austerity measures in social support and care. Several tasks in these areas have been transferred from the national government to local governments (decentralization). This means municipalities are now responsible for youth care, welfare, home care for the sick and elderly, and domestic violence. This decentralisation is coupled with cuts in the available budget and a strong reliance on informal care and volunteers. In its 6th Periodic Report the government assumes that decentralisation will lead to customized services and it also foresees no negative impact on the status of women (CEDAW/C/NLD/6, para. 11). The NGOs do not share this optimism and are concerned that the reforms may disproportionately affect women.

*The NGOs suggest the Committee to ask the government what follow-up has been given to the CEDAW recommendation to conduct gender assessments of its social sector legislation and of its earlier cuts in the health-care budget (CEDAW/C/NLD/CO/5, para. 18-19), and whether and how the gender impact will be measured when monitoring the effects of the decentralisation.*

### ***Lack of attention for specific groups of women***

2. As mentioned in its 6th Periodic Report, the government is moving away from target-group policies to general policies (CEDAW/C/NLD/6, para. 11). The NGOs are not entirely against this development in itself, but they stress the necessity of due regard for differences in status among women. When general policies replace target-group policies entirely, there will be less attention for specific groups of women and little consideration for intersectional discrimination against, for example, migrant and ethnic minority women.

*The NGOs suggest the Committee to ask the government how it has given effect to the CEDAW recommendation to collect data and statistics, disaggregated by gender, ethnicity and age to be able to identify the needs of specific groups of women (CEDAW/C/NLD/CO/5, paras. 44-45) and how it has implemented CEDAW General Recommendation No. 28.*

### ***Women's organisations have great difficulty to secure funding***

3. There is very little funding available for women's organisations in the Netherlands. Especially small, local and national organisations and minority organisations experience increasing difficulties in securing funding. As a consequence many projects and programmes are terminated over the last years.

*The NGOs suggest the Committee to ask the government for more information on the reason why funding for women's rights organisations is barely available at the national and local level.*

### ***Disregard of CEDAW recommendations by the government***

4. The NGOs reiterate their concern about the government's reticence concerning the statutory status of the Convention in the domestic legal order. This is reflected in the absence of implementing recommendations of the Committee and in the lack of attention to the General Recommendations of CEDAW. General Recommendations 1 to 28 have been translated into Dutch and can be found on the government's website, yet the latest five General Recommendations have neither been translated nor actively distributed to NGOs, judiciary and members of the government. Moreover, the government refuses to act upon the recommendations on an individual complaint under the CEDAW Optional Protocol concerning maternity benefits for female entrepreneurs.<sup>1</sup>

5. There is also a lack of government response to several CEDAW concluding observations. One example is the still existing gender-based discrimination in the Law on Names. This issue was addressed in two previous CEDAW concluding observations (CEDAW/C/NLD/CO/5, paras. 10-11) but the recommendations on this matter are again put aside in the 6th Periodic Report (CEDAW/C/NLD/6, para. 180). The NGOs object to the government's argument that the violation of the rights of married mothers is justified by the non-violation of the rights of unmarried mothers who can freely decide about the surname of the child.

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<sup>1</sup> CEDAW/C/57/D/36/2012 and follow-up letters of Elisabeth de Blok et al. The follow-up dialogue is ongoing.

*The NGOs suggest the Committee to ask the government how it implements the General Recommendations and what steps are taken to implement previous concluding observations.*

**Gender mainstreaming required in international policies**

6. The NGOs recall the Committee's appreciation of the government's deliberate inclusion of financing women's rights organizations in its international assistance programme (which the government indeed has continued until recently) and of mainstreaming gender equality and empowerment of women in all its development activities. The NGOs also recall the Committee's encouragement to systematize assessment of the gender impact of legislation and policies among the various ministries (CEDAW/C/NLD/CO/5 paras. 4 and 19).

Relevant in this respect is a recent official evaluation on the attention for women's rights and gender equality in international policies, pursued by the Netherlands in the period 2007-2014.<sup>2</sup> The evaluation contains a positive appraisal of the Netherlands' efforts through its diplomatic channels to promote international norms about equality between women and men as well as continuance of these norms, and of the financial support provided to organisations that promote and uphold the rights of women in many countries.

7. However, the Netherlands did not consistently fulfil its ambitions in the area of gender mainstreaming in the design and implementation of *all* policies, programmes and projects, other than those dealing with women's rights and sexual and reproductive health and rights. Especially in the areas of economic development (e.g. policies on private sector development and social corporate responsibility) as well as in the area of peace and security, much improvement could be achieved with regard to gender mainstreaming in both the design and implementation of policies and programmes. The government is very much engaged and involved in the implementation of the National Action Plan UNSCR 1325 in a unique collaboration process with NGOs (including diaspora women's rights NGOs), but it has failed to mainstream gender equality into the overall conflict, peacekeeping and Counter Terrorism Measures (CTM). CTM increasingly have an impact on the implementation of the Gender, Peace and Security Agenda, as recognized by the recently launched global study on UNSCR 1325, the high-level review and UNSCR 2242 (adopted in October 2015).<sup>3</sup>

With respect to financing the first track of the Dutch government strategy: support to women's rights organizations and gender equality initiatives, NGOs are very worried about the outcome of the FLOW II 2016-2020 tender decisions. Unlike in MDG3 Fund and FLOW I, applications from Southern led alliances and women's rights organizations led applicants have been bypassed in favor of Northern based INGOs.

*The NGOs suggest The Committee to call upon the government to provide a full update on the state of affairs with respect to gender mainstreaming in all its international policies and programmes in the light of the recent official evaluation reports, and in particular of those regarding private sector development, social corporate responsibility, conflict and CTM.*

*Also the NGOs suggest to ask for an explanation of the outcome of FLOW II, reflecting a shift in funding modalities from direct funding of Southern based civil society and women's rights organizations towards Northern based INGO's.*

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<sup>2</sup> Ministry of Foreign Affairs, *Gender sense & sensitivity, Policy evaluation on women's rights and gender equality (2007-2014)*, July 2015

<sup>3</sup> UN Women, *Preventing Conflict, Transforming Justice, Securing the Peace – A Global Study on the implementation of UNSC Resolution 1235*, 2015, p. 384.

## A. Issues by CEDAW Articles

### Violence against women (art. 1 & 2 CEDAW)

#### **Domestic violence, the Istanbul Convention and police responsibilities**

8. The NGOs commend the response of the government to CEDAW's concerns about the gender-neutral approach to domestic violence (CEDAW/C/NLD/CO/5 para. 26). The Gender Scan carried out in 2013 and its follow-up (2014-2015) is a positive response to CEDAW's recommendation. However, the NGOs believe more work is needed to ensure a lasting effect. They have noted with interest that a next follow-up of the Gender Scan is planned for 2016, involving the municipalities and the advice and reporting points for domestic violence. Also the recent ratification by the Netherlands of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) is a positive development.

9. The NGOs, however, remain concerned about the number of incidences of domestic violence that led up to the death of women. In these cases the police failed to act proactively to prevent these homicides. One measure to scale up prevention is to institute a broad and systematic risk assessment in response to each report of domestic violence as mandated by the Istanbul Convention (art. 51). In order to recognize and respond effectively to death risks, police officers need to be better trained to employ this risk assessment. The NGOs are also worried about the merger of police regional forces into one national police force, as it causes loss of expertise on violence against women.

*The NGOs suggest the Committee to ask the government which specific steps it will take to implement the Istanbul Convention, how it will guarantee sufficient expertise on VAW in the national police force, and in particular by what measures it will better equip the police to prevent homicide in cases of domestic violence.*

#### **No information about Shared Parenting and Responsible Divorce and Separation Act**

10. In its follow-up to the latest concluding observations the Committee recommended "not to use the joint plan for parenthood as a legal precondition for starting divorce proceedings and in no case to impose it on women victims of domestic violence." In both the Committee's follow-up letters additional information was requested.<sup>4</sup> The 6th Periodic Report, however, does not provide the requested information on "a) the outcome of the Shared Parenting and Responsible Divorce and Separation Act of 2008, scheduled to be undertaken in 2012, b) on the number of women victims of domestic violence who benefitted from the get-out clause of the Act, and c) on the conditions requested, in the case law, for its application."

*The NGOs suggest the Committee to reiterate its request.*

### Stereotyping (art. 5 CEDAW)

#### **More analysis and measures needed to combat traditional gender stereotypes**

11. Stereotypes on gender, ethnicity, age, sexual orientation and disability are still persisting throughout society, and impede gender equality. Whereas women are often portrayed as either sexy or as mothers and loving wives, men are pictured as tough and rarely as fathers. The NGOs find it necessary to create awareness among children in primary schools on stereotyped views on men and women, and to provide them with the tools to challenge these stereotypical ideas as part of the education curriculum.<sup>5</sup> Though the matter is mentioned in the 6th Periodic Report, it lacks analysis on the impact of gender and racial stereotypes and it remains unclear what specific measures have been adopted to eliminate traditional views, despite previous recommendations of the Committee (CEDAW/C/NLD/CO/5, para 25). Following the periodic report, para. 17, the NGOs regret that developments with regard to the establishment of a Gender and Media Alliance are slow and in need of a follow-up.

<sup>4</sup> CEDAW AA/Follow-up/Netherlands/53 (2012), AA/Follow-up/Netherlands/58 (2014)

<sup>5</sup> Council of Europe, *Media and the image of women: Report of the 1st Conference of the Council of Europe Network of National Focal Points on Gender Equality*, 4 and 5 July 2013.

*The NGOs suggest the Committee to ask the government for information on concrete steps taken to implement article 5 of the Convention, and to inquire about the status of the Gender and Media Alliance and the resources it will provide to support the alliance.*

### **Engaging men in the emancipation of women**

12. Although the Committee expressed concern in its previous Concluding Observations (CEDAW/C/NLD/CO/5, para 24) that little reference was being made to the role of men in the emancipation of women, this issue is not addressed in the 6th Periodic Report. The minister of Emancipation has called for more attention on engaging men in the emancipation of women in her Emancipation letter 2013-2016 and in her midterm review of her Emancipation Policy.<sup>6</sup> However, the NGOs feel that causes and symptoms of gender inequality are not sufficiently taken into account. This is reflected in cultural norms on manhood that undermine gender equality or the fact that boys and men are not included in gender equality programs. Research has shown that boys and men can gain a lot from emancipation processes themselves, such as learning about normative masculinities and overstepping (violent) behaviour. NGOs emphasize that men could and should play a significant role in the safety of women, especially in the prevention of (domestic) violence against women and girls.

*The NGOs suggest the Committee to ask the government to provide information on the role of men in women's emancipation, how it addresses this issue in its policy on the prevention of (domestic) violence against women, and how it plans to finance its measures.*

### **Trafficking in women and prostitution (art. 6 CEDAW)**

#### **More attention for the early stages of identification of (potential) trafficking victims**

13. The 6th Periodic Report mentions the establishment of a National Referral Mechanism for victims of human trafficking (NRM/NVM) (CEDAW/C/NLD/6, para 104). Though in itself useful the NGOs think this NRM/NVM could benefit from a multidisciplinary approach, a better collaboration with NGOs and more attention to the early stages in the process of identification of (potential) victims. The NGOs regret that the government does not provide most of the additional information, among others about involving NGOs in the anti-trafficking Taskforce, which the Committee requested in its follow-up letter dated 10 September 2014.<sup>7</sup>

*The NGOs suggest the Committee to ask the government to provide information on the implementation of the NRM/NVM, the application of a multidisciplinary approach and its relevance for the early stages in the process of identification of (potential) victims, and when the government will provide the additional information requested in the follow-up letter.*

#### **How many victims of trafficking do benefit from residency arrangements (B8/3)?**

14. The 6th Periodic Report describes the policies with regard to the entitlement of victims of trafficking to temporary and permanent residence permits, including those victims who are not able or willing to cooperate with the authorities (CEDAW/C/NLD/6, para 114-117). However, figures about the number of victims of trafficking that indeed receive such permits are not provided. Moreover, the Report does not mention that the government abolished the entitlement to stay in the country during an appeal of a victim against the decision not to prosecute.

*Since the NGOs have the impression that in reality it is still very difficult to obtain a long term residence permit, in particular for victims who are not able or willing to cooperate with the authorities, they suggest the Committee to ask for figures from 2008 up till now, disaggregated to temporary and permanent permits, with specific attention to the abolishment mentioned above.*

#### **Limited focus of action against human trafficking**

15. The NGOs regret that the government only provides information in its 6<sup>th</sup> Periodic Report on measures against human trafficking in relation to the sex industry (CEDAW/C/NLD/6, paras. 104-118). Human trafficking and exploitation does occur in other economic sectors which are in particular important for women, such as domestic work and horticulture. Moreover: harmful practices such as

<sup>6</sup> Parliamentary papers II 2014/15, 30420, nr. 211.

<sup>7</sup> AA/follow-up/Netherlands/58 p. 4.



forced marriages, child marriages and exploitation of daughters in law are included in the definition of trafficking.

*The NGOs suggest the Committee to ask the government to provide more information on its policies and activities against trafficking in women in sectors other than the sex industry.*

#### **Results of European collaboration in the fight against human trafficking?**

16. In its 6<sup>th</sup> Periodic Report the government refers to the EMPACT-project as one of its measures against human trafficking (a priority of the EU) without reporting its results (CEDAW/C/NLD/6, para. 106). For instance, how many convictions have been achieved as result of the 50 investigations that are mentioned? How many victims were involved?

*The NGOs suggest the Committee to ask the government to report on the concrete results of the EMPACT-project and other collaboration projects in EU context.*

#### **Mandatory registration of sex workers?**

17. Although the Senate rejected the Bill on mandatory registration of sex workers, among others because of its possible violation of Dutch and EU data protection and privacy legislation, several municipalities introduced or are in the process of introducing mandatory registration, without the required legal basis and without adequate measures to protect the privacy of sex workers. So in contrast of what the government states in its 6<sup>th</sup> Periodic Report, the Committee's urgent request concerning threats to privacy is still current (CEDAW/C/NLD/CO/5 para 30-31, CEDAW/C/NLD//6 para 119). Some cities directly impose an obligation on sex workers to register, in other cities mandatory registration is indirectly imposed via a requirement on brothel operators to collect personal data of sex workers employed in their establishment, and to keep these data available to the police and appointed city officials. NGOs argue that mandatory registration does not help to combat trafficking and other abuses. In addition, it violates the precarious right to privacy of sex workers, stigmatises them, creates more obstacles to work legally and safely, and leads to a further flight into the illegal and unprotected sex sector. Moreover, it might endanger migrant sex workers from countries where prostitution is a criminal offence.

*Given the Committee's previously expressed concern the NGOs suggest the Committee to ask the Government which measures it has envisaged to prevent and/or stop the illegal registration of sex workers by municipalities.*

#### **Prostitution Bill will compel sex workers to work for a third party**

18. The NGOs object to the description of the (revised) Bill on the regulation of prostitution in the 6<sup>th</sup> Periodic Report (CEDAW/C/NLD//6 para 120-121). The Bill will make it almost impossible for sex workers to work independently without interference of a licensed brothel keeper. *De facto* it forces sex workers to work for and under the control of (licensed) brothel/window operators, while jeopardising sex workers who prefer to work as independent entrepreneurs, who wish to protect their privacy, and are not willing to cede half or more of their income to a brothel operator. Whereas, before the lifting of the ban on brothels in 2000, the law officially prohibited working for a third party, the law is now likely to make it impossible for sex workers *not* to work for a third party.

19. Both before and after 2000 sex workers themselves were not punishable but according to the revised Bill, all unlicensed sex workers work illegal. The Bill does not distinguish between brothels and self-employed sex workers, and subjects the latter (e.g. home-based sex workers and self-employed escorts) to the same rules and sanctions as brothels. For example, it requires 'professionally working' self-employed sex workers to apply for a license, which implies the publication of their name and address in the local newspaper or the municipal website, with far reaching consequences for their privacy and safety. Criteria to qualify as 'professionally working' include 'working to earn an income' and 'advertising'. However, even if they would be willing to apply for a license, the chance that they will get one is minimal as most cities apply a quota system. Moreover, the Bill authorises to raid the homes of sex workers on the suspicion that they work professionally without a licence. This forces them to either give up their independency and work for a sex business operator or maintain their independency with the risk of being prosecuted and punished. In addition, the law increases the allowed age for sex workers from 18 to 21. The NGOs fear that this will not stop young sex workers to work, but instead will make them more vulnerable and will prevent them from seeking help when needed.

*The NGOs suggest the Committee to ask the government to explain in the context of the aim of empowering prostitutes how it ensures that sex workers can work independently, without the interference of a sex business operator.*

### **Education (art. 10 CEDAW)**

#### ***Lack of measures for young mothers and pregnant women in secondary and higher education***

20. Young mothers and pregnant women face difficulties in access to education and the possibility to complete formal education, due to the absence of necessary preconditions to combine childcare and education. The dropout rate of this group is 51% from secondary vocational education (MBO) and 74% from higher professional education (HBO and University).<sup>8</sup> In 2015 the government launched a web tool to provide information on allowances and financial support for studying parents. This tool alone does not solve the problem. Women students have no legal right to paid maternity leave, which lead to study delay, and often results in higher student loans. In addition there are no legal regulations requiring educational institutions to make special provisions for these women students. Thus young mothers and pregnant students are dependent on the goodwill of their educational institution for support such as flexible timetables and exceptions to compulsory attendance. Professional athletes and persons with a handicap actually do have entitlements to such support, thus this government's policy affects women in particular.

*The NGOs suggest the Committee asks the government how it addresses the difficulties young mothers and pregnant women face in secondary vocational and higher education.*

#### ***Still a low percentage of women professors***

21. The 6th Periodic Report states that the national average of women professors is 14.8% (currently 16,9%), but does not provide any information on concrete measures to increase this percentage (CEDAW/C/NLD/6, para.145). The Committee already addressed this issue in the Concluding Observations in 2010 (CEDAW/C/NLD/CO/5, paras. 34-35). Although there has been a slight increase in the number of women professors since then, the numbers are still well below the EU average. Women professors underline that women experience both direct and indirect discrimination, including unequal pay, throughout their academic career<sup>9</sup>.

*The NGOs suggest the Committee to ask the government for information on specific measures taken to increase the percentage of women professors and to address direct and indirect discrimination of women working in academia.*

### **Employment and Economic empowerment (art. 11, 13 CEDAW)**

#### ***Still no full social rights and no social security for domestic workers***

22. The 6th Periodic Report mentions in para 38 the report of the advisory committee investigating the scope for improving the status of domestic workers. One of the main recommendations of that committee was to end the misuse of the Home Help Services Scheme in the public sector, in the home care. The advisory committee recommended no improvements for domestic workers in the private sector. In the meantime the government has issued a response to the report, indicating not to be willing to give domestic workers full social rights.

*The NGOs suggest the Committee to ask the government a full update on this issue in which an explanation is provided why the government disregards the recommendations of CEDAW as well as the CDESCR with regard to supplying domestic workers, including home care workers, with the same full social rights that all other workers enjoy.*

#### ***Gender-bias in policies on labour migration***

23. The 6th Periodic Report does not provide any information on the situation of documented or undocumented women labour migrants. Research shows significant differences in labour migration patterns between women and men: women often migrate for lower skilled labour, they earn less and

<sup>8</sup> Parliamentary Papers II 2014/15, 24724, nr. 135, [consultation about problems of young mothers attending education].

<sup>9</sup> Monitor Vrouwelijke Hoogleraren 2015 [Monitor Women Professors 2015], LNVH, p. 17, 43.

have fewer rights than men. Moreover, in some sectors where predominantly women work, it is either formally or *de facto* impossible to obtain a work permit and consequently access to labour law protection and social security. This applies in particular to domestic work, work in the private home care, sex work and sex work related entertainment. As a result, migrant women working in these sectors are especially vulnerable to exploitation, violence and abuse. In theory the Dutch national labour law is also applicable to undocumented (women) workers, but in practice they have no possibility to claim their rights. Moreover, they are not informed about their rights. The NGOs are of the opinion that women should be able to obtain work permits for work as domestic worker, as worker in the private home care, sex work and sex work related entertainment. This would be in line with Art. 2 and 11 CEDAW and General Recommendation 26.

*The NGOs suggest the Committee to ask the government how it informs women labour migrants in these sectors about their labour rights, whether documented or not, and how it has implemented General Recommendation 26.*

#### **Lack of gender-analysis of austerity measures due to the economic crisis**

24. Despite the Committee's recommendation in para 19 of its Concluding Observations to encourage the State Party "to systemize assessment of the gender impact of legislation and policies and gender budget analysis among the various ministries (...)", there seems to be an overall gender-blindness within governmental policies (CEDAW/C/NLD/CO/5, para. 19). The government states in its 6<sup>th</sup> Periodic Report that more men than women suffered from the economic crisis, due to the loss of their economic independence between 2008 and 2012. However, NGOs point out that austerity measures of the government in response to the economic crisis appear to have affected more women than men (CEDAW/C/NLD/6, para. 18). This is evident in the healthcare sector, a field dominated by women, where severe budget cuts have caused many women to lose their jobs, their financial security, and their economic independence. This does not follow CEDAW's recommendation 45 of its Concluding Observations.

25. In addition the NGOs feel that the government's conclusion concerning the economic crisis is far too optimistic since 47% of women aged 20 to 65 are not economically independent. Moreover, on the average women earn 18% less per hour than men.<sup>10</sup> The government also mentions that the participation of single mothers in the labour market dropped in 2012. However, the Emancipation Monitor 2014 shows a more significant, and therefore more alarming, decrease of labour participation amongst this group of women.<sup>11</sup> This is due to the fact that a high percentage of these mothers have a non-western background, and people of non-western descent are hit harder by the economic crisis than others. The NGOs are worried about the long-term effects of the economic crisis and the gender inequality caused by gender blind governmental policies.

*The NGOs suggest the Committee to ask the government to provide more information on the long-term effects of the economic crisis on women and its assessments ex-ante and ex-post.*

#### **Target of 30% women executives and advisory commission boards not accomplished**

26. According to the Female Board Index 2015, in which 84 leading Dutch companies participated, only 7,8% of the executive directors are women and 21,3% of the non-executive (supervising) directors.<sup>12</sup> NGOs find this a worrisome outcome and point out that "overcoming underrepresentation of women in certain fields" is in line with article 4, para 1, of the Convention and of the Committee's General Recommendation No. 25. Although the government has implemented a temporary special measure that requires official listed companies to strive for a minimum of 30% of women in their highest level bodies as of 2016, it is clear that this target will not be achieved.

*The NGOs suggest the Committee to ask the government to provide more information about its policies to increase the number of women executives, and among them the representation of executive women migrants.*

<sup>10</sup> CBS Statline, figures 2012

<sup>11</sup> SCP/CBS, *Emancipatiemonitor 2014*, [Emancipation Monitor 2014], December 2014.

<sup>12</sup> Prof. dr. Mijntje Luckerath-Rovers, *The Dutch Female Board Index 2015*, October 2015.

### **Second generation migrant women drop out of labour market**

27. In its 6<sup>th</sup> Periodic Report the government has not paid sufficient attention to the participation of second-generation women of Turkish and Moroccan descent, despite CEDAW's recommendation 43 to "encourage the adoption of proactive measures to further increase their (migrant women) participation in the labour market" (CEDAW/C/NLD/6, para. 43). The Annual Report Integration 2014 (CBS) shows that well-educated young second-generation women leave the work force after given birth to their first child.<sup>13</sup> Those young migrant women rarely return to the labour market, especially after having more children, and become highly dependent on their spouses. The NGOs are worried that this might jeopardize their chance to become economically independent in the future.

*The NGOs suggest the Committee to ask the government for information on educated second-generation women of Turkish and Moroccan descent dropping out of the labour market. Furthermore, to inquire about the government's plans to increase the participation of these migrant women in the work force, and how it will prevent them from dropping out.*

### **Difficulties in obtaining paid paternity and parental leave**

28. Paid paternity and parental leave can contribute to eliminate stereotypical images and attitudes regarding the role of women and men in the family and facilitate conciliation of family and work life. NGOs note that, in comparison with other countries in the EU, there are limited entitlements to paid paternity leave for partners of new mothers in the Netherlands. Moreover, according to a recent study one-fifth of all new fathers even cannot or will not claim these limited entitlements.<sup>14</sup> In its 6<sup>th</sup> Report the government does not mention the abolishment of the special tax discount in case of parental leave, which was created as a basis for paid parental leave (CEDAW/C/NLD/6 para 50 and 51). This is a step backwards and not in line with recommendation 37 of the Concluding Observations (CEDAW/C/NLD/CO/5, para. 37).

*The NGOs suggest the Committee to ask the government for an update of disaggregated facts and figures with respect to men and women taking paid and unpaid parental and paternity leave, what policies it deploys to encourage parents to take paternity and parental leave and to explain why it abolished the special tax discount in case of parental leave.*

### **Lack of policy to reduce poverty among women and single mothers**

29. The 6<sup>th</sup> Periodic Report states that the number of women with a long-term low income rose from 157.000 in 2010 to 182.000 in 2012 (CEDAW/C/NLD/6, para. 69). However, there is no mentioning of any gender specific policy to reduce poverty among women, let alone of poverty prevention programmes following CEDAW's recommendation 45 in its Concluding Observations. The NGOs are very concerned about the overrepresentation of women aged 20 to 39 with a long-term low income. Research shows that in 2014 25% of all single mothers with underage child(ren) were living in poverty.<sup>15</sup> Beside structural policy to reduce poverty among single mothers and their children, measures should also be addressed to economic independency of women, including single mothers with young children.

*The NGOs suggest the Committee to ask the government about its policies to reduce poverty among women, specifically women and single mothers with a long-term low income*

## **Health (art. 12 CEDAW)**

### **Future funding for the Gender and Health Alliance**

30. As mentioned in the 6<sup>th</sup> Periodic Report the Gender and Health Alliance calls for the recognition of the differences between men and women in healthcare. The NGOs are pleased to see that since the start in 2012 the Alliance has initiated relevant collaborations and made valuable recommendations. The Alliance was funded by the Ministry of Education, Culture and Science till the end of 2015. The Ministry of Health, Welfare and Sport recently indicated that it is prepared to make resources available

<sup>13</sup> CBS, *Jaarrapport Integratie 2014*, [Annual report Integration 2014], November 2014, p. 110.

<sup>14</sup> CBS, *Ruim vier of de vijf prille vaders nemen verlof*, [Over four out of five young fathers take leave], 4 September 2015.

<sup>15</sup> SCP and CBS, *Armoedesignalement 2014*, [Poverty Indication Report 2014], December 2014, p. 65.

for the Alliance. At the time of finishing this shadow report (January 2016) it is not yet clear what resources will be allocated.

*The NGOs suggest the Committee to ask the government for the latest state of affairs concerning the resources and future plans for the Gender and Health Alliance, including how intersectionality will be addressed.*

#### **Increased burden on informal carers**

31. The 'reforms' and austerity measures that attend the 2015 decentralisation, include more emphasis is laid on informal care by family members and volunteers for the elderly, persons with a handicap and vulnerable children. As a consequence many professional workers in homecare and elderly care, most of them women, are losing their jobs. Also, as noted in the 6th Periodic Report, the majority of informal carers are women as well. Nevertheless, the government concludes that its new policy will support informal carers and thus will largely benefit women (CEDAW/C/NLD/6, paras. 150-152). The NGOs are concerned about the government's enthusiasm for a care system which leans on a majority of unpaid women. It is not inconceivable that such a system has a negative effect on the economic independence of women who (partially) withdraw from the labour market to provide informal care. In addition women can become overburdened, due to the combination of work and care, and also the quality of care may suffer. Options to address these issues were discussed during an expert meeting with local stakeholders on 11 June 2015.<sup>16</sup> To the NGOs it is a hopeful sign that the government has assured to provide a follow-up to the outcomes of the meeting.

*The NGOs suggest the Committee to ask the government which concrete steps it will take to create a more equal division of informal care tasks between women and men and whether the government will monitor the gender impact of the increased emphasis on informal care.*

#### **Medication for menstrual regulation not available from pharmacies**

32. The NGOs regret that medication for menstrual regulation (also known as the abortion pill Mifegyne with Misoprostol) is still not available from pharmacies to be prescribed by general practitioners. Menstrual regulation is an early and safe termination of pregnancy for women who have missed their period for a maximum of 16 days. Since 1 May 2015 medication for menstrual regulation can be ordered by pharmacies, but the Minister of Health states that the abortion act needs to be amended before the medication can be prescribed. The Health Inspectorate has also threatened it will intervene if general practitioners prescribe the medication.<sup>17</sup> As a consequence both pharmacists and general practitioners do not supply and prescribe the medication for fear of being punishable by the current law, according to which abortion may only be carried out in licensed hospitals and abortion clinics. The Ministry of Health and the Health Inspectorate conclude that the Abortion Act covers menstrual regulation. The NGOs consider this interpretation to be incorrect and find that an amendment is therefore not necessary. For, in earlier rulings the Supreme Court confirmed that menstrual regulation is not covered by the abortion act and the Council of State (highest administrative Court) determined that menstrual regulation does not have to take place in an abortion clinic.<sup>18</sup> Consequently, general practitioners should be allowed to prescribe medication for menstrual regulation.

*The NGOs suggest that the Committee asks the government how it plans to ensure that medication for menstrual regulation becomes available from pharmacies to be prescribed by general practitioners.*

<sup>16</sup> Eindrapport Expertmeeting 'Gendersensitief Beleid bij Gemeenten' [Final Report Expert Meeting 'Gender-sensitive Policy of Municipalities'], Atria, Mezzo, Movisie, Nederlandse Vrouwenraad, October 2015.

<sup>17</sup> Abortuspil verkrijgbaar in openbare apotheek – Wetswijziging nodig voordat huisartsen mogen voorschrijven [Abortion pill available in public pharmacies – Amendment necessary before GP may prescribe], Pharmaceutisch Weekblad, 2 April 2015.

<sup>18</sup> Kwant, L. de, Abortuswet is niet nodig [Abortion Act is not necessary], Medisch Contact, 2015(13); Gomperts, R. & Kleiverda, G, Zestien dagen zijn zestien dagen [Sixteen days are sixteen days], Medisch Contact, 2001(42).

## **Equal rights of obtaining, changing or retaining a nationality (Art. 9) & Equal rights in respect of marriage and family relationships (Art. 16)**

### ***Extension of the period of the dependant residence permit makes women more vulnerable***

33. The government has increased the duration of the dependant residence permit of migrant women from three to five years. This change disproportionately affects women, since 75% of women and 25% of men apply for a residence permit based on family formation or reunification.<sup>19</sup> The extension of the period of dependency negatively impacts the emancipation and integration process of migrant and refugee women (who arrive after their partner was granted residency), restricts their autonomy and increases the risk of domestic violence and abuse of power. In addition, also Dutch women with a migrant partner whose residence permit is dependent on them are affected, as they cannot separate from their partner for five years (instead of three) without exposing him or her to deportation. Yet, the government does not make any reference in its report to this change of law and its impact on in particular migrant women.

*The NGOs suggest the Committee to ask the government to provide information about the reasons for extending the duration of the dependent residence permit from three to five years, as well as about the gender impact thereof, respectively whether it has commissioned any research into the social and psychological effects on both migrant and Dutch women.*

### ***Obtaining continued (independent) residency in the case of domestic violence has become more difficult***

34. As an exception, migrant women can apply for a continued (independent) residence permit within the five year period of dependent stay in the case of domestic violence. However, NGOs notice that during the last two years it actually has become more difficult for victims of domestic violence to obtain an independent residence permit. In the past, it was sufficient to demonstrate the domestic violence by means of a statement of a doctor, a social worker or a women's shelter. Currently the Immigration and Naturalisation Service (IND) demands an official statement from the police or the Public Prosecution Services, next to a declaration of the shelter, a doctor or a hospital. They also require the victim to seek refuge in a shelter and in some cases a conviction of the perpetrator is required. The NGOs point out that this approach is not in line with the general policy on domestic violence and the obligations of the Netherlands under CEDAW.

*The NGOs suggest the Committee to ask the government to explain the reasons for this change in policy and to provide facts and figures on the number of residence permits granted to migrant women on the basis of domestic violence for the last 5 years.*

### ***Too little attention to child brides other than Syrian refugees***

35. After the discovery of at least 22 child brides amongst Syrian refugees this summer, the Senate adopted the Countering Forced Marriage Act (Wet tegengaan huwelijksdwang) in October 2015. This law makes it possible to formally dissolve marriages of girls under eighteen and permission for marriage between cousins will be more difficult to obtain. In the view of the NGOs this legislation is a step forward, but not enough to combat child marriages and marital captivity (remaining, against their will in a religious marriage). Furthermore the NGOs urgently want to point out that hardly any attention is being paid to child marriages in other communities, such as Roma and Sinti and diaspora communities. The NGOs think it is a serious human rights violation of girls born and bred in the Netherlands to be forced to and kept in a formal or an informal marriage either in this country or in the 'country of origin'.

*The NGOs suggest the Committee to ask the government to provide an overview of the legislation and of prevention and enforcement policies with respect to formal and informal child marriages in all communities in the Netherlands.*

### ***Lack of sufficient legislation for forced transnational marriages***

36. NGOs are concerned about girls, under aged or 18+, who are taken by their parents under false pretences to another country in order to be married off against their will. The parents return to the Netherlands keeping their daughter's passport, abandoning their newly married daughter and leaving

<sup>19</sup> SCP, *Huwelijksmigratie in Nederland, [Marriage migration to The Netherlands]*, September 2014

her with her family-in-law. Often the girls are not allowed to attend school, raped repeatedly by their husbands and imprisoned in a marriage they cannot escape from (marital captivity). In the rare cases the girls/women do escape they experience difficulties to acquire a new Dutch passport or (in case of another nationality) a new residence permit and even whenever they succeed in obtaining an annulment of the marriage contract in the Netherlands, the marriage contract in that other country is not dissolved.

*The NGOs suggest the Committee to ask the government to provide information on its policies and practices in preventing and combating forced transnational marriages and marital captivity, including on the role the embassies play in offering shelter and assistance to return back home.*

## **B. Specific Groups**

### **Lesbian, Bisexual and Transgender (LBT) women (art. 1, 2, 5, 12 CEDAW)**

#### ***Lack of expertise among professionals on LBT issues***

37. The NGOs are concerned that there is a general lack of expertise among relevant professionals on LBT issues. This is particularly the case for professionals in the youth sector, healthcare and welfare sector, for members of staff in asylum procedures and asylum seeker's centres (AZC's), and for educational professionals. Education about sexual diversity, gender diversity and sex characteristics diversity is no compulsory subject in the training programmes of these professionals. As a consequence these professionals often miss knowledge and skills to adequately support LBT clients and to address discrimination, exclusion or abuse of LBT women. Without this necessary education social workers may not recognise the vulnerable status of LBT women, youth workers may not notice that LBT girls are struggling with their identity and peer pressure, and personnel in AZC's may not be responsive to violence against LBT women.

38. It is commendable to the NGOs that LGBT education is now compulsory in schools, but teachers still lack the tools to respond effectively to negativity towards LBT students.<sup>20</sup> The 6th Periodic Report mentions that mental health care is not generally sensitive to transgender women (CEDAW/C/NLD/6, para.184). However, the report does not mention if steps are taken to address this problem and there is no recognition of the fact that this is an issue that applies to professionals in several sectors.

*The NGOs suggest the Committee to ask the government how addresses the LBT knowledge gap among relevant professionals and its effects on LBT women. The Committee could ask the government whether it has considered making LBT awareness a compulsory subject in professional education and a required competence.*

#### ***Alteration of sex characteristics for transgenders still excluded from health insurance***

39. Currently the adaption of several sex characteristics such as breast construction and facial adjustments are excluded from basic health insurance, which means that transgender women cannot have the cost of these procedures reimbursed. In the previous CEDAW Concluding Observations the Committee already called for the reimbursement of breast implants for transgender women (CEDAW/C/NLD/CO/5, paras. 46-47). In response to this recommendation the 6th Periodic Report concludes that reimbursement of breast implants for transgender women would constitute unequal treatment since other women also have no right to reimbursement of breast implants (CEDAW/C/NLD/6, para. 186). However, this line of reasoning does not take into account the specific condition of transgender women. For their social acceptance it is essential that their sex characteristics correspond with their gender identity. In a study of the Social Cultural Research Institute (SCP) on the situation of transgender people in the Netherlands it was concluded that this specific condition of transgenders justifies an exception in the health insurance for this group.<sup>21</sup> The NGOs find a possible policy change, recently announced by the Minister of Health, far too limited, since it only concerns breast construction and will not come into effect before 2017.

<sup>20</sup> Rossenberg, S. van, *LHBTI-kinderen in Nederland [LGBTI children in the Netherlands]*, COC Nederland, 2013.

<sup>21</sup> Keuzenkamp, S., *Worden wie je bent – Het leven van transgenders in Nederland [Becoming who you are – The life of transgenders in the Netherlands]*, Sociaal Cultureel Planbureau, 2012, p. 94.

*The NGOs suggest the Committee to ask the government to respond to the notion that medically necessary alterations of sex characteristics for transgender persons do not constitute unequal treatment, and whether those could be included in the basic health insurance.*

### **Women with disabilities (art. 3, 10, 11, 12 CEDAW)**

#### **No measures to address intersectional discrimination of women with disabilities**

40. The NGOs are pleased to note that the government plans to ratify the UN Convention on the Rights of Persons with Disabilities (CRPD). The 6th Periodic Report, however, contains very little information on women with disabilities in the Netherlands. The government only concludes that fewer disabled women than disabled men participate in the labour market (CEDAW/C/NLD/6, para. 30). No reference is made to possible intersectional discrimination experienced by these women on the labour market or in other areas. There are no recent studies or programmes that specifically address issues of women with disabilities. The CRPD contains provisions on women with disabilities (art. 6, art. 16(5), art. 28(2)(b) CRPD), covering multiple discrimination, violence, and social protection. While the proposed Act of approval of the CRPD makes reference to these provisions and even draws a comparison with CEDAW, the plan of action for the implementation of the CRPD is very general and contains no specific plans to address the situation of women with disabilities.<sup>22</sup>

*The NGOs suggest the Committee asks the government to provide information on any planned measures to study and address intersectional discrimination of women with disabilities. The Committee could ask whether the government plans to concretise its action plan for the implementation of the CRPD to also include measures for women with disabilities.*

### **Undocumented migrant women (art. 3, 12 CEDAW)**

41. The NGOs are concerned about the dire situation of undocumented migrant women and the attitude of the government towards this group. The 6th Periodic Report includes no information on undocumented migrant women.

#### **Absence of safe shelter**

42. The regular homeless shelters and women's shelters meant for victims of domestic violence are not legally accessible to undocumented migrant women. As a consequence they end up on the street or in informal shelters. For women migrants this is especially detrimental because they are more vulnerable to exploitation or abuse on the streets and because informal shelters tend to be unsuitable for women. The quality of shelters for undocumented migrants varies between locations. Several shelters lack proper sanitation and privacy, and women inmates are usually in the minority. Some shelters accessible to undocumented migrant women only provide accommodation during the night. Many of these women suffer from post-traumatic stress disorder and are in need of safety and stability, that these kind of shelters do not provide.<sup>23</sup> In addition, undocumented migrant women who suffer domestic violence cannot safely report to the police for fear of being apprehended based on their lack of residence status.

*The NGOs suggest the Committee to ask the government to provide information about safe shelters for undocumented migrant women including those who suffer domestic violence.*

#### **Problems with access to healthcare**

43. Undocumented migrant women experience difficulties with access to healthcare despite their legal entitlement to necessary medical care. This issue was also addressed in the previous CEDAW Concluding Observations (CEDAW/C/NLD/CO/5, paras. 46-47). The situation has not changed significantly since then, but the 6<sup>th</sup> Periodic Report makes no mention of the current issues. Both these women and healthcare professionals still lack knowledge on the right to health of this group and the

<sup>22</sup> Parliamentary Papers II 2013/14, 33 992 nr. 3; *Parliamentary Papers II 2014/15 33990 nr. 9.*

<sup>23</sup> *Vrouwen op de Vlucht – Verhalen van ongedocumenteerde vrouwen in Nederland [Stories of undocumented women in the Netherlands]*, Doctors of the World, 2015.



existing regulations.<sup>24</sup> As a consequence undocumented migrant women get access to the healthcare system (too) late, continuity of care is seldom, and sometimes they are denied any care at all. In practice undocumented migrant women are often dependant on NGOs that act as intermediaries between undocumented migrants and the healthcare system.

*The NGOs suggest the Committee asks the government for information on how it has given effect to the previous CEDAW recommendation concerning access to healthcare for undocumented migrant women.*

### **EU migrant women (art. 3, 11, 12, 13 CEDAW)**

#### **No sustainable response to problems experienced by EU migrant women**

44. There is a growing number of labour migrants from Southern and Eastern EU countries. A little more than half of these migrants are women.<sup>25</sup> NGOs indicate that there exists a gap in policy and measures to address issues that this group of women migrants are dealing with.<sup>26</sup> The problems they encounter include unemployment or underemployment, unstable jobs, dependency on their employer for both income and housing, and lack of language proficiency. A few municipalities have started to take measures in these areas, but so far a gender perspective has not been taken into account.<sup>27</sup> A study on the experiences and needs of EU-migrants themselves indicates that EU-migrants especially need information on practical issues such as registration, housing, job hunting and social security.<sup>28</sup>

*The NGOs suggest the Committee to ask the government to provide more information on this group of women migrants experiences and how it will take into account the results of the research.*

### **Ethnic minority women (art. 3, 7, 12 CEDAW)**

45. While the 6<sup>th</sup> Periodic Report contains data on labour force participation and education of ethnic minority women and also refers to an expected study on ethnic minority women and health care, the Report contains little information on actual measures taken.

*The NGOs suggest the Committee to ask the government to provide information on what measures it will take to improve the status of ethnic minority women*

#### **Subsidy for healthcare interpretation services cancelled**

46. In 2012 government subsidy was cancelled for the interpretation service over the phone for health care professionals needing to communicate with patients who do not speak (sufficient) Dutch. Before 2012 health care institutions could make use of a free interpretation service over the phone in 130 languages. This service was subsidised by the Ministry of Health. Ever since the subsidy was cancelled as an austerity measure health care institutions are responsible for financing or organizing interpreters themselves. As the official interpretation service is expensive, healthcare professionals tend to make use of informal interpreters such as multi-lingual colleagues or family members of patients.<sup>29</sup> This can have negative effects on the patient's privacy, for instance in cases of sexual and domestic violence, and on her access to appropriate health care. An NGO has since developed a quality standard for the use of interpreters in healthcare, but this standard is not well known or used among health

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<sup>24</sup> Schoevers, M. A. et. al, *Health care utilisation and problems in accessing health care of women undocumented immigrants in the Netherlands*, International Journal of Public Health, 2010; Doctors of the World, *Access to healthcare for the most vulnerable in a Europe in social crisis – Focus on pregnant women and children*, May 2014.

<sup>25</sup> Wijkhuijs & Jennissen, *Arbeidsmigratie naar Nederland, de invloed van gender en gezin [Labour migration to the Netherlands, the influence of gender and family]*, WODC, 2010, p. 66.

<sup>26</sup> De Gruijter & Razenberg, *Enquête gemeenten & EU-migranten [Survey municipalities & EU-migrants]*, Kennisplatform Integratie & Samenleving, 2015.

<sup>27</sup> Booi, Lindeman & Slot, *Monitor EU-migranten 2013 [Monitor EU-migrants 2013]*, Amsterdam, 2014; Bertram & Aartsen, *Voortgangrapportage EU arbeidsmigratie [Progress Report EU labour migration]*, Den Haag, 2014.

<sup>28</sup> Razenberg, Noordhuizen, De Gruijter, *Recente EU-migranten uit Midden-, Oost- en Zuid-Europa aan het woord [Recent EU Migrants from Central, Eastern and Southern Europe]*, Kennisplatform Integratie & Samenleving, 2015.

<sup>29</sup> *Resultaten Quickscan Tolken [Results Quickscan Interpreters]*, Pharos, 2012; Bloemen, E., *Laten Tolken: Een kwestie van goede zorg [Interpretation: a matter of good care]*, PHAXX, 2014(2).

professionals.<sup>30</sup> Since the majority of patients with little or no command of the Dutch language are first generation migrant women, the consequences of this measure are predominantly felt by them.

*The NGOs suggest the Committee to ask the government whether the effects of cancelling the subsidy for interpretation services have been or will be evaluated and how it plans to better take into account the negative consequences of this austerity measure for ethnic minority women.*

### **Older women (art. 3, 13 CEDAW)**

#### **Abolishment of the statutory state pension (AOW) spouse allowance**

47. The spouse allowance in the statutory state pension (AOW) has been abolished for anyone receiving this pension from 2015 onwards. The 6th Periodic Report makes no mention of this measure. Previously the AOW included an extra allowance for a younger spouse without income or a low income. This younger spouse is usually a woman, meaning this measure predominantly affects women. In 1995 the government decided that this allowance would be abolished in 2015, with the argument that all women would be economically independent by then. The current reality is that more than half of the women older than 55 years are dependent on the income of their spouse.<sup>31</sup>

*The NGOs suggest the Committee to ask the government for information on the effects of the abolishment of the AOW spouse allowance for older women, and how it has implemented General Recommendation No. 27 on older women (CEDAW/C/GC/27).*

#### **Planned digitization of government services by 2017**

48. The government plans to have all central and local government services digitized by 2017.<sup>32</sup> The 6th Periodic Report does not include information on these plans and their effects. The NGOs are concerned that this development will negatively affect the independence of older women. Studies have shown that people of 65+ (a majority of which are women) often do not possess the skills and computer equipment necessary to make use of digitized government services.<sup>33</sup> As a consequence there is a risk that this group will become dependent on others to gain access to social benefits, to file tax returns, to apply for a new passport or to make a complaint with the municipality, to name a few examples. The Minister of Internal Affairs has promised that alternatives will remain available but the on-going digitization efforts do not offer reassurance that the needs of older citizens are sufficiently taken into account. The NGOs are not convinced that the interests of older women have been adequately heard by the Sounding Board for users of government digitization, which has been established to give input to the government.

*The NGOs suggest the Committee requests information from the government on how it plans to safeguard the independence of older women in access to government services after digitization.*

### **Rural women (art. 14 CEDAW)**

#### **Diminishing public services in rural areas negatively affect rural women**

49. The 6th Periodic Report provides no information on austerity measures that have led to diminishing healthcare services and public transport in rural areas. With the decentralisation of social support and long-term care from the national government to the local governments there is a growing risk that specific services will be less available in rural areas. This risk may increase with the new budget distribution model for the Social Support Act (WMO) that will be effective from 2016.<sup>34</sup> The

<sup>30</sup> *Kwaliteitsnorm tolkgebruik bij anderstaligen in de zorg [Quality standard for use of interpreters for foreigners in healthcare]*, Pharos, 2014.

<sup>31</sup> Brakel, M. van den, *Financieel Kwetsbare Vrouwen [Financially Vulnerable Women]*, CBS, 2012.

<sup>32</sup> *Parliamentary Papers II 2012/13 26 643 nr. 280.*

<sup>33</sup> Gillebaard, H. & Vankman, A., *De digitale (zelf)redzaamheid van de burger: ondersteuning bij de Digitale Overheid 2017 [Digital self-reliance of citizens: support with the Digital Government 2017]*, Dialogic, 2013; Meer, P. van der, *Onderzoeksrapport Digitaal Contact Overheid en Gemeente [Research Report Digital Contact Government and Municipality]*, Unie KBO, 2014.

<sup>34</sup> Andersson Elffers Felix, *Objectief verdeelmodel WMO 2015 [Objective distribution model Social Support Act 2015]*, 2014; *Herverdeling WMO-budget treft platteland [Redistribution of Social Support Act budget affects rural areas]*, Friesch Dagblad, 28 August 2014.

disappearance of healthcare services (including homecare and elderly care) in rural areas not only affects access to care, but also decreases employment opportunities in the healthcare sector where many women work. Due to austerity measures in public transport there are rural areas where busses only ride during peak hours. Women without own transport increasingly become dependent on assistance from neighbours or friends and thus their mobility is negatively affected. In small remote villages 7% of the inhabitants, predominantly older women, do not own a car.<sup>35</sup> Due to the fact that services are increasingly located further away from rural areas, mobility has become more important to gain access to healthcare, find work, follow an education, and to maintain social contacts.

*The NGOs suggest the Committee requests more information from the government on access to services for rural women. The Committee could ask the government whether and how the perspectives of rural women are taken into account when formulating policy that may negatively affect women's access to care services and public transport in rural areas.*

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<sup>35</sup> Steenbakkens, A. & Vermeij, L., *De Dorpenmonitor – Ontwikkelingen in de leefsituatie van dorpsbewoners [The Villages Monitor – Developments in the living conditions of villagers]*, Sociaal en Cultureel Planbureau, 2013, pp. 178-202.