



Ministry of Education, Culture and  
Science

# Dutch gender and LGBT-equality policy 2013 - 2016



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2013 - 2016



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# Introduction

In recent years, the Netherlands emancipation policy evolved considerably. Since 2007, this policy includes the emancipation of lesbian women, homosexual men, bisexuals and trans genders (LGBTs) – alongside the emancipation of women.

Subjects that recur in relation to the emancipation of women are (employment) participation, the combating of violence and international policy. As regards LGBT emancipation, equal rights for heterosexuals and homosexuals, social acceptance and the combating of violence are subjects that have been on the agenda of successive Dutch governments. The international efforts of the Netherlands have become an important part of the emancipation portfolio too. A number of values, being ‘equality’, ‘independence’, ‘freedom of choice’ and ‘responsibility’, have been key to the emancipation of women and LGBT emancipation for a long time.

I am pleased to present you with an outline paper on behalf of the government, the purpose of which is to inform you of the government’s views on emancipation policy for 2013-2016 and explain which measures I will be implementing in this policy area. The basis for this paper is the belief that women’s rights and the rights of lesbians, homosexuals, bisexuals and trans genders are inalienable human rights and that steps must be taken to ensure that these rights

continue to be monitored and protected. Emancipation is not self-evident and is not complete. Emancipation requires on-going maintenance. Emancipation offers a good basis for the resolution of social problems and relates not only to individuals but also to society as a whole.

In the second Dutch progress report on emancipation policy, which was dated 26 November 2012, I stated that current policy will be continued in the years ahead and will be added to with new emphases. At the end of 2014, I will instruct a mid-term review, in order to assess whether the results envisaged have been attained and to consider whether it is necessary to revise current policy.

Current policy includes support for a number of organizations as a knowledge infrastructure for the emancipation of women and LGBT emancipation. In preparation for this paper, meetings have been held with these organizations and other stakeholders involved in the emancipation of women and LGBT emancipation. Meetings have also taken place with citizens’ panels. These consultative meetings contributed to the policy choices that I have made.

## Overview

In Section I, I outline the historical context of emancipation policy. By doing so I place the current policy objectives in perspective. I then turn my attention to policy values and the responsibilities

arising for the government. I describe my spearheads for emancipation policy in the years ahead and a number of explorations that I have instructed in relation to the new themes: 'intersex', 'women and health', 'women and the media' and 'the success of girls or the boy problem'. Section II describes all policy measures and activities for the coming years.

### Finally

The initial sentences of the 2012 *Emancipation Monitor* read as follows: *Although emancipation as a concept or ideology is no longer the subject of major debates or in-depth analyses, it still receives a great deal of attention. Discussions often take place on sub-issues.* This leads to a more abstract and fragmented understanding of emancipation. In social debate, the connection between the various sub-issues would seem to be missing, despite the fact that these issues are

inextricably linked and, like individual pieces of a puzzle, outline the challenges faced by emancipation policy when joined together. In this paper, I have placed emancipation policy in a historic context in order to emphasise the danger of complacency in a situation where it is important for emancipation to be the subject of on-going maintenance. Connections have also been established between emancipation and current social developments. Emancipation is intertwined with individual views, is evident in social practices, is fed by cultural influence, and is formed by social value. The government is convinced that all of these influences require policy that is geared towards the achievement of defragmentation and the elimination of partitions between different policy areas. As the coordinating Minister for Emancipation, I will establish the connections required.

*The Minister of Education, Culture  
and Science,*  
dr. Jet Bussemaker



# I Policy headlines



## Historical context

In a situation in which men and women have equal rights, both are equal in the eyes of the law. Although this might seem self-evident in society today, it is just a quite recent phenomenon. The same applies for the equality before law of heterosexual men and women and lesbians, homosexuals, bisexuals and trans genders (LGBTs). Although this equality has been achieved in theory, it is necessary to support its implementation from day to day and requires policy interventions, even today. In the last 100 years, doors that had previously been closed to women for many centuries have started to open one by one. On the employment market, in the legal system, at universities, in politics, on the

street and in the family. Until 1957, women employed by the government were dismissed as soon as they got married. Moral arguments were used to justify this situation. The same applied for teachers; the view was that if a pregnant woman were to be permitted to teach pupils, this might give rise to questions among their pupils. However, the main reason was prompted by the social and economic system, which centred on the term 'breadwinner'. The husband was responsible for obtaining an income for his family, while the wife was responsible for the home and children. If women continued to earn money outside the home after marrying they would be taking jobs that could otherwise be held by men, who in turn had families to provide for. Many did



*The first Dutch female mail carriers in 1957*



not regard the breadwinner model as undesirable, but even as a successful result of economic prosperity.

The inequality of men and women was also set out in matrimonial legislation: from a legal point of view, the husband was the head of the home. Married women were



*Women demonstrating in favour of paid jobs in 1980*

legally incompetent until 1956. Added to this, until 1984, the law stipulated that the opinion of the husband about fundamental matters like where to live and decisions about the family's children was decisive. Thus, men and women did not enjoy equal rights until this time. However, since the 1950s, there has been an increasing need amongst women to be considered as

equals. This resulted in the advent of the women's movement.

There is a connection between the development of the emancipation of women and the development of LGBT emancipation. Given this fact, it is no surprise that the 20th century is also characterized by the advent of the homosexual emancipation movement.

Homosexual emancipation in the Netherlands was unintentionally fuelled by the tightening up of decency legislation in 1911, when Section 248bis was added. The addition of this section made homosexual contacts between an individual aged 21 or older with someone under the age of 21 illegal, while the minimum age had been 16 until 1911, which it continued to be for heterosexual contacts. The object of this legislation was to protect young people against 'homosexual seduction', but also to contain 'increasing propaganda' on 'abhorrent indecency'. Thousands of homosexual men and dozens of lesbian women became the victims of this legislation: it resulted in prison sentences, chemical castration, blackmail and the registration of potential 'sex offenders' with the police. This legislation led to the emergence of a strong LGBT emancipation movement, which focused on the abolition of discriminatory legislation. Section 248bis was abolished in 1971.

The government responded to the revolution that was taking place in society by amending legislation and regulations.

Since the start of the second wave of feminism in the early 1970s, efforts were made to further the achievement of equal rights for men and women and existing legislation was subjected to a critical consideration, with the object of identifying any possible unjustified distinctions on the grounds of gender and later also on the grounds of sexual orientation. European legislation played an important driving role here. This resulted in the constitutional anchoring of non-discrimination and equal treatment and the elaboration of these subjects in implementation legislation, relationship legislation, adoption law, legal protection, legislation relating to family life and equal pay. In 1994, the Equal Treatment Act (*Algemene wet gelijke behandeling*) entered into force, which related not only to gender, but also to

other grounds, such as race, religion, sexual orientation and civil status. Due in part to this Act, equal rights – in a legal sense – were achieved for men and women in 2013. To obtain full equal treatment for LGBTs, certain legislation is still to be amended. The following were identified in the coalition agreement: the need not to appoint new registrars that refuse to solemnize marriages between same-sex couples, the amendment of the Equal Treatment Act in line with the European model, the disappearance of the ‘single fact construction’, entry into force of the legislative proposal on lesbian parenthood and the deletion from legislation of the sterilization requirement as regards official gender registration.



"We are just ordinary people of flesh and blood with ordinary feeling. Therefore abolish art. 248 bis!"

Since 1985, the terms ‘equality’, ‘independence’, ‘freedom of choice’ and ‘responsibility’ have been key to emancipation policy. This has been elaborated on in the following three sub-objectives: to ensure that men and women have equal rights, to achieve structural changes in society, as a result of which gender difference is no longer one of the pillars of how society is organized, and to break through perceptions of masculinity and femininity (stereotypes).

The achievement of a situation in which people are able to take part in every aspect of social life on an equal footing, regardless of their homosexual or heterosexual orientation, was key to a first policy paper in 1988, which was entitled *Government Policy and Homosexuality*. In about 1990, emphasis in this policy was placed on the achievement of equal rights for heterosexuals and homosexuals.

Under the influence of the Fourth World Conference on Women in Beijing, Dutch emancipation policy in the Netherlands entered a new stage in 1995, focusing on monitoring the improvement of the position enjoyed by women in all kinds of social fields. Emancipation policy is becoming ever more concrete now through the standard policy of *gendermainstreaming* pursued by all departments.

Since the end of the last century, policy on the emancipation of women and LGBT emancipation policy have become ever

more similar as a result of the introduction of the gender-neutral legal registered partnership in 1998 and the opening up of civil marriage for same sex couples in 2001. In 2007, the emancipation of women and LGBT emancipation were integrated into one policy portfolio.

The shifts described above – both in society and government – took place quite recently and in a relatively short period of time and have in some cases not been completed yet. After all, there are very few people who do not know of an uncle who only ‘came out’ as a homosexual after many years in a heterosexual relationship, or of a mother who was unable to develop her talents because her commitments towards her family were more pressing.

The core of policy objectives for 1985 and 1988 still apply today, but society now is very different and the attitude that the government has towards its citizens has changed as well. Where the government used to proceed on the basis of the view that it knew what was right for its citizens, today, the government wants to encourage people to make decisions individually and with each other and to be autonomous.

Today, in 2013, the government is striving to achieve a diverse society, in which everyone is able to give shape to their lives themselves wherever possible, regardless of their gender or sexual identity. However, this also requires government action. The activities undertaken by the govern-

ment include the identification of social developments, converting them into legislation and safeguarding these social developments in the process. However, at the same time, action and initiative on the part of citizens and social organizations are crucial for the organization of change and ensure that government remains vigilant to these social developments.

In recent years, we have encountered new issues. For example, the acceptance and safety of LGBTs requires our constant consideration; there has been an increase in the numbers of reports of discrimination on the basis of sexual orientation.

We are seeing that girls are doing so much better than boys in education that boys are in danger of falling behind. It is also evident that more than 50% of women with a limited education find themselves outside the employment market; some of them even find themselves outside society too.

We are also experiencing the consequences of a healthcare system that gives just very limited consideration to differences between men and women. For example, drugs are predominantly tested on men, because of which any side effects that these drugs might have on women are not recognised.

## Core values

Emancipation presents us with a good basis from which to deal with social problems. We do this by committing ourselves to the development of all of the talents that our country has to offer, reducing aggression and violence and strengthening good health and well-being. A society in which homosexuals are not safe if they walk hand in hand in public, or in which lesbians are tormented at work, in which stereotypical images and prejudices about men and women are more decisive than the talent and knowledge that someone has – this is not only the problem of these particular men and women –but also of others close to them, their daughters and sons: the generation that will need all of its strengths to ensure that our country is able to count on a good future. Ultimately, these problems affect society as a whole. As such, emancipation issues concern not only individuals, but also the relationships between people, the way in which we interact with each other and our society.

Emancipation is not a theme that exists in isolation: it offers *solution directions* for various social issues that arise in areas such as the labour market, healthcare and social cohesion. It also presents us with opportunities to achieve a strong, creative and innovative society, in which tolerance unites people.

This is sometimes achieved through the introduction of legislation and rules. At other times, it is achieved by drawing the attention of people to the consequences of their choices, by encouraging them to take action themselves and by stating that the government cannot and will not take all of the responsibility itself in this respect. The core values that the government adopts as part of its emancipation policy and the measures that ensue from this are based on values that have developed in society on the one hand and that are the result of political choices on the other hand. The core values that the present government is adopting in policy relating to emancipation are autonomy, resilience and equality.

### **Autonomy**

It is good that men and women in the Netherlands are able to make their own choices when dividing work and care between them. However, equal rights and equal opportunities will not necessarily result in the same outcomes for everyone. For example, tension is possible when it is observed that many women do aspire to the same outcomes but are unable to achieve them. Problems experienced when combining work and care tasks may stand in the way of the ambitions that women have, and make it more difficult for them to develop successful careers. Traditional views about the division of roles between men and women may also impede the education and work careers



*Women and men are able to make their own choices on work and care*

of women and prevent both men and women from achieving a position on the basis of equality and autonomy.

Economic independence also plays a not to be underestimated role in the achievement of autonomy. Simone de Beauvoir has already identified the realisation of oneself as an individual as one of the most important conditions for women.

The government is able to create conditions that enable people to develop their personal preferences; it is also able to create freedoms via legislation and regulations. This is evident, for example, in the legislative proposal on the recognition of gender identity, in which the so-called sterilisation requirement for the amendment of the gender indicated in a birth certificate is deleted.

## **Resilience**

The fact that individuals have freedom of choice does not mean that it is always simple for everyone to express choices and to act in accordance with these choices. To be able to make decisions autonomously, you need to be resilient. People must be able to state their boundaries. Autonomy may never be permitted to degenerate into an obligation. This requires resilience. Consider, for example, young LGBTs who 'come out' at school and need to defend themselves against any negative reactions they may experience from classmates.

Other important priorities are strengthening the resilience of women who are (or have been) victims of domestic violence and of young people that become the victims of sexually transgressed behaviour as a result of contacts via social media, for example. Economic independence promotes resilience as well, because people who are economically independent are not reliant on someone else financially.

## **Equality**

Equality will only be possible in societies that are not 'gender blind' and that consider and respond to differences between men and women. If this does not happen, personal and social problems will arise for men and women alike. Consider, for example, the major shortages in the technical sector, which are the result of gender stereotypical thinking and action. In some cases, emancipation actually involves taking differences into consideration.

A stable society does not consist of social categories that are separate to each other, but of a collective in which people are able to put themselves into someone else's shoes and in which policy is tailor made. One example of a situation of this nature is gender-aware healthcare, in which consideration is given to the differences that exist between men and women, making it possible to treat them differently – albeit as equals.



## Responsibilities for the government

In the past, government action in relation to emancipation used to focus particularly on eliminating (or instructing the elimination of) any exclusion from *civil rights*. However, attention today focuses primarily on *human rights*. Given this fact, the government, which is pursuing emancipation policy, continually takes active steps to identify which obstacles prevent individuals from benefiting from human rights and which human rights these are. Two fundamental rights play a role here. Firstly, the right to protection against violence: the government has *the duty to protect*. Secondly, the right to enter into and develop relationships with other people: *the right to relate*. The government ensures that everyone has access to these

rights in employment, in education and in the healthcare sector, etc. Vulnerable groups must be able to rely on the government. If we want a tolerant and fair society, in which all talented individuals are able to develop and in which people feel safe and healthy, it is sometimes necessary to put rules and legislation in place to ensure that matters are actually arranged. Consider, for example, the tightening up of the sentencing requirement applicable for offences of a discriminatory nature: the government must monitor and protect the freedoms gained by LGBTs in Dutch society.

Added to the above, it is also the responsibility of the government to collaborate with social organisations to identify the strengths that people have and to encourage these strengths. We



expect people to use their knowledge and talents. History shows us that rules, legislation and government interference do not guarantee better positions for women or vulnerable groups.

Legislation alone will not cause stereotypical ideas to change. In the worst case scenario, the introduction of more legislation and regulations will result in passivity in society and will not necessarily confront people with their (social and individual) responsibilities and opportunities.

Thus, legislation and rules are never the answer or the solution, but are merely the translation of values and social developments; they support change. The initiative of the individual has always been the driving force behind emancipation issues and solutions and even today autonomy and the initiative of the individual must still be the catalyst.

## Policy priorities

Several decades ago, emancipation was still regarded by many as an important social revolution. However, the experience of this phenomenon today has become far more abstract. People sometimes are not aware of the fact the emancipation process is still on-going and affects all people personally.

Added to the above, people have grown up with the idea of the equal division of tasks

between men and women, but this will actually apply in far from all people's personal lives. For example, fewer young people (aged 16-39) than older people (aged 40 and older) feel that more women ought to progress to more senior positions and that it is necessary or useful to support this process. In some cases, the 'emancipation' theme is even regarded as something that is no longer relevant today. During one of the focus groups held in preparation for this emancipation paper, a young man said: 'I'm getting a bit bored of the subject of emancipation. I've never known a situation in which women did not have the same rights as men.' The risk is that emancipation is experienced as a given that does not require any maintenance. However, the opposite is true: emancipation must be maintained and can offer solutions for social challenges. I have identified four spearheads to which I have linked my efforts in relation to emancipation policy:

### **Participation in view of the consequences of the economic crisis**

The economic crisis that we are experiencing at the present time has a direct impact on the lives of people and situations may change from one moment to another. This would be the case, for example, if the only income that a family has is lost unexpectedly. Emancipation can contribute to a stronger economy if efforts are made to achieve knowledge and talent development. Today, in 2013, 48% of women in the Netherlands are not economically independent and almost one million educated



women with a limited education are financially dependent on the income of their partners. Added to this, we are still seeing that unequal pay is being received for the same work today. The emancipation monitor for 2012 shows that, on average, women receive 23% less pay than men do. Two-thirds of this difference can be explained by the disadvantages that women experience in terms of their education and work experience. A statistically unexplained pay gap of 8% remains, and if we consider that more than one in three marriages in the Netherlands fail, it is clear that women may find themselves faced with personal financial problems and, in the worst case scenario, even real poverty. Many married women who do not work do not seem to realise that if they lose their husbands' incomes, their families will not have anything to fall back on. Furthermore, where individuals might rely on financial support from the government in these situations, this must not be regarded as self-evident any more either.

Thus, it is quite justified on the part of the government to ask women to utilise the talent and knowledge they have in the interests of society, particularly given the better educational results that girls and women are continuing to attain. Today, it is still quite common for the educational achievements of and level of education achieved by women not to result in relevant profession-related and career choices. This is clear in the science and technology sector, for example: just 31% of women with a technical

education work in technology, as opposed to 54% of men. Furthermore, the government is quite justified in asking men and fathers to do their bit to promote the emancipation of women. For example, men can help to clear the way for more women to hold senior positions in companies. Also, if fathers are involved in the raising of their children, there will be more opportunities for mothers to participate in the employment market.

### **Differences between girls and boys in education**

Girls and boys are different in terms of their education careers. This pertains not only to their educational achievements, but also the course of study they choose. During the time in which they attend school, boys and girls are formed into the men and women of the future. An important formative element for young people – outside between and during class – is the social exchange that takes place. The differences that exist between the school careers of boys and girls are not only the result of differences in achievements, but also seem to be due to their different behaviour, attitude towards work and contextual influences. An example of a contextual influence is the strong peer pressure that exists among adolescents, which often causes boys to impose a tough anti-school attitude on each other, while girls are accepted to be diligent and obedient.

Boys and girls also seem to be sensitive to gender stereotypes when choosing subject clusters, sectors and further education

courses. For example, girls rarely choose technology and boys seldom opt for healthcare. Study choices are not just gender stereotypical, but also sometimes seem to depend on the ethnic background of a particular individual and, related to this, prejudices about certain professional sectors. For example, relatively few boys of non-western origin opt for the technology sector, choosing economics and business relatively often, by contrast. As stated in the Integration Agenda produced by the Ministry of Social Affairs and Employment, the introduction of young migrants and their parents to the employment market at an early stage helps them to make the right study choices.

Parental involvement, by both the mother and the father, is vital if children are to be

given the help they need. All of these aspects must be identified, gender sensitivity in education must be strengthened and gender stereotyping must be combated. Added to this, the themes 'sexual resilience and violence', 'dropout rates in education', 'crime and youth unemployment' must also be placed in a broader context; these themes have major ground in common. For example, in his Integration Agenda, the Minister of Social Affairs and Employment observes that problems in relation to public nuisance and crime are concentrated in a group of boys and young men of Moroccan and Antillean origin. If these groups are compared with a group of indigenous Dutch citizens of a similar age and with a similar social and economic status, they are found to be substantially overrepresented.



*The Minister, policy advisors and activists at the Dutch "Gay Pride" 2013*

## **The social safety of women, girls and LGBTs**

A safe society is a social society. The government must take steps to ensure citizens feel safe at home, out on the streets and in their communities. Vulnerable groups must be able to rely on the government. Given the above, the combating of discrimination and violence has been a spearhead for the Dutch government for many years. This is all the more relevant because many citizens are still experiencing intimidation, discrimination and violence. For example, 39% of all Dutch women have been the victim of sexual violence at some time. Added to this, 84% of girls aged 15-25 have experienced unacceptable and deviant sexual behaviour (in comparison with 66% of boys). Each year, approximately 600 incidents of discrimination based on sexual

orientation are reported to the police. Besides this, trans genders still experience serious impediments to their personal and social safety. Two-thirds of trans genders are lonely and/or have serious psychological problems: 70% of trans genders have considered suicide and 20% have attempted suicide at some point (this is 10 times higher than the figure applicable to the general population). Population surveys show that orthodox- religious communities in particular often have a negative attitude to homosexuality.

## **International polarisation**

Beyond our country borders – in Europe, but particularly beyond – there is still great resistance to the recognition of the human rights of women and LGBTs. In international debate, emergent conservatism and



*Her Majesty Queen Máxima and the Minister at the International Day Against Homophobia 2013 in The Hague.*

fundamentalism are evident in orthodox religious countries and circles. In March 2013, I took part in the 57th meeting of the UN Commission on the Status of Women. In this context, it is striking that, in recent years, some countries have been more targeted in their opposition to establish women's reproductive health and rights. Against this backdrop, the rights of LGBTs are even more difficult to get on the agenda than women's rights.

An active international commitment to the achievement of this is vital. Traditionally, the Netherlands plays a frontrunner role in the above and this still applies today, in 2013; this will continue to be essential in the years ahead. However, it should also be observed that we cannot afford to turn a blind eye to the problems that exist in our own country. While people continue to be discriminated against or threatened because they are different and hate is preached as part of religious or orthodox beliefs, government commitment is necessary in The Netherlands as well.

## Exploration of new themes

Different roles can be identified for the coordinating Minister for Emancipation. For example, I play a *prioritising* role in relation to the formulation of the general framework for emancipation policy. You can read about this framework in this paper. I also play a *supporting* role in relation to the anchoring of

emancipation policy in the departments. Where necessary or required, I will contribute to the priority themes set out in the emancipation paper. As such, I have made a number of collaboration agreements with the relevant departments relating to (elements of) their priority themes, the object of which is to provide them with (temporary) support and to contribute to the achievement of their objectives. One example of the above is my collaboration with the Minister of Social Affairs and Employment on the subject of equal pay and the division of work and care. My third role involves *driving and supporting* the emancipation process in society. For example, I have made collaboration agreements with municipalities, which I will support in relation to the development and implementation of emancipation policy. I will also offer a good knowledge infrastructure to support this process in society.

Fourthly, I play a *coordinating* role in the Dutch implementation of the UN Convention on Women's Rights and the Beijing Platform for Action and in the international representation of the Netherlands in the field of emancipation. For example, I coordinate the reports that the Netherlands submits to the CEDAW<sup>1</sup> Committee about compliance with the UN Convention on Women's Rights. Finally, I am responsible in a general sense for the *monitoring and assessment of progress* in the field of emancipation in the Netherlands. In connection to this, I instruct the production

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<sup>1</sup> Committee on the Elimination of All Forms of Discrimination against Women

of the Emancipation Monitor every two years. The measures described in the last chapter of this paper outline how tasks have been allocated between me and my specialist colleagues.

In my prioritising role, I would like to explore four themes in more depth on behalf of the government. These themes are 'intersex', 'women and health', 'women and the media' and 'the success of girls or the boy problem'. The intersex theme relates primarily to the question of whether this is a theme that ought to be included in emancipation policy. I am certain that 'women and health' is an important upcoming issue, and together with the Ministry of Health, Welfare and Sport I will consider which aspects of the portfolio I will focus on in emancipation policy. I will place the subject 'women and the media' on the agenda based in part on the request of the Council of Europe. I will consider the extent to which this impacts on national policy. I am prioritising the theme 'the success of girls or the boy problem' given my concern that boys seem to be falling behind from an educational point of view. I will explain each of the themes briefly below.

### **Exploration: intersex**

Intersexual people are born with internal or external sexual characteristics that do not correspond with the characteristics customary for a biological man or woman. There are different variations of intersexuality with different symptoms. The attention currently

being given to the position of intersexual people is a recent development. Recent publications and explanations focus on combating discrimination and protecting physical integrity and self-determination, because intersexual people may encounter unnecessary medical interventions, amongst other things. In consultation with the patient organisations directly concerned, I will explore whether social problems exist and whether these have an emancipation aspect.

### **Exploration: women and health**

The UN World Conference on Women in Beijing in 1995 formulated 12 essential focus areas for the emancipation of women. One of these relates to women and health. In the Netherlands, little consideration is still being given to the background of gender differences in the healthcare sector.

For example, women live an average of four years longer than men, but often have a low quality of life in their last stage of life. Furthermore, although heart and vascular diseases are regarded as diseases that affect men in particular, the reality is that heart failure is now the number one cause of death for women, also because symptoms manifest themselves differently in women than they do in men and are not always recognised on time. It has also been found that women take more sick leave during their working lives and sustain higher medical costs than men. Existing data reveals more differences that may have a major impact on the costs of healthcare.



Women's organisations, the healthcare sector and the scientific community are all calling for more 'gender sensitive' healthcare, with more consideration for the differences between the sexes. Gender sensitive health care may lead to an improvement in the quality of life for men and women alike and for costs to be saved too.

Working with pioneers in this field, the government will commit itself to the improvement of knowledge and awareness among stakeholders (doctors, insurers, companies and patients) of the usefulness of and need for this healthcare and to take steps to ensure that it is actually developed. The Ministry of Education, Culture and Science has launched an alliance with front runners from the field. In the months ahead, this alliance will explore which possibilities there are to promote gender awareness in

the healthcare sector. This will be effected in consultation with the Ministry of Health, Welfare and Sport and the Ministry of Social Affairs and Employment; efforts will tie in with other innovative developments, such as the National Prevention Programme (*Nationale Programma Preventie*), with attention being paid to the healthy school, the healthy company and healthy aging. I would like to ascertain whether a separate programme should be launched on women and health. Each of the alliance partners will consider the role that they could play in this field.

### **Exploration: the success of girls or the boy problem**

Since 1995, there have been more girls than boys in pre-university education and more girls have enrolled for university than boys since 1999 and more girls than boys are taking part in scientific education as a whole

since 2006. Boys are held back in secondary education more often than girls are, often transfer to a lower level of education and are more likely to leave school before completing their education. In vocational and higher education, boys drop out more often than girls do, and girls also gain their certificates more quickly. In higher professional education, the study success achieved by boys is now lower than the increase recorded in their entry into higher professional education: the number of boys who have obtained qualifications from a university of applied sciences has been falling slightly for a short period of time.

Relatively speaking, non-western immigrant boys show the worst performance in both senior secondary vocational education (MBO) and in higher professional education (HBO) when one considers a breakdown of students into indigenous, immigrant, boys and girls. Figures show that immigrant students who are enrolled in higher professional education are less likely to gain their certificate than indigenous students are. However, even in this group, girls do far better than boys do.

In fact, immigrant girls are now doing almost as well as indigenous boys in higher professional education and pre-university education: the results achieved by immigrant girls and indigenous boys after six years (start year 2005) are 55% and 56% respectively for a Bachelor degree at a university of applied sciences and 68% and 68% respectively for a university Master's degree.

I intend to immerse myself further with the causes that underlie the differences in the education results achieved by boys and girls: is there a problem with boys or are we witnessing the success of girls? My familiarisation will include the elements that are the subject of social discussion, such as the authority of parents and educators, the great emphasis on language and collaboration in education, differences in brain function and brain development and the feminisation of education.

On 19 February 2013, an initial broad expert meeting about the differences in education results achieved by boys and girls took place at the Ministry of Education, Culture and Science. During this meeting, consideration was given to the combination of student gender and background in terms of social and economic status and ethnic origin. Initial outcomes for possible approaches point to the provision of more structure, working on the basis of incentives (fewer retake opportunities for students that fail to make the effort required and/or rewards for extra effort, for example), more attention to the question of attitude to work (learning to learn) and good educators who are able to differentiate their approach, both in terms of levels and what works for boys or girls, for instance.

Building on the outcomes of the expert meeting, I intend to launch research on mechanisms and causes that underlie the differences in the education results





achieved by girls and boys, for senior secondary vocational education (MBO), higher professional education (HBO) and university education (WO). I also want to include the outcomes relating to boys of Moroccan and Antillean origin in the Integration Agenda produced by my colleague from the Ministry of Social Affairs and Employment. As already mentioned above, these groups have been found to be substantially overrepresented in relation to public nuisance and crime.

### **Exploration: women and the media**

Another theme that the UN World Conference on Women in Beijing formulated in 1995 relates to women and the media. This is a theme that has not been part of emancipation policy before. The Gender Equality Committee at the Council of Europe, which is being chaired by the Netherlands, is organising a conference

for the 47 Council of Europe member states on this theme in the Netherlands on 4 and 5 July 2013. Focus areas are 'women in top media positions' and 'stereotyping in de media'. The conference will formulate recommendations for governments, international organisations and the media. Once I have these recommendations, I will consider the extent to which they are practicable at a national level.



# II Activities 2013-2016



## Participation in view of the consequences of the economic crisis

The strengthening of the economic independence and financial self-sufficiency of women continue to be crucial objectives for emancipation policy, particularly in these economically difficult times. The government also wants to urge men and women and girls and boys to utilise their talents. With this in mind, it cannot be said often enough that diversity in companies, organisations and society itself is important, as this contributes to the achievement of more flexibility and creativity and, as such, to resilience; all of these are important factors in a time of crisis. In its report entitled *Closing the Gender Gap* (December 2012), the Organisation for Economic Co-operation and Development

(OECD) refers to the significant underutilisation of human capital in the Dutch economy as a result of the frequent part-time employment of women. The OECD puts forward a possible solution to this situation, being steps to further improve possibilities to combine a future expansion of the staff base with an expansion of part-time hours and full-time jobs for women: at every level and in every segment of the employment market. Together with the Minister for Social Affairs and Employment, I am committed to the further strengthening of the economic independence of women and to increasing employment participation. This can be achieved, firstly, by dividing up unpaid work more equally. Research done by the Netherlands Institute for Social Research (*Sociaal en Cultureel Planbureau* (SCP)) shows that



thinking on traditional role divisions has changed: when asked, just one in 10 men and women expressed a preference for the traditional breadwinner model and a clear majority expressed a preference for the equal division of unpaid work (care and domestic tasks).

Thus, men and women want to share work equally, but actually adhere to a traditional division of roles in practice. A great deal could be achieved here, for example through efforts to make it easier for men and women to combine work and care and by bringing about a cultural change in relation to the role played by fathers after the birth of their children and in terms of the care tasks they take on.

### **Balance between paid and unpaid work**

Secondly, the possibilities that women themselves have to achieve a good balance between their work and private lives are important too. These possibilities include flexible working hours and good, affordable childcare. It should be observed that childcare is important for the employment participation of parents and also for the development of the children themselves. This is endorsed by the sector. Given this fact, a joint quality agenda has been prepared for the childcare sector, about which the House was notified in March 2012. In the future, the Minister for Social Affairs and Employment intends to make further efforts to strengthen the educational quality of childcare and the substantive

collaboration between education and care. This will include specific consideration of Dutch language learning by young children and the demands that this places on professionals.

In recent years, the Part-Time Plus Task Force (*Task Force Deeltijdplus*) and the Social and Economic Council (*Sociaal-Economische Raad (SER)*) have published advice to the government, companies and other institutions about the possibility to combine work and care better. The most important advice provided related to possibilities for sound day packages, more flexible working hours and the pursuance of a (regional) time policy; in other words, the alignment of the (opening) times for all kinds of social services to reflect the fact that both of the parents in a family often go out to work today. It is important to observe here that the possibility to combine work and care is not a matter for the government alone, but also extends (and particularly so) to employers and employees, to the negotiating table for collective labour agreements and to the work floor. The Minister for Social Affairs and Employment is in discussion with social partners about the combination of work and care.

I will continue to focus on the activation of women who are less well educated or semi-literate. The progression of women into more senior positions will also continue to be a point for attention for me. Economic independence and equal pay from an emancipatory perspective are priorities too. I will put the following measures in place:

The 'At Your Own Force project' and the 'Table of one' method

The *At your Own Force project*, in relation to which I have made agreements with 22 large and medium-size municipalities, focuses on the activation of women who have enjoyed lower levels of education. This project will continue to receive funding until the beginning of 2014. In the context of this project, WOMEN Inc. has developed the Table of One method, which focuses on the recruitment, guidance and activation of less well educated women who do not have work or benefits. Municipalities are able to benefit from the project and method outlined above should they wish to do so. In 2012, nine municipalities launched Table of One and another five municipalities will follow this year. In 2012, approximately 1,000 women took part in the project, or a similar provision

provided by the municipality.

Approximately 5,000 women attended the various Table of One events. The Ministry of Education, Culture and Science is monitoring the effects and implementation of the At Your Own Force project in all 22 municipalities. It has been agreed with participating municipalities that the approach developed will now form a structural part of municipality participation policy. A final evaluation will take place at the beginning of 2014. Lessons learned will be made available to the municipalities and consideration will be given to the opportunities for less well educated women to pursue their education. Better qualifications improve their chances of joining the employment market, when it picks up. Many women who are not entitled to benefits do not have any idea at all of how to make the transition to the employment



market – even if they wanted to do so. These women seem to be cautious about investing in themselves (at this stage). However, it is important for them to do this, because a shift in employment to higher MBO (senior secondary vocational education) levels would seem to be manifesting itself in the healthcare sector – which has, traditionally, been an attractive employer for women. Qualifications are often required for entry to the technical sector too. In the new programme period for the European Social Fund (2014-2020), the State Secretary for Social Affairs and Employment wants to enable municipalities to benefit from a subsidy for the preparation for the labour market of women with limited education who are unemployed and are not receiving any benefits.

### **Semi-literacy**

In various regions, the Dutch reading and writing foundation/language for life (*Stichting Lezen & Schrijven/Taal voor het Leven*) is focusing part of its programme specifically on semi-literate mothers. This programme ties in, for instance, with existing preschool and early school education programmes for children with a language delay. If both mother and child (and the father) improve their language proficiency at the same time, this results in a self-reinforcing, positive spiral as regards participation (parental involvement, for example) and, ultimately, economic independence. The programme offers individuals a ‘leg up’ to enter the standard

language and numeracy adult education courses offered by regional training centres and possibly also to progress to an MBO 2 programme. The impact of interventions by *Taal voor het Leven* are monitored. The results will become available in 2016.

### **Divorce and economic dependence**

On average, young women today have attained a better level of education than young men have. Despite this, women relatively often give up (some of) their economic independence when they start a family, while this is seldom the case for men. This *de facto* inequality leads to questions about emancipation. If a woman gives up (some of) her economic independence when starting a family, when she gets married or enters into a registered partnership, this may cause her to become financially dependent on her former partner should the relationship end. In certain circumstances, a woman may even experience poverty or become reliant on benefits. For the man, this can result in long-term financial commitments in the form of spousal maintenance, depending on his ability to pay. Thus, the breadwinner situation may give rise to these unintended consequences. Both men and women are insufficiently aware of this when opting for a traditional division of roles. With this in mind, I have instructed the preparation of an academic position paper about the *de facto* inequality that exists between men and women where work and care is concerned, in relation to maintenance law. I will discuss the outcomes of this paper

with my colleagues from the Ministry of Social Affairs and Employment and the Ministry of Security and Justice and they will also be shared with players in the field, including the knowledge institutions for emancipation.

### Equal pay

Recent research by Statistics Netherlands (*Centraal Bureau voor de Statistiek (CBS)*) shows that there is still a difference in the pay received by men and women in the Netherlands that cannot be ascribed to job characteristics and personal characteristics. After correction<sup>2</sup>, women employed by the

government earn 7% less than their male colleagues, and women employed in the business sector earn 8% less than their male colleagues. It is not possible to explain these corrected pay differences, because it is not possible to measure exactly what work of an equal value is and what equal pay is.

The research done shows that the *uncorrected* pay difference evident among the young generation (age category 23-35) is far smaller (5.9%) and is even slightly to the advantage of women in the government sector (0.7%).



<sup>2</sup> Pay differences that have been corrected to reflect the background characteristics of employees and job characteristics are referred to as corrected pay differences.

This would seem to suggest that the current generation of young women have the same career opportunities as men.

Thus, the pay differences that exist between men and women must be interpreted with all due care and do not point to pay discrimination in all cases. At the same time, it is important that the career opportunities open to women are actually utilised and that the younger generation does not find itself at a disadvantage. There are tools (such as a wage indicator and management tools) that enable employees and employers to ascertain pay differences.

In 2011 the Netherlands Human Rights Institution (*College voor de Rechten van de Mens*) investigated pay differences in hospitals. The research revealed that pay differences between men and women arise through the use of remuneration criteria that do not relate to the value of the work in question. By identifying these remuneration criteria (which include taking the last salary earned, negotiations and guaranteed salaries or arbitrary forms of remuneration), a hospital will be able to pay staff more fairly and discrimination will cease to apply. The Netherlands Association of Hospitals (*Nederlandse Vereniging van Ziekenhuizen*) welcomed the research and has advised hospitals that were not involved in the research to have audits performed aided by the research method used by the Institution. FWG-advies, the owner of the job evaluation system used in

the healthcare sector, advises care institutions on how to organise and implement strategic HR policy.

I intend to present the audit methodology and the corresponding staff development to a number of private companies. The Human Rights Institution is able to provide training. My aim is to cover a broad representation of sectors. Further, I discussed the possibility to investigate existing pay differences in the private sector with the Minister for Social Affairs and Employment.

Added to the above, the State Secretary for Social Affairs and Employment recently approached the Social and Economic Council (*Sociaal-Economische Raad (SER)*) for advice on discrimination in the employment market. The State Secretary also explicitly requested information on which additional actions of social partners could contribute to the elimination of the pay difference that exists between men and women who are doing the same work.

### **Women to the top**

Women are still underrepresented in senior positions in companies. As a result, companies are failing themselves and women alike. For instance, research conducted among 500 SME companies shows that companies benefit if they are managed by mixed teams. *For example*, men are better at achieving (continued) growth for their companies, while women find it easier to change gear in a crisis, something



that is particularly useful in the current climate. Two initiatives are important in relation to this theme, namely the follow up to the Talent to the Top Charter and the entry into force and an amendment proposed by the Parliament.

Central government will continue to provide the Talent to the Top Foundation (*Stichting Talent naar de Top*) with financial support until the end of 2014. More than 200 companies have now signed the Talent to the Top Charter. The Foundation is striving to achieve a further increase in the number of companies who opt to sign up and is continuing to provide companies with relevant information. The Foundation is also continuing to monitor the results obtained.

Since 1 January 2013 a target figure has been introduced for big companies, being to achieve at least 30% participation in executive boards and supervisory boards by women and the same percentage for men. I will monitor progress by arranging for panel research to be done on 600 of these big companies.

The government is striving to increase the number of women who hold more senior (management) positions with central government and has set itself the following objective: to have at least 30% of positions in the Senior Civil Service (*Algemene Bestuursdienst*) held by women in 2017. The Senior Civil Service is developing an action plan in this respect. This action plan will stress that the achievement of

this objective is a government-wide matter, subject to the responsibility of both the Minister for Housing and Central Government and the other members of the government. The approach to be adopted by HR will also return in the action plan and there will be scope for a customised approach by each department. This will tie in with departmental management development activities and reflect the current state of affairs as regards diversity in each department. The Talent to the Top Foundation will be involved in this issue.

### **Employment participation by transgenders**

The request for advice submitted to the SER about discrimination included the subjects sexual diversity and gender identity. In my letter to the House of 22 January 2013, I expressed my concerns about the position of transgenders in the Netherlands. Transgenders experience serious problems in relation to the employment market, care, safety, equal treatment and legislation. For example, despite having a higher level of education, 20% of transgenders are unemployed or unable to work. The percentage of transgenders that receive unemployment benefit, social assistance benefit or invalidity benefit is respectively two, three and four times higher than for the general working population. I am awaiting the advice of the Social and Economic Council on the possibility to improve employment participation by transgenders.



palities, which will contain information about gender dysphoria and the possibilities to offer support to transgenders under the Social Support Act (*Wet Maatschappelijke Ondersteuning (WMO)*). Transgenders will be able to bring this brochure to the attention of municipalities themselves. I will also work with Transgender Network Netherlands and the Transvisie patient organisation to explore possibilities to set up a buddy network to break through the social isolation that transgenders experience.

### **Supporting young LGBTs with safe meeting places**

The object of safe online and offline meeting places is to support young LGBTs who have not 'come out' yet or who have already 'come out'. Given this fact, I am supporting [www.jongenout.nl](http://www.jongenout.nl). To promote the snowball effect among and the resilience of young LGBTs at a national level, I am supporting the 'On the right track' initiative by Movisie, the National Youth Council (*Nationale Jeugdraad (NJR)*), COC and the De Kringen organisation up to and including 2015. This project is a follow-up to the Open Up! Campaign by the NJR, which focused on increasing the social acceptance of homosexuality among young people, which it did via a tour of secondary schools, amongst other things (see [www.openup.nl](http://www.openup.nl)).



## Differences between boys and girls in education

Boys and girls are different to each other in terms of their education careers. This concerns the level of education they achieve and the route they take on the one hand and the course of study they choose on the other hand, which is stubbornly gender-stereotypical. Today, boys and girls alike are achieving more and both are often progressing to higher levels of education too. However, boys are lagging behind girls in many respects. As regards gender stereotyping in terms of the course of study chosen, in recent years the percentage of girls in senior general secondary education (HAVO) or pre-university education (VWO) that opts to do science and technology has increased. In pre-vocational secondary education (VMBO) the percentage of girls that opts to do technology has been fluctuating at about 5% for years now.

Added to the above, boys doing VMBO and MBO barely ever opt to do healthcare programmes. To ensure that we have enough qualified staff employed in the healthcare sector in the near future and achieve more 'gender neutrality' in healthcare professions too, boys at school are being encouraged to opt for healthcare programmes more, in collaboration with healthcare employers and the Ministry of Health, Welfare and Sport.

### Girls and science and technology

By organising specific information activities at schools for girls (the role-model approach, careers guidance processes, Girlsday organised by the Dutch national expert organisation on girls/women and science/technology (*Landelijk Expertisebureau Meisjes/Vrouwen en Bèta/Techniek (VHTO)*)<sup>7</sup> more girls are opting to do science and technology. In academic year 2010-2011, 29% of girls in 5 HAVO had chosen to do a science profile. In VWO education, almost half of all girls (49%) had chosen a science profile. In academic year 2006-2007, these scores were significantly lower: 20% and 41% respectively. This increase is not evident in VMBO education.

This autumn, an independent evaluation of current HAVO and VWO projects will be carried out, as part of which consideration will be given to the impact of and safeguards for the activities undertaken. The results of the above-mentioned evaluation will be included in the Technology Pact. The object of the Technology Pact is to promote collaboration between the education sector and the business sector, to improve the quality of technology education and to interest more young people in technology. The Minister for Economic Affairs, the Minister for Social Affairs and Employment, the State Secretary and the

<sup>7</sup> VHTO is the Dutch expert organisation on girls and women, science, technology and ICT.

# The social safety of women, girls and LGBTs

## Women and girls

In December 2012, a 23 year-old student in India died from the wounds she had sustained from a gang rape. This prompted great outrage and led to large-scale demonstrations against the sexual violence with which women in that part of the world are confronted on a daily basis. However, the safety of girls and women is a concern in our country too. Given this fact, the Netherlands signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the CAHVIO Convention) on 14 November 2012. The legislative procedure for prompt ratifica-

tion (2014) has been set in motion. Important causes of domestic and sexual violence are (economic) inequality and power inequalities between men and women and stereotypical images of the roles applicable for men and women.

Given the above, solutions to this situation must be sought in the achievement of a healthy and equal relationship between men and women. I want to take strong action here and contribute to the (structural) prevention of violence in relationships of dependence, in collaboration with my colleagues from the Ministry of Health, Welfare and Sport, the Ministry of Security and Justice and the Ministry of Social Affairs and Employment. I will focus on increasing the relational and sexual resilience of young people and on achieving staff development in education.



I will also explore further possibilities for the prevention of domestic violence and the guidance of victims.

I will put the following measures in place:

### **The WE CAN Young campaign and an approach to young people based on the use of social media**

By improving the relational and sexual resilience of young people through the use of the WE CAN Young campaign in 15 large municipalities, I am seeking to achieve the prevention of domestic and sexual violence. The objective is to get municipalities to embed the WE CAN Young approach in local policy. This campaign offers young people the opportunity to come up with and implement actions themselves, by doing which they will be able to work on their own awareness and on their resilience to sexually transgressive behaviour and violence: with activities ranging from a *graffiti-wall* to a debate afternoon. The WE CAN Young campaign offers young people the opportunity to inspire others. At the current time, I am exploring whether the WE CAN Young campaign would be a good approach to adopt for the Caribbean part of the kingdom too.

Added to the above, the Minister for Health, Welfare and Sport and I have instructed Rutgers WPF and SOA AIDS Nederland to improve the sexual health and resilience of young people through the use of social media. This will build on the '*Maak seks lekker duidelijk*' ('make sex good

and clear') campaign, which has run in recent years. Part of this approach will include the development of a 'resilience tool' for social media, which will provide young people with an insight into their resilience profile and give them advice, the use of an online educational game (Can you fix it) and parental support on the subject of sexual resilience.

Added to this, links will be provided to existing structures, such as the use of municipal health services in this field and [www.sense.info](http://www.sense.info). This policy will continue up to and including 2014, after which it will be evaluated.

### **Staff development in education**

With effect from 1 December 2012, the attainment targets for respectful interaction in primary education, secondary education and special education have been supplemented with a passage stating that pupils and students will learn to respect sexuality and diversity in society, including sexual diversity. This amendment gives schools a further incentive to consider healthy sexual development and to promote sexual resilience. Information that I receive is pointing to the need to work on teacher development. To equip teachers in a manner that enables them to raise these subjects for discussion better, I would like to 1) identify and list how teacher training programmes address the subjects of sexuality and sexual diversity, and 2) promote in-service training and refresher training for current and future

teachers. I will explore the possibilities that exist to achieve the above in practice. Young people are urging for the use of peers and experience experts that are no more than five years older than themselves. I think this is an interesting idea and want to explore the possibility of using students who are enrolled for programmes at universities of applied sciences, for example, who could provide other young people with information and pupils themselves could discuss the dangers of social media.

Added to the above, education is also an important channel to use to assist the victims of loveboys and honour-related violence (as provided by Fier Fryslân, for example). Besides providing care and a safe haven, it is important that these girls are given the opportunity to gain qualifications that will enable them to improve

their opportunities in the employment market. This gives them a greater chance of achieving a successful return to society. However, problems do exist as regards their ability to attend education. In the short term, I will work with the Ministry of Health, Welfare and Sport, the Ministry of Security and Justice and the Ministry of Social Affairs and Employment to organise a meeting to gain an insight into the obstacles experienced in this respect.

### **Research on the prevention of intergenerational violence**

Fifty-eight percent of domestic violence cases involve a family situation with children up to the age of 18. There is a greater likelihood that children who witness domestic violence will become the victims or perpetrators of domestic violence as adults: this is referred to as the intergenera-



tional transmission of violence. The government wants to commission research on interventions that could prevent the intergenerational transmission of violence. This will include explicit attention for the positive role that men could play in bringing violence to an end.

The European Commission is using the DAPHNE programme to make resources available for research on violence. I intend to submit an application for international comparative research to the European Commission.

### **Scan on a gender-sensitive approach**

Together with my colleagues from the Ministry of Security and Justice and the Ministry of Health, Welfare and Sport, I have decided to instruct the performance of a scan on the extent to which consideration is given to gender aspects in the approach adopted to violence in a domestic context. By doing this, we are responding to the concern that the CEDAW committee has expressed about gender neutrality in the approach adopted to domestic violence in the Netherlands.

### **Lesbians, homosexuals, bisexuals and transgenders**

Almost one million lesbians, homosexuals, bisexuals and transgenders live in the Netherlands. The improvement of the safety of LGBTs and the improvement of the social acceptance of homosexuality continue to be main objectives for emancipation policy. It should be observed that there is a very real

danger of complacency, particularly as acceptance among the population is generally high today<sup>3</sup> and young people are 'coming out' at an earlier age.

However, there are still groups in Dutch society that continue to reject homosexuality. Population surveys show that orthodox-religious communities in particular often still have a negative attitude to homosexuality. Added to this, data from pupil surveys point to a negative image of homosexuality among young people. For example, recent research done by the GGD Amsterdam shows that more than one-fifth of young people in Amsterdam are negative about fellow LGBT pupils<sup>4</sup>. The same research reveals that more than four times as many students of Turkish (45.9%) and Moroccan (34.5%) origin have a negative attitude to homosexuality than indigenous students do (8.6%). The Netherlands is still regularly startled by incidents of bullying at schools and in communities in which a great deal of resistance to homosexuality lies hidden just below the surface. The suicide figures for young LGBTs are clear: one in seven lesbian or bisexual girls and one in eight homosexual or bisexual boys (very) often experience symptoms of depression. Sixteen percent of these girls and 9% of

<sup>3</sup> In 2006, 85% of the Dutch population had a positive attitude to homosexuals. In 2010, this percentage increased to 91%. Source: the gay emancipation monitor.

<sup>4</sup> GGD (2012), Zo gezond zijn Amsterdamse jongeren

these boys have actually attempted suicide at some point. These figures are even higher for young transgenders. Social acceptance must improve and vulnerable groups must be able to count on the government. The LGBT emancipation process is certainly far from complete.

The government is striving to improve safety and social acceptance in different ways. The combating of homophobic violence is a priority for police and the Public Prosecution Service. The Minister for Security and Justice is making efforts to improve willingness to report discrimination and violence and to improve the impact that this has.

The Public Prosecution Service is responsible for pursuing an active investigation policy. Extra measures have been put in place to combat discrimination, including violence against LGBTs. The demand on offences under general criminal law that include a discriminatory aspect has increased by 50%, for example. Where a serious offence is concerned, the demand has actually been increased by 100%. Added to this, safety networks have been created with local COC departments, with the object of improving the detection of homophobic violence and communication about how cases and investigations are progressing and, at my request, Transgender Network Netherlands (*Transgender Netwerk Nederland*) is passing on information to the police and to anti-discrimination offices. Besides this,

discrimination portfolio holders at the Public Prosecution Service are receiving further training via an annual course offered by the National Discrimination Expertise Centre (*Landelijk Expertisecentrum Discriminatie* (LECD)). In addition, the LECD-OM is working on a new version of the Discrimination Handbook (*Handboek Discriminatie*). Added to this, each region holds its own regional discrimination meetings and the Integral Safety Monitor has included a question on sexual orientation since 2012.

In the future, this will make it possible to gain a better insight into the extent to which LGBTs are victims or feel safer or less safe. In addition, the State Secretary for Security and Justice is actively continuing reception policy for LGBT asylum seekers. Finally, the recommendations ensuing from the independent research on integrity violations in the reception process will be implemented in consultation with the COC.

In an earlier part of this letter, I indicated that certain legislation and regulations still remain to be amended for LGBTs. In recent years, steps have been taken to eliminate legal inequality between LGBTs and heterosexuals. As a result, the Parliament has debated various legislative proposals recently and the Parliament has already completed its debates in some cases. In Europe, the Netherlands is in sixth place as regards the legal equal treatment of

LGBTs<sup>5</sup>. The ambition is to achieve second or even first place in 2016. Given this fact, the government is committing itself to the entry into force of the legislative proposal on lesbian parenthood in the shortest term possible, which will improve the legal position of lesbian parents and their children.

The sterilisation requirement for the amendment of the gender indicated in a birth certificate will be deleted from the Netherlands Civil Code. The government is also supporting the following:

### **An end to registrars refusing to solemnise same-sex marriage on the basis of conscience**

Based in part on concrete (legislative) proposals put forward in this respect, the government will ensure that municipalities do not appoint any new wedding registrars that refuse to solemnise same-sex marriages on the basis of moral or religious objections.

### **Replacement of the single fact construction**

The government will have the single fact construction deleted from the General Equal Treatment Act.

### **Exploration of the inclusion of gender identity and expression in the AWGB**

The government will consider whether and, if yes, how the prohibition of discrimination on the grounds of gender identity and gender expression can be included in the Equal Treatment Act. The SCP report about transgenders shows that this is of importance as regards protecting transgenders against discrimination effectively.

### **Exploration of the modification of the blood donation questionnaire**

The Minister for Health, Welfare and Sport has asked the Sanquin blood bank to do research on the question of whether a man who is having sexual contact with another man should have a lifelong exclusion from giving blood imposed on him. It is important to observe here that the safety of the recipients of blood products will be paramount. Some men who want to donate blood currently feel hurt by the selection policy applied by Sanquin. Because of this, Sanquin will do research on the impact of the amendment of the donor questionnaire on the reliability of the answers given, amongst other things, and the outcomes of this research will be taken into consideration when deciding whether or not to amend selection policy. The decision will also be based in part on the Council of Europe resolution on the sexual risk behaviour of blood donors.

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<sup>5</sup> ILGA-Europe Rainbow Index, May 2012.



## **Equal treatment in Caribbean Netherlands**

At the end of this government's term of office, the time at which the equal treatment legislation (the Equal Treatment Act, for example) and the equal treatment infrastructure (anti-discrimination provisions and the Netherlands Humans Rights Institution) will be introduced in Caribbean Netherlands will be clear. As the coordinating Minister for Emancipation, I support the Pink Orange Agreement arrived at by the local LGBT community. This focuses on making homosexuality the subject of discussion by developing the capacity of the local LGBT movement, with support from the COC. In this way, the Dutch government is committing itself to putting change in motion, from the bottom up. Added to this, as stated above, I will establish whether the WE CAN Young campaign can be used to strengthen the resilience of girls in the Caribbean part of the kingdom and to combat violence against them.

We will also work on the following:

### **Frontrunner municipalities/ Rainbow cities**

I am working with 41 front-runner municipalities to achieve the emancipation of LGBTs at a local level. Our joint objective is to promote the safety, resilience and social acceptance of LGBTs in the Netherlands and at an international level too if possible. Collaboration with front-runner municipalities will continue up to and including 2014. Depending on the results of

the evaluation carried out in 2014, consideration will be given to whether or not involve new municipalities. The Dutch front-runner municipality initiative will also be continued in the European network of Rainbow Cities.

### **Gay-Straight Alliances (GSAs) and pink networks**

The government will support four national GSAs up to and including 2014: the education alliance, the parent alliance, the sport alliance and the community alliance. These alliances are collaborative arrangements between homosexual and heterosexual organisations and their object is to promote the social acceptance, participation and safety of LGBTs, each in their own field. Steps will be taken to closely monitor the effectiveness of this tool. Added to this, both myself and my colleagues from the Ministry of Security and Justice and the Ministry of Defence are supporting the pink networks in the government sectors (the police ('pink in blue') and the army) given their role in the development and implementation of national and international diversity policy.

### **Staff development and social safety of young LGBTs in primary and secondary education**

As already indicated above, the attainment targets for primary education, secondary education and special education that relate to respectful interaction with each other have been supplemented since 1 December 2012 with a passage that states that pupils and



*Minister Bussemaker discusses acceptance of LGBT's with high school students*

students will learn to respect sexuality and sexual diversity. In the period ahead, the focus will be placed on staff development and on the inability to respond adequately observed among teachers. A scan will be performed on the extent to which and how sexual diversity features in existing learning resources.

A huge diversity of learning resources is available. For example, reformative education has developed a teaching package (*Wonderlijk gemaakt*) to make homosexuality the subject of discussion based on its own Christian vision. Another example of a teaching package based on a Christian vision is *'Homo voor de klas'*, which has been developed by the KLP, CHJC and Contrario, which are Christian homosexual organisations. I would like to encourage every step

towards the achievement of a situation in which it is possible to raise the subject of homosexuality for discussion on the basis of a school's own vision, on the assumption that the social safety of LGBT pupils and students is key. I will enter into discussions with the educational sector about the results of the scan.

Added to this, with support from the Ministry of Education, Culture and Sciences, a pilot has been launched with 130 primary and secondary schools. This pilot has taken place this year and will continue in the next academic year too. In it, the schools in question have and will set to work with a package of measures geared towards the social safety of LGBTs; the effectiveness of these measures will be assessed by the SCP. The outcomes of this pilot will be made

available to all of the schools involved. This pilot ties in with the action plan designed to combat bullying at school. After all, this plan also looks at the role played by teachers and the expertise they have in relation to the prevention, identification and tackling of bullying. Finally, following on from the benchmark *Sociale onveiligheid van lhb-school-personeel en lhb-leerlingen* ('The social lack of safety for LGB school staff and LGB pupils and students'), a number of measurements will be taken in the period ahead in order to make it possible to closely follow developments at schools.

### **Sexual diversity in MBO institutions**

At the current time, consideration is being given to the question of how COC Netherlands and the education alliance for sexual diversity can contribute to the acceptance of and the introduction of a structural approach to sexual diversity in MBO institutions. This could include a follow-up to theatre performances by Theater AanZ, which took place in consultation with COC Netherlands in a total of 21 courses at seven regional training centres in 2012.

Added to this, the Centre for Expertise in Vocational Education and Training (*Landelijk Expertisecentrum BeroepsOnderwijs* (ECBO)) will include the safety of both LGBT employees and LGBT students in the social safety in MBO education monitor (*monitor Sociale veiligheid mbo*) (this will be published in 2014).

### **Migrant and faith-based communities**

Together with the Minister for Social Affairs and Employment, who is also responsible for integration policy, I will contribute to an approach that increases the social acceptance of homosexuality, the extent to which it is possible to raise homosexuality for discussion and improves self-acceptance by, assistance to and the safety of LGBTs from migrant communities.

I am supporting a ngo-project, which is also receiving funding from the European Integration Fund, and four migrant organisations. This project focuses on the improvement of the possibility to raise homosexuality for discussion in communities with a non-western background.

With my colleague from the Ministry of Social Affairs and Employment I organised a field consultation, with the object of exploring the form that a future approach could take. The starting point here will be that the emancipation of LGBTs in their own communities will be essential in order to achieve the strengthening of the position of LGBTs with a non-western background, which is very much necessary.

Self organisations of LGBTs with a non-western background are currently poorly developed; consequently they have poor visibility and contribute little to the emancipation of the group. Given this fact, the government wants to consider whether

existing local self organisations could be supported by a national support platform. A platform could also contribute to the provision of better information to counsellors about the problem. This platform ought to be based on broad social collaboration between different players, including the Ministry of Education, Culture and Science and the Ministry of Social Affairs and Employment.

Families and friends play a crucial role in the social acceptance and self-acceptance of LGBTs. Alliances between parents/brothers/sisters and LGBTs may contribute to acceptance in migrant communities, particularly if these parents/brothers/sisters also take up the cause for their homosexual child, brother or sister within the broader community. For this reason, the government is considering the possibility of setting up alliances of this nature.

Various ideological self organisations are already implementing projects designed to promote the social acceptance of homosexuality in Christian circles<sup>6</sup>. I support these efforts and I will continue to do so up to and including 2014. I will closely monitor the developments in these communities.

### **Suicide prevention among young LGBTs**

Recently, efforts have been made to increase the resilience of young LGBTs via a project

that has been initiated by MOVISIE and COC. In this project, a site has been developed that includes a self-test, stories about people's experiences and links to professional counselling ([www.iedereenisanders.nl](http://www.iedereenisanders.nl)). A digital brochure has been produced too ('*Ik wou dat ik dood was*' (entitled 'I wish that I was dead')), which has been circulated among professionals who work with young people. Added to this, a training course has been delivered to professionals at the 113online foundation (*Stichting 113online*), which offers online and telephone help to individuals considering suicide. The 113online foundation also delivered a training course to volunteers from LGBT organisations that focus on young people. The project will be rounded off in the second half of 2013. Efforts to achieve suicide prevention among young LGBTs are complementary to the action plan designed to combat bullying at schools.

### **Proper gender care for transgenders**

Together with the Minister of Health, Welfare and Sport, I endorse the importance of an efficient chain for gender care for transgenders for transgenders who have completed the transition process. This requires the field parties concerned to arrive at (regional) agreements and knowledge sharing, making it possible to guarantee the accessibility and quality of care for transgenders now and in the longer term. The Ministry of Education, Culture and Sciences supports these efforts to achieve a regional approach. Added to this, the Ministry of Health, Welfare and Sport will produce a brochure for municipi-

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<sup>6</sup> LKP, CHJC, ContrariO, Holyfemales.nl and Netwerk Mirre

Minister for Education, Culture and Science will sign the Technology Pact on behalf of the government. Current projects in primary and VMBO education will continue until mid 2014. Added to this, as commissioned by the Ministry of Education, Culture and Science, VHTO will continue to work on strengthening support in the field for efforts to break through existing gender stereotypes about girls and technology until the end of 2014, which it will do by organising expert meetings and subject-related conferences.

### **Immigrant boys and science and technology**

Differences between the education results achieved by boys and girls are also evident in minority groups, with boys of non-western origin achieving the lowest results. As stated previously, this would seem to be due in part to the wrong study choices having been made: migrant boys are less likely to choose technology than indigenous boys are.

Together with the Minister for Economic Affairs and the Minister for Social Affairs and Employment, I will pay extra attention to this in the Technology Pact.

## **International polarisation**

In international debate, polarisation exists between countries that support the recognition of the human rights of LGBTs and women and countries that oppose this and who justify this on the basis of orthodox-religious, family, traditional and cultural values.

As already stated, I was present at the meeting of the UN Commission on the Status of Women. This meeting is organised by UN Women, the UN organisation that has committed itself to the achievement of gender equality and the empowerment of women. Both the UN Convention on Women's Rights and the Beijing Platform for Action formed the basis for this meeting.

During the meeting, negotiation of the so-called Agreed conclusions about the theme 'combating violence against women and girls' proved almost impossible. A number of countries tried to strip the text of anything that did not correspond with their views about the family, women's rights and sexuality. Any reference to homosexuality proved impossible too. Some countries also proposed giving each country the sovereign right to implement the agreements 'with complete respect for its own religious and ethical values and cultural backgrounds and also for its national legislation and development priorities'.

I feel that these are very worrying developments to which the response must be a strong one. In my speech to the UN, I said that a situation could not be tolerated in which the victims of violence are afraid to speak about what has happened to them from fear of stigmatisation, in which women are unable to claim the rights due to them and in which perpetrators go unpunished. None of the countries may be allowed to ignore this problem on the grounds of cultural, economic or religious grounds. Fortunately, this also forms part of the Agreed Conclusions that were adopted on 15 March 2013.

The government wants to actively formulate a response to this new challenge to emancipation policy with other front-runner countries, which it wants to do by standing up for the rights of women

and LGBTs, within and outside the EU and in a multilateral context. In the State of the European Union 2013, the defence of fundamental values like quality and respect for human rights in general and for LGBTs in particular have been made the spearhead of policy.

The promotion of LGBTs and the rights of women are a spearhead of the human rights policy pursued by the Minister for Foreign Affairs. The Minister for Foreign Trade and Development Cooperation is investing in the rights of women and in sexual reproductive health and rights. My active international contribution as the coordinating Minister for Emancipation is complementary to this. Together, we will put the following measures in place:



## **Collaboration and power reinforcement in Europe**

Fulfilment of the agreements that Europe has made as regards combating discrimination on the grounds of sexual orientation and gender identity has resulted in the creation of an important role for networks that actively commit themselves to the emancipation of LGBTs. The government will continue to support these networks in Europe. I will support the European Forum of LGBT Christian Groups in its work to improve emancipation in religious circles.

Our country will continue to work with other member states to anchor attention for LGBTs within the Council of Europe.

Both myself and the Minister for Security and Justice support the further tackling of and attention for violence against LGBTs in Europe and, in particular, the special

contribution of the police to the achievement of the above.

Together with like-minded countries, I will commit myself to the adoption of the coherent and consistent approach to LGBT rights that is necessary in the European Union. For example, the mutual recognition of registered partnerships and marriages of same-sex couples is absent at the current time. The Netherlands will continue its initiative to work more closely with others in Europe in the field of LGBT emancipation policy. On the International Day Against Homophobia in The Hague in May 2013, the Netherlands and like-minded member states called for a coherent and comprehensive LGBT-policy strategy within the EU. The member states will make substantive suggestions on the content of this strategy.





### **Attention for emancipation and the consolidation of efforts outside Europe too**

The Netherlands is seeking to achieve the consolidation of efforts outside Europe too. This is why close European collaboration will be extended, wherever possible, to informal networks of like-minded countries in other continents. Added to this, I also want to strengthen collaboration between Rainbow Cities – front-runner municipalities – within the UN, with the object of tackling violence and promoting social acceptance. The government will continue, in the UN human rights forums, to commit itself to non-discrimination and the decriminalisation of LGBTs. In a UNESCO context, consideration will be requested for the theme ‘discrimination and education’ and for discrimination against LGBTs in particular. I will continue to support the international LGBT movement on the educational front. Within UNICEF, the Netherlands will make efforts in relation to the position of young LGBTs.

Where the Organisation for Economic Co-operation and Development (OECD) is concerned, the government will work with other member states to gain a better insight into the economic advantages of an inclusive policy and the economic disadvantages of homophobia and transphobia. In this way, economic argumentation can also be developed to improve the rights and position of LGBTs. The initiative of the Minister of Defence,

in which attention is requested, in a NATO context, for equal treatment on the grounds of sexual orientation and/or gender identity, will have a follow-up. In the World Health Organisation (WHO), the Netherlands will actively commit itself to the achievement of a reformulation of the International Classification of Diseases in a manner that does more justice to trans genders.

After the success of the MDG3 fund, the Minister for Foreign Trade and Development Cooperation is investing another € 80 million in Funding Leadership and Opportunities for Women (FLOW). Through FLOW, the Netherlands supports thousands of women’s organisations worldwide in their efforts to combat violence against women and the promotion of political participation and economic self-reliance.

The Netherlands is also committing itself strongly to the combating of child marriages and forced marriages. Child marriages may never be justified on the basis of culture, tradition or religion. Forced marriages are a violation of the right of self-determination. In conflict situations, sexual violence against women is still being used to disrupt communities on a large scale.

The Netherlands is working with partners like the UK and the US to implement existing resolutions in this field (such as resolution 1325). The so called ‘National



Action Plan 1325' assists national governments, non governmental organisations and local communities in post conflict situations to combat impunity, to bring perpetrators to trial and to strengthen the legal system.

The Netherlands has strong commitment towards increasing greater political participation by women in the world. Through the new Women in the Frontline fund, the Netherlands aims is to sustain the power that women and women's organisations have, so that they are involved in the drafting of new legislation and regulations based on international agreements and conventions.



## Colophon

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The Hague, November 2013

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Dutch gender and LGBT-equality policy  
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Emancipatiebeleid 2013-2016) was sent  
to the Dutch parliament in May 2013.