

Presentation to the Committee on the Elimination of Discrimination against Women

Pre-session working group of the 65th session preparing the List of Issues for the consideration of the 6th periodic report of the Netherlands

7 March 2016

Netherlands Institute for Human Rights

Kathalijne Buitenweg, Commissioner

Distinguished members of the Committee,

Thank you very much for the opportunity to present to you the highlights of our report on the situation of women in the Netherlands.

Let me start by saying that many people in the Netherlands are convinced that the emancipation of Dutch women has been accomplished. The situation that women find themselves in is then a matter of individual choice and coincidence. The Netherlands Institute for Human Rights agrees with this view to a certain extent. Dutch men and women have equal rights and duties. Their legal position is overall the same. That is an important achievement. However, in practice, there are still differences in their opportunities to master their own life. The main causes thereof are the stereotypical views and attitudes in society concerning the roles of women and men. That is the first general point I want to make. The second is that there is a tendency to rely on individual solutions for these structural differences. Therefore there are no policies for target groups any more. As you understand, the combination is far from ideal.

Let me give some examples in which this shows.

On page 5 you can read about new governmental policies to reduce financing of care in institutions. The idea is that elderly people should stay longer at home, fostered by more informal care. In theory sons and daughters alike are asked to assist when their fathers or mothers need help for washing, cooking, shopping, cleaning and going to the doctor. In practice, women feel more quickly obliged to provide such care than men. This thesis is supported by research. Also we've learned that professionals generally assume that informal care is provided by women. Therefore they usually address the daughter, and daughters-in-law, rather than turning to the sons and sons-in-law. Combined with the care of children, which is also predominantly undertaken by women, these social expectations stand in the way of women pursuing a career and becoming economically independent. We highly recommend that the government takes measures to prevent that women are disproportionally charged with these extra caring tasks.

On page 7 we addressed the participation of women in political offices and decision-making bodies. The percentage of female mayors raised in six years with only 4 %. Nowadays 78% of mayors are men. Also city councillors are mainly men: 72%. One can see this as the sum of individual choices. But of course there are structural patterns that underlie this. For instance, the meetings may be held at a time that this is particularly inconvenient for people who take care of children. Or the political culture may be disrespectful, and particularly putting off women. And also stereotypes of what a political leader or mayor should look like, disadvantage women. It is no coincidence that in

Amsterdam the leaders of all major parties are men. The point is that in order to realise the right of political participation, there is a need for structural, meaningful measures by the government. It is not a matter for women or political parties alone.

On page 8 we point at pregnancy discrimination. The Netherlands Institute for Human Rights has conducted a study that shows that 45% of pregnant women were faced with some form of pregnancy discrimination. For instance, they were not given the general yearly pay increase because they were absent for four months in that year due to pregnancy leave. They could not return to their job after their leave. Or they were not considered for a job because it was assumed that it would be too complicated to combine it with caring tasks. Formally discrimination on the basis of pregnancy is forbidden in the Netherlands. Women can complain with our institute, or even go to court. But when the disadvantage is so widespread, there is need for more structural measures. Many employers don't even *know* that they can't refuse to renew a temporal contract when they do so because of the pregnancy of the women concerned. There is a need for more information and enforcement. Also it will benefit the position of women, when the government fosters much more strongly than it currently does that *fathers* take more care of their children. Only 25% of fathers who are entitled to parental leave actually take it.

A final point that I want to underline is violence against women. This subject takes up a significant part of the report. Surely, progress has been made. But domestic violence continues to be a widespread phenomenon.

In the Netherlands, policies to tackle domestic violence are generally gender-neutral. It is of course positive that action is taken to also fight violence against men. However, it is no statistical coincidence that women form the victims of domestic violence in *most cases*. This is partly due to expectations about how women and men can behave. Recently, new steps have been taken to foster a more gender-sensitive approach. We urge the government to ensure that these will lead to structural adaptations of its policy, which should include also measures that seek to change attitudes that underlie the violence against women.

On p. 3 of our report we refer to waiting lists for people needing support and advice in cases of domestic violence. Just last week, on 2 March, the Inspectorates for Youth Care and Health Care published a report on access to support and protection services, the so-called 'Safety at home' institutions. The findings are alarming. In a majority of cases there are insufficient staff to perform all tasks assigned by law. The existence of structural waiting lists are unacceptable.

Victims of domestic violence who are not Dutch nationals may find themselves in an even more precarious situation. The duration of the period before they receive an independent residence status has risen from 3 to 5 years. They may feel forced to put up with more violence out of fear to be forced to return to their country of origin. Practice shows that women who have no valid residence permit, don't always get access to support services. It is necessary that the professionals concerned are more aware of the rights of these women. All women ought to have access to high quality supported services.

An issue which has received quite some attention recently concerns forced marriage. Legal measures have been taken to address this, but obstacles continue to exist. This is the case in particular for women who are in a marriage which is governed not only by civil law, but also by religious regulations. Since these have no legal consequences in the Netherlands, the courts cannot dissolve such marriages. Specific measures are necessary to free women from such situations, such as training of the judiciary.

We expect the government to take more action than it currently does to raise awareness of the still existing discrimination of women, to take measures to counter that and above all, not to adopt policies that bring women in an even more disadvantaged position.