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**Committee on the Elimination of Discrimination
against Women**

**Seventh periodic report submitted by the
Netherlands under article 18 of the Convention,
due in 2020* ****

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* The present document is being issued without formal editing.

** The annexes to the present document may be accessed from the web page of the Committee.

General

1. For the information and figures requested, please refer to the attached Equal Rights Monitor 2020¹ and the database of Statistics Netherlands (CBS).² The Equal Rights Monitor of the CBS and the Netherlands Institute for Social Research (SCP) present the findings of research on women's rights that is conducted every two years in the Netherlands. Supplemental to the Equal Rights Monitor, the CBS database contains a wide range of socioeconomic figures on women and men. Depending on their relevance to the topic, these data can be further broken down by age, nationality or nationalities, disability, non-Western migration background, place of residence and socioeconomic background.

2. The government of the Netherlands does not generally focus on improving the collection and study of data in the areas covered by the Convention. It does, however, regularly carry out smaller-scale studies to obtain more in-depth information. The government takes the view that effective policy aimed at promoting substantial gender equality benefits mainly from improved application of data that is already being collected, rather than from more or better data collection. That is why a commitment was made to ensure new policy and legislation are assessed for their impact on gender equality. On 18 May 2018, the Minister of Foreign Affairs (then coordinating minister for the SDGs) undertook to make the impact of new proposals for policy and legislation on the achievement of the SDGs a visible part of the Regulatory Impact Assessment (RIA) for new policy and legislation.³ This included adding a quality requirement on the impact on gender equality ('gender assessment') to the RIA on 24 January 2019. Gender equality is understood to mean: 'the situation in which all citizens have equal rights, obligations and opportunities, regardless of their gender'. The gender assessment is a tool to determine how policy and legislation either help to reduce the existing inequality between women and men or ensure that the current level of equality between women and men is maintained. The gender assessment contributes to the gender sensitivity of all new legislation, where relevant.

Legal status and implementation of the Convention

3. The steps taken to transpose the Convention's provisions into domestic law depend on whether or not a provision has direct effect. Provisions that are sufficiently clear to function in the national legal order have direct effect and can be relied on before domestic courts (Article 93 of the Constitution). No further steps are necessary in order to incorporate them into domestic law. Ultimately, it is the domestic court that determines whether provisions have direct effect. For instance, the Supreme Court has ruled that Article 7 (a) and (c) of the Convention have direct effect. Provisions that are formulated more generally and need additional elaboration in the domestic legal order to be applied by domestic courts do not have direct effect and are therefore transposed into domestic legislation where necessary.

Women's rights and gender equality in relation to the pandemic and recovery efforts

4. COVID-19 has not affected women more severely than men in the Dutch labour market. However, they already had a worse position in the labour market before the pandemic.⁴ In recovery measures, it is therefore important to prevent the gender gap in the labour market from widening. Special attention needs to be paid to women with poor employment prospects and a long-term dependency on social assistance or unemployment benefit, or on benefit under the Work and Employment Support (Young Disabled Persons) Act (Wajong) or the Work and Income (Capacity for Work) Act (WIA), as well as women

¹ M. van den Brakel, B. Hermans and W. Portegijs (2020), *Emancipatiemonitor*, The Hague: CBS and SCP, available online: [Emancipatiemonitor 2020 \(cbs.nl\)](https://www.emancipatiemonitor.nl/).

² www.opendata.cbs.nl.

³ For more information on the Regulatory Impact Assessment, please see the answer to question 6a.

⁴ See Annex for more information.

without entitlement to benefits. Employees with a flexible employment contracts and the self-employed have been hit extra hard by the COVID-19 crisis.

5. For the above reasons, the currently applicable Dutch support measures were not designed with specific attention to gender equality. In order to access funds within the framework of the EU Recovery and Resilience Facility (RRF), the Netherlands will submit a COVID-19 recovery plan to the European Commission. In developing and elaborating this plan, the effect on gender equality and underlying themes will be taken into account, with attention paid to the themes mentioned in the questions.

6. Various studies are underway on the influence of COVID-19 measures on gender-based violence.⁵ Although there are as yet no clear signs of an increase in gender-based violence as a result of COVID-19, the following measures have been taken:

7. In 2020, the campaign ‘It won’t stop until you do something’ (‘Het houdt niet op, totdat je iets doet’),⁶ which urges people to take action if they suspect or are affected by domestic violence or child abuse, was modified and its scope widened to include the higher risk due to COVID-19 measures. In addition, information has been provided separately on how to deal with rising tensions as a result of COVID-19 measures.⁷

8. A social media campaign entitled ‘Concerns about domestic violence and child abuse’ (‘Zorgen over huiselijk geweld en kindermishandeling’), on the supply of support services, was conducted from July to September 2021.⁸ The ‘Safe at Home’ national network (Landelijk Netwerk ‘Veilig Thuis’), the Children’s Helpline and the programme ‘Violence has no place in the home’ (‘Geweld hoort nergens thuis’, GHNT) partnered to develop an online prevention campaign around the concept of ‘Time Out’ (from 18 October to 14 November 2021).⁹

9. Domestic violence shelters had taken steps to prepare for the anticipated demand for additional places, but no such increase in demand materialised. Additional measures were taken to cater for victims for whom the existing support channels were unsuitable.¹⁰

Access to justice and legal complaints mechanisms

10. In an interlocutory judgment of 27 July 2017, the Central Appeals Court for Public Service and Social Security Matters ruled that Article 11(2) (b) of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) also applies to the self-employed and that self-employed women are entitled to ‘a certain income’ in connection with childbirth. The Minister of Social Affairs and Employment has therefore drawn up a compensation scheme for women who gave birth between 7 May 2005 and 4 June 2008 and who were self-employed.¹¹ The compensation scheme was launched on 15 May 2018 with a generous application period. The level of compensation was based on the average benefit paid to self-employed women in 2016 in relation to pregnancy and childbirth and then indexed to 2018. The compensation was paid out in 2019.

11. During the previous government’s term in office, no further cuts were made to the Dutch legal aid system. From 2022 onwards, the fees for legal assistance providers in the legal aid system are to be permanently increased. In adopting this measure, the government is implementing the recommendations of the Van der Meer Committee and motions adopted

⁵ The Ministry of Health, Welfare and Sport (VWS) commissioned research into the extent of any increased violence in vulnerable families. The findings showed no significant increase. A two-year study by the Netherlands Institute for the Study of Crime and Law Enforcement is currently underway, under the title: *Stay home, stay safe? Studying prevalence, nature and severity of domestic violence during the Covid-19 pandemic*.

⁶ www.ikvermoedhuiselijkgeweld.nl.

⁷ ‘Start landelijke campagne tegen huiselijk geweld in coronacrisis’ | Nieuwsbericht | Rijksoverheid.nl.

⁸ ‘Social media campagne Huiselijk geweld en kindermishandeling van start’ | Nieuwsbericht | Huiselijk Geweld.

⁹ Preventiecampagne ‘Time-out’ gaat vandaag van start | VNG.

¹⁰ See Annex for an overview of supplementary measures.

¹¹ See Annex for information on the time periods.

by parliament. This investment guarantees low-threshold access to good quality legal assistance for citizens with limited financial resources.

12. The Netherlands does not distinguish by sex in rules governing access to legal aid or asylum procedures. Women refugees have access to legal aid for all asylum applications, including a repeat asylum application after a previous rejection. Moreover, asylum seekers in the Netherlands receive government-funded legal assistance for their asylum applications – also in the case of a repeat asylum application or an application for review of a decision. However, legal assistance providers receive a smaller fee for handling a repeat asylum application if the application is not granted.

13. It is important that sex workers experience greater security in their work and lives and are less vulnerable to violence and exploitation. For this reason, the alert platform ‘Ugly Mugs’ has been operational since the beginning of 2022. Registered sex workers can use this platform to warn each other about violent clients on the basis of their physical descriptions, and to obtain information and support in reporting incidents to the police. Furthermore, under the leadership of SOA AIDS Nederland (an organisation providing STI information and support), a complaints desk was set up where sex workers can obtain support in submitting complaints to institutions and assistance with mediation. In addition, last summer, the Sex Work Destigmatisation Alliance (SWAD) was launched, which aims to reduce stigma and improve the social position of sex workers.

14. The Compulsory Mental Healthcare Act (WVGZ) and the Care and Compulsion (Psychogeriatric and Intellectually Disabled Patients) Act (WZD), which replaced the Psychiatric Hospitals (Committals) Act (BOPZ) on 1 January 2020, have improved the legal protection of patients with a psychiatric disorder and psychogeriatric and intellectually disabled clients who receive compulsory care. For example, a lawyer is involved at an earlier stage, access to confidential counsellors is guaranteed by law and the complaints procedure has been expanded. The patient’s wishes are followed as much as possible. Under the Healthcare Quality, Complaints and Disputes Act (WKKGZ), people receiving voluntary care can contact the complaints officer free of charge. The act also sets out frameworks for good care and complaints procedures.

15. Currently, access to subsidised legal assistance is regulated by the Legal Aid Act (WRB). People with limited financial resources can qualify for state-funded legal assistance under this act. The person’s gender is irrelevant in this context. Legal aid is subject to an income-related co-payment. In the renewal of the legal aid system, access to justice for all will continue to be guaranteed, even if this requires a state subsidy.

Women, peace and security

16. A [mid-term review](#) of the National Action Plan III on Women, Peace and Security (NAP-WPS-III) was published in February 2019 and lessons learned from it were used in the development of the new NAP-IV. Additionally, an overall external end-term evaluation of NAP-WPS-III and stand-alone WPS programmes has been undertaken. The mid-term evaluation concluded that NAP-WPS-III was innovative by incorporating a strong Theory of Change that is supported by a broad range of stakeholders. NAP-WPS-III serves as a community for government and CSO signatories, as the basis for a funding framework issued by the Ministry of Foreign Affairs in 2016, and as a collective umbrella for government action.¹²

17. The Netherlands maintains a high level of transparency regarding the issuance of arms export licenses. All licenses, whether granted or denied, are published on the [government website](#).¹³ Parliament receives immediate notification and a statement listing the reasons for granting the license for complete systems with a value over €2,000,000. These notifications are publicly available. The 2020 Annual Report on export control policy¹⁴ contained a section

¹² Improvements in NAP-WPS-IV (2021-2025) are listed in the Annex.

¹³ [Maandelijkse rapportage uitvoer militaire goederen | Rapport | Rijksoverheid.nl](#).

¹⁴ Ministry of Foreign Affairs (2021), *Het Nederlandse exportcontrolebeleid in 2020: Rapportage over de afgifte van afgifte van vergunningen voor militaire, dual-use en foltergoederen van de minister van*

describing how gender-based violence is taken into account in ex-ante risk assessment of license applications. The government is committed to reporting explicitly to parliament when gender-based violence is the decisive factor in denying an export license. This has not occurred to date. In 2021 an assessment was made of countries requiring special attention with respect to gender-based violence.

National machinery for the advancement of women

18. In 2018 the quality requirement ‘Impact on gender equality’ became part of the Regulatory Impact Assessment (RIA) which is to be applied to all new legislation in the Netherlands. Although it is obligatory to apply the quality requirement, it is not obligatory to mention the assessment results in the explanatory memorandum accompanying new legislation. The RIA provides policymakers and legislative drafters with the standards that good policy and regulation must meet, as set by government. File holders themselves are responsible for providing adequate answers to the RIA questions in the explanatory notes on proposed policies and regulations. The assessment on the basis of the quality requirement ‘Impact on gender equality’ identifies the nature and extent of the consequences of proposed policy and legislation for gender equality in the Netherlands. This is an elaboration of SDG 5.

19. Women’s rights organisations are funded on both national and international level, from the budgets of the Ministry of Education, Culture and Science and the Ministry of Foreign Affairs. Following the recommendations in the Midterm Review of Equal Opportunities Policy in 2014,¹⁵ the Gender and LGBTIQ+ Equality Department (DE) made changes to the way in which grants are awarded to those working in the equal opportunities sector. Until then, DE had been providing institutional and project grants to diverse organisations. Since January 2018, this system has been replaced by one in which institutional grants are awarded to a total of eight alliances that work to increase gender and/or LGBTI equality in themes selected by DE: education, security, health, labour market, media, politics, law and lifestyles.¹⁶ Project grants will remain available for individual projects, especially those of organisations that do not participate in an alliance and that focus on topics other than those of the alliances. With these alliances, DE aims to increase its impact by, for example, achieving more focus, streamlining of grant funds and less fragmentation, better cooperation with and between civil society organisations, and more opportunities for smaller organisations and groups that are hard to reach.

20. This system of alliances was adopted from the Ministry of Foreign Affairs. The focus is on financing programmes rather than core funding. In the last six years the Ministry of Foreign Affairs has increasingly focused on financing women’s rights organisations. Attention is paid to increasing leadership by southern organisations as well as feminist movements. In the partnerships, there is a strong focus on power dynamics and equal decision-making. In recent policy frameworks, more attention is paid to intersectionality.¹⁷ In addition, the Power of Voices (POV) instrument includes four gender-specific strategic partnerships.

Temporary special measures

21. A new act, entering into force on 1 January 2022, introduces a statutory diversity quota of at least 33% women and 33% men on the supervisory boards of listed companies.¹⁸ Listed companies that have not yet achieved this 33% quota may only appoint a person of the under-

Buitenlandse Zaken, The Hague: Ministry of Foreign Affairs, available online: [het-nederlandse-exportcontrolebeleid-2020.pdf](https://www.het-nederlandse-exportcontrolebeleid-2020.pdf).

¹⁵ Kamerbrief met beleidsconclusies midterm review en beleidsdoorlichting emancipatie | Kamerstuk | Rijksoverheid.nl.

¹⁶ See Annex for a description of the programmes carried out by the partnerships and of the individual partner organisations.

¹⁷ See Annex for an overview of programmes receiving funds from the Ministry of Foreign Affairs.

¹⁸ Listed companies and the approx. 5,000 large firms in the Netherlands.

represented gender in the event of a vacancy. A new appointment that does not contribute to a more balanced ratio of women to men will be void.

22. In addition, an obligation has been introduced requiring large companies¹⁹ to set 'ambitious' targets to achieve a more balanced ratio of women to men on their boards of directors and supervisory boards and in senior management. Large companies are obliged to draw up a plan for achieving these targets. Each year, these companies must report on the state of affairs and the progress made on a comply or explain basis.

23. The new legislation will be evaluated after five years and will expire eight years after it enters into force.

24. These measures in the private sector will be supplemented by measures in the public and semi-public sectors. Given the considerable diversity of the organisations herein, a one-size-fits-all regulation is not workable. On 25 February 2022, a letter was sent to Parliament outlining the measures foreseen in the (semi)public sector, falling into three categories:

- A target figure for the (sub)top of ministries and their administrative agencies between 45% and 55% women, to be reached within five years;
- A target figure of 50% women in the top of independent administrative bodies and advisory councils that are appointed by government;
- Government calls on the entire (semi)public sector to work towards 50% women in the (sub)top, setting a statutory obligation to formulate ambitious target figures for remaining (administrative) organisations within the (semi)public sector.

25. Additionally, focus will be put on the development of an adequate infrastructure for monitoring and on sharing of good practices among large organisations within the (semi)public sector.

Stereotypes and harmful practices

26. The government financially supports the alliance *Werk.en.de Toekomst* (A Working Future).^{20 21} For five years (2018-2022), A Working Future focuses on a combination of action-oriented research and the development of intervention strategies by identifying stereotypes and positive counter-stereotypes, deploying role models, sharing good examples, and putting these issues on the agenda of government, social partners, educational institutions and employers. It is ultimately dedicated to breaking gender stereotypes in education and the labour market, and to improving the options for combining work, care-giving and education.

27. The government is currently commissioning research into the impact of statutory supplementary childbirth leave for partners, including the initial effects on the distribution of care responsibilities. These effects will probably only become apparent in the longer term. As this legislation was introduced in 2020, it will not yet have brought about a major change in role patterns.

28. The right to freedom of expression guaranteed by the Dutch Constitution applies in full to the media. It is appropriate for government to exercise substantial restraint in this area. Freedom of expression is not an unlimited right, however. The criminal law imposes constraints: forms of expression that incite discrimination, racism, violence or hatred are criminal offences. In light of this, there is no need to amend the Media Act. The ban on discrimination is already guaranteed under the criminal law and its scope includes parties subject to the Media Act. The judgment of whether or not an utterance in the media violates this provision is a matter for the courts to decide.²²

29. Freedom of speech is given a wide interpretation in the Netherlands, especially in contributions to the public debate. However, the government seeks to draw a clear line at

¹⁹ See Annex.

²⁰ [Werk.en.de Toekomst | Programma's \(atria.nl\)](https://www.werk.en.de.toekomst.nl/).

²¹ See Annex for details.

²² Please refer to the Annex for non-judicial measures concerning representation in the media.

forms of expression which could be qualified, in line with international human rights conventions, as hate speech.

30. The government is committed to this by tackling – generically – the stigmatisation and stereotyping of individuals and groups. The Netherlands does not break down data on the number of prosecutions for hate speech targeting Muslim women, female migrants and/or female asylum seekers.

31. The Inclusion and Community Platform plays an important role by researching the effectiveness of antidiscrimination interventions. Through a decentralisation allowance provided in 2020 and 2021, municipalities can support social initiatives aimed at countering discrimination based on origin, including the countering of stereotyping.

32. Also relevant here is the Act clarifying the statutory obligation to provide citizenship education, which recently entered into effect. Among other things, schools are required to impart knowledge of and respect for the basic values of democracy based on the rule of law, particularly with regard to differences in religion, belief, political opinion, ethnic background, gender, disability or sexual orientation, as well as the principle of equal treatment in equal circumstances.

33. Efforts also focus on increasing people's willingness to report discrimination and the police are taking measures that include supporting victims in lodging reports and criminal complaints with the police and increasing knowledge and expertise by deploying internal police networks. Another example is the law that came into effect on 1 January 2020 doubling the maximum penalty for incitement to violence, hatred and/or discrimination²³ to two years or a fourth-category fine.

34. In order to further prevent harmful practices, the Harmful Practices Action Agenda was drafted in 2020,²⁴ by the Minister of Health, Welfare and Sport and the Minister for Legal Protection. Its implementation has begun, including the development of educational materials on marital captivity and forced marriage, a study on introducing tougher sentences for 'honour-related' violence, a public information campaign, and a study on reports of female genital mutilation (FGM). In addition, the Forced Marriages (Countermeasures) Act (2015) has made it more difficult to force people to marry against their will. Also, all forms of FGM are punishable in the Netherlands, including cases in where it takes place abroad and those involved have a link to the Netherlands at the time of the FGM.

35. Figures on harmful practices are collected for each phenomenon individually.²⁵ For FGM, for example, this is done by the institute Pharos,²⁶ but the figures for reports of FGM are based on reports to the police (and/or LEC EGG)²⁷ and Safe at Home.²⁸ A difficulty here is that harmful practices often take place in closed communities. Therefore, extra efforts are made to provide information so that victims can be identified and receive help sooner.

36. In July 2019, the Ministry of Health, Welfare and Sport gave the Netherlands Organisation for Health Research and Development (ZonMw) a grant to facilitate the creation of a multidisciplinary standard of quality for the care of people with DSD.²⁹ Because of the target group, the urgency, and calls to respond to the current state of scientific knowledge, as well as European developments, the Minister of Health, Welfare and Sport has made extra financial resources available to put this quality standard in place. It should be emphasised that the Minister does not have any authority over the content of good care or the assessment of whether or not an intervention is necessary.³⁰ The content of care is determined by, among others, occupational groups and patient associations, on the basis of both the state of scientific

²³ Article 137d of the Criminal Code.

²⁴ [Actieagenda Schadelijke Praktijken | Beleidsnota | Rijksoverheid.nl](#).

²⁵ See Annex for the definition of the criminal offences of FGM and forced marriage in the Netherlands.

²⁶ [Gezondheid en kwaliteit van zorg voor iedereen - Pharos](#).

²⁷ [Landelijk Expertise Centrum Eer Gerelateerd Geweld | politie.nl](#).

²⁸ [Veilig Thuis](#).

²⁹ DSD = Differences of Sexual Development.

³⁰ *Wet kwaliteit, klachten en geschillen zorg* (Healthcare Quality, Complaints and Disputes Act) (WKKGZ); *Wet op de geneeskundige behandelovereenkomst* (Medical Treatment Contracts Act) (WGBO).

knowledge and practical experience. The Ministry considers it important that when drafting the quality standard, the perspective of patients should also be taken into account, with the aim of ensuring that patients and parents of children with DSD receive the best possible support in the decisions on care that need to be made. Not only children and their parents, but also adults with DSD of some form, can visit the various expertise centres for diagnosis, specialised medical care and coaching.

Gender-based violence against women

37. The State Secretary for Health, Welfare and Sport is the coordinating minister for tackling domestic violence and violence against women and girls. There is close interdepartmental cooperation.

38. Within the national action programme 'Violence has no place in the home' (GHNT)³¹ a programme team supports the regional approach, and its national steering group follows progress in this area at both regional and national level.

39. The democratic legislative procedure for the enactment of the Sex Offences Bill will be further continued in 2022. This bill provides *inter alia* for the removal of current incompatibilities between the Dutch Criminal Code and international human rights instruments, including the Istanbul Convention.

40. Protective measures can be implemented through administrative law, civil law and criminal law. The mayor of a municipality may issue a restraining or exclusion order, and, additionally, a temporary domestic exclusion order, which may be extended to 28 days. Violating a domestic exclusion order is a criminal offence. National figures on the use of domestic exclusion orders are unknown. Protection measures under the criminal law, such as a restraining order, can either be a part of a sentence or taken in anticipation of a court decision. Victims may submit an application for protection measures to a civil court on their own initiative.

41. Another measure is AWARE,³² a personal alarm system linked to the police emergency centre for people facing serious harassment or threats within personal relationships, including relationships of dependency. AWARE is always linked to an assistance programme to help make the supposed victim aware of the seriousness of the situation.

42. During the application procedure for a residence permit, a victim of violence is entitled to shelter for as long as care and protection are needed, on the basis of the EU Victims' Rights Directive. This applies regardless of residence status. Victims of human trafficking who do not hold a residence permit are entitled to shelter for a period of three months, during which time they may consider reporting the traffickers to the police.

43. Women's shelters collaborate nationwide for the placement of people with mobile impairments. People with a mild intellectual disability who need special guidance are accommodated in safe places within specialised care facilities. In such cases, help in addressing the problem of domestic violence is offered on an outpatient basis.

44. LGBTIQ+ women can be admitted to women's shelters if their safety necessitates it. Four separate places are available in Utrecht for LGBTIQ+ men and women with special safety needs that cannot be met in regular shelters. The Ministry of Health, Welfare and Sport has commissioned a study into the risk factors relating to LGBTIQ+ individuals and into the extent to which prevention and assistance are LGBTIQ+ inclusive. The institutes Movisie and the Netherlands Youth Institute post information about this assistance on their websites.

45. In tackling domestic violence and child abuse, the police collaborate at an early stage and repeatedly with their partners in the criminal justice system, including the Public Prosecutor's Office, the probation service and the Child Protection Board, as well as 'Safe at

³¹ [On the programme 'Violence has no place in the home' \(Geweld Hoort Nergens Thuis, GHNT\) | VNG.](#)

³² AWARE = Abused Women's Active Response Emergency.

Home' to ensure immediate safety and subsequently to provide risk-based and recovery-oriented care for households. The same applies to violence against women and girls. The organisations look at each individual case to decide what is needed to secure the safety of victims and to break the cycle of violence. Where necessary, the organisations investigate the facts together. To strengthen this joint approach, the organisations have established the Safety First development agenda³³ and the national action programme 'Violence has no place in the home' (GNHT).³⁴ Within this approach, attention is paid to a gender-sensitive approach.

46. In the Netherlands, it is possible on the basis of the Temporary Domestic Exclusion Order Act to impose a temporary domestic exclusion order on an adult who poses or is suspected of posing an immediate, serious danger to one or more persons living in the same household or staying there other than on an incidental basis. Such an order is imposed by the mayor for a period of ten days and can be extended to a maximum of 28 days. A perpetrator who violates the order is liable to a term of imprisonment not exceeding two years or a fine.

47. In the European part of the Netherlands, data is collected systematically or periodically on the prevalence of domestic violence, assault, threats, sexual violence and child abuse (including child sex abuse). Where possible, the prevalence figures are broken down by age, cultural background, gender and the relationship between perpetrator and victim. The figures on combating domestic violence and child abuse³⁵ are compiled primarily per report or per case. The prevalence monitor for domestic violence and sexual violence measures the nature and extent of domestic violence, sexual harassment and sexual violence every two years.³⁶ The 'Safe at Home' organisations register data on child abuse, partner and ex-partner violence, and domestic violence. These data are subdivided into physical, mental and sexual abuse or financial exploitation. Rutgers³⁷ collects data on sexual violence against women and girls with mild intellectual disabilities.

48. The Child Protection Board registers the number of protection investigations and conclusions. In the Caribbean Netherlands, data are currently not systematically collected or reported. Given the small populations of the islands, this is a challenge, as the data must not be traceable to specific individuals.

49. When a person applies for asylum, a special needs assessment is made. Women survivors of gender-based violence, including girls who arrived unaccompanied or who became separated at a later stage, are a potentially vulnerable group and therefore possibly in need of special measures. Therefore, interviews during the asylum procedure may now be held with a female interpreter and/or an interviewer who specialises in interviewing vulnerable persons. Female minors who are separated from their parent(s) or guardian can also obtain support from Nidos during their asylum procedure.³⁸

50. Municipalities are responsible for tackling child abuse, domestic violence and victim care. Central government has systemic responsibility and in that capacity holds regular meetings with the Association of Netherlands Municipalities (VNG), Safe at Home and Valente.³⁹ There has been no overall evaluation study of the effects of the merger between the former Advice and Reporting Centre for Child Abuse and Neglect (AMK) and the Domestic Violence Advice and Support Centre (SHG).

51. The government attaches great importance to making the approach to domestic violence and violence against women more gender-sensitive, partly because of the recommendations that have been made in that context by GREVIO and CEDAW. It is currently working on the follow-up to these recommendations, including in relation to online

³³ Dutch: 'Veiligheid Voorop'.

³⁴ On the programme 'Violence has no place in the home' ('Geweld Hoort Nergens Thuis', GHNT).

³⁵ Collected in the 'Safe at Home' policy information and in the impact monitor charting the effectiveness of efforts to combat domestic violence and child abuse (*Impactmonitor aanpak huiselijk geweld en kindermishandeling*).

³⁶ The Monitor is prepared by the Scientific Research and Documentation Centre (WODC) and Statistics Netherlands (CBS).

³⁷ <https://rutgers.nl/>.

³⁸ Nidos, [Stichting Nidos | Home, Nidos](#), Nidos is an NGO that focuses on the protection of young asylum seekers.

³⁹ [Valente](#) is the trade association for women's refugees.

violence. For instance, interdepartmental agreements and guidelines have been drawn up for efforts in the spheres of prevention, the promotion of expertise, the identification of problems, the dissemination of knowledge, and ensuring that policy and legislation are gender-sensitive, in line with the RIA.⁴⁰ This year, the aim is to formulate the specific measures that are needed to implement the GREVIO recommendation on the digital dimension of violence against women.⁴¹

52. For the years 2019–2022, an LGBTIQ+ Safety Action Plan has been drawn up by the Ministry of Justice and Security, the Ministry of Education, Culture and Science and the four largest municipalities in the Netherlands,⁴² with measures to promote the safety of LGBTIQ+ people. These focus primarily on tackling discrimination by using the criminal law and promoting people’s sense of physical safety.

53. The Instructions on Discrimination⁴³ provide a framework for the criminal-law approach to tackling discrimination by the Public Prosecution Service. The Criminal Code has several articles that deal specifically with discrimination, including discrimination on the basis of hetero- or homosexual orientation.⁴⁴ Where a criminal offence such as an act of violence in a public place has a discriminatory dimension, it is known as a ‘criminal offence with a discriminatory motive’ or CODIS offence. The Instructions on Discrimination state that if the Public Prosecutor considers that a discriminatory motive is involved in an offence, it is emphasised in the Public Prosecutor’s closing speech and included as an aggravating factor in the sentence demanded.

54. On 19 January 2021, a private member's bill was submitted to Parliament seeking to introduce discriminatory intent as a general factor that increases the maximum sentence. It was subsequently submitted to the Council of State for an advisory opinion.⁴⁵

55. The standard police training includes a section on the treatment of victims. In addition, the police report possible victims of human trafficking to CoMensha. In addition, if the police believe people may be victims of human trafficking,⁴⁶ they notify CoMensha, so that they can receive care, shelter and assistance, also to evaluate the nature and extent of the problem. Supplemental to this, the Sex Work Destigmatisation Alliance (SWAD) was launched.^{47 48}

56. Under Dutch law women can apply independently for asylum. There are certain gender-specific grounds for asylum, such as female genital mutilation, and specific policies for single women from certain countries of origin. It is also possible to apply for a residence permit on grounds of ‘honour-related’ violence, domestic violence or being a victim of human trafficking.

57. Under the terms of the Legal Aid Act (WRB), citizens with limited financial resources are eligible for state-funded legal assistance. There is also a special scheme for victims of serious sex crimes and crimes of violence, who are entitled to free legal assistance regardless of income.

Trafficking and exploitation of prostitution

58. The notion that Dutch policy focuses more on human trafficking than people smuggling is not accurate. The Netherlands treats both as priorities. A special programme exists for human trafficking.⁴⁹ There is no similar programme for people smuggling, because

⁴⁰ For more information about the RIA, see the answers to questions 1 and 6a.

⁴¹ See also the motion submitted by the MPs Van der Laan et al., making a request to this effect to the government: [Detail 2021D48183 | House of Representatives of the States General](#)

⁴² The four largest municipalities are Amsterdam, Rotterdam, The Hague and Utrecht.

⁴³ The Discrimination Instructions (2018A009), entered into effect on 1 January 2019.

⁴⁴ See the Annex for prevalence figures on discrimination on the basis of heterosexual or homosexual orientation.

⁴⁵ Parliamentary Papers, House of Representatives, 2020/21, 35 709, no. 2.

⁴⁶ [CoMensha – Coordination Centre against Human Trafficking](#).

⁴⁷ [Sekswerk Alliantie Destigmatisering | Professionals | Soa Aids Nederland](#)

⁴⁸ See answer to 4d.

⁴⁹ See Annex for information about this programme.

the existing cooperative structures of the partners in the criminal justice system provide for a sufficiently integrated approach.

59. As mentioned in the sixth Dutch report in 2014, the maximum sentences for human trafficking have been raised twice: once as from 1 July 2009 and again as from 1 April 2013. Additionally, on 15 November 2013, legislation implementing the EU Anti-Trafficking Directive entered into force. This entailed amendments to the Criminal Code.⁵⁰

60. On 1 November 2021, the Public Prosecution Service's Instructions on Human Trafficking were revised. These instructions define the investigation and prosecution of human trafficking as one of the top priorities of the Public Prosecution Service. Pursuant to section 79 of the Judiciary (Organisation) Act, the instructions are considered to be law.

61. The government is committed to further intensifying the fight against human trafficking through the programme 'Together Against Human Trafficking'.⁵¹ The annual programme reports⁵² contain further details of measures that have been put in place to ensure the early identification of victims and their referral to appropriate services, such as pilot projects, training courses for front-line professionals and activities to raise awareness.

62. The Netherlands Labour Inspectorate included instructions for inspectors, stating that all persons they encounter during an inspection must be treated equally in equal cases (Article 1 Constitution). If a notification received by the NLI is indicative of labour exploitation, it will be handled by specially appointed and certified human trafficking detectives.

63. National legislation (B8/3 of the Aliens Act Implementation Guidelines) describes the procedure for victims and reporting witnesses of human trafficking. The purpose of a residence permit granted on this basis is to enable foreign victims of human trafficking to lodge a criminal complaint without risking immediate deportation. Victims of human trafficking are always notified of the right to report and of the provisions of B8/3 by the relevant authorities. The victim has three months to consider whether or not to lodge a criminal complaint. This applies to both men and women. The authorities involved pay special attention to ensuring their approach is gender-sensitive and ensure that this expertise is kept up to date.

64. Exit programmes are aimed at offering support to sex workers who want to leave the sex industry. Their content may vary according to the specific target group and intended purpose, whether the help is aimed at finding employment or a place to live, adopting good spending patterns, or building up a social network. A wide range of care and support agencies – including mental health care, addiction care and social relief services – partner with municipalities to implement exit programmes. The Ministry of Justice and Security finances the exit programmes through a system of Decentralised Grants for Exit Programmes for Prostitutes (DUUP).⁵³ Each DUUP region has a regional authority that is responsible for coordinating its exit programme. The Ministry of Justice and Security arranges knowledge exchange and cooperation between the various regional authorities and the implementing agency by convening meetings to this end every six months. The Ministry is currently collaborating with the municipal authorities and civil society organisations to set up a restricted forum in which to exchange knowledge and best practice.⁵⁴

Participation in political and public life

65. Please see the answer to Temporary special measures.

66. In a 2019 letter to Parliament, the Minister of the Interior and Kingdom Relations set a goal for the representation of women in public administration, announcing target figures for a male-female balance between 40% and 60% of either gender. To this end, measures

⁵⁰ See Annex for amendments and revised maximum sentences.

⁵¹ [Fight against human trafficking | News item | Government.nl](#)

⁵² Progress report on the programme 'Together Against Human Trafficking' (2020), [Voortgangsbrief programma Samen tegen mensenhandel.pdf \(overheid.nl\)](#)

⁵³ See Annex for details on DUUP financing.

⁵⁴ For more information, see the two reports in the Annex.

have been taken on three fronts: working on inclusive selection procedures; actively inviting talented women to apply for jobs; and boosting the skills of women who hold political or public office.⁵⁵

Education

67. On 1 August 2020, the Secondary Vocational Education (Measures to Strengthen the Position of Students) Act came into effect. This act provides that pregnancy and childbirth are valid reasons for a 16-week absence.⁵⁶ It also provides that in issuing a ‘BSA’, which is a binding recommendation regarding the continuation of studies, Secondary Vocational Education (MBO) institutions must take delays in the student’s studies into account, and that the education agreement must include provisions on rights and obligations in relation to pregnancy and childbirth. In addition, it is possible for students to receive an allowance from the new MBO student fund for the extra study costs that may arise. The Support Centre for Student Mothers has produced a guide on support measures for pregnant students and student parents,⁵⁷ explaining relevant formal and informal matters as covered by equal treatment legislation.

68. Institutions of higher education have a statutory obligation to take pregnancy and childbirth into account when determining the period of validity of credits, the BSA, the flexible degree course and activities undertaken in relation to the choice of study programme, as well as when scheduling examinations, and offer the student flexibility in relation to internships. In addition, students can request compensation from the Student Financial Support Fund for delays in their studies as a result of pregnancy and childbirth. It was observed in the government’s most recent letter to Parliament on maternity leave⁵⁸ that not all institutions pursue a clearly identifiable policy for pregnant students. In anticipation of an official study on maternity leave for students in higher education, a guide was developed in consultation with the institutions’ umbrella organisations and student unions, which institutions can incorporate into the Student Charter, supplemental to a course and a communications strategy on transparent pregnancy policy.

69. The Ministry of Education, Culture and Science is working with universities and parties such as the Dutch Research Council (NWO) within the framework of the National Action Plan for Greater Diversity and Inclusion in Higher Education and Research. A study is also currently being conducted into women dropping out of positions in academia as a result of pregnancy or motherhood. Current legislation does not allow for a temporary contract to be extended beyond four years in the case of pregnancy without it being converted into a permanent contract. This point will be taken into account when determining follow-up actions.

70. The government does not have a specific policy for girls with disabilities in education. The Administrative Rule ‘Experimental cooperation between regular and special education’⁵⁹ makes it possible for regular and special schools to engage in closer cooperation. In spite of these experiments, a change from ‘appropriate’ to more inclusive education still seems a long way off. The preconditions for ‘baseline good education’ have not yet been met: a sufficient number of qualified teachers, a manageable workload, better cooperation with youth services, and recovery from the COVID crisis. In addition, it is essential to create the right expectations for teachers, parents and pupils. The policy document ‘Evaluation and improvement plan for appropriate education’⁶⁰ includes a programme of requirements for school boards and partnerships, which should clarify who bears primary responsibility for what.

⁵⁵ Examples included in the Annex.

⁵⁶ Equivalent to pregnancy and childbirth leave for employees.

⁵⁷ [Handreiking Zwangere studenten en studerende ouders in het hoger onderwijs | Kamerstuk | Rijksoverheid.nl](#).

⁵⁸ [Kamerbrief met reactie op motie over het in kaart brengen van belemmeringen voor zwangerschapsverlof in het hoger onderwijs | Kamerstuk | Rijksoverheid.nl](#).

⁵⁹ [Experimenten samenwerking regulier en speciaal onderwijs | PO-Raad \(poraad.nl\)](#).

⁶⁰ Ministry of Education, Culture and Science (2020), [Kamerbrief Evaluatie en Verbeteraanpak Passend Onderwijs | Kamerstuk | Rijksoverheid.nl](#).

71. Research shows that university students with a disability require better information about studying with a disability and digital accessibility⁶¹ and that it is important for students with psychological problems to be able to talk to a student psychologist and/or to fellow students.⁶²

72. Freedom of education is enshrined in the Dutch Constitution, which grants schools far-reaching statutory freedoms. However, the government does oblige schools to teach pupils their fundamental rights. These include the right to abortion and physical integrity. The Education Inspectorate monitors schools to ensure that they duly fulfil this statutory obligation to provide citizenship education.

73. Sound and accurate information enables young people to make considered, informed choices about sexuality. The attainment targets in relation to sexuality and sexual diversity are currently being defined more sharply. In addition, central government facilitates the School & Safety Foundation.⁶³ Schools can use their programmes to promote a safe environment at school.

74. The government has concluded a Technology Pact with school boards, the business community, employers and employees, and local authorities⁶⁴ that includes the need to attract more girls and women to STEM sectors. In addition, in 2018 the alliance ‘A Working Future’⁶⁵ was awarded a five-year institutional grant for, among other things, combating stereotypes in education, the labour market and government bodies, and combating segregation in the choice of studies and occupations. Its programme includes consideration of image-forming and female role models in technology. There is also an action plan to attract more girls to study technology at schools of secondary vocational education.⁶⁶ Finally, since 2021 the government has supported the national coalition ‘More girls and women in science, technology and IT’.⁶⁷

Employment

75. The sixth round on economic independence within the professional development programme (Vakkundig aan het Werk)⁶⁸ of the Netherlands Organisation for Health Research and Development (ZonMw) helps municipalities to implement reintegration policy a gender-sensitive way. Four large-scale projects aim to ensure that municipalities obtain science-based tools, mechanisms and practices to help them act in gender-sensitive ways. This can help women with poor job prospects get better support in finding paid employment and increase their economic independence (duration 2021–2023).

76. The Ministry of Social Affairs and Employment and the Ministry of Education, Culture and Science (Equality Department) collaborate in the programme run by the Dutch Research Council (NWO) and ZonMw that focuses on the entire ecosystem surrounding economically vulnerable women.⁶⁹ The results can be broken down to distinguish women with and without benefits and women with insufficient income from paid employment. The aim of the programme is to formulate concrete, well-founded possible courses of action to increase the sustainable economic independence of women, including after life events such as a birth or divorce. The programme runs from 2019 to 2024.

⁶¹ N. Smulders and K. Coppens (2020), *Studeren met een functiebeperking 2019: analyse NSE en het wo*, Den Bosch: Expertisecentrum inclusief onderwijs (ECIO), available online: [Studeren met een functiebeperking 2019: analyse NSE in het wo \(ecio.nl\)](#).

⁶² Vinckx (K), B. van der Voort and J. Jansen (2019), *Laagdrempelige psychische hulpverlening: inventarisatie van aanbod binnen mbo, hbo en wo's*, Hertogenbosch: Stichting CINOP; [Laagdrempelige psychische hulpverlening. Inventarisatie van aanbod binnen mbo, hbo en wo \(1\).pdf](#).

⁶³ [Home - School en veiligheid.](#)

⁶⁴ [Home - Techniepact.](#)

⁶⁵ [Werk.en.de Toekomst | Programma's \(atria.nl\)](#)

⁶⁶ [Meer meisjes in mbo Techniek - VHTO..](#)

⁶⁷ [Expertisecentrum genderdiversiteit in bèta, techniek en IT | VHTO.](#)

⁶⁸ [Vakkundig aan het werk - ZonMw.](#)

⁶⁹ [NWO | Nationale Wetenschapsagenda - Thema: Economische veerkracht van vrouwen.](#)

77. The previous government (2017–2021) aimed to improve the position of women in the labour market in several ways. For instance, it made it fiscally more attractive to take employment (or to work more hours) by increasing the income-dependent combination tax credit, the employment tax credit and the general tax credit. In addition, the government endeavoured to make it easier to adopt a more balanced division of employment and care by extending paid partner leave by one week on 100% pay and five weeks on 70% pay, and introducing paid parental leave. In addition, €250 million was invested in childcare to make it more accessible.

78. As noted in the previous report, the use of childcare with childcare benefit reached a low of 621,000 children in 2014. Since then, the economy has recovered and several investments have been made in this benefit to keep childcare affordable. Numbers rose again, reaching an average of 832,000 children last year. The participation of mothers of young children in the labour market displays a similar trend.⁷⁰

79. The previous government also commissioned an Interministerial Policy Review (IBO) on part-time work.⁷¹ The review concluded that a systemic change is needed in several policy areas if change is to be effected in the extent of part-time work. To gain more insight into this, a scenario study on the design of childcare, educational provision and child-related leave was carried out.⁷² The current government has announced that the reimbursement of childcare facilities for anyone in paid employment is to be raised to 95%.

80. The Netherlands currently has a statutory right to unpaid parental leave. From August 2022, parental leave will be partially paid for nine weeks. Together with the six weeks' partner leave (after the birth of a child) to which fathers/partners have been entitled since 2020, these initiatives are expected to lead substantially more men to take leave. The publicity campaign 'Have you decided yet?'⁷³ draws the attention of young parents to the importance of making timely and well-considered choices about sharing paid employment and care.

81. Municipalities can make use of the empowerment toolkit developed within the framework of the Education for Women with Ambition (EVA) project.⁷⁴ The courses are aimed at women with poor literacy skills who want to strengthen their position in society. EVA has now been integrated into the interministerial literacy action programme 'Tel Mee Met Taal'.⁷⁵

82. The Ministry of Education, Culture and Science and the Ministry of Social Affairs and Employment cooperate closely on the programme Further Integration on the Labour Market (VIA)⁷⁶ and the position of female dependants of beneficiaries of international protection and family reunification migrants in the context of the new civic integration system. For instance, the Inclusion and Community Platform has developed an e-learning facility to support municipal authorities (including customer management) in helping women with a migration background get jobs.

83. The Ministry of Social Affairs and Employment and the Ministry of Education, Culture and Science are focusing on ways of combating pregnancy discrimination. An action plan to combat discrimination on the labour market and in the workplace was developed in 2018. A separate action plan to protect the rights of pregnant women was produced in 2017. This plan provides for stricter supervision by the Social Affairs and Employment Inspectorate and includes measures to encourage anyone with a grievance to make an official complaint.

⁷⁰ <https://www.rijksoverheid.nl/documenten/publicaties/2021/09/10/cijfers-kinderopvang-tweede-kwartaal-2021>).

⁷¹ IBO Deeltijdwerk (2019), *De(el)tijd zal het leren: van analyse naar beleid over deeltijd*, The Hague: Ministry of Finance, available [here](#).

⁷² *Eindrappport Scenariostudie vormgeving kindvoorzieningen: een scenariostudie naar de vormgeving van kindvoorzieningen voor gezinnen met kinderen van 0 tot 12 jaar*; (2020).. The Hague: Ministry of Social Affairs & Employment, available [here](#).

⁷³ [Home | Zijn jullie er al uit.](#)

⁷⁴ <https://www.lezenenschrijven.nl/wat-doen-wij/oplossing-voor-je-vraagstuk/speciale-aandacht-voor-vrouwen>.

⁷⁵ [Home | Tel mee met Taal.](#)

⁷⁶ [Programma Verdere Integratie op de Arbeidsmarkt | Kamerstuk | Rijksoverheid.nl.](#)

84. The Ministry of Education, Culture and Science funded the awareness project ‘Baby and Job’ in 2018. It focuses on working women and jobseekers, stressing the importance of being able to find work, or continue working, while pregnant or caring for young children.⁷⁷

85. Since 2015, the Social Affairs and Employment Inspectorate has worked to ensure that employers apply a policy intended to minimise or prevent psychosocial stress in the workplace, including stress caused by discrimination. On each company inspection visit, a dedicated team determines how discrimination against pregnant women is dealt with. The most appropriate supervision regime can be determined on the basis of indicators, including demographics of the workforce, complaints received, perceived willingness to implement change, and legal framework.

86. As far as the position of LGBT women on the labour market is concerned, new data has been produced on bisexual women and transwomen. The Netherlands Institute for Social Research concludes in the LGBT Monitor 2018⁷⁸ that bisexual people score lower than gay men and lesbians in the areas of health, especially mental health, and life satisfaction. They also frequently have a worse work situation and employment status.

87. The Ministry of Education, Culture and Science supports the alliance ‘Shared Pride, Shared Happiness’ of the COC, the Transgender Network Netherlands and the NNID (organisation for people with DSD) geared towards achieving safety in society and the social acceptance of LGBTIQ+ people, and the foundation Bi+ Netherlands, which seeks to achieve a more bi-inclusive society. At the request of the House of Representatives, the research consultancy SEOR investigated the obstacles that transgender people experience on the labour market.⁷⁹ In this report, SEOR describes several variants of transition leave as a partial solution to improve this position. The government is expected to issue a response to this report around the summer of this year.

88. In respect of the employment of people with a work disability the Equal Treatment (Disabled and Chronically Ill People) Act entered into force on 1 January 2020,⁸⁰ and an incentives system has been set up for those involved and employers to increase the participation in employment of people with work disabilities. Measures to get more people with a work disability into jobs, such as Jobs Match,⁸¹ are for both women and men. The government plays an active role in monitoring compliance and putting disadvantaged women on the agenda, supporting local partners in research and the dissemination of results, targeted projects for specific groups, and initiating gender-oriented policy research.

89. With regard to vocational training and starting qualifications, the policy for appropriate education targets all students who need support. The UN Convention on the Rights of Persons with Disabilities also applies. The government reports on this through the ‘Unlimited Participation’ programme.⁸² As regards activating people with a disability, the Employee Insurance Agency (UWV) offers support with benefits under the Incapacity Insurance (Young Disabled Persons) Act (Wajong)⁸³ or Work and Income (Capacity for Work) Act (WIA).⁸⁴ UWV does not distinguish between men and women here. The UWV provides allowances to employers to offset the costs of modifying the workplace or purchasing aids for an employee with a work disability in order to create an open, inclusive and accessible working environment (section 36, WIA). For people with a work disability

⁷⁷ [BKB - Baby en Baan](#).

⁷⁸ G. van Beusekom and L. Kuyper (2018), *LHBT-monitor 2018*, The Hague: The Netherlands Institute for Social Research (SCP), available online: [LHBT-monitor 2018 | Monitor | Netherlands Institute for Social Research \(scp.nl\)](#).

⁷⁹ G. de Lombaerde, Y. Prince and K. Zandvliet (2021), *De arbeidsmarktpositie van Transgender Personen*, Rotterdam, SEOR, available online: [De Arbeidsmarktpositie van Transgender Personen | Rapport | Rijksoverheid.nl](#).

⁸⁰ <https://wetten.overheid.nl/BWBR0014915/2020-01-01>.

⁸¹ [Meer banen voor mensen met arbeidsbeperking \(banenafpraak\) | Werken met arbeidsbeperking | Rijksoverheid.nl](#).

⁸² [Programma Onbeperkt meedoen! | Rechten van mensen met een beperking Rijksoverheid.nl](#).

⁸³ Wajong: [Wet arbeidsongeschiktheidsvoorziening jonggehandicapten \(22/1/2022\)](#).

⁸⁴ WIA: [Wet werk en inkomen naar arbeidsvermogen - BWBR0019057 \(22/1/2022\)](#).

who fall under the Participation Act,⁸⁵ municipalities can grant facilities to employees and reimburse employers for modifications. In addition, the UWV can supply aids such as portable or intermediary resources or transport on request.

90. The government recognises the picture outlined of the disadvantaged position of women with a migration background on the labour market. In order to stay abreast of developments, a new monitor has been developed to track equal opportunities and positions on the labour market, regardless of migration background.

91. Within the aforementioned programme VIA, studies have been carried out to identify ways of improving the opportunities and positions of people with a migration background (see 16c). It was partly within this framework that the Work and Integration Task Force was set up.⁸⁶ In December 2021 this task force adopted a work agenda on this issue, with agreements on action to be taken over the next four years.

92. The government is currently exploring ways of tackling discrimination more robustly through policy measures with a more intersectional approach.

93. In the coalition agreement that was presented in December 2021, no position was taken to revise the Home Help Services Regulations.

94. Revising the Home Help Services Regulations⁸⁷ could result in unduly demanding administrative and financial obligations for private households. As a result, domestic work would likely shift to the informal economy, which would undermine the legal position of domestic workers.. New financial and administrative obligations for employers could also increase costs. This substitution effect would reduce the demand for work of this kind and consequently for domestic staff.

Health

95. Misoprostol used alone has not been approved in the Netherlands for medical abortion. It has only been approved in combination with mifepristone, because misoprostol used alone presents too great a risk of incomplete abortion. Misoprostol is also expressly not a product for 'menstrual regulation' (contraception). According to the Medicines Information Bank, in view of the risk of serious adverse reactions, misoprostol and mifepristone are prescribed and dispensed at a treatment centre (abortion clinic).

96. Every resident of the Netherlands has access to adequate sexual and reproductive health services through compulsory health insurance. There are currently 16 abortion clinics spread across the Netherlands. The use of sexual and reproductive health services provided by a general practitioner is covered by this insurance: there is no excess charge. If treatment in a hospital or by a specialist is required, an excess of €385 will apply in 2022. For girls and women insured under the Chronic Care Act, abortion care is also free of charge.

97. Two campaigns to raise awareness about sexual health and unintended pregnancy were launched in 2021: 'The Safe Sex Dating Show'⁸⁸ for young people about contraceptives and their properties, and 'Fancy sex? Say what you like: talking about what you do and don't want to do.'⁸⁹

98. All Dutch citizens, including women and girls, are entitled to be given the opportunity to provide their informed consent before any medical procedure or intervention. The 'Wet op de geneeskundige behandelovereenkomst' (Medical Treatment Contracts Act) provides that no treatment can be given without the patient's consent (7:450, para. 1, Civil Code). It also provides that the patient must be informed properly about the treatment (7:448, para. 1, Civil Code). This mandatory two-pronged provision of information and permission is called 'informed consent'.

⁸⁵ [Participatiewet | Rijksoverheid.nl](https://www.participatiewet.nl).

⁸⁶ [Werkagenda Verdere Integratie op de Arbeidsmarkt](#).

⁸⁷ [Regeling Dienstverlening aan Huis](#).

⁸⁸ [De Vrij Veilige Dating Show | Sense.info](#).

⁸⁹ [ZIN? LEKKER? FIJN? | Sense.info](#).

Women in rural areas

99. Developments in regions of the Netherlands with shrinking populations are analysed every three years on the basis of the findings of the Dutch Housing Survey.⁹⁰ These findings show that those living in these areas are, on average, as satisfied with their living environment as the population as a whole: 85% of people are satisfied, 11% are neither satisfied nor dissatisfied, and 4% are dissatisfied or very dissatisfied with their living environment. The survey does not distinguish according to gender.⁹¹

100. The National Programme for Rural Areas maps out paths to the future-proof development of functions in rural regions and their communities, including liveability, vitality and sociocultural impact. The Netherlands does not include any specific policy for women in this context.

101. In the framework agreements, it was agreed that parties would draw up a picture of the social and health situation and challenges in their region. The resulting picture could then serve as the basis for a regional plan, in which care purchasers and care providers make joint agreements to create a supply that meets residents' needs. On the basis of their duty of care, health insurers are responsible for ensuring that the required care is purchased and made available. In addition, the government financed ZonMw's Knowledge Programme on Gender and Health until 2020. This four-year knowledge programme (2016–2020) with a total budget of €12 million, sought to redress the lack of knowledge on differences between men and women in health and care.

Disaster risk reduction and climate change

102. It is indispensable to enlist the involvement of the Dutch population in energy and climate policy.⁹² The aim is to ensure everyone takes part, and there is particular attention to the involvement of young people. There is no separate national policy to encourage the participation of women in relation to energy transition. However, the government does encourage more women to work in STEM sectors and thus to contribute to the energy transition.

Disadvantaged groups of women

Access to (sexual and reproductive) health services

103. The Ministry of Education, Culture and Science supports the Personalised Healthcare Alliance, comprising Women Inc., Rutgers and the COC, aimed at creating care that is alert to the different needs of men and women and to the needs of LGBTIQ+ people. Every resident of the Netherlands has access to adequate sexual and reproductive health services through compulsory health insurance.⁹³

104. Access to long-term care in the Netherlands is guaranteed in the same way for every resident. The Care Needs Assessment Centre (CIZ) assesses each person's care-related access criteria in a uniform, objective and independent manner. If these are satisfied (in the case of care for the elderly this means eligibility for nursing and care), the client will be granted access to the provisions of the Chronic Care Act.

Access to justice and situation of women and girls in detention

105. The Custodial Institutions Agency (DJI) strives to create the basic conditions for reintegration after release from prison: income, housing, care, proof of identity, social

⁹⁰<https://www.woononderzoek.nl/>.

⁹¹ 'De Woningmarkt en leefbaarheid in krimpgebieden: Uitkomsten van het WoonOnderzoek Nederland (WoON) 2018 en CBS data', April 2019, available at: <https://www.woononderzoek.nl/handlers/ballroom.ashx?function=download&id=170>.

⁹² See Annex for additional independent advice to the State Party.

⁹³ For more information on sexual and reproductive health services, see the response to question 17.

network and debt management. The same support is available to every person within the justice system through the reintegration centre and their own case manager. No distinctions are made on the basis of the person's gender or other personal characteristics. The same applies to medical care. Every detainee is entitled to appropriate care. This means that appropriate care is available for women, including the elderly. Girls are assigned to Hunnerberg Young Offender Institution and are separated from boys. They are given the same opportunities and possibilities as the boys.

Care services and infrastructure for women and girls with disabilities and older women

106. The previous government invested €1 billion in four tranches to stimulate housing construction through the Homebuilding Incentive Scheme,⁹⁴ which focuses primarily on affordable homes (66%), partly to assure independent living for women and girls with disabilities. Over the next 10 years, 900,000 new homes are planned that will also benefit a range of groups. In addition, collective housing is being built for groups including people with disabilities. Central government aims to further stimulate and support this development. Due to the ageing population, there is currently a particular focus on housing for the elderly. The umbrella organisations of municipalities, housing associations, health insurers, care organisations and the Ministries of the Interior and Kingdom Relations and Health, Welfare and Sport have agreed to provide an additional 110,000 homes without stairs; 50,000 extra clustered homes; and 50,000 places in nursing homes in the next 10 years. Investments have also been made in cooperation between professionals dealing with the elderly in the neighbourhood, so that the elderly receive appropriate care and support.⁹⁵ The measures do not include a specific focus on women.

107. The risk of poverty among pensioners is lower in the Netherlands than for all other age groups because all older people are entitled to the state pension (AOW), which provides a basic pension higher than the relevant social minimum. A relatively small group, who have lived abroad for some time, are not entitled to the full state pension. For them, the state pension is supplemented up to the relevant social minimum, if necessary, under the Supplementary Income Scheme for the Elderly. This policy is the same for men and women. OECD figures further show that the Netherlands is among the countries with the smallest gender difference in terms of the risk of poverty.⁹⁶

108. Women build up less supplementary pension because, on average, they participate less in the labour market than men. Older women may have had to deal in the past with marriage-related dismissal policies, which were abolished decades ago. In addition, in the past there were many supplementary pension schemes that did not treat female and male employees equally. As a result of the Barber Judgment, this was prohibited in Europe as from 17 May 1990, but the unequal treatment in accrual of rights before that date still affects current pension benefits. The Netherlands now has policies⁹⁷ that aim to further increase women's participation in the workforce; an increase has already become visible in recent years.⁹⁸

⁹⁴ [Woningbouwimpuls voor gemeenten | RVO.nl | Rijksdienst.](#)

⁹⁵ See the Annex for a definition of 'appropriate care'.

⁹⁶ S. Scarpetta (2021), *Pensions at a Glance 2021: OECD and G20 Indicators*, Paris: OECD, pp – 156/187, available online: [Pensions at a Glance 2021: OECD and G20 Indicators | en | OECD.](#)

⁹⁷ [Coalitieakkoord 'Omzien naar elkaar, vooruitkijken naar de toekomst' | Publicatie | Kabinetsformatie \(kabinetsformatie2021.nl\)](#), p. 24.

⁹⁸ <https://www.cbs.nl/nl-nl/visualisaties/dashboard-arbeidsmarkt/werkenden/arbeidsparticipatie-naar-leeftijd-en-geslacht>.

Marriage and family relations

109. In case law, courts have occasionally referred to the Istanbul Convention⁹⁹ in relation to domestic violence and the protection of children.¹⁰⁰

110. Dutch family courts have not formulated any specific policy on the consequences of domestic violence in respect of the woman when called upon to make decisions on custody and/or access to a child. When determining the amount of spousal maintenance, courts may – in accordance with legislation, case law, and norms they have established themselves – take domestic violence into account.

111. The family court applies the statutory regulations for the division of matrimonial property. The difference in earning capacity between ex-spouses does not play a role in this division. If the marriage was contracted on the basis of general community of property, the property is divided equally. If a prenuptial agreement was drawn up, the agreements made in that context are decisive.

112. The government acts on the principle that everyone should be able to pass the civic integration examination abroad and that there is a safety net (i.e. exemption) for people with limited learning capability or insufficient education, or who are unable to pass the examination for another reason. In deciding on an exemption, the evidence of the person's good intentions and effort are taken into account. This is also visible in the work instruction of the Integration and Naturalisation Service (IND).^{101 102}

113. The government does not recognise any truth in assumptions regarding the content of the examination or the greater difficulty of questions. No items have been added to the examination and the language levels have not changed since 2011.

114. The Senate is currently debating the bill to combat marital captivity.¹⁰³ Family courts will pay extra attention to this topic, for example by including it in training courses and/or symposiums. The courts do not keep specific data or figures on this topic.

115. The Council for the Judiciary is conscious that it is important to raise awareness on this issue. In 2022, the family courts will start a national process of reflection that will include experts from outside the judiciary.

⁹⁹ Please refer to the following judgments: [ECLI:NL:GHARL:2021:771](#) and [ECLI:NL:GHARL:2021:5781](#).

¹⁰⁰ See esp. Article 13 of the Istanbul Convention.

¹⁰¹ Werkinstructie SUA – IND [Microsoft Word - WI 2016-9 Openbaar.docx \(ru.nl\)](#).

¹⁰² See Annex for explanatory notes on the Werkinstructie SUA – IND.

¹⁰³ [Aanpak huwelijkse gevangenschap | Huwelijksdwang | Rijksoverheid.nl](#).