

Oral Statement of the Dutch CEDAW Network
CEDAW Session 65

7 November 2016

Thank you, Madam Chair,

I will speak for the European part of the Netherlands and my colleague will speak for the Caribbean part of the Netherlands.

We would like to point out three themes which run through our shadow report: the lack of systematic attention for the gender impact of policies, the discrepancies between migration and emancipation policies, and the restriction of women's rights and mobility in the name of their protection.

Firstly, in many cases policies are presented as gender neutral without assessment whether this is justified. This fails to take into account that often their impact not only affects women differently from men, but also affects different groups in different ways. Examples are the austerity measures following the economic crisis and the decentralization of social care services to local governments, which have affected several groups of women disproportionately. Also, policies on domestic and other forms of violence are still formulated as if it were gender neutral phenomena. In other areas no policies exist at all, like the lack of policies addressing intersecting forms of discrimination and marital captivity, which refers to the situation in which women are not able to divorce. Or policies directly violate human rights. This applies for instance to policies with a severe impact on the rights of transgender and intersex persons, such as the right to legal gender recognition and the right to protection against unnecessary and irreversible surgery. Nor do they enjoy equal access to healthcare, a problem they share with other groups such as undocumented migrants.

Secondly, while the government stresses the interest it attaches to promoting self-determination of women, its migration policies on migrant and refugee women directly opposes this principle. The extension of the period of dependent residency

from 3 to 5 years, for example, acts as a direct barrier for the self-determination and emancipation of migrant women. Moreover, it prevents women from leaving a violent situation even if in theory they can apply for an independent residence permit as there is no guarantee about the outcome of such procedure. Also, the recent abolishment of the possibility for domestic workers of diplomats to change employer severely restricts the capacity of migrant women to stand up against violent or abusive employers as leaving the abusive situation means either a life as undocumented migrant or an involuntary return to their home country.

Thirdly, in other cases, measures that restrict women's rights and mobility are legitimised as 'for their own good'. Examples are the introduction of stricter criteria for family migration to protect women against forced marriages and the prohibition for non-EU women to legally work in the sex industry to protect them from trafficking. In practice, however, prohibitions and creating obstacles in the name of protection often have an adverse effect and negatively impact on the most vulnerable groups. They marginalise women, put them in a more dependent position, increase their vulnerability for abuse and restrict their capacity to arrange things independently. Instead of empowering women, such policies reinforce unequal power relationships and reduce women to objects in need of control instead of subjects whose rights should be secured.

We ask the committee to urge the government to engage with civil society in order to develop policies that empower women to stand up for their rights and to prevent harmful effects of often well-intended policies. We are looking forward to working with you *and* the government to follow-up on the recommendations in our reports.

Thank you, Madam Chair.

DUTCH ANTILLES ...WHAT DOES THAT MEAN GEOGRAPHICALLY OR CONSTITUTIONALLY

- Since 1634 colonies of the Netherlands and in 1954 as a group of 6 islands a semi- autonomous status in the Dutch Kingdom: Charter of the Kingdom of 1954. (Defense and Foreign Relations still fall under the Dutch government)
- Gradually the islands Aruba (in 1986) St. Maarten and Curacao (on 10th of October 2010) pledged for more autonomy status in the Kingdom. While Bonaire, Statia and Saba became the same day 3 Dutch municipalities in the Caribbean sea.
- When The Kingdom of the Netherlands speaks of the Dutch Caribbean in its report it refers to these small municipalities. When the Kingdom speaks of Aruba, St. Maarten or Curacao it speaks of islands with an autonomous status but with un-equal sovereignty.

Oral statement: Introduction to presentation of Curacao report to the CEDAW Committee

Geneva 7 Nov. 2016

Thank you, madam chair.

SEDA , the women's center in Curacao, wants to highlight 5 major concerns and petitions.

1. The advisory committee of GO and NGO's in 1988 advised the island Government of Curacao to institute a governmental women's desk for policies and actions, and to include civil society in implementation of the Beijing strategies. However, the Constitutional reforms of October 10, 2010 made local structures with the government as initiator and support- mechanism for women, migrant women and women's organizations collapse.

We urge the Committee to advice our governments to correct the omission of October, 10 2010 and incorporate the chapter on gender in putting an efficient national machinery in place for national action plan and strategic emancipation policy.

2. The influence of female politicians on Curacao's gender agenda
The high political participation of women in politics has not necessarily led to more attention for women's emancipation of gender on the island.
The NGO's are of the opinion that training programs and professional development plans should constitute a part of the processes peripherally to the government formation after elections. We urge the Committee to recommend this to the State. Understanding of the "gender concept" and its effects is unknown. This situation is creating risks for exclusion and discrimination including youngsters, young and single mothers, migrants and LGBT collective.

We urge the Committee to recommend the government to institute “social plan bureau” or “expertise centre” to provide quantitative and qualitative data, gender specific indicators and job-related knowledge so to prevent stereotypical views about the role of women and men.

3. Strategic educational planning with attention for gender.

The educational system does not link up with young people’s modern perception of the world. Nor is the educational system geared to the needs of the socially disadvantaged. The educational system brings forth a relatively large number of drop-outs, who for lack of other options seek connection with the criminal circuit. Its impact on young girls is :They become single mother with minimum wages or dependency for life on welfare The Women is becoming the FACE of Poverty The future of the island is dependent of high quality labor force and human capital.

We ask the committee to advice the government for a broad based multi-stakeholder set of representatives of parents, students to develop a goal oriented multi-year strategic action and implementation plan.

4. Poverty: a multi-dimensional challenge with multi- dimensional solutions

Youth unemployment rate of 37% (Central Bureau of statistics 2013, 60% of the persons drawing welfare are women, 5000 households on the waiting-list for a decent home. This is a matter of concern and it creates opportunity for abuse and relationships of dependency.

We ask for an application of multi-dimensional poverty index, an option to view the poverty policy from a gender perspective focusing attention to education, incentive measures in labor, migrants policy, elderly, work ethics, etc.

5. Violence against women

National Action Plan against violence should be a component of the strategic gender policy, with a restorative approach for victim and offender (sex workers, migrants, victims of violence, juveniles)

We ask the committee to advise that, as part of next formations of government, they will take in consideration to appoint a gender minister for the purpose of streamlining all the specified aspects of strategic policy under a central authority.

6. Finally, on behalf of the island of Aruba (fundashon “muhénan den Dificultad”) we have a special petition regarding the delayed ratification of the treaty of Istanbul. This is a point of concern especially for the shelters in Aruba, Sint Maarten en Curacao.

Thank you, Madam chair