

Best practices from The Netherlands

OHCHR request as follow-up to Res. 27/32 ("Human rights, sexual orientation and gender identity")

Ministry of Education, Culture and Science

New Transgender Law

On 1 July 2014 a law entered into force that makes it easier for transgender people to change their gender on their birth certificate and other official documents. The law revises the Netherlands Civil Code. The amendment makes an important contribution to equal rights of transgender people. The amendment reinforces the right to self-determination and the right to physical integrity. Transgender people can define their gender identity without obstruction and they can more quickly participate in social life in their preferred gender. As a consequence of the amendment, a number of conditions for altering gender on the birth certificate has been abolished. Transgender people are no longer required to undergo gender reassignment surgery to change their physical appearance to the gender they prefer. The so-called sterilization-requirement has also been abolished. This requirement means that transgender people should be infertile in order to modify their gender on the birth certificate. Moreover the procedure is simplified because a court order is no longer a necessity. Furthermore, the age limit has been lowered to the age of 16 years. During the evaluation of the law - which has been brought forward (three years after entry into force) - attention will be paid to the experiences of children and their parents in relation to this age limit. Since 1 July 2014 transgender people only need a statement from an expert that affirms the person's permanent decision to belong to another gender. With this statement transgender people can request the registrar of the municipality where the birth certificate has been delivered to modify the certificate. The modification of the birth certificate will be reflected in other official documents, such as the Municipal Personal Records Database. This has consequences for the passport, other travel documents and school and university diplomas. The new law also makes it possible to change the person's first name(s).

Building alliances between mainstream and LGBT organisations (Gay Straight Alliances)

What?

The GSA approach is a key element of the Dutch LGBT policy. Gay Straight Alliances (GSAs) are partnerships between LGBT and mainstream organisations. The Dutch LGBT policy currently has four GSAs:

1. GSA Elderly
2. GSA Sports
3. GSA Education
4. GSA Neighborhood safety

Why?

GSAs strive together to improve the social acceptance of sexual and gender diversity in order to ensure that LGBT persons feel safe and that they can be themselves. Through their cooperation GSAs manages to mainstream LGBT issues and reach people and organisations which would not be reached without an alliance.

Who?

Mainstream organisations (including but not limited to unions, migrant organisations, umbrella organisations) and NGOs focusing on LGBT issues.

How? Example of GSA Neighborhood safety

This gay-straight-alliance is an alliance between mainstream and LGBT organisations. Mainstream organisations that strive to combat discrimination cooperate with COC and Pink in Blue. Together they stimulate local governments to improve their 'chain approach' regarding hate crimes against LGBT persons (this chain consists of prevention, signaling, reporting, (police) declaration, care, handling the case, after care). The benefit of this practice is that it focuses on the local level and on the living environment on which hate crimes often impact greatly. The gay-straight alliance focuses on the police as well as on other actors in the social domain. This element is essential to the chain approach. Lastly the alliance focuses on integrating the approach on LGBT related hate crimes in the mainstream hate crime approach in local governments. In this way it manages to improve the approach.

The effectiveness of the GSA approach has been evaluated by an independent research institute.

Cooperation between national and local authorities

What?

The national government has invited cities (local governments) to enter into a Memorandum of Understanding regarding LGBT issues.

Why?

In the LGBT Policy of the Dutch government a major role has been reserved for local authorities to implement day-to-day LGBT policies. The Memorandum of Understanding helps to further this agenda.

Who?

Local governments and the national government sign the Memorandum of Understanding. . The program is supported by MOVISIE, Netherlands Centre for Social Development. A variety of measures that have been taken can be noted.

How?

The cities that sign the Memorandum of Understanding will develop policies and actions to promote security, dialogue and acceptance in education, sport, the public environment and within local public institutions. With the financial contribution of the central government, local governments are able to assess the local needs and respond to those needs. General awareness on the position of LGBT's has risen in general, also among other city councils.

The effectiveness of this cooperation has been evaluated by an independent research institute.

Creating a comprehensive policy in education

What?

the Ministry of Education, Culture and Science took a whole range of concrete measures to create an LGBT-friendly environment in schools.

Who?

COC Netherlands and its alliance partners play an essential role in this inside-out approach on a national level and at local level. For instance: the National Gay & Straight Alliance on Education, the many local Gay & Straight Alliances of pupils and teachers at schools, the Pink Elephant (<http://derozeolifant.nl/>) and the providing of adequate and effective information about LGBTs at public schools and faith based schools by LGBT peers. For providing the adequate information on sexual health to students, local LGBT organisations work together with local community health services.

How?

To achieve this the Ministry of Education, Culture and Science took a whole range of concrete measures, varying from standard instruments such as: legislation (adjusting educational goals and registration of homophobic incidents), code of conduct, monitoring fairly new approaches to education on sexual and gender diversity, guidelines for educational goals on sexual diversity and the support of initiatives from inside the education sector.

Ministry of Security and Justice

Pink Blue in Amsterdam

What

Pink in Blue Amsterdam

Why

Pink in Blue is there for people who want to report discrimination, insult, assault or theft because of their sexual orientation. Members provide a listening ear and can refer or mediate when doing a report or declaration. Also they attend events - recognizable as police.

Who

National Police, The Netherlands

How

For fifteen years the Pink in Blue network from the Amsterdam police unit is contributing to lesbian, gay, bisexual and transgender (LGBT) safety.

The approach is characterized by six pillars, namely:

Transparency

One of the main tasks of the Pink in Blue network is to monitor the number of LGBT incidents in Amsterdam. Creating this insights makes it easier for police and security partners to control or intervene in security issues within the LGBT community.

Visibility

The network Pink in Blue Amsterdam is present at various national and regional LGBT events, where they wear regular police safety vests with the addition: 'Pink in Blue'. This addition makes the network visible and directly accountable to the LGBT community. In addition, the network frequently takes part in debates and discussion evenings throughout Amsterdam and gets in touch with the night life facilities for Gay Pride.

Accessibility

In order to work down barriers Pink in Blue Amsterdam wants to be as accessible as possible. Therefore, the network has a private telephone number (020-5595385) in addition to the two current telephone numbers to reach the police (112 and 0900-8844). Average citizens and colleagues know to find the network, several times a day. The feedback they receive from colleagues and citizens who call them is that the LGBT community experiences this as a personal and secure way to report. There is also a Facebook page and Twitter account.

Reliability

As a reliable partner the network tries to give an answer to internal and external parties. When Pink In Blue doesn't have the answer itself, they search for somebody who can formulate a satisfactory answer.

Recognition

The LGBT community is a diverse community. So the network should be diverse as well. So that the community can identify with the police as much as possible. Pink in Blue Amsterdam is a network

consisting of men, women and transgenders. Homosexual, bisexual and lesbian. Executive and non-executive.

Continuity

In order to guarantee the continuity of the work, the network teaches at the Amsterdam location of the Police Academy. Through these lessons, the aspirants are prepared to do their work in the diverse society of Amsterdam, which they certainly have to deal with LHBTs. In addition to internal quality assurance the network is also frequently found at colleges and other educational institutions, also to clarify and sharpen its approach, also in consultation with the LGBT community where necessary.