



Ministry of Education, Culture and
Science

LGBT and Gender Equality Policy Plan of the Netherlands 2011 - 2015



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2011 - 2015



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The Dutch Government's contribution to LGBT and Gender Equality

Making choices in freedom and safety

LGBT and gender equality offers people the opportunity to make the most of their lives and to make choices in freedom and safety. The cabinet therefore advocates LGBT and gender equality: the emancipation of girls and women and the emancipation of lesbian women, gay men, bisexual women and men and transgender people (LGBTs).¹ Everyone has the right to a life without violence and a right to equal opportunities to participate. Discrimination will therefore be combated and more severely penalised. Equality under the law and the equality of men and women and of homosexuals and heterosexuals should be a matter of course. This also entails respect for differences and tolerance of the beliefs of others. The balance of basic rights is one of the core values of Dutch society.

Calling on the empowerment and talent of people

The cabinet regards LGBT and gender equality primarily as the responsibility of the people – women and men, homosexuals and heterosexuals – companies and social institutions themselves. The role of the government lies in the areas where LGBT and gender equality is not given a chance and safety and participation are lagging behind. The cabinet would like to call on, and make active use of the empowerment and talent of the people themselves to make progress. People can, after all, achieve a great deal by relying on themselves and using their talents.

¹ In this paper, hereinafter the term “homosexuals and transgender people” is used to refer to the entire population of lesbian women, gay men, bisexual women and men and transgender people (LGBTs).

Increasing safety and participation

The aim of LGBT and gender equality policy is to increase the safety of women, homosexuals and transgender people and to further the participation of women in all layers and sectors of the labour market. Same sex couples should be able to walk hand-in-hand on the streets in safety and young people should be able to come out of the closet in safety. Girls should know that they are protected from sexual intimidation and violence. Women should feel supported and unchallenged in their ambition to participate in all sectors of the labour market, to develop in their work and fill top positions.

Culture change

The cabinet will take several legal measures to guarantee the equal rights of homosexuals and transgender people and to remove legal and fiscal obstacles that hinder the continued growth of the labour participation of women. Above all else, a cultural change is needed, especially where LGBT and gender equality, safety and participation are lagging behind. A positive attitude towards, and perception of, same sex relationships and women with ambition should be a matter of course. The cabinet will support this cultural change in word and deed. It will invoke the responsibility of citizens, companies and institutions and also ask them to make an active contribution to LGBT and gender equality. We ask women themselves to make this active contribution and essentially men as well, both at home and in the boardroom. With regard to LGBT equality, the active support of heterosexuals is essential.

To add impetus to and to support the desired cultural change, initiatives that visibly contribute to the process of LGBT and gender equality, safety and participation are being supported and spread across society. In this regard, The Minister of Education, Culture & Science (OCW) is working closely with the specific ministries that have ministerial responsibility and with local authorities, companies and civil society partners, building on the experiences and partnerships of the past years and placing greater emphasis on safety and paid work for everyone.

Strengthening the LGBT and gender equality infrastructure

The cabinet will support several organisations in the knowledge infrastructure for LGBT and gender equality. In the period from 2011 to 2015, the cabinet will invest €17.5 million per annum in the infrastructure of LGBT and gender equality and the lines of action and programmes set down in this policy plan. The COC (the oldest lesbian, gay, bisexual and transgender organisation in the world) will receive support for its national and international work in the area of LGBT equality. In the area of gender equality, the cabinet supports the partnership between E-Quality and Aletta. In 2014, support will be provided to one single strong institute for gender equality and the history of women.

Drawing attention to the international initiating role of the Netherlands
The rights and fundamental equality and equal footing of women are set down in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).² The progress made is discussed every year by the UN member states, including the Netherlands. This progress is not a matter of course. The Netherlands will therefore continue to actively work to improve the position of women and girls in the world and particularly the sexual and reproductive health and rights of women and girls. The Netherlands will also set an example within NATO for strengthening the role of women in issues involving peace and security. There is as yet no international convention on the rights and safety of LGBT people. As the first country to legalise same sex marriage, the Netherlands plays an important initiating role in the world. The cabinet would like to use this position to achieve better international protection of the rights and safety of homosexuals and transgender people, together with other like-minded countries. Moreover, the Netherlands will actively contribute to the safety of homosexuals and transgender people in Europe.

Commitments to Parliament

Impact and spinoff

Parliament has asked for reports on the degree and speed of the impact of LGBT and gender equality projects, in order to obtain more insight into the effectiveness of LGBT and gender equality policy. Over the past years, LGBT and gender equality projects have been funded from the LGBT and gender equality subsidy scheme 2006-2010. These projects have been evaluated in two sections.³ You were informed earlier about the scope and effectiveness of some of these projects (Parliamentary Papers 2007-2008, 30 420, no. 119). Eighteen projects (referred to as “Troeven”) were selected to be repeated elsewhere, based on the first evaluation. Over twenty larger municipalities have adopted emancipation projects that have proved successful. The evaluation of the other projects has since been completed. Through a total of more than 150 projects, an estimated 160,000 people have been reached. The scheme will not be continued in this form. The number of subsidies will be limited. The focus will be shifted to a limited number of programmes and action lines. Proven good practices will be given a place in these programmes.

² This Convention has three objectives: (a) complete equality under the law and in public administration. Temporary positive action measures are permitted; (b) improvement of the position of women. This includes combating all forms of discrimination in society (also by parties other than the government) and (c) combating the dominant gender ideology and sex-specific stereotypes. Cf. www.vrouwenverdrag.nl.

³ Ecorys (2010): Final evaluation of emancipation projects subsidy scheme.

Recommendations of CEDAW

The Committee on the Elimination of Discrimination against Women (CEDAW) assesses whether or not member states are adequately applying the Convention on the Elimination of All Forms of Discrimination against Women. The cabinet's response to the recommendations of this committee was sent to Parliament by letter dated 5 July 2010 by the previous cabinet (Parliamentary Papers 2009-2010, 30 420, no. 154). The Committee on Education, Culture & Science requested in a letter (reference 2010D35244) that a new cabinet give a policy response to the recommendation, given that the received response did not contain proposals for new policy.

The cabinet is making good use of the recommendations of the committee and is involving them in its policy-making, and will actively disseminate knowledge of the Convention on the Elimination of All Forms of Discrimination against Women to the legal profession and the judiciary, among others. Furthermore, the cabinet is of the opinion that the response dated 5 July 2010 already provides an extensive and substantiated response to the recommendations.

Structure of this Policy Plan

Each paragraph below contains a description of one of the policy programmes of the Minister of OCW. The programmes concerned are policy programmes for the equal rights of homosexuals and transgender people (paragraph 2), the safety and empowerment of homosexuals, transgender people and women (paragraph 3), the social acceptance of homosexuals and transgender people (paragraph 4), the labour participation of women and talent (paragraph 5), the labour participation of women and the strengths of low-skilled women (paragraph 5) and the international LGBT and gender equality policy (paragraph 6). The state of affairs, the objectives for 2015 and the action lines are described for each programme.

2

Equal rights for LGBT people

State of affairs 2011

Over the past decades, the situation in the Netherlands for LGBT people has improved significantly. Discrimination on ground of sexual orientation is prohibited under the *Algemene wet gelijke behandeling* (General Equal Treatment Act (GETA)). Same-sex couples can now legally be married, have a registered civil partnership and adopt children. However, in several other areas there is still discrimination and unequal treatment, in the legal sense or in practice, of LGBT people based on their sexual orientation. The cabinet is making several proposals to improve this.

Policy targets 2015

In 2015, the major points of the legal inequality between homosexuals and transgender people on the one hand and heterosexuals on the other, will have been abolished and the (still) existing gap between *de jure* and *de facto* equal treatment on the grounds of sexual orientation and gender identity will have been further reduced.

Article 1 of the constitution prohibits discrimination “on any grounds whatsoever”. The cabinet therefore regards the prohibition of discrimination on the basis of sexual orientation as a core value of society. It underscores the importance of adequate legal protection against discrimination due to sexual orientation and will adopt a more focused approach to such discrimination in practice. From now on, the penalties for acts of violence ensuing from discrimination will be doubled and such acts will be a priority of the police. As of 1 June 2011, the Public Prosecution Service (OM) will demand double penalties for

incidents of violence that are the result of discrimination. In addition, in the near future, the cabinet will prioritise the effective implementation of the action lines that are set down in this statement.

The cabinet will present its point of view regarding the so-called single-fact construction in the General Equal Treatment Act, in part as a result of concrete proposals made in this respect.

Lines of action

Two lines of action have been developed to achieve the policy targets.

1. Line of action: legal parenthood and the rights of same-sex couples

In the Netherlands, at least 25,000 children grow up in households with same-sex parents. The cabinet wants these children to have the same legal position as children born into heterosexual relationships. To this end, the cabinet has submitted a bill on lesbian parenthood to the Council of State for advice. The bill sets down, among other things, that lesbian couples no longer need to go to court to establish the legal parenthood of two mothers. The cabinet expects to present a draft act to Parliament in the summer of 2011 (and to implement the MP's Azough/Teeven/Arib motion 32.123 VI, 5 November 2009).

In the interests of the free movement of people, the cabinet will push for the recognition of registered civil partnerships and civil marriages between people of the same sex in the European Union. Regarding countries outside the EU, the cabinet will work at reaching similar agreements.

The coalition agreement states that for migrants, family reunification is still only allowed for spouses, registered couples and their minor children. The cabinet does not intend this to create barriers for the family lives of same-sex couples and is aware that for them it is not possible to get married or to register a civil partnership in many countries. The cabinet is seeking a solution that will prevent same-sex couples from being disadvantaged by the more stringent rules for family formation and reunification.

2. Line of action: the equal treatment of LGBT people

In the Netherlands, men who have engaged in sexual intercourse with other men are not permitted to donate blood due to their sexual behaviour. In several European countries this is allowed under certain conditions (Sweden, Spain, Portugal and Italy). The cabinet will consult the Sanquin blood bank and explore the possibilities for amending the rules regarding blood donation so that for men, sexual contact with other men will no longer

lead to life-long exclusion from donating blood. In this regard, needless to say the safety of the recipients of blood products has the highest priority. In its considerations, the cabinet will take into account the recommendations of the Council of Europe regarding the donor selection policy in respect of men who have had sexual intercourse with other men, as well as European legislation regarding the exclusion of high-risk groups.

With the measures below, the cabinet is implementing the recommendations of the Council of Europe regarding measures for combating discrimination based on sexual orientation or gender identity.⁴ The cabinet is abolishing the so-called sterilisation requirement for changing the official sex⁵ of a person as indicated on birth certificates. The draft bill on transsexuality (from which the so-called “sterilisation requirement” for transgender people is being abolished) is in the preparatory phase and will be submitted for consultation in the summer of 2011. The cabinet will also make arrangements so that the sex indicated on diplomas can easily be changed. To this end, the cabinet will amend Article 1:28 of the Dutch Civil Code, Decree on the Organisation of Secondary Education.

⁴ Recommendations of the Council of Europe Committee of Ministers, Rec (2010)5, 31 March 2010, chapters 20- 22).

⁵ Or gender.



3

Safety and empowerment of LGBT people and women

State of affairs

The majority of Dutch nationals accept homosexuality and this social acceptance has increased over the past years (cf. paragraph 4 below on the social acceptance of homosexuality). Still many LGBT people feel unsafe. This is due to stories in the media about incidents of violence against LGBT people, as well as personal experiences. In 2009, in a period of six months, 1 in 10 gay and bisexual men was verbally abused, intimidated or bullied due to their sexual preference. Among lesbian and bisexual women the figures are even worse, at 4 out of 10.⁶

Half the student population believes that it is better not to come out at school if you are LGBT.⁷ 12% of LGBT youths have actually attempted suicide. 66% of them are in need of support and assistance, especially regarding coming out of the closet.⁸

Many girls and women too have to deal with feeling unsafe and violence. Women do not always report sexual and relationship violence. Neither are honour-related violence and genital mutilation systematically registered. In spite of this, it is clear that women run a far higher risk of becoming victims of violence than men. 12% of women in the

⁶ SCP (the Netherlands Social Research Institute) national LGBT monitor 2010: Steeds gewoner, nooit gewoon [Increasingly common, never ordinary].

⁷ Dutch Parliament, Parliamentary Papers 2008-2009, 27017, no. 50.

⁸ SCP national LGBT monitor 2010: Steeds gewoner, nooit gewoon [Increasingly common, never ordinary].

Netherlands have been raped (compared to 3% of men).⁹ Girls in pre-vocational secondary education (VMBO) are subjected to sexual harassment five times more often than girls in senior general secondary education (HAVO) or pre-university education (VWO).¹⁰ Factors that come into play here include power differences and stereotyped perceptions.¹¹

Policy targets 2015

In 2015, the insecurity and feelings of insecurity among LGBT people and women and girls will have been reduced. To this end, the cabinet will actively promote among victims their willingness to report, register and prosecute reports of discrimination and penalise violence arising from discrimination more heavily. Furthermore, the Ministers of Security & Justice (V&J), the Interior & Kingdom Relations (BZK), Health, Welfare & Sport (VWS) and Education, Culture & Science (OCW) are working together closely on promoting a safe living environment and the empowerment of women, homosexuals and transgender people. The focus here is on vulnerable groups and areas where safety is lagging behind.

Lines of action

1. Line of action: young people: the power of social media and empowering youth

It is important for boys and girls to be able to stand up for themselves, guard their own boundaries and respect the boundaries of others. The Minister of OCW will therefore actively promote and support (sexual) empowerment in the LGBT and gender equality policy. An approach will be developed for and by young people to this end, which is in line with the way in which young people communicate with one another via social media and existing youth networks. After all, young people often seek help and support via friends and the Internet. This approach will be in line with this trend. The aim of the approach is to prevent the abuse of power and sexual violence among young people and to promote a sense of self-esteem and empowerment. In addition to the important role played by parents, caretakers and professionals, in this regard the cabinet would like to make use of the power of youth networks.

The cabinet will also undertake interventions aimed at the empowerment of LGBT youths. LGBT youths need to meet one another through friends' clubs, the Internet and media and they also need role models. Local LGBT youth networks will be encouraged to organise activities in which LGBT youths can meet one another, such as weekend camps and living-room meetings. These activities could include meetings with heterosexual (straight) youths. Safe, virtual meeting places like www.jongenout.nl and www.18min.eu will be

⁹ Report on sexual health in the Netherlands, 2010.

¹⁰ Health Behaviour in School-aged Children (HBSC), 2009.

¹¹ Prevalence study into domestic violence 2010.

continued. LGBT youths have indicated that they are disturbed by the existing stereotypes of lesbian women and gay men; they would like to break them down and replace them with a more ordinary image of the LGBT population. Social media will be used to expand the visibility of LGBT people.

In this respect, on behalf of the cabinet, the Minister of OCW will actively enter into dialogue on insecurity, safety and empowerment – together with role models – in order to make visible the power of these youths and to contribute to a safe living climate for young LGBT people.

This approach of the Minister of OCW is in line with the policy of the Ministry of VWS, focused on sexual health, of which the empowerment of young people constitutes a major component. Work will also be done in collaboration with the Ministry of V&J and the Combating Human Trafficking Task Force, whose priority task is combating (digital) pimps who prey on young girls. Furthermore, this approach builds on positive experiences with stimulating media wisdom among young people by the Ministry of OCW.

2. Line of action for local authorities: safe suburbs

Violence against LGBT people mainly takes place in the immediate living environment of the victims and at meeting places of LGBTs or in the gay nightlife area.¹² The cabinet is making agreements with local authorities to prevent this violence and promote the social acceptance of homosexuality. Examples in this regard are the experiences of the 18 front-runners in the area of LGBT equality, for instance, in providing information and training youth workers, the creation of safe meeting places for LGBT youths (e.g., living-room sessions) and promoting willingness to report crimes. The front-runner strategy also presents a positive image in terms of the willingness to act of many more municipalities in the Netherlands, as was proven by the increase in the number of active municipalities, so-called Rainbow Cities, in the last cabinet term. In the period ahead, the cabinet will continue this successful approach but will place more emphasis on safety on the streets and in the suburbs and thus, also focus attention on the safety of girls and women as well as the safety of LGBTs.

3. Line of action: safe schools

A safe school climate is the basis from which students develop and from which teachers shape the teaching they provide. All schools should actively communicate the core values of constitutional law. This can and may be done in a manner that is in keeping with the individual identity of each school. LGBT students and teachers should feel safe in coming

¹² Dutch Parliament, Parliamentary Papers 2008-2009, no. 30950, no. 15 (report by the police on homophobic violence).

out. Young people should feel protected against sexual harassment, bullying and intimidation. Safety at school is a necessary condition for high-quality education and good educational achievements and contributes to the cabinet's ambition of "good foundations, setting higher standards".

Safety can be furthered by citizenship and civics and social integration in and around schools. The Education Inspectorate monitors whether schools are devoting attention to this. Outside school, others also have a responsibility. This cabinet will therefore encourage co-operation between schools and parents, local authorities, the police, social workers and the youth care agency. This co-operation can be effected, for example, by entering into reciprocal contracts and contact with one another.

The cabinet will continue to support schools in their responsibility for providing a safe school, among other things, by registering incidents at schools, through special needs advisory teams and by making available information on homosexuality and hardness through the School & Safety Centre (CSV). The introduction of a reporting protocol for child abuse and domestic violence in the education system will be achieved in close collaboration with the Ministry of VWS.

The empowerment of students and teachers will be supported by Gay-Straight Alliances and information provision at schools.

4. Line of action: empowerment on combating domestic and honour-related violence

In the prevention of domestic and honour-related violence, it is important to use the empowerment of women. This requires a cultural change. The taboos surrounding domestic, sexual and honour-related violence must be broken down and discussed. The National Women's Council (NVR), supported by the Ministry of V&J, has made good progress in various provinces in terms of bringing domestic violence into the open for discussion. This initiative and similar initiatives deserve a helping hand. Effective methods for preventing honour-related violence need to be applied more widely. The Minister of OCW, the Minister of V&J, the State Secretary of VWS and the Minister of BZK will collaborate closely on this matter.

Within the framework of the Social Support Act (WMO), local authorities co-operating in inter-municipal agreements have a task and budget for sheltering women. To increase the empowerment of women, in greater co-operation with municipalities and the business community, the Minister of OCW will explore ways to strengthen activities aimed at gaining employment for the victims of serious violence. The State Secretary of VWS and the Minister of V&J will draw up a statement on tackling violence in dependent relationships. The report of the Committee on the "Women's Shelter System" will be taken into consideration in this regard.

4

Social acceptance of LGBT people¹³

State of affairs of social acceptance

The social acceptance of LGBT people has increased in recent years.¹⁴ At the same time, it is clear that acceptance of homosexuality is still a problem among large groups of the population. The attitude of young people, ethnic minorities and orthodox religious communities is clearly more negative than that of other sections of the Dutch population. One-third of LGBT people do not feel safe in coming out at the workplace. In other environments (school, neighbourhood, sports and care of the elderly), the percentage is even higher. The lack of social acceptance of transgender people¹⁵ is mainly apparent from their high unemployment rates, experiences with violence and severe psychosocial problems. The long and complex procedures for sex change and waiting lists in the healthcare system often aggravate their problems.¹⁶

¹³ Transgender is a collective term for people for whom the gender identity does not correspond to the sex on their birth certificate. In other words: you are born male or female but you do not identify with that sex or behave as such. This group includes transvestites, transsexuals and transgender people. The estimation is that 0.5% of Dutch men and women identify more with the other sex than with their own. However, the chances in the Netherlands of a child later turning out to be transsexual is lower; for boys 1:3500 (0.029%) and for girls 1: 6700 (0.015%) (Olyslager & Conway, 2007, source: study by Paul Vennix).

¹⁴ SCP LGBT monitor 2010.

¹⁵ Movisie (Dutch Expertise Centre on LGBT Issues), 2006; 2010, Rutgers Nissogroep, 2010.

¹⁶ Homophobia and Discrimination on Grounds of Sexual Orientation and Gender Identity in the EU Member States, Part II - Social Situation. European Union Agency for Fundamental Rights, 2009; and Human Rights and Gender Identity Issue paper, Commissioner for Human Rights, Council of Europe 2009.

The previous cabinet made a start on a transgender policy.¹⁷ This provided a greater insight into the problems and possible solutions. The Netherlands is leading the way, for instance, in terms of the treatment of gender dysphoria¹⁸ among young people. Recent research into this treatment¹⁹ shows that the approach is successful and can prevent many problems at a later age.

Policy targets 2015

This cabinet wants to expand and deepen the social acceptance of LGBT people. The focus in this regard is on the domains of school, workplace, sports, care of the elderly and on the circles in which social acceptance is currently still relatively low. This is mainly among young people, ethnic minorities and orthodox religious communities. Homosexuals should be able to come out on the streets, in their neighbourhoods and in sports. Young people should feel safe when they come out. In addition, the cabinet intends to improve the vulnerable position of transgender people.

Lines of action

1. Line of action: Gay-Straight Alliances (GSAs)

The four existing national gay-straight alliances (work, education, the elderly and sports) will be continued and expanded in scope and depth. Due to the specific problem, additional attention will be paid to lesbians, bisexuals and transgender people. In accordance with the Dijkstra motion (dated 30 November 2010); the State Secretary for VWS will add impetus to the care for elderly LGBT people by continuing to support the Over-50s Master Plan. This plan will be implemented by the partners of the GSA for the elderly. In addition, the cabinet will support a new GSA in the area of “living”. This is intended to lead to greater protection of LGBT people in their immediate living environment and help to prevent them from being driven out of their neighbourhood.

2. Line of action: life stance and ethnicity

The cabinet is pursuing co-operation with religious communities and migrant organisations that are working towards the social acceptance of homosexuality in their communities through dialogue and confrontation, and in this regard is co-operating with organisations like the COC and with LGBT people in their own circles. The on-going projects in the areas of outlook on life and ethnicity will be transferred to a number of new GSAs. The cabinet is striving to implement Turkish, Moroccan, Antillean and Christian Gay-Straight Alliances.

¹⁷ Policy paper on transgender people 1 October 2009, Parliamentary Papers 2009-2010, reference 27017, no. 56.

¹⁸ Gender dysphoria arises from a feeling of unease about one's biological sex or gender. It is often accompanied by a desire to be of the other sex or gender.

¹⁹ A. de Vries; Genderdysforie bij Adolescenten: psychische gezondheid en behandelbeoordeling [Gender dysphoria among adolescents: mental health and evaluation of treatments], 2010

3. Line of action: open up for discussion in the Caribbean Netherlands

In co-operation with the administrators of the islands and taking the agreements made into account, the cabinet would like to actively contribute to furthering a culture of tolerance and openness in respect of LGBT people. To this end, activities focused on advocating the social acceptance and safety of LGBT people will be supported, including through (digital) meeting places and dialogue meetings. The co-operation between the Antillean community in the European and Caribbean parts of the Kingdom of The Netherlands will be supported by way of a twinning project. Integrated legal recognition in the Dutch Caribbean of same-sex marriages entered into in the Netherlands has already been arranged. By no later than 10 October 2012, it will also be possible for same-sex couples to get married in the Caribbean Netherlands.

4. Line of action: transgender people

The cabinet will continue the transgender policy and as far as possible it will be anchored in the standard policy of the relevant ministries. Transgender people will also receive support in the areas of work, care and education. To this end, the subsidies provided to the Netherlands Transgender Network will be continued. Last year, the Health Management Forum, VU University Medical Centre (VUMC) and Transvisie used a subsidy from the Ministry of VWS to develop a vision on future-proof transgender care. Together with the Ministry of VWS, the Ministry of OCW will bring this vision to the attention of parties that can contribute to the realisation of this future-proof transgender care, such as the Association of Municipalities (VNG), Zorgverzekeraars Nederland (the trade association of health insurance providers) and GGZ Nederland (mental health service).



5

Labour participation of women

State of affairs

Over the past decades, the labour participation of women has, as a matter of course, shifted from non-working to working. This is a positive development that is continuing. In the last ten years, among women of the younger generation (aged 25 to 35) the percentage of working mothers has increased from 55% to 71%. The number of women who actively withdraw from the labour market upon starting a family has halved from 30% in 2001 to 15% in 2009.²⁰ And yet, the labour participation of women is still lagging behind in certain areas.

Many Dutch women work part-time and do not work sufficient hours to be financially independent. Women only move up into top positions at companies in small numbers. The labour participation of women with a low educational level is lagging behind. About one million women aged between 15 and 65 with a low education are currently not participating in the labour market.²¹ The cabinet believes that this must be changed. The talent of women is crucial to the labour market, in part in light of the ageing population and shortages of labour.

Policy targets 2015

The cabinet wants to increase the labour market participation of women. This would make women less dependent on a partner or benefits and offer them opportunities to develop. Increased labour participation is also necessary due to the ageing population and expected

²⁰ SCP, Emancipation monitor 2010.

²¹ Research for policy (to be published in 2011), Laagopgeleide vrouwen aan het werk [Employment for low-skilled women].

structural shortages on the labour market. During the general meeting on work and care on 10 November 2010, the Minister of Social Affairs & Employment (SZW) formulated the vision that the Netherlands needs to shift from a one-and-a-half income society to a double-income society and must develop a different view of the significance of work and income for women. This requires a cultural change, both in the business community and among women and men. The cabinet wants to send the message that caring for young children can be combined with paid work and the ambition to continue to grow and develop.

It was therefore announced in the coalition agreement that the transferability of the general tax exemption is to be abolished, including for families with children under the age of 5. The cabinet is also lowering the age limit for the group for whom, as a transitional entitlement, the transferability of the tax exemption remains unchanged. With these measures, the financial dependency of a partner will no longer be supported.

The cabinet is committed to good and affordable childcare. Government expenditure on child care has more than tripled since the introduction of the Child Care Act in 2005. The cabinet needs to make significant cutbacks in order to get its finances under control once again. This will also have an effect on child care. However, after the child care cutbacks the government will still bear a considerable portion of the costs of child care. When elaborating the cutbacks in child care, the cabinet will consider the options for improving the cohesion, transparency and effectiveness of the schemes. This spring, Parliament will be informed about the structure of the cuts in child care.

The cabinet will support the combination of work and care through the opportunities offered by flexible working hours. In this regard, employers can offer more room to working mothers and fathers. In addition, the cabinet will continue to encourage the development of community schools that offer a full working-day care scheme. This ensures high-quality care for primary school children that at the same time, assists parents in combining work and care. Moreover, a number of programmes will be developed aimed at maximising the talents of women at every level and in all sectors of the economy. This cabinet would like the Netherlands to continue to distinguish itself as an innovative and resilient economy and is therefore working towards achieving the participation of all female talent on the labour market.

Women often mention health problems as a reason why they do not work.²² In a study²³,

²² Research for policy (to be published in 2011), *Laagopgeleide vrouwen aan het werk* [Employment for low-skilled women].

²³ SCP (February 2011) *Moeilijk werken: Gezondheid en de arbeidsdeelname van vrouwen* [Difficulty working: health issues and labour participation among women].

the Netherlands Institute for Social Research (SCP) concludes that there can also be a positive interaction between health and labour participation of women. On average, women who are more focused on work have a better perception of their health. This study was conducted within the framework of the Convention on the Elimination of All Forms of Discrimination against Women and consisted of an inventory of the health situation of ethnic-minority women in relation to their labour participation. Experts are currently exploring how the findings of the SCP study can be brought to the attention of professionals in the environments of ethnic-minority women.

Two programmes will be developed: the Talent programme and the Empowerment programme.

The Talent programme focuses on the participation of women at all levels and in all sectors of the labour market and comprises three lines of action:

Lines of action

1. Line of action: more women at the top

More women need to occupy top positions in companies, civil society organisations and in the public sector. A diverse composition at the top leads to better results. Appointment policies are the individual responsibility of organisations and institutions. Organisations can themselves set ambitions and call on the experience and knowledge of other organisations. The cabinet supports them in this through the Talent at the Top Charter and is monitoring the development of several women in top positions via an annual survey. The cabinet will enter into dialogue with sectors in which the number of women at the top is lagging behind.

2. Line of action: flexibility in working hours

Men and women need to be able to combine their job with their duty of care, volunteer work, education and leisure time. When in paid employment, this is not always possible. For this reason, a relatively large number of women choose to be self-employed entrepreneurs. This is a positive and important development that deserves support.

Since 2008, self-employed workers have been entitled to benefits for pregnancy and maternity leave. In response to the recent recommendations of the Social and Economic Council of the Netherlands (SER) on the position of self-employed entrepreneurs, the cabinet has announced that a study will be conducted into the reasons why self-employed workers fail to build up adequate pensions. In addition, the tax facilities for the voluntary continuation of the pension schemes of self-employed people who were previously in

employment will be extended from three to ten years. This cabinet would also like to improve the access of small entrepreneurs to tender procedures and reduce their administrative burden.

Obviously, flexible working hours are also desirable in paid employment in order to be able to properly combine work and care. For this reason, this spring the cabinet will review the labour legislation that is hampering flexible working hours. This coming spring, the SER will also make recommendations regarding “Society’s Hours”, focused on improving the organisation of hours and places of work and service provision, in order to facilitate the combination of work and care. Together with the business community, the cabinet is taking measures to combat traffic congestion, such as park & ride facilities, transferiums, carpooling, good cycling facilities, incident management and intensifying working from home. The Minister of Infrastructure & the Environment (I&M) will be following up the Mobility Management Taskforce in a new, yet to be established platform to which 50 leading employers have committed themselves.

Nieuwe Werken [Working in a New Way] is a tool that supplements the platform within the context of good employment practices and offers good opportunities for facilitating the combination of work and care. The trades union federations FNV and CNV support the development of a new way of working.

The cabinet is investigating the possibility of joining forces nationwide in a programme that devotes attention to more intelligent working, more intelligent travelling and more intelligent living. This programme pays explicit attention to combining work and duties of care for men. If more attention were to be paid within companies to the mutual benefits of employers and employees in combining the various tasks, all parties involved would benefit. The cabinet would like companies to actively work at making the combination of work and care transparent for men and women by introducing recognition for “modern employment practices”.

3. Line of action: ambitions of young people

To allow the talents of girls and boys to blossom to the full, it is of great importance that young people learn to recognise their talents from an early age and learn to shape their ambitions and make choices on the basis of their talents. For this reason, the education system is providing ample room for excellence and encouraging career orientation and counselling. Within career orientation and counselling, attention will be paid to the differences in the choice-behaviour of girls and boys. Girls and boys do not always make choices based on their talents. For instance, few girls work in the technology sector and few boys in the education sector.²⁴ The cabinet would like to encourage more girls to opt for technical educational programmes and more boys to go into the education sector (primary

²⁴ SCP, Emancipation monitor 2010 and Key Figures 2005-2009, Ministry of Education, Culture & Science.

education and primary school teacher training). Points of reference in this regard are the role of deans, providing insight into the professional practice and role models with whom girls as well as boys can identify. It is also important that parents become more involved, so that they can encourage and guide their children in making these important choices.

The Empowerment programme is focused on the training and labour participation of low-skilled women and has two lines of action.

1. Line of action: fewer functionally illiterate women

The new Functional Illiteracy action plan, which will be announced in mid-2011, focuses on a broad approach to tackling functional illiteracy in the Netherlands. Part of this action plan will be a “total approach” for women with low skills who are functionally illiterate and have young children. This approach has two benefits because the women increase their chances of participation and economic independence, while the effectiveness of early childhood education for their children increases when mothers and children work at improving their language skills at the same time.

A second group that needs additional attention is the group of women with low skills who work in the care sector, in particular care of the elderly. Reducing functional illiteracy among these women benefits their employability.

2. Line of action: more women in employment

This action line focuses on women with low skills who are unemployed and do not receive benefits. Working together with local partners, the empowerment of these low-skilled, unemployed women will be addressed in order to expand their motivation and ambition for labour participation and entrepreneurship.

The cabinet is building on the results of the project ‘Thousand-and-One Strengths; women and voluntary participation’ (1001 Kracht), shifting its focus from volunteer work to the steps required to move on to paid employment. Special attention will be devoted to the care sector, a sector in which large labour shortages are expected in the years ahead.²⁵ The empowerment and gender equality of individual women is a priority in this approach. In addition, the cabinet would like to contribute to the cultural change needed to get more low-skilled women into employment by, among other things, using role models and creating the desired media attention.

²⁵ Zorginnovatieplatform (2009): Zorg voor mensen, mensen voor de zorg: Arbeidsmarktbeleid voor de zorgsector richting 2025 [Caring for people, people for caring: labour market policy for the care sector towards 2025].



6 International LGBT and gender equality policy

State of affairs

In many countries, the rights and safety of homosexuals and transgender people are not a matter of course. Homosexuals and transgender people encounter a lot of violence, in Europe and elsewhere. In 85 countries, homosexuals can be criminally prosecuted on the grounds of their homosexuality. In seven countries, homosexuality even carries the death penalty.²⁶ Although within the European Union agreements have been made that provide for their safety and protection, these are lacking outside the EU. There is an urgent need for active international efforts to be made in this regard.

Worldwide agreements have been made on the rights and safety of girls and women.²⁷ The European Union adopted these rights in 1995. Since the accession of the new Member States, however, unanimity is lacking regarding sexual and reproductive health and rights. Worldwide too, progress has been slow and difficult in respect of the sexual and reproductive rights of girls and women. The Millennium Development goals agreed in the UN regarding the sexual and reproductive rights of women have not been realised. Active efforts are necessary here as well.

The Dutch commitment is set out in the Basic Statement on Development Co-operation. In April, the Minister of Foreign Affairs will present a supplementary human rights action

²⁶ Iran, Saudi Arabia, Mauretania, Sudan, Nigeria, Somalia and Yemen; source: ILGA World 2010.

²⁷ Beijing Declaration and Platform for Action, 15 September 1995, Strategic objective and action points D. (Violence Against Women) and I. (The Human Rights of Women).

plan in which specific attention is paid to the rights of women and the rights of homosexuals and transgender people.

Policy targets 2015

In 2015, the Netherlands will be at the global vanguard in terms of the social acceptance and protection of the rights of LGBT people. In this regard, the Netherlands serves as an example within and outside Europe, working actively in support of equal rights and treatment as well as mutual recognition of registered civil partnerships and same-sex marriages.

In the United Nations, the Netherlands has made a significant contribution to the recognition of the rights of LGBT people and to furthering the global abolition of the criminalisation of homosexuality.

At the initiative of the Netherlands, agreements have been made within the European Union on a common line regarding sexual and reproductive health and rights, sexual orientation and gender identity. In this way, the EU is once again speaking with one voice within the Council of Europe and the UN on the subjects referred to above.

Lines of action

1. Line of action: the rights of LGBT people in foreign policy

The French-Dutch initiative to achieve the abolition of the criminalisation of homosexuality within the United Nations is being actively continued, as is support for civil society organisations that advocate the rights of LGBT people. Within the UN, the Netherlands is taking the initiative in arriving at an internationally binding document together with other like-minded UN members on other continents.

In 2008, 66 (currently 68²⁸) countries in the UN General Assembly made a declaration calling for the abolition of the criminalisation of homosexuality. In 2011, together with other like-minded countries, the Netherlands will try to acquire additional support for a follow-up declaration in the Human Rights Council. If sufficient support is obtained, the feasibility of a resolution by the Human Rights Council will be examined. The ultimate goal is to arrive at an internationally binding document on the rights and safety of LGBT people.

The Netherlands will monitor the active use of the European Union's toolkit, adopted in 2010, for furthering the rights of LGBT people in third-party countries. Dutch embassies will provide moral and financial support to local LGBT organisations and will urge their European colleagues to do the same. When equal rights activists run into danger, protection will be offered. Moreover, the Netherlands will examine the possibilities for

²⁸ Human Rights Council – Geneva - March 2011: 85 countries have signed the declaration.

further anchoring specific expertise within the diplomatic service of the European Union (EDEO). The Ministry of Defence is participating in a partnership with a number of NATO member states aimed at improving the position and social safety of LGBTs in the armed forces.

2. Line of action: equal rights of LGBTs in Europe

The European network of so-called National Focal Points in the area of the equal rights of LGBTs, for which the Netherlands took the initiative during the Dutch presidency of the EU (2004), will be expanded. In this network, in addition to creating possibilities for and recognising same-sex marriages, the Netherlands will focus attention particularly on the rights and safety of LGBT people in Europe and encourage the sharing of experiences with combating homophobic violence.

The Netherlands will actively encourage putting into practice the recommendations of the Council of Europe²⁹, make a Voluntary Contribution to the expertise within the Council of Europe organisation, encourage the exchange of approaches to homophobic violence between police forces in Europe and support the LGBT movement in Europe (ILGA Europe project).

The cabinet would like to promote LGBT equality in Europe by ensuring that the empowerment of LGBT organisations is given impetus and that the recommendations of the Council of Europe are put into practice. The main focus is on support for improving the position of LGBT people in the non-EU countries of the Council of Europe.

The Netherlands will raise objections to any legislation prepared by EU Member States that discriminates against LGBT people.

3. Line of action: international gender equality

The MDG3 fund³⁰, which lapses in June 2011, will enter a second phase with the focus on safety (combating violence against women / women, peace and safety), economic empowerment (food security, business community, water) and participation in politics and administration. Other bilateral donors will provide financial support to the fund.

The Netherlands is increasing its contribution to gender equality in the UN and is consolidating this with a contribution to UN Women.

²⁹ Recommendation of the Council of Europe Committee of Ministers, CM/Rec(2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity; 31 March 2010.

³⁰ Before the summer of 2011, the Dutch Parliament will receive a statement on development co-operation from the Minister of Foreign Affairs, containing further information on the amount of the budget.

Together with civil society organisations and knowledge institutions, the Ministries of Foreign Affairs, Defence and Security & Justice are drawing up a new 1325 action plan. This plan devotes more attention to the empowerment of women in peace processes.³¹ The Netherlands is contributing to the elaboration and implementation of the action plans for women, peace and safety developed by the EU, NATO and the UN and various countries like Spain, the USA and Afghanistan.³²

The role of women in food security, water and energy has been visibly included in policy, policy instruments and implementation projects, with measurable results.

The Netherlands is taking initiatives within the EU to arrive at a common view in international forums on sexual and reproductive rights, in order to reduce the chances of Malta, Poland and/or Ireland going their own way.

The Convention on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO) has been adopted by the Council of Europe also includes sexual orientation and gender identity. The call to put a stop to violence against women has become stronger among governments, civil society organisations and religious institutions, especially among a number of partner countries in the development co-operation policy.

³¹ Implementation of the MP (Member of Parliament) Ferrier motion.

³² Implementation of the MP's Hachchi/El Fassed motion and the MP Ferrier motion.



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