

Committee of the Parties
Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(Istanbul Convention)



**Reply by the NETHERLANDS to the reporting form on the implementation of the
Recommendation of the Committee of the Parties adopted on 30 January 2020**

Document received by the Committee of the Parties
on 27 January 2023

IC-CP/Inf(2023)3

In accordance with Article 68, paragraph 12, of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the Committee of the Parties adopts, on the basis of the report and conclusions of GREVIO, recommendations addressed to state parties concerning the measures to be taken to implement the conclusions of GREVIO.

The applicable procedure for issuing recommendations was settled by the Committee of the Parties at its 4th meeting and is described in document IC-CP(2018)6. In accordance with this procedure, the recommendations call upon state parties to implement all the proposals and suggestions set out in GREVIO's baseline evaluation report. However, the obligation to report on measures taken is limited to those specifically outlined in section A of the recommendation, namely: a) all the proposals and suggestions formulated by GREVIO throughout the report which require immediate action – these are qualified by the use of the verb “urge”, and b) the proposals and suggestions related to Chapters I and II of the convention which require taking remedial action in the near future and are qualified by the use of the expression “strongly encourage”. According to the agreed procedure, state parties are given a period of three years to implement the recommendations of the Committee of the Parties and report back to the Committee.

To facilitate this reporting, state parties are requested to use this questionnaire to report on the implementation of recommendations issued by the Committee of the Parties. Recommendations not issued in relation to the Netherlands do not need to be reported on. As a result, the Dutch authorities are not required to answer the following questions in the reporting form: questions 25, 26, 27, 28, 29, 30 and 31.

| I. Fundamental rights, equality, and non-discrimination (Article 4) | | | |
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| 1 | Have your authorities taken measures to ensure that the provisions of the Istanbul Convention are implemented without discrimination on any grounds listed in Article 4, paragraph 3, of the convention, including in terms of the availability of services and the protection by law enforcement agencies? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 1.1 | <p>If yes, please specify:</p> <p>The Netherlands has developed policies over recent years in a variety of fields for protecting women and girls in vulnerable situations. GREVIO correctly points out that this is not done structurally in all cases and that there is room for improvement. The ministries of VWS (Health, Welfare and Sport) and OCW (Education, Culture and Science) have held discussions since GREVIO's evaluation report was published with the IOM, Rutgers and the Netherlands Institute for Human Rights in order to obtain a picture of what specific improvements could be made for particularly vulnerable victims and how.</p> <p><i>Women with disabilities</i></p> <p>The ministries of VWS and OCW intend to pay more attention to victims with physical and/or mental disabilities. The aim is that simple yet effective measures can be taken to better protect victims with disabilities, such as developing informational material for women and girls with mental disabilities. An assessment will be done over the coming period of how the approach for this can be improved.</p> <p><i>Migrant and refugee women</i></p> <p>There are several ongoing projects and initiatives within the current approach to various forms of violence, aimed at promoting safety for women with migrant or refugee backgrounds. Women from the communities concerned are involved in developing and carrying out these projects and initiatives.</p> | | |

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| | <p>The Ministry of OCW has entered a partnership with the 'Change from Within' alliance, which focuses on combating gender-based violence and promoting equality between men, women and LGBTI people in migrant and refugee communities. Local refugee and migrant organisations play a key role in this alliance, which is receiving funding for 5 years. This alliance will be continued in the period from 2023-2028. The new alliance will focus on closed communities.</p> <p>On 18 February 2020, the ministers for VWS and Legal Protection, together with the minister for Social Affairs and Employment (SZW) and the minister of OCW presented the action plan against harmful practices to the House of Representatives. This action plan aims to improve the approach to eliminating female genital mutilation, forced marriages, honour-related violence and hymen repair surgery. The action plan is part of the 'Violence does not belong anywhere' programme. One of the measures in the action plan is providing funding for key actors. A migrant ambassador is often an immigrant themselves, or a current or former victim or a refugee; someone who has gained trust within their own community. They discuss the health risks of harmful practices with the target group and the fact that these are punishable crimes. The Action Plan against harmful practices has been completed 31 December 2022. The results and produced instruments make a solid base for a follow-up approach. One of the follow up approaches of the Action Plan is the Multi-Year Plan to improve Self-determination of the minister of Social Affairs and Employment.</p> <p><i>Migrants without residence status</i></p> <p>Research in 2017 showed that municipalities often had a different approach to providing shelter places for victims of domestic and honour-related violence when those victims were in the process of applying for a residence permit. The general administrative measure for 'Shelter for victims of domestic violence and honour-related violence without residence permits' was therefore adopted for female victims of violence who do not have a residence permit. This general administrative measure states that victims of domestic violence and honour-related violence who do not have or have not yet obtained a residence permit are covered by the 2015 Social Support Act and are entitled to shelter. The ministries of JenV and VWS have been providing 2.5 million euros annually for that purpose to municipalities structurally since 2018.</p> <p>In 2023 two events will take place with representatives of relevant stakeholders to bring insight if there are currently issues around providing shelter for victims of domestic violence and honour-related violence without residence permits.</p> <p>The government is co-financing the Strengthened Assistance for Migrant Empowerment in the Netherlands (SAMEN) project of the International Organization for Migration and Doctors of the World. Within this project, efforts include the provision of information, assistance and coaching in the fight against sexual and gender-based violence among vulnerable migrants of all gender types and the establishment of a platform for the exchange of experiences and knowledge between relevant stakeholders.</p> | | |
| 1.2 | <p>[Optional question: if not, please specify the reasons]: X</p> | | |
| 2 | <p>Have your authorities taken measures contributing to prevent and combat violence against women who are or might be exposed to intersectional discrimination?</p> <table border="1" data-bbox="1693 1177 2049 1268"> <tr> <td data-bbox="1693 1177 1868 1268">Yes <input checked="" type="checkbox"/></td> <td data-bbox="1868 1177 2049 1268">No <input type="checkbox"/></td> </tr> </table> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | | |

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| 2.1 | If yes, please specify: See the answer of question 1.1. | | |
| 2.2 | [Optional question: if not, please specify the reasons]: X | | |
| 3 | In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 4, which were not covered by the questions above, please report on these measures [word limit: 1000 words]: X | | |
| II. Comprehensive and co-ordinated policies implemented under the responsibility of an adequately mandated and resourced co-ordinating body (Articles 7 and 10) | | | |
| 4 | Have your authorities developed a long-term plan/strategy to prevent and combat violence against women? | Yes <input checked="" type="checkbox"/> | No <input checked="" type="checkbox"/> N/A (a plan/strategy was already developed at the time of GREVIO's baseline evaluation) |
| 4.1 | <p>[Optional question: if not, please specify the reasons]: Yes and no.</p> <p>Since the final draft The Netherlands:</p> <ul style="list-style-type: none"> - Since 2020 the government works with 15 cities in the Safe Cities programme. The cities have a local approach aimed at promoting the (social) safety of women and girls in public spaces and while going out. The cities are asked to share good examples and experiences to contribute to safety. - Currently a national plan and a national program are being developed. Both are a cooperation of four ministries, the Association of Dutch Municipalities and relevant NGO's. - The plan is focused on integrated, coordinated approach of genderbased violence and includes violence against man, women, and domestic violence. This plan aims to bring coercion between all the different existing approaches, showcase the foundation of the approach that has been build and display the vision about the approach of genderbased violence. The ministry of Health, Welfare and Sports is coordinating this plan. This plan will be published in the first half of 2023. - The National Action Program Violence does not belong anywhere, has stopped at the end of 2021. A new program has started and parts of the previous program are transferred in the new program called 'Future scenario child and family protection'. This programme aims at | | |

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| | <p>improving and simplifying the chain of organizations involved with child and family protection. Within this program there is attention for the underlying issues within the family situation.</p> <ul style="list-style-type: none"> - Communication and co-operation at local and national level has been improved because of the National Action Program Violence does not belong anywhere. An online community has been developed and will continue to be used. - In January 2023 a comprehensive national action program is launched around the prevention, identification and reduction of sexual transgressive behaviour and sexual violence. The ministry of Education, Culture and Science and the ministry of Social Affairs and Employment are coordinating this action plan. The plan is to be published in the beginning of 2023. - The program is focused on the following main goals: <ul style="list-style-type: none"> o There are shared social values and norms in regard to how we want to treat each other in this society o Legislation and regulations reflect these (changing) social norms o Organisations have protocols for prevention, identification and follow-up actions in order o Bystanders recognise inappropriate sexual behaviour and sexual violence and know how to respond to this o There is adequate and accessible social and healthcare that is easy to find - In addition to the national action program on sexual transgressive behaviour and sexual violence, the government appointed Mariëtte Hamer as independent government commissioner on sexual transgressive behaviour and sexual violence for a period of three years. She provides solicited and unsolicited advice on the development and implementation of the national action program. In addition, she is responsible for driving the public debate and stimulating initiatives to achieve the required cultural change. Hereby she calls attention to structures and patterns in society that contribute to the occurrence of sexual transgressive behaviour, such as gender inequality, prejudices and a lack of diversity and inclusiveness. |
| 5 | <p>Which forms of violence against women covered by the Istanbul Convention are addressed by the plan/strategy? Please offer a brief description specifically indicating the forms of violence not previously addressed in plans or strategies at national level.</p> <p>Forms of violence for which approaches have been developed, or currently being developed in The Netherlands are the following. These will become part of the integrated, coordinated approach to combatting genderbased violence described in the answer to question 4.1.</p> <ul style="list-style-type: none"> - Child abuse. - Domestic violence. - Harmful practices, such as female mutilation and marriage coercion. - Sexual violence, a specific action plan is being developed for the approach of sexual abuse. This policy is interlinked with the approach of violence against women and domestic violence. - Psychological violence. - Coercive control. <p>Not previously addressed in plans:</p> <ul style="list-style-type: none"> - Sexual violence (not new, but the intensity in which it is addressed is). - Psychological violence. - Coercive control. |

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| | <p><i>Addressing sexually transgressive behaviour and sexual violence</i> See the answer given to question 4.1.</p> <p><i>Psychological violence</i> Research has been conducted on the criminalization of psychological violence. The Netherlands does not have a specific act on criminalization of psychological violence, but different acts cover the criminalization of psychological violence as aimed for. The research has brought a range of recommendations about how the use of the criminalization can be improved. Currently the ministry of Justice and Security and the ministry of Health, Welfare and Sports are working together with relevant stakeholders on following up these recommendations. As a practical result a training is created on how psychological violence can be recognised and how documentation of information can help to build cases.</p> <p><i>Coercive control</i> Factsheets have been developed for professionals about what coercive control is, the risks involved, how to recognise it and what to do when it's been recognised. Next to this a training has been developed together with a care and protection programme. In two pilots the training and the care and protection programme are being tested and optimized. Parallel a conversation takes place with relevant stakeholders on how these products can be used on a bigger scale in order to improve the approach on coercive control on a national level.</p> | | |
| 6 | Was specific attention given to place the rights of women victims at the centre of all measures planned? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 6.1 | If yes, please specify how: See the answers above. | | |
| 6.2 | [Optional question: if not, please specify the reasons]: X | | |
| 7 | Do the plan/strategy and the measures contained therein involve all relevant actors, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 7.1 | Please specify the actors involved: <ul style="list-style-type: none"> - The national government - The Dutch municipalities (represented by the Association of Dutch Municipalities; VNG) - Association for women shelters (Valente) - Safe at Home (Veilig Thuis; offers advice and support on matters concerning domestic violence and child abuse) - Centres sexual violence (CSG) - Police - Public Prosecution Service - Child Protection Board - Probation office - Victim Support Netherlands (Slachtofferhulp Nederland) | | |

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| | <ul style="list-style-type: none"> - The Dutch Centre of forced marriage and abandonment - The Dutch Centre of Expertise on Honour Based Violence (LEC EGG) - Statistics Netherlands (CBS) - Educational institutions - National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children - Government Commissioner on Sexual Transgressive Behaviour and Sexual Violence - National Centrum of Expertise on Childabuse (LECK) - Institute for Public Health (GGD GHOR Nederland) - Doctors' Federation (KNMG) - Youthcare Netherlands (Jeugdzorg Nederland) - Forensic Institute Netherlands (NFI) - Expertise Online Childabuse (EOKM) - Association district teams (Associatie Wijkteams) - Federation of Somali Associations in the Netherlands (NGO) - National Council of Women (Nederlandse vrouwenraad; NGO) - Rutgers (NGO) - College for Human Rights (NGO) - Pharos (NGO) - Movisie (NGO) - Atria (NGO) - Emancipator (NGO) | | |
| 7.2 | <p>[Optional question: if not, please specify the reasons]: X</p> | | |
| 8 | <p>Have the authorities assigned the role of co-ordinating body to one or more fully institutionalised entities?</p> | <p>Yes <input type="checkbox"/></p> | <p>No <input checked="" type="checkbox"/></p> <p>N/A (a co-ordinating body was already established at the time of GREVIO's baseline evaluation)</p> <p><input type="checkbox"/></p> |

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| <p>8.1</p> | <p>[Optional question: if not, please specify the reasons]: Together with civil society organisations, the Netherlands is making efforts in combating violence against women (also known as gender-based violence). The various ministries have a different role in collectively tackling gender-based violence, depending on their own responsibilities. The Ministry of VWS focuses primarily on care and assistance for victims, the Ministry of Justice and Security (JenV) focuses on the approach under civil law, administrative law and criminal law, the Ministry of Education, Culture and Science (OCW) focuses on prevention and the underlying causes of gender-based violence, such as inequality between men and women and stereotypical views of masculinity and femininity. The Ministry of Social Affairs and Employment focuses on a safe environment at the work floor, self-determination and social-economic policy for purposes of equality between man and women.</p> <p>The Minister of Health, Welfare and Sport is the coordinator within the government for tackling domestic violence and child abuse. The national action programme called 'Geweld hoort nergens Thuis' (Violence does not belong anywhere) has set up a team to support the regional approach and – together with the national steering committee – to monitor and realise the progress of the programme's actions by the various parties. The programme's role is succeeded by the programme 'Future scenario child and family protection' in 2022. This programme aims at improving and simplifying the chain of organizations involved with child and family protection. Within this program there is attention for the underlying issues within the family situation.</p> <p>An additional coordinating body whose core task would be to link the ministries' activities would most likely not improve policy coherence, as it would engender a further 'layer' of coordination. We are committed to strengthening the coherence of inter-ministerial activities wherever possible.</p> <p>Based on the information above, it is our belief that the coordination between the ministries and municipalities is sufficient, which is in line with Article 10 of the Convention.</p> | | |
| <p>9</p> | <p>Please specify the mandate, powers, and competences, as well as the composition, of the co-ordinating body/bodies: See the above.</p> | | |
| <p>9.1</p> | <p>In particular, please indicate whether the co-ordinating body/bodies is/are responsible for:</p> | | |
| | <ul style="list-style-type: none"> - Co-ordination of policies and measures to prevent and combat violence against women | <p>Yes <input checked="" type="checkbox"/> The co-ordination body responsible is: The Minister of Health,</p> | <p>No <input type="checkbox"/></p> |

| | | Welfare and Sport | |
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| | - Implementation of policies and measures to prevent and combat violence against women | Yes <input checked="" type="checkbox"/> The co-ordination body responsible is: The Minister of Health, Welfare and Sport | No <input type="checkbox"/> |
| | - Monitoring and evaluation of policies and measures to prevent and combat violence against women | Yes <input checked="" type="checkbox"/> The co-ordination body responsible is: The Minister of Health, Welfare and Sport | No <input type="checkbox"/> |
| | - Co-ordination of the collection of data, analysis and dissemination of its results | Yes <input checked="" type="checkbox"/> The co-ordination body responsible is: The Minister of Health, Welfare and Sport | No <input type="checkbox"/> |

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| 10 | <p>Please specify the human and financial resources allocated to the co-ordinating body/bodies:</p> <p>A team of policy advisors and managers is working on different aspects of the approach of violence against women and domestic violence. These policy advisors are working from 4 different ministries, and they are working together with the Association of Dutch Municipalities and a range of NGO's. The total amount of policy advisors (fte) is estimated around 50. This includes the people working for the office of the government commissioner on sexual transgressive behaviour and sexual violence.</p> <p>The coordinating body does not have its own financial recourses. For each aspect of the approach of violence against women and domestic violence the different ministries and departments within these ministries have their own budget.</p> | | | | | | | | | | | | | | | |
| 11 | <p>In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Articles 7 and 10, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:</p> | | | | | | | | | | | | | | | |
| <p>III. Financial resources (Article 8)</p> | | | | | | | | | | | | | | | | |
| 12 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Have your authorities allocated specific funds at the</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td>- national</td> <td>Yes <input checked="" type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>- and/or regional</td> <td>Yes <input type="checkbox"/></td> <td>No <input checked="" type="checkbox"/></td> </tr> <tr> <td>- and/or local</td> <td>Yes <input checked="" type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>levels of government for activities to prevent and combat all forms of violence against women covered by the Istanbul Convention?</td> <td></td> <td></td> </tr> </table> | Have your authorities allocated specific funds at the | | | - national | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | - and/or regional | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | - and/or local | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | levels of government for activities to prevent and combat all forms of violence against women covered by the Istanbul Convention? | | |
| Have your authorities allocated specific funds at the | | | | | | | | | | | | | | | | |
| - national | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | | | | | | | | | | | | | | |
| - and/or regional | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | | | | | | | | | | | | | | |
| - and/or local | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | | | | | | | | | | | | | | |
| levels of government for activities to prevent and combat all forms of violence against women covered by the Istanbul Convention? | | | | | | | | | | | | | | | | |
| 12.1 | <p>If yes, what is the annual amount of these funds? If possible, please specify the percentage of the total national state budget that the amount represents.</p> <p>It is not possible to give a total annual amount for these funds because it is not known by the National Government how much the municipalities make available for specific funds.</p> | | | | | | | | | | | | | | | |
| 12.2 | <p>[Optional question: if not, please specify the reasons]:</p> <p>Parts of the Dutch government have been decentralized on 1 January 2015. This decentralization made municipalities responsible for the approach to domestic violence and violence against women based on the Youth Act and the Social Support Act of 2015. To fund this approach, the central government makes resources available annually through a decentralization budget and a general budget. As a result, municipalities are free to choose the way they fulfill their obligations. This system makes it possible to develop an approach that is aligned with the local needs and options available in the region. This is one of the principles of the decentralized system in the Netherlands.</p> <p>If it turns out that municipalities find the resources made available to them by central government insufficient to cover the approach to domestic violence and violence against women, discussions will be held on the matter. In recent years, this has led to various investigations and ultimately to a structural increase in the decentralization budget, such as e.g., €38.6 million annually from 2019 onwards for the Safe Home organizations, because of a greater increase in the number of reports and advices than expected as a result of the new statutory reporting code. The way the approach is financed by national government is seen as being sufficiently stable and long-lasting.</p> | | | | | | | | | | | | | | | |

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| 13 | Have these funds increased since the publication of GREVIO's baseline evaluation report? | Yes <input checked="" type="checkbox"/> If yes, by what amount: | No <input checked="" type="checkbox"/> |
| 14 | Have your authorities taken measures to foster long-term and sustainable financial support for non-governmental organisations working to support victims and prevent violence? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 14.1 | If yes, please specify: X | | |
| 14.2 | [Optional question: if not, please specify the reasons]: See the answer to question 12.2. | | |
| 15 | In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 8, which were not covered by the questions above, please report on these measures [word limit: 1000 words]: X | | |
| IV. Non-governmental organisations and civil society (Article 9) | | | |
| 16 | Have your authorities taken measures contributing to further recognise, encourage and support the work of relevant non-governmental organisations and of civil society active in combating all forms of violence against women covered by the Istanbul Convention, including in terms of funding and co-operation? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 16.1 | If yes, please specify: X | | |
| 16.2 | <p>[Optional question: if not, please specify the reasons]:</p> <p>When formulating Dutch policy, it is customary to consult not only the stakeholders but also civil society. The Netherlands recognizes the indispensable role played by civil society organizations and appreciates it when these partners dissent to the policy. Their critical views and connections with the affected communities play an important role in the implementation of Dutch policy. The importance of involving NGOs in Dutch policy is essential – certainly for issues relating to equal rights, anti-discrimination and tackling violence against women – and more specifically the involvement of organizations for black women, migrants, and refugees (female in particular), and LGBTI people with bicultural backgrounds.</p> <p>We therefore do not recognize the content of this recommendation in the evaluation report. We always strive to include civil society organizations in policy making, and their importance is recognized, not only on paper but also in practice. This will also remain the case in the future. The alliance "Change from Within" of Movisie, the "Self-Determination Consortium" and LCC+ are receiving again a five-year institutional grant from the Ministry</p> | | |

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| | <p>of OCW. In the alliance, migrant and refugee organizations are working with Movisie to promote gender equality and LGBT acceptance and to reduce gender-based violence within their own communities.</p> <p>Civil society partners have been actively involved in defining the agenda for action against harmful practices. The government recognizes the importance of partners' expertise in this complex issue, as it is one that often affects a target group that is difficult to reach. These parties will also be actively involved in implementing the action plan so that the measures from the plan will genuinely lead to elimination of harmful practices. A multi-year project grant has also been given to Femmes for Freedom for the LEF project, which focuses on self-determination of women and girls from bicultural backgrounds and the elimination of harmful traditional practices.</p> <p>In the answer to question 5 is the way described in which NGO's and civil society are involved with the national action program to address sexually transgressive behaviour and sexual violence. In addition to what has been written about this, relevant NGO's and civil society were actively involved in the process of the development of the program.</p> | | |
| <p>V. Data collection and research (Article 11)</p> | | | |
| 17 | <p>In implementation of the recommendation addressed to your authorities, have new sectors of the administration started the collection of data in accordance with the requirements of Article 11, paragraph 1?</p> | <p>Yes <input type="checkbox"/></p> | <p>No <input checked="" type="checkbox"/></p> |
| 17.1 | <p>If yes, please specify which sectors: X</p> | | |
| 17.2 | <p>[Optional question: if not, please specify the reasons]: The ministries of VWS and JenV organized a discussion with Veilig Thuis (Safe Home). It appears not to be easy to follow up the implementation of the recommendation by Safe at Home. The discussion is still ongoing.</p> <p>The police does not record data about the gender and the relationship between victims and perpetrators in a standardized manner. The relationship between the victim and the perpetrator is by no means always clear at the time the police becomes involved. The registration is done, insofar as it is relevant for the criminal investigation, in free-format fields. The same applies to the type of violence. The police and the Public Prosecution Service can assign cases to social categories, including a 'domestic violence' category, so that a picture can be obtained of the number of cases in which there was (a suspicion of) domestic violence. The police, the Public Prosecution Service and the court of law determine which offences are notified or reported, which cases proceed to prosecution, and which do not, and what the settlements or convictions were.</p> <p>The recording systems of the judicial bodies are primarily set up to support the working processes of their tasks and are therefore not designed for reporting or research purposes. Because we want to counteract the increasing pressure of recording and the administrative burden, we are not in favor of introducing new mandatory registration fields into the systems in the criminal justice chain just for research purposes. Moreover, implementing such IT changes is generally a lengthy and costly process. Therefore, we look for alternative ways to make sure we have this data for the policy-making purposes, such as mentioned in our answer to question 20.</p> | | |

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| | Furthermore, we want to change experiences with countries that have followed up on this part of the Istanbul convention in order to learn from them. Collecting the data as suggested by the recommendations of GREVIO, is part of the new national approach on genderbased violence. This means that we will keep looking for possibilities and keep the conversation going with the relevant stakeholders. | |
| 18 | In implementation of the recommendation addressed to your authorities, have sectors of the administration improved their data collection? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| 18.1 | If yes, please specify which sectors and how, in particular whether new data categories were added: X | |
| 18.2 | [Optional question: if not, please specify the reasons]: See the answer on question 17.2. | |
| 19 | Does statistical data collection by law-enforcement agencies and the judiciary enable cases of violence against women to be tracked in order to indicate: | |
| | - Conviction rates | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| | - Types of sentences | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| | - Attrition rates | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| | - Time-barred proceedings | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 20 | <p>As regards population-based surveys, please indicate any survey conducted since the publication of GREVIO's baseline evaluation report, while specifying the forms of violence covered:</p> <p>The prevalence monitor domestic violence and sexual transgressive behaviour is a population-based survey on the Dutch population of 16 years and beyond, conducted by Statistics Netherlands (CBS). This monitor contains data about the (1- and 5-) year prevalence of victimization, supplemented with data on perpetrators, consequences of violence, and contacts of victims as a result of their experiences. The first survey was conducted in 2020. The second survey will be published in the beginning of 2023, with data collected in March and April 2022, covering the year prevalence from March/April 2021 till March/April 2022. Forms of violence covered:</p> <ul style="list-style-type: none"> - domestic verbal aggression, - domestic violence (physical violence, coercive control, ex-partner stalking, domestic sexual transgressive behavior) - sexual transgressive behavior (online sexual intimidation, offline sexual intimidation, physical sexual violence). <p>The impact monitor domestic violence and child abuse displays information from various sources and studies combined to provide a comprehensive picture of the approach to domestic violence and child abuse: Impactmonitor aanpak huiselijk geweld en kindermishandeling 2021 (cbs.nl). In this monitor the statistical data collection by law-enforcement agencies and the judicial office is shown.</p> <p>A dashboard has been developed with policy information based on registration data of Safe Home (Veilig Thuis). This dashboard provides an overview of data regarding child abuse and domestic violence, based on the functionalities of the Safe Home organizations (providing advice to civilians and</p> | |

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| | <p>professionals, the collection of reports, investigations, referrals to other organizations etc.). The dashboard not only provides insight into the developments over time on the national as well as regional level, but also offers the possibility to compare regions with each other. The purpose of the dashboard is to provide accessible quantitative information that can be used in conversations within regions, between regions and between regional and national parties. The dashboard thus contributes to a data-driven learning and improvement cycle. The information on the dashboard is based on the Safe Home Policy Information, based on the registration data of Safe Home organizations collected and processed by Statistics Netherlands. SN publishes this policy information every six months. Dashboard Veilig Thuis (cbs.nl)</p> <p>The Sexual Violence Against Children Victims Monitor of the National Rapporteur is another important study. This monitor is about the nature and size of the groups of victims, about the protection and help these children victims received and about relevant developments in the approach to combat sexual violence against children. The monitor contributes to policy making and evaluation. The National Rapporteur's latest monitor was published in fall 2022 and covers the period 2017-2021.</p> |
| <p>21</p> | <p>In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 11, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:</p> <p>The 'Violence does not belong anywhere' program continuously examines the assistance provided to victims by organizations like Safe Home. We think it is important to include gender aspects in the studies.</p> <p>Funded by the Ministry of VWS, the four large municipalities, nine regional municipalities and Augeo, a study was conducted on the lives of several victims of domestic violence and child abuse. This study investigated how victims progressed, whether violence diminished and the extent to which their well-being improved over time. This large-scale study has highlighted numerous aspects, including differences in effects between male and female victims.</p> <p>We intend to include gender aspects in the near future in an ongoing study conducted by the Verwey Jonker Institute. Our aim is to have this type of research contribute to a more gender-sensitive approach of domestic violence by gathering knowledge about indicators that are relevant for a gender perspective.</p> <p>Recently, research has been conducted about the relation between gender and violence against women and about how data collection on behalf of the Impact monitor (see the above) can be improved with the aim to making the approach of genderbased violence more effective. The research shows that not all analyses that would ideally be made are possible with the available data. Partly this is because data was originally collected for a purpose other than to make the role of gender in violence visible and partly because other (qualitative) research methods lend themselves better to identifying patterns and perceptions of violence, threat, and control. The research report makes suggestions for data and other information that could be added to the Impact Monitor to provide more insight into the role of gender in violence. It will be examined whether and how these suggestions can be included in the impact monitor.</p> |

| VI. Custody, visitation rights and safety (Article 31) | | |
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| 22 | Have your authorities taken measures contributing to ensure that incidents of violence covered by the scope of the Istanbul Convention are taken into account in the determination of custody and visitation rights of children, notably by judicial authorities? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 22.1 | <p>If yes, please specify how this has been done (by legislative amendments or other means)</p> <p>Violence against women, domestic violence and its consequences for children are all taken into account at different moments when child protection measures are imposed and when dealing with custody and contact issues. The Child Care and Protection Agency (Raad voor de Kinderbescherming, RvdK) has the statutory task of advising judges about the child's situation; this includes the child's safety. An understanding of all aspects of domestic violence and child abuse is part of the training that the RvdK staff receive. When there is a suspicion of partner violence within the family, the domestic violence organization Safe home "Veilig Thuis" will be alerted to appropriately address this suspicion and offer help to both the victim and perpetrator of the violence.</p> <p>It is up to judges to form an opinion about the case in court. In the case where a parent commits violence against a child, judges may take child protection measures by placing the child under the supervision of a guardian or by placing the child under the protection of government authorities. If the interests of the child require immediate measures, parental authority can be suspended, and a provisional guardian can be appointed if necessary. Ultimately, a parent's custody may be terminated in cases of violence against a child. In custody and access cases, the child's situation and family situation are taken into account. Domestic violence can be a reason for temporarily or permanently having no contact or supervised contact. In the case where domestic violence occurred before the child was born, this can also be considered as a risk factor for the parent concerned.</p> <p>Judges take account of all the aspects brought before them in a case; violence against the partner can be one of the relevant aspects. Judges will reach their decision within the legal context, i.e., if the law determines that the purpose of a measure is to safeguard the interests of the child, judges will have to prioritize that. Regarding the safety of the parent that experiences domestic violence, the specialized domestic violence organization will work together with the police, prosecution office and the child protection board before and after the court case to reach safety for all people involved. After safety is reached the municipalities will work on giving the care that is needed, including the inclusion of an arrangement of no contact between perpetrator and victim when deciding on visitation rights.</p> | |
| 22.2 | <p>If yes, please specify how the above obligation is implemented in practice, including by providing data indicating to what extent judicial authorities consider all issues related to violence against women in their decisions on custody and visitation rights:</p> <p>See answer above and for question 23.1. The issues considered during custody cases are not registered in a databank, nor do we have a recent study to show these figures. We do note that ca. 1,1% of the reports to the domestic violence organization come from the justice system, including the child protection board.</p> | |
| 22.3 | [Optional question: if not, please specify the reasons]: | |
| 23 | Have your authorities taken measures contributing to ensure that visitation rights do not jeopardise the rights and safety of the victim or children? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

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| 23.1 | <p>If yes, please specify: Continuing the answer to question 22.1 specifically on partner violence, we invest in the cooperation between the child protection board that gives advice to judges on visitation rights and the specialized domestic violence organization that is included when domestic violence is suspected. The goal of this close cooperation that includes the police, prosecution office and the probation office as well, is to reach safety for those involved as soon as possible followed with a plan to reach sustainable safety (risk-oriented care and recovery oriented care). In this plan, advise to judges and/or in the sentence of judges limitations and actions can be included to avoid contact between the parents to not jeopardize the rights and safety of the victim. For example, dropping off and picking up the child at their school or sports practice so that the parents do not meet.</p> | | |
| 23.2 | [Optional question: if not, please specify the reasons]: | | |
| 24 | In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 31, which were not covered by the questions above, please report on these measures [word limit: 1000 words]: | | |
| VII. Immediate response, prevention, and protection (Article 50) | | | |
| 25 | Have your authorities taken measures contributing to improve the prompt and appropriate response of law enforcement agencies, in particular by: | | |
| | — Enhancing training of law enforcement officials on the gendered nature of violence against women and its consequences | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| | — Ensuring a sufficient number of female police officers | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| | — Setting up premises designed to establish a relationship of trust between the victim and the law enforcement personnel | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| | — Ensuring the efficient collection of evidence so that the reliance on the victim's testimony is lessened | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 25.1 | If yes, please specify: | | |
| 25.2 | [Optional question: if not, please specify the reasons]: | | |
| 26 | Have your authorities taken measures contributing to enable the identification and careful analysis of any failure of protection? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 26.1 | If yes, please specify what kind of measures, and if further preventive measures were adopted to remedy this situation: | | |
| 26.2 | [Optional question: if not, please specify the reasons]: | | |
| 27 | In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 50, which were not covered by the questions above, please report on these measures [word limit: 1000 words]: | | |

| VIII. — Emergency barring, restraining or protection orders (Articles 52 and 53) | | |
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| 28 | As regards emergency barring orders, have your authorities taken measures contributing to ensure that the competent authorities are granted the power to order, in situations of immediate danger, a perpetrator of domestic violence to vacate the residence of the victim or person at risk, and to prohibit the perpetrator from entering the residence of or contacting the victim or person at risk. | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 28.1 | If yes, please indicate which authorities have the power to issue emergency barring orders: | |
| 28.2 | If yes, please indicate the length of time for which emergency barring orders may remain in force: | |
| 28.3 | [Optional question: if not, please specify the reasons]: | |
| 29 | Have your authorities taken measures contributing to ensure the availability of restraining or protection orders to victims of the following forms of violence against women? | |
| | — Domestic violence | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | — Stalking | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | — Sexual violence | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | — Sexual harassment | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | — Forced marriage | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | — Female genital mutilation | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | — Forced abortion | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | — Forced sterilisation | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 29.1 | If yes, please specify: | |
| 29.2 | [Optional question: if not, please specify the reasons]: | |
| 30 | Have your authorities taken measures contributing to ensure the effective enforcement of barring, restraining or protection orders? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 30.1 | If yes, please specify: | |

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| 30.2 | [Optional question: if not, please specify the reasons]: |
| 34 | In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Articles 52 and 53, which were not covered by the questions above, in particular in relation to the collection of data on the number of orders issued and their violations, please report on these measures [word limit: 1000 words]: |

| Specific recommendations | |
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| 32 | <p>Please report on measures taken by your authorities contributing to the implementation of the recommendation to draw up an implementation plan and take all possible measures, including financial, to encourage and assist Aruba, Curaçao and Sint Maarten to ratify and implement the provisions of the Istanbul Convention and to extend the application of the Convention to the Bonaire, Sint Eustatius and Saba (Recommendation A. 1, IC-CP/Inf(2020)4).</p> <p>Representatives of the four countries of the Kingdom regularly hold meetings on the subject of the implementation of human rights treaties in the Caribbean parts of the Kingdom of the Netherlands, including of the Istanbul Convention. If so asked, the Netherlands will in the near future consider whether it can assist the Caribbean countries in implementing the Istanbul Convention.</p> <p><u>Aruba</u> The implementation of the Istanbul convention has been identified as a priority by the council of ministers of Aruba. Aruba still needs to draw up an implementation plan and/or take the necessary measures to implement the provisions of the Convention. This in order to ratify the convention.</p> <p><u>Curaçao</u> The implementation of the Istanbul convention has been identified as a priority by the government of Curacao. The government of Curacao approved a national plan against domestic violence in February 2018 and is preparing the implementation of a reporting point for professionals who encounter possible cases of domestic violence. The execution of the national plan is being prepared in a multidisciplinary setting. It is the intention of the government of Curacao to finalize all necessary measures to implement the provisions of the convention by 2025 in order to be able to ratify the convention by that time.</p> <p><u>Sint Maarten</u> The government of Sint Maarten has the intention to implement the Istanbul convention, but currently lacks the capacity and financial means to do so. Recently, however, there have been public campaigns in Sint Maarten to create awareness for the prevention and combating of violence against women and domestic violence.</p> <p><u>Caribbean Netherlands (Bonaire, Sint Eustatius en Saba)</u> Since 2017, the Ministry of VWS has been working with the public bodies of Bonaire, St. Eustatius and Saba to bring the situation in the Caribbean Netherlands (CN) in line with the Convention. To this end, the administrative agreements on tackling domestic violence and child abuse BES 2017-</p> |

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| | <p>2020 and 2021-2024 have been concluded. The purpose of the administrative agreement is to set up a full-fledged and sustainable approach to domestic violence and child abuse in CN and thus work towards ratifying the Istanbul Convention for CN. The steps as, described below, are still to be completed before the extension of the application of the Convention can be made. This is expected for 2025 at the earliest.</p> <p>We are currently working on a decree on social support and the approach to domestic violence and child abuse. This decree establishes the definitions of domestic violence, the domestic circle and child abuse, defines the structure, duties and the authority of the Advice and Reporting Centre for Domestic Violence and Child Abuse and the right to report for professionals, and includes an obligation for various organisations to establish a protection code domestic violence and child abuse. The intended entry into force date is 1 January 2024.</p> <p>In the European Netherlands, Article 52 of the Convention is implemented with the Temporary Domestic Exclusion Order Act. There is currently no administrative law framework in CN for imposing a temporary restraining order. A temporary restraining order pilot is currently taking place in collaboration between the Ministry of JenV, VWS and BZK, the three public entities of CN and the organisations involved. One of the goals of this pilot is to design a temporary restraining order work process together with the parties involved. At the end of this pilot we will have more information on to what extent the preconditions exist on these islands to enable an effective use of the temporary restraining order and to what extent there is a need for a legal regulation for the implementation of the temporary restraining order in the Caribbean Netherlands. The pilot started in August 2022. The intended duration of the pilot is fifteen months.</p> <p>Once the temporary restraining order pilot has been completed, the implementing legislation necessary for ratification of the Convention can be drawn up. This is the final piece of the process to bring the approach to violence against women in the Caribbean Netherlands into line with the obligations arising from the Convention.</p> |
| 33 | <p>Please report on measures taken by your authorities contributing to the implementation of the recommendation to ensure that women victims are directly referred to specialist women's support services and that repeat referrals are avoided, while guaranteeing that social services can recognise the gender dimension of violence against women, and favour women victims' safety and empowerment (paragraph 145) and that efforts to redistribute shelter places throughout the territory does not result in permanent loss of shelter provision but rather in the expansion of the provision of shelters to reach the minimum standard of one family place per 10 000 head of population (paragraph 165) (Recommendation A.12, IC-CP/Inf (2020)4).</p> <p>In 2016, The Netherlands had 500 shelter places for female victims of violence. According to the norm adopted by GREVIO, that figure should be 1700 places. The norm adopted by GREVIO dates from 2006 – 2008. During that period, which predates the Istanbul Convention, a taskforce was set up to prevent and combat violence against women and domestic violence. The final report by that taskforce included a standard of 1 sheltered place per 10,000 inhabitants. This standard was then included in the development process and finally set down in the text of the convention and the explanatory memorandum (paragraph 135).</p> <p>Following signals that there was a shortage of sheltered places, the Ministry of VWS – together with the Association of Netherlands Municipalities (VNG) and in cooperation with Valente (the umbrella organization of institutions providing shelter) – commissioned a study in 2019 into the availability of shelters in these situations. The study showed that alternative shelter places were offered on 146 occasions in 2019 because there was no space available within the intended shelter facilities. Municipalities are currently working with the institutions to manage the flows into, through and out of the shelters. The Ministry of VWS has made 14 million euros available structurally per year to municipalities for this purpose and for organizing sufficient shelter places from 2020 onwards.</p> |

Once the incoming and outgoing flows are optimized, it will be clear to what extent the actual need for shelters is being met. Various factors play a role in the outward flow, such as the availability of affordable housing. Given the scarcity of affordable housing, it is expected that a greater need for accommodation will persist for the time being.

The approach taken by the Ministry of VWS, the Dutch municipalities and the shelter establishments is not that providing shelter is always the best way to provide assistance in the event of domestic violence. When domestic violence is reported to Veilig Thuis (Safe at Home) or a women's shelter, a risk inventory is carried out. Shelter in a residential setting is considered an emergency measure. Forms of assistance in which the woman does not have to leave her own environment are preferred, provided that the safety situation allows that. Examples include ambulatory assistance, the use of Aware (a portable alarm for the victim) and time-out spots for the perpetrator.

The Ministry of VWS held meetings with the Association of Netherlands Municipalities and Valente about the minimum standard for shelter conditions and the current number of sheltered places. The conclusion is that in the context of the Netherlands, a variety of factors, and thus not only the norm adopted by GREVIO, should determine the availability of sheltered places. The Netherlands is fully committed to providing protection measures to women in need.

Women victims are as much as possible directly being referred to specialist women's support services to avoid repeat referrals. This recommendation made by GREVIO is not being recognized as a current issue. At this moment comprehensive research is conducted about low-key support services for victims and perpetrators of diverse forms of violence against women and domestic violence. Among others, the research brings in sight the reasons why victims and perpetrators contact support services, why they don't and how the results of the research interact with the current services provided. The results of the research will be used to make changes where needed to improve the low-key support for victims and perpetrators. Where this research will show any signs of unnecessary referrals, this will be considered in the actions planned based on the outcome of this research.

The National Action Program Violence does not belong anywhere, and the ministry of Health, Welfare and Sports have developed updated materials for municipalities in order to recognize and work with the gender aspect of violence against women and domestic violence. On behalf of the ministry of Health, Welfare and Sports a special magazine and an animation is created for professionals about the relation between domestic violence and the gender dimension.