

**Speech Leontine Bijleveld**  
**Public meeting about the implementation of the recommendations of the**  
**Committee on the Elimination of Discrimination against Women**  
**The Hague, 29 November 2012**

Thank you Madam chair,

Dear Ms Neubauer and other distinguished guests, MP's and their assistants, representatives of Ministries, representatives of NGOs.

I am speaking on behalf of the Dutch CEDAW Network, in which women's rights organisations collaborate with individual gender and women's rights experts.

The Dutch CEDAW Network coordinates the drafting and the submission of the shadow report on behalf of quite a few other Dutch women human rights organisations and NGOs – hundreds of contact addresses of organisations and committed individuals are in the mailing list.

The Network is monitoring the implementation of the CEDAW Convention in general as well as the Concluding Observations of the CEDAW Committee by the government.

Since January 2010, the constructive dialogue between CEDAW and a huge delegation about the 5th report of the Dutch government a lot of things have happened.

Whether much progress has been achieved with the implementation of the Concluding Observations, however, remains to be seen.

We understood from Ms Neubauer that the Committee was not satisfied with the follow-up report about the implementation with respect to Violence Against Women and trafficking.

So I will give you a more general picture.

Let me start with an anecdote.

The Network did send the shadow-report to the follow-up report to our contact-person at the ministry of emancipation.

After enquiring whether he indeed had received it, the answer was: yes, and we will use it in the preparation of the next periodical report for CEDAW in 2014.

Thinking about implementation of CEDAW starts at the preparation of the next periodical report, so it seems.

He and his colleagues at the other ministries might be unpleasantly surprised by CEDAW's last comments.

However, if he had read our shadow-report, which was, as always, evidence based, and shared it with his colleagues at the other ministries, Ms Neubauer's message could have been expected.

The good news is that policy-intensification on both trafficking as well as domestic and other violence against women is included in the new coalition agreement.

This means that CEDAW's recommendations can be immediately implemented in the new policy papers that have to be drawn up by early next year.

Providing additional information to the four recommendations related to violence against women and the four recommendations related to women's victims of trafficking by July 2013 will be a piece of cake for the present ministry of Security and Justice that has the lead responsibility with regard to policies against Violence against Women and Trafficking.

State-secretary Teeven was invited for today's meeting. He has sent his apologies as he had to be in parliament at this moment to discuss the Budget of the Ministry.

There is even more good news on the subject: mid November the Dutch government signed the Istanbul Convention – the Council of Europe Convention on prevention and combating violence against women and domestic violence. May the ratification follow soon!

Back to what happened with CEDAW's other recommendations.

Soon after the publication of the Concluding Observations in February 2010, the coalition government broke up. Elections took place in June 2010.

The outgoing government informed the Parliament in a letter about its opinion on the Concluding Observations after the House went into recess.

According to this letter the new government would have to decide how it would implement some recommendations of CEDAW that actually originated from the consideration of the previous report in 2007 – though this origin was not mentioned in the letter.

For example: the Law on Names, which continues to contravene the basic principle of the Convention regarding equality.

Another example is the discrimination against women by the SGP, the political party that continues to exclude women from the party's posts.

To update you about this seemingly never-ending story: in April 2010 the Dutch Supreme Court ordered the government to take appropriate measures against this discrimination.

The government did nothing and hid behind the fact that the SGP appealed to the European Court of Human Rights.

Now that the European Court essentially has confirmed the judgement of the Supreme Court, the ball is again at the Ministry of Home Affairs.

The previous Minister expected that the SGP will adapt its internal rules early 2013. This is, however, not enough guarantee that the discrimination will end not only on paper but also in practice. So the new Minister of Home Affairs, has to take measure in order to comply with Convention and with the judgement of the Supreme Court. We have high expectations since in a previous government he was Minister of Emancipation, responsible for the implementation of CEDAW.

Back again to the implementation of CEDAW's recommendations: the previous outgoing government placed in the letter to the parliament most on the table of the new government. To name only a few:

- the continuation of the process of strengthening the national machinery for the advancement of women and to systematize assessment of the gender impact of legislation and policies and gender budget analysis among the various ministries.
- To speed up the appointment of women as professors at the universities, in line with European targets and timetables;

Not all CEDAW's recommendations had been mentioned in this letter. It negated for instance the recommendation to ensure that women domestic workers are duly provided with full social rights and that they are not deprived of social security and other labour benefits.

The new government, which is in the meantime another previous or outgoing government, did not take any effort to elaborate on the Concluding Observations of CEDAW. Not even on the subjects that had been explicitly placed on its agenda, as I explained earlier.

In a short paper with the outlines of the policies with regard to gay, lesbian and transgender rights as well as women's rights (Hoofdlijnennotitie Emancipatie) the new Minister (coincidentally the same person that signed the letter) limited herself to a general remark: "Het kabinet doet haar voordeel met de aanbevelingen van het Comité, betreft deze bij de beleidsvorming" – The cabinet will take advantage of the recommendations of CEDAW and will take these into consideration while formulating policies. This attitude is insufficient and not appropriate under international law.

The parliamentary debate about this policy paper (and about eight other papers and reports) early June 2011 was dominated by gay issues – namely whether civil servants could refuse to cooperate with the so-called gay marriage. The parliament condoned the government's policies to extend the support for gay, lesbian and transgender organisations and activities at the expense of the gender knowledge structure (including women's rights, cross-cutting issues and diversity).

You might think: what is the point of telling all these procedural shortcomings of previous governments in implementation of CEDAW's recommendations. Well: women's human rights are at stake.

The Netherlands is the State Party to CEDAW and other UN Human Rights Conventions, irrespective of the political colour or status of the government, whether it is outgoing or not is not relevant.

Human rights are universal and indivisible. So are women's human rights. The Dutch government, irrespective of the parties that constitute the coalition, proclaims this time and time again in the United Nations and elsewhere, abroad.

It is time now to practice at home what we preach.

Though the ministry of Emancipation has the lead in the implementation of CEDAW's Concluding Observations, many of the issues are the responsibility of other departments.

CEDAW and the Network understand the difficulties for the Minister of Emancipation and her civil servants to ensure that all other departments prioritise CEDAW as much as they do.

We all know the difficulties of gender mainstreaming in practice, despite the agreed commitments and the obligations according to international law. But that is no excuse for ignoring CEDAW's recommendations.

The overall picture though, is not as bleak as it might seem to you as listeners up till now.

Take for instance CEDAW's recommendations with regard to Exploitation of prostitutes.

The Committee urged the State party to carefully conduct a risk assessment of the new law, including from the perspective of privacy, in consultation with concerned groups and relevant organizations before adopting it.

The government ignored this recommendation, but self-organisations of prostitutes, anti-trafficking NGO's and organisations like the Association of Women and Law, felt encouraged by CEDAW.

In an unprecedented joint lobby-effort they booked results a few weeks ago: the Senate convinced the Minister of Security and Justice to withdraw the bill.

Another positive omen is the coalition agreement of the brand new government.

One paragraph reads as follows: " Het kabinet bestrijdt alle vormen van onderdrukking van vrouwen." – "The cabinet fights all forms of oppression of women."

The similarities in the wording with the Convention on the elimination of all forms of discrimination against women are too strong to be coincidental.

The new Minister questioned in a previous position as MP the government about the implementation of CEDAW with respect to domestic workers in the home care – exactly one of CEDAW's issues in the last concluding observations that was neglected by the outgoing government.

Whereas previous governments ignored CEDAW's recommendations with respect to equal pay and women in top-positions both issues are included in the coalition agreement.

Often people and politicians assume that promoting women's rights requires the allocation of enormous amounts of money, which is impossible in time of crises and budget cuts.

This is a misunderstanding. Implementation of the recommendations with respect to the Law of Names and of the SGP, for instance, does not cost any money.

Research from the former Equal Treatment Commission, now the Netherlands Institute for Human Rights, proved that implementing proper equal pay mechanisms in hospitals could save a considerable amount of personnel costs (5 – 10 percent of the total wages expenditure).

The implementation of the recommendation to introduce a consistent scheme for promoting equality in public contracts could have a huge impact with hardly any investment – gender training for public servants.

The motto of the coalition agreement is also promising: building bridges. The Network would like to envisage a bridge towards the NGOs to work jointly to implement the Convention and the recommendations of CEDAW.

And maybe even to co-organise next year or the year after a meeting like today with representatives of the government, NGOs, MP's and a CEDAW-member, as we proposed earlier to the relevant parties.

Unfortunately the new minister of Emancipation was unable to join us here today, even for a short time. We still hope she will meet Ms Neubauer personally without public.

The good news however is that she started to work on a new policy plan on emancipation, that will be sent to parliament next spring. It is our expectation that ALL CEDAW's recommendations will be addressed properly in this new plan. Noblesse oblige.

And that this can be included in the 6<sup>th</sup> periodic report that is due in 2014. With apologies for the delay.

Thank you.