



## **European network of legal experts in gender equality and non-discrimination**

### **NEWS REPORT**

<b>Country:</b>	The Netherlands
<b>Title:</b>	CEDAW urges the Netherlands to improve the position of (working) women
<b>Date:</b>	22 December 2016
<b>Expert:</b>	Marlies Vegter
<b><u>Context</u></b>	
<b>Issue at stake:</b>	CEDAW comments on the Netherlands
<b>Ground of discrimination:</b>	Sex
<b>Source:</b>	Policy development
<b>Field:</b>	Other
<b>Applicable law:</b>	-

### **Content**

**Policy development:** Following the meeting between the UN Committee on the elimination of discrimination against women (CEDAW) and the Minister of Education (gender equality is a task of the ministry of education) on 10 November 2016, CEDAW made a number of recommendations to the Dutch government.

CEDAW positively evaluated the National Action programme against discrimination, the ratification of the Istanbul Convention and the conference the government organised together with NGOs about the follow-up to CEDAW's recommendations. CEDAW is worried, however, about the underrepresentation of women in decision-making in politics, business and academics. Furthermore, CEDAW asked the Dutch government to revise the Media Act in order to abolish stereotypes about women and to finance awareness programmes in this respect.

More specifically, CEDAW urged the Netherlands to grant a benefit to those self-employed women who did not receive a maternity benefit in the period between August 2004 and June 2008 (see also the flash report of 22 November 2016). The government has refused to do so until now, despite earlier recommendations by CEDAW in this respect. The social securities authorities have decided to appeal a judgment by the Administrative Court Mid-Netherlands in which the court ruled that the State violates the UN Convention on women's rights by not granting the maternity benefit. CEDAW once again asked the Dutch government to take a different stance in this matter.

With respect to violence against women, CEDAW recommended to train the police and the prosecution officers to identify, examine and persecute gender-related violence. CEDAW also expressed the wish to receive specific information about the situation in the Caribbean part of the Netherlands. In addition, the committee asked the government to evaluate the relief of victims and to provide free legal aid to victims of domestic violence.

In the field of education, a point of concern is the fact that stereotyping and structural limitations may withhold girls from choosing a technical study. Attention is also needed for women who try to combine education with taking care of children.

In order to create equal opportunities for women in the labour market, CEDAW asked the government to address the causes of the decrease in the use of child care. Furthermore, men should be encouraged to take parental leave and to take part, on an equal footing with women, in household tasks and the care of children. CEDAW specifically requested information about the participation in employment of migrant women and asked the government to report within two years about its efforts to examine, persecute and penalize pregnancy discrimination.

Following the CEDAW recommendations, Members of Parliament asked questions about the refusal of the government to grant a maternity benefit to self-employment women and about the approach to domestic violence in the Caribbean part of the Netherlands. In February 2017, a conference will be organised by the Ministry of Education about the recommendations.

**Key points of analysis:** In many respects CEDAW is positive about the Netherlands, however there are also areas of concern. Specific attention was paid to the matter of the self-employed women who did not receive a maternity benefit between August 2004 and June 2008. This matter is important for CEDAW as earlier recommendations by the Committee were ignored by the Dutch government. This is of course not very respectful towards CEDAW. Rather, it shows that the government does not attach much importance to CEDAW's recommendations if they do not fit with its own point of view.

Other subjects, such as the underrepresentation of women in decision-making and the work-life balance of male and female employees are already on the government's agenda, but the questions by CEDAW may help to keep them there. In other fields, such as the combination of study and taking care of children, legal aid for victims of domestic violence and the decreasing use of child care, the government is not very active, so it is to be hoped that CEDAW's comments can be a catalyst for action.

**Internet link source:**

<https://www.mensenrechten.nl/berichten/vn-vrouwenrechtencomit-nederland-moet-de-positie-van-vrouwen-verbeteren>, accessed 20 December 2016.

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1027&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1027&Lang=en), accessed 20 December 2016.