

Presentation to the Committee on the Elimination of Discrimination against Women

Presessional working group of the 81th session preparing the List of Issues for the consideration of the 7th periodic report of the Netherlands

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Netherlands Institute for Human Rights

Geneviève Lieuw, Commissioner

Distinguished members of the Committee,

Thank you very much for giving us the opportunity to speak with you about the situation of women's human rights in the Netherlands.

Let me start by saying that our law guarantees equal rights for women and men in the Netherlands. In practice, however, there is structural inequality between women and men. The government is aware of the structural character of the inequality and is making an effort to change this situation. It has developed and is implementing policies to ameliorate the situation of women in the labour market. It is also in the process of adapting the criminal code so that women are better protected against sexual violence. Nonetheless women more often than men do not have paid work, are paid less than men for the same work and spend more time on care tasks than men. Women are, more often than men, victims of domestic violence and sexual harassment at work. And more often than men women are economically dependent. This applies even more so to women with a migrant background whose labour market participation is lower than that of women with a non-migrant background. This results in extra economic vulnerability of women in case of divorce, illness or demise of their partner. In order to achieve economic independence, women need to be enabled to work or work more hours. This is impossible when they have more caring responsibilities than men as is the case in the Netherlands. Therefore, the government should encourage men to make use of and exercise their right to parental or birth leave. And the government should encourage men to take on more care tasks.

The various issues we discuss in our report show three main challenges.

- (1) First, women do not have the same position when it comes to decision making in politics, the workplace and the family. The dominant position of men is one of the causes of violence against women, such as domestic violence, sexual harassment and hate speech. It also results in economic dependence and a smaller political representation of women.
- (2) The second main problem is that gender stereotyping hampers women in enjoying all their human rights. Stereotypes such as “women are responsible for care tasks” or “women are less capable to be a manager or a politician”. When women do not meet these stereotypes this can lead to hate speech or violence, which makes society less safe for women than for men. Muslim, migrant and asylum-seeking women, for example, regularly

experience hate speech and violence that is both gender based and racially motivated. Female politicians are often targets of hate speech: during the campaigns for the 2021 parliamentary elections they received an overwhelming number of hateful comments. Female politicians with a migrant background were particularly targeted. Gender stereotypes can also lead to domestic violence, which is a serious and widespread problem in the Netherlands, including the Caribbean part of the country. The Institute welcomes the government's programme aimed at combatting this kind of violence. However this programme does not focus on prevention. At the local level, where a large part of the responsibility rests, what is done to prevent this kind of violence against women is insufficient. According to municipalities, this is caused by a lack of financial resources. Another point of concern is that up until now government policies have not been gender-sensitive and as a consequence do not meet the needs of women, because they do not take into account the underlying causes and existing unequal positions of men and women. The government has commissioned a study on how policy and practice can be made more gender-sensitive. This study has resulted in recommendations. The Institute sincerely hopes that the government will wholeheartedly commit itself to the implementation of all the recommendations in this study. Furthermore, to combat domestic violence effectively, it is necessary for the government to coordinate all activities concerning violence against women, including activities at the central and local level. At the moment there is no coordination of activities at the central and local level.

(3) The third main problem I would like to draw your attention to is that women's human rights are violated by private parties, such as employers. For example in the case of discrimination of women at work. Unfortunately that still occurs frequently. Research shows that four out of ten women experience pregnancy related discrimination. This number has not diminished since 2012. Also women still earn less than men. This difference in pay has not decreased in the period since 2016. Another problem women face is sexual harassment at work. Research shows that women more often than men experience this type of violence. Sexual harassment occurs in all kinds of sectors. Recently there have even been reports of sexual harassment in Parliament. Research commissioned by the Institute shows that when sexual harassment occurs employers often do not know how to handle these situations. As a consequence complaints are not being investigated diligently and women are not able to work in a safe environment. The government is responsible for ensuring that private parties respect women's human rights. In order to let women enjoy their right to work without discrimination, the government should do more to ensure that private parties do not violate the human rights of women.

The last point I would like to make is that the COVID-19 pandemic has put extra pressure on the equality between women and men. Research shows that during COVID-19 mothers have had less free time, experienced more work pressure and found it more difficult to balance their work and private life than men. In addition, there are signs that during COVID-19 domestic violence has risen and has been more severe. Therefore, it is necessary that the government investigates the impact of the pandemic on women and adopts specific measures to improve their situation where needed.

My overall conclusion is that the government should fortify and further intensify its efforts to ensure that women in the Netherlands can truly and fully enjoy their rights under the CEDAW Convention.