



# Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination  
against Women**  
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## Concluding observations of the Committee on the Elimination of Discrimination against Women

### The Netherlands

1. The Committee considered the fifth periodic reports of the Netherlands and Aruba (CEDAW/C/NLD/5 and Add.1) as well as the fourth and fifth reports of the Netherlands Antilles (CEDAW/C/NLD/4/Add.2 and CEDAW/C/NLD/5/Add.2) at its 916th and 917th meetings, on 27 January 2009 (CEDAW/C/SR.916 and 917). The Committee's list of issues and questions is contained in CEDAW/C/NLD/Q/5, and the responses of the Netherlands are contained in CEDAW/C/NLD/Q/5/Add.1.

### Introduction

2. The Committee expresses its appreciation to the State party for its fifth periodic report. The Committee notes with appreciation the submission of a separate report by Aruba and of two separate reports by the Netherlands Antilles, which include the additional report it had requested in its previous concluding observations (CEDAW/C/NLD/CO/4, para. 46) of 2007. The Committee also expresses its appreciation for the written replies to the list of issues and questions adopted by the pre-session working group. The Committee further expresses its appreciation for the oral presentation and the clarifications given in response to the questions posed orally by the Committee but regrets that no answers were provided to some of the questions and that questions raised were not always answered in a clear and precise manner.

3. The Committee commends the State party for its high-level delegations headed by the Minister of Education, Culture and Science of the Netherlands, the Minister of Public Health and Social Development of the Netherlands Antilles, the Minister of Economic, Social and Cultural Affairs of Aruba and including experts from different ministries and departments of the three parts of the Kingdom of the Netherlands. The Committee expresses its appreciation for the constructive dialogue held between the delegations and the members of the Committee.



**Positive aspects**

4. The Committee congratulates the Netherlands for the inclusion of financing women's rights organizations in its international assistance programme and for mainstreaming gender equality and empowerment of women in all its development activities. The Committee expresses hope that the Netherlands will continue this leading role in the promotion of women's human rights and gender equality.

5. The Committee also welcomes the significant number of initiatives and measures aimed at combating domestic violence in all the territories of the Netherlands, including the adoption of the Temporary Domestic Exclusion Order Act in 2009 and the creation in 2002 of an inter-ministerial working group on domestic violence in the Netherlands Antilles.

6. The Committee welcomes the initiatives and measures developed by the Netherlands to prevent and combat female genital mutilation and honour-related killings, as well as initiatives to promote social acceptance of women belonging to sexual minorities and the commitment to protect women against discrimination on the grounds of sexual orientation.

7. The Committee welcomes the establishment of a Human Trafficking Task Force in 2008 in the Netherlands, the amendment of the criminal code of Aruba in 2006 to put legislation on trafficking in line with international standards and the creation in 2004 of a working group on trafficking in women in the Netherlands Antilles.

**Principal areas of concern and recommendations**

**8. While recalling the obligation of the State party to implement all the provisions of the Convention systematically and continuously, the Committee views the concerns and recommendations identified in the present concluding observations as requiring the priority attention of the State party. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It also calls upon the governments of the State party to submit the present concluding observations to all relevant ministries and other government structures at all levels, including the parliament and the judiciary, so as to ensure their effective implementation.**

**Parliaments**

**9. While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of government, and it invites the Netherlands, Aruba and the Netherlands Antilles to encourage their parliaments in line with their procedures, where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations and the next reporting process of the Netherlands under the Convention.**

**Previous concluding observations**

10. The Committee acknowledges the relatively short time between the adoption of the previous concluding observations and the examination of their implementation. It regrets, however, that some of the concerns it expressed and the recommendations it

adopted after the consideration of the fourth periodic report of the Netherlands (CEDAW/C/NLD/4) in 2007 have been insufficiently addressed. These include, for instance, those regarding the status of the Convention in the domestic legal system, discrimination against women by a political party that continues to exclude women from the party's posts, the Law on Names, which continues to contravene the basic principle of the Convention regarding equality, the gender-neutral language in the policies on domestic violence, gender-role stereotypes about immigrant and migrant women and women belonging to ethnic minorities, the low presence of women in high-ranking posts and the gender wage gap.

**11. The Committee urges the Netherlands to make every effort to address the previous recommendations that have not yet been fully implemented, as well as the concerns contained in the present concluding observations.**

#### **Legal status of the Convention**

12. The Committee regrets that the position of the Netherlands towards the status of the Convention in the domestic legal system remains unchanged and that the question of the direct applicability of its provisions continues to be determined by domestic courts and is therefore subject to divergent opinions. The Committee regrets also that the Netherlands has argued in court the non-direct applicability of substantive provisions of the Convention. The Committee reiterates its concern that as a consequence of the position of the State party, it is the responsibility of the judiciary to determine whether a particular provision is directly applicable in the domestic legal order and that insufficient measures have been taken to address discrimination against women and to incorporate all the Convention's substantive provisions into domestic laws.

**13. The Committee reiterates its call on the State party to reconsider its position and to ensure that substantive provisions of the Convention are fully applicable in the domestic legal order, in compliance with the obligation of the State party to adopt measures against discrimination (including within the political party SGP) and to provide for domestic remedies for alleged violations of any rights guaranteed to individuals by the Convention.**

#### **Implementation of the Convention**

14. While cognizant of the constitutional structure of the Kingdom of the Netherlands, with three entities currently having the same constitutional status, the Committee is concerned about disparities in the implementation of the Convention across the three entities. The Committee is also concerned that there are no adequate coordination mechanisms to ensure the effective coordination and monitoring of the application of the Convention in all three entities.

**15. The Committee underlines that the principal responsibility for implementation of the Convention lies with the Government of the Netherlands. Noting that the Charter of the Kingdom of 1954 defines that a number of matters need to be administered jointly through the institutions of the Kingdom and that the safeguarding of fundamental human rights and freedoms is enumerated among them, the Committee recommends that the State party ensure, particularly through effective coordination, the coherent and consistent application of the Convention at all levels and in all areas covered by the Convention.**

**Visibility of the Convention and Optional Protocol**

16. The Committee expresses concern that throughout the Kingdom of the Netherlands, activities to raise awareness about the Convention and its Optional Protocol have been rather limited as reflected by the lack of concrete information in the reports. The Committee notes in particular that women in Aruba hardly access any information on their rights. It also expresses concern that the Netherlands has a restrictive view of its role in the dissemination of the Convention, which is rarely invoked in judicial procedures, indicating limited awareness of the Convention and the Committee's general recommendations within the legal profession, in the judiciary and among women themselves. The Committee is further concerned that the Convention is not regularly used as the central legal framework for measures aimed at enhancing gender equality.

**17. The Committee urges the governments of the State party to take further steps to raise awareness about the Convention, its Optional Protocol and the general recommendations and ensure their wide dissemination among women and all stakeholders, including government ministries, parliamentarians, the judiciary, political parties and civil society, in order to promote their effective implementation. The Committee also calls upon the governments to ensure that the Convention and related domestic legislation are made an integral part of the legal education and training of judicial officers, including judges, lawyers and prosecutors, so as to establish firmly a legal culture supportive of women's equality and non-discrimination.**

**National machinery and gender mainstreaming**

18. The Committee is concerned at the lack of a unified strategy and policy for the implementation of all provisions of the Convention among the different parts of the Kingdom. While noting the existence of national machineries in the Netherlands Antilles and Aruba, it expresses concern that they are still anchored at too low a governmental level. The Committee notes the efforts made by the State party to improve coordination of the use of gender-mainstreaming strategy in policies and programmes among the ministries. It expresses concern, however, that assessment of the gender impact of laws and policies and budget analysis in terms of gender remain limited. The Committee also notes that a consistent policy for promoting equality in contractual arrangements in relation to public procurement is lacking in the Netherlands.

**19. The Committee calls for the development and enactment of a unified, comprehensive and overarching national strategy and policy for the implementation of the Convention throughout the Netherlands. The Committee also calls upon the government of the Netherlands Antilles on the occasion of the change in its constitutional status to upgrade its national machinery for the advancement of women and to develop on its own a comprehensive gender-mainstreaming policy. The Committee further encourages the Netherlands to continue the process of strengthening its 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, as well as to provide an overview of progress in its next report. The Committee urges the Netherlands to introduce a consistent scheme for promoting equality in public contracts.**

### **Non-governmental organizations**

20. The Committee expresses serious concern at the impact of the shift from institutional funding of women's non-governmental organizations (NGOs) to project subsidies in the Netherlands, which resulted in the closing of numerous expert centres for gender equality, women's human rights and women's vocational training institutes and expert organizations working in the field of prostitution and trafficking. The Committee is also concerned that while the alternative report presented by NGOs was funded by the State party, limited consultation of NGOs working in the area of women's rights took place during the preparation of the report and during the elaboration of the 2007 Emancipation Memorandum. The Committee also expresses concern that NGOs from Aruba and the Netherlands Antilles were unable to present a shadow report and that no consultation with non-governmental partners took place during the preparation of the report of Aruba.

**21. The Committee reminds the governments of the State party that constructive dialogue with civil society is imperative for the effective protection and promotion of women's rights. The Committee calls upon them to ensure systematic consultation of NGOs in the elaboration and evaluation of policies aimed at achieving gender equality, including while drafting their next periodic report to the Committee. The Committee strongly supports the intention expressed by the Netherlands Antilles during the interactive dialogue to fund reports submitted by NGOs and invites Aruba to also consider such a possibility. The Committee urges the Netherlands to reconsider the funding of organizations working in the field of women's rights, including organizations of black and migrant women, in order to contribute in an efficient manner to the continuing implementation of the Convention.**

### **Temporary special measures**

22. The Committee is concerned that no information was provided in the reports of the Netherlands Antilles and Aruba on the use of temporary special measures and that the Netherlands understanding of the concept of temporary special measures is not in accordance with the Committee's interpretation of thereof as set out in general recommendation No. 25, and that such measures are not applied as a necessary strategy to accelerate the achievement of substantive equality between women and men in all areas of the Convention.

**23. The Committee encourages all governments of the State party to sensitize relevant officials to the concept of temporary special measures as interpreted in the Committee's general recommendation No. 25. The Committee recommends that the governments apply temporary special measures in various forms in areas where women are underrepresented or disadvantaged and allocate additional resources where needed to accelerate the advancement of women. The Committee also recommends that the governments encourage their use in both the public and private sectors.**

### **Stereotypes and cultural practices**

24. The Committee expresses concern that while entrenched, traditional stereotypes regarding the roles and responsibilities of women and men persist, very little information was provided to the Committee on measures adopted to eliminate such stereotypes. The Committee also expresses concern that little reference is made

in the Emancipation Memorandum adopted by the Netherlands in 2007 to the role of men in women's emancipation. The Committee remains concerned about the persistence of gender-role stereotypes, in particular about immigrant and migrant women and men, both of which are portrayed as being backward and having traditional views about women, denying their right to full development. It remains concerned also about the lack of analysis of the impact of such gender and racial stereotypes for the effective implementations of all provisions of the Convention.

**25. The Committee calls upon the State party to strengthen its efforts to eliminate stereotypical images and attitudes regarding the roles of women and men in the family and in society, in accordance with articles 2 (f) and 5 (a) of the Convention. This should include developing programmes to address gender stereotypes related to discrimination on other grounds, such as race, age, sexual orientation and disability, and to scrutinize government policies, in particular migration and integration policies, as well as targeted programmes in the education system and the gender equality training of teachers. It calls upon all the governments to periodically review the measures taken in order to assess their impact and effectiveness, to take any necessary follow-up or remedial action, and to report thereon to the Committee in its next report.**

#### **Violence against women**

26. The Committee notes the recent creation in the Netherlands Antilles and Aruba of systems of data collection on violence against women and the planned adoption of temporary restraining legislation. However, the Committee is concerned that police officers in Aruba have not yet received training in dealing with domestic violence. While noting the progress made in the Netherlands in creating a national framework for combating domestic violence, the Committee remains concerned that the formulation of the framework remains gender-neutral, undermining the notion that such violence is a clear manifestation of discrimination against women. The Committee is also concerned that while perpetrators of domestic violence in the Netherlands have access to free legal aid, victims of domestic violence can avail themselves of it only in exceptional circumstances. It expresses further concern at the obligation, in force since March 2009, that couples draw up a joint plan for parenthood before starting proceedings and considers that such an obligation may limit access to divorce proceedings.

**27. The Committee urges the Netherlands Antilles and Aruba to promptly enact legislation providing for temporary restraining orders to be imposed on perpetrators of domestic violence. The Committee also calls upon Aruba to provide training to the police, law enforcement personnel and health personnel so that they may properly investigate and deal with domestic violence. The Committee urges the Netherlands to ensure that the specificities of domestic violence targeting women be fully taken into consideration in the formulation of the new plan of action against domestic violence starting in 2011. It also reiterates its call on the Netherlands to ensure without any further delay that free legal aid is provided to all victims of domestic violence. While acknowledging the need to respect the best interests of children, the Committee urges the State party not to use the joint plan for parenthood as a legal precondition for starting divorce proceedings and in no case to impose it on women victims of domestic violence.**

### **Trafficking**

28. The Committee expresses concern that anti-trafficking legislation has not yet been enacted in the Netherlands Antilles. While noting with satisfaction the Netherlands intention to ratify the Council of Europe Convention on Action against Trafficking in Human Beings and other efforts, notably the creation in February 2008 of an anti-trafficking task force, the Committee regrets that the task force does not include representatives of anti-trafficking NGOs, and that the role of NGOs in the identification of victims of trafficking is not formally recognized. The Committee also reiterates its concern that victims of trafficking who do not cooperate with the police in the investigation and prosecution of traffickers are excluded from the protection of the so-called B-9 regulation. The Committee considers that by imposing this requirement, the Government of the Netherlands seriously hampers its capacity to reach and support victims of trafficking with adequate help. The Committee further expresses serious concern that women victims of trafficking continue to be detained in alien detention centres.

**29. The Committee urges the Netherlands Antilles to adopt without delay legislation criminalizing all forms of human trafficking. The Committee calls upon the Netherlands to ensure that relevant NGOs fully participate by integrating them into the task force created in 2008. The Committee also calls upon the Netherlands to improve the identification of victims of trafficking by associating relevant NGOs with the process and to ensure that trafficked women are not, in any circumstances, held in immigration detention or other forms of custody. The Committee further urges the Netherlands to comply with its obligations to provide protection to all victims of trafficking regardless of their willingness or ability to cooperate in legal proceedings.**

### **Exploitation of prostitution**

30. The Committee is concerned that the new bill on prostitution in the Netherlands making the registration of prostitutes compulsory may lead the majority of prostitutes to work illegally. Among those prostitutes are migrant women from third countries who will not have the possibility of registering. The Committee is therefore concerned that the law, rather than improving the situation of prostitutes, might on the contrary undermine efforts to combat the sexual exploitation of women and increase the vulnerability of prostitutes who are not able or not willing to register by worsening their working conditions and exacerbating their social exclusion. The Committee expresses concern that this new legislation may also create serious risks for registered prostitutes' privacy and safety.

**31. The Committee urges 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 Committee also calls upon the Netherlands to provide more comprehensive and concrete information in its next periodic report on the measures taken to improve the working conditions of prostitutes and to enhance their autonomy, privacy and safety. The Committee encourages the State party to allocate adequate funding for the empowerment of prostitutes while maintaining funding for exit programmes.**

**Political participation and participation in public life**

32. The Committee expresses concern that no information was provided by Aruba on the participation of women in political and public life. While noting that one third of the ministers of the Netherlands Antilles are women, the Committee is concerned that women are greatly underrepresented in Parliament and in the Islands' Councils. The Committee, while noting the rather strong representation of women in Parliament and in the Government of the Netherlands, is concerned about the very low representation of women in municipal councils and local and provincial governments as well as in high-ranking posts, especially in the diplomatic service and in the defence sector. The Committee further regrets that the adoption of quotas in political life that would aim at gender balance is still not envisaged.

**33. The Committee urges Aruba to provide the Committee with statistical data on the political representation and participation of women in public life in its next report. The Committee calls upon all the governments of the State party to accelerate their efforts to achieve equal representation in their elected bodies and, with that aim, to adopt temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25, in particular quotas, numerical goals and measurable targets aimed at increasing the participation of women in political and public decision-making at all levels, including migrant and minority women, as well as the representation of women in the diplomatic service and international organizations.**

**Education**

34. Despite the measures taken by the Netherlands, the Committee notes the persistence of segregation in the field of education, particularly in vocational training and higher education, as well as stereotyped educational choices. The Committee expresses concern at the persistence of appointment practices in universities advantageous to men and at the formulation of a target of female professors well below the European Union norm of 25 per cent, although there is no shortage of qualified and suitable women candidates. The Committee further expresses concern that the concept of lifelong learning tends to be narrowed down to education focused on the labour market, thus excluding women who do not work, in particular older and disabled women.

**35. The Committee encourages the State party to develop comprehensive measures aimed at the diversification of women's academic and professional choices. The Committee also encourages the State party to monitor the career development of women in the education system to ensure equal access and prevent hidden or unintended discrimination faced by women. The Committee calls upon the Netherlands to align itself with the objectives fixed by the European Union and to provide the Committee in its next report with information on concrete measures taken to reach this objective. The Committee further urges the Netherlands to expand gender mainstreaming in all levels of the school system, including in the lifelong learning policy, and to ensure full access for all women throughout their lives.**



**Employment and economic empowerment**

36. While noting the various measures taken by the Netherlands to support the participation of women in the labour market and to facilitate the reconciliation of family and work life, the Committee expresses concern about the insufficient progress made in combating the structural inequality and serious disadvantages that women continue to experience in the labour market. The Committee is particularly concerned about the low number of women who are economically independent and about the dropping of concrete targets in this respect by the Government. The Committee notes with concern the absence of concrete measures given the persistence of horizontal and vertical segregation in the labour market, with women concentrated in the lower-paid service sectors. The Committee is also concerned about the higher unemployment rate for women, especially among women of migrant origin and elderly women, the insufficient measures taken to address the considerable gender pay gap in both the private (23 per cent) and public sectors (12 per cent) and the continued predominance of women in involuntary temporary and part-time work. In this regard, the Committee expresses concern that the Government of the Netherlands overestimates the degree to which part-time employment is the result of women's choice.

**37. The Committee urges the State party to intensify its efforts to ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures, with time-bound targets, in accordance with article 4, paragraph 1, of the Convention and its general recommendation No. 25 and by providing the labour inspectorate with the necessary human and financial resources to monitor and enforce anti-discrimination legislation in the labour market. The Committee calls upon the Government to implement policies targeted at women with special measures to curb women's unemployment, to create more opportunities for women to extend their working hours, to gain access to full-time employment and to strengthen its measures to promote women's entry into growth sectors of the economy. The Committee also urges the Netherlands to adopt more vigorous measures to accelerate the eradication of pay discrimination against women, including job evaluations, the collection of data, the organization of a nationwide equal pay campaign and the provision of increased assistance to social partners in collective wage bargaining, in particular in determining wage structures in sectors dominated by women. It further recommends that the Netherlands include in its next report information about the results of such measures and data on cases of discrimination against women in the workplace, including wage discrimination, and sexual harassment dealt with by the labour inspectorate and to supply an overview about developments in women's income, whether from gainful employment, social security benefits or pensions.**

38. The Committee expresses serious concern that in the Netherlands several hundred thousand domestic workers working in private households and home-care workers financed by public schemes, 95 per cent of whom are women, have limited social rights and limited access to social security, notably unemployment and disability benefits and pensions.

**39. The Committee calls upon the State party to take measures 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.**

**Asylum-seeking and refugee women**

40. The Committee expresses serious concern that the current 48-hour accelerated asylum procedure of the 2000 Aliens Act, as well as the extension to eight days, places women at high risk of refoulement if they do not report immediately the violence or sexual persecution they had experienced. The Committee is ever more concerned that appeals under the accelerated procedure do not have suspensive effect and that applicants have no right to stay in reception facilities but must leave the country. The Committee is further concerned that although temporary resident permits may be provided to victims of domestic violence by the Deputy Minister of Justice of the Netherlands on humanitarian grounds, domestic violence is still not formally recognized as grounds for asylum.

**41. The Committee considers that even if extended to eight days, as envisaged by the Netherlands, the short length of the accelerated asylum procedure remains unsuitable for vulnerable groups, including women victims of violence and unaccompanied children, and therefore urges the State party to introduce in the procedure the possibility for women victims of violence and unaccompanied minors to fully explain their claims and to present evidence on their situation at a later stage. The Committee also urges the State party to provide asylum-seekers with suitable accommodation during the entire review of their case, including during the appeal phase. The Committee further calls upon the State party to recognize domestic violence and gender-related persecution as grounds for asylum in line with the guidelines of the Office of the United Nations High Commissioner for Refugees on gender-related persecution and the Council of the European Union directive 2004/83/EC of 29 April 2004.**

**Immigrant, migrant and minority women**

42. While noting the measures taken with the aim of enhancing the integration of immigrant, migrant, black, Muslim and other minority women in Dutch society, the Committee continues to be concerned that those groups still face multiple forms of discrimination with respect to education, health, employment and social and political participation. The Committee also reiterates its concern at the formal requirements for family reunification in the Netherlands, namely the integration test and the minimum income requirement, which are imposed only on certain nationalities and which disproportionately affect migrant women. The Committee notes also that similar requirements apply with respect to family formation and to family members of a refugee who have not applied for family reunification within three months after asylum was granted.

**43. The Committee urges the Netherlands to intensify its efforts to eliminate discrimination against immigrant, migrant, black, Muslim and other minority women. It encourages the adoption of proactive measures to further increase their participation in the labour market, improve their awareness of the availability of social services and legal remedies and ensure protection against victimization. The Committee also calls upon the State party to conduct regular and comprehensive studies on discrimination against immigrant, migrant and minority women, to collect statistics on their employment, education and health situation and to report them in its next report. The Committee urges the Netherlands to withdraw its more severe requirements for family formation**

**and family reunification, which constitute a breach in its obligation under article 16 of the Convention.**

#### **Vulnerable groups of women**

44. The Committee regrets the lack of comprehensive information and statistical data on the situation of rural women, women with disabilities and elderly women in the three countries' reports. The Committee expresses concern at the feminization of poverty in the Netherlands and at the increased poverty and isolation of elderly women and single mothers. The Committee is further concerned about the negative impact that social security reforms have had on their living conditions and about the consequences of the cuts in the health-care system for elderly women.

**45. The Committee calls upon all the governments of the State party to provide in the next report data and information, disaggregated by ethnicity, on rural women, women with disabilities and elderly women. The Committee calls upon the Netherlands to closely monitor the incidence of poverty among women and the attendant risks, to include specific women-oriented measures in its poverty schemes and to develop poverty prevention programmes targeted at women, including divorcees. The Committee further urges the Netherlands to conduct gender assessments of its social sector legislation and policies as well as of its cuts in the health-care budget, and to pay particular attention to elderly women, single mothers and women with disabilities.**

#### **Health**

46. While noting that the national report for 2009-2010 on the implementation of the Convention will be devoted to the health of ethnic minority women in relation to their socio-economic position, the Committee expresses serious concern that the maternal mortality risk for female asylum-seekers is four times higher than for native Dutch women in the Netherlands and that undocumented female immigrants face great difficulties in accessing the health services to which they are formally entitled, mainly because of a lack of appropriate information provided to them. The Committee also expresses concern at specific health problems experienced by [lesbian, bisexual and] transgendered women, in particular the compulsory sterilization transgendered women should undergo to get their birth certificates changed and the non-reimbursement by health insurance for surgical placement of their breast implants. The Committee is further concerned that pregnant women suspected of drug trafficking at Schiphol national airport who cannot undergo a body scan may be detained for lengthy periods of time.

**47. The Committee urges the Netherlands to include in its next report the outcome of the study into the health condition of ethnic minority women related to the obligation under the Convention and general recommendation No. 24. In the meantime, the Committee urges the Netherlands to take immediate measures to reduce the maternal mortality of female asylum-seekers and to provide information to undocumented women on their rights as well as practical information on how they can access health-care services. The Committee strongly supports the intention of the Netherlands to conduct in-depth research on the health situation of [lesbian, bisexual and] transgendered women and to revise the law making sterilization compulsory for transgender women. The Committee invites the Netherlands to reconsider its position to not**

reimburse transgendered women for breast implants. The Committee urges the Netherlands to use ultrasound on pregnant women suspected of drug trafficking as an alternative to a body scan.

#### **Beijing Declaration and Platform for Action**

48. The Committee urges the State party to utilize fully, in its implementation of its obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.

#### **Millennium Development Goals**

49. The Committee emphasizes that the full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Goals, and requests the State party to include information thereon in its next periodic report.

#### **Ratification of other treaties**

50. The Committee notes that States' adherence to the nine major international human rights instruments enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of the Netherlands to consider ratifying the treaties to which it is not yet a party and to reconsider its position not to ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

#### **Dissemination of concluding observations**

51. The Committee requests the wide dissemination in the Netherlands of the present concluding observations in order to make the people, including government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women and the further steps that are required in that regard. The Committee requests the State party to strengthen the dissemination, in particular to women's and human rights organizations, of the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

#### **Follow-up**

52. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 28 (on trafficking) and 37 (on employment and economic empowerment) above.

**Date of the next report**

53. **The Committee requests the Netherlands, the Netherlands Antilles and Aruba to respond to the concerns expressed in the present concluding observations in their next report under article 18 of the Convention. The Committee invites the State party to submit the sixth report in a format of a single, consolidated report in respect of all parts of the Kingdom of the Netherlands.**

**Statement**

54. The experts Ms. Gabr, Ms. Zerdani and Ms. Begum have stated that they are aware that the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities adopted by the General Assembly in its resolution 47/135 of 18 December 1992 recognized only minority groups based on nationality, ethnicity, religion and language.

55. This statement applies whenever discrimination on the grounds of sexual orientation is mentioned in the concluding observations.

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