

Appendix to the letter on policy on equal rights for homosexuals 2005-2007

1. Legislation, evaluation, research and monitoring

Measures

To promote quality of life and social cohesion

- The knowledge centre for local policy and equal rights for homosexuals project will enable municipalities to use their own safety and health monitors for their policies on equal rights for homosexuals.

To promote social acceptance

- The Social and Cultural Planning Office will conduct studies to establish whether the public's attitude towards homosexual men and lesbian women (hereafter referred to as homosexuals) has changed, and how trends in society in this field can be measured and monitored in future. The studies were launched in the spring of 2005.
- The Equal Treatment Act will be evaluated for the second time in 2005. The main issue is whether the Act is effective enough in tackling discrimination, including discrimination on grounds of sexual orientation.
- The policy document on fundamental rights in a plural society (GPS) established that, taken in conjunction with one another, the fundamental rights enshrined in legislation provide enough scope to tackle problems, including the discrimination of homosexuals. However, it is precisely because society is plural that the values of the democratic state governed by the rule of law, which include the ban on discrimination, need to be more actively propagated. Guidelines on fundamental rights and democracy and a plan of approach to increase knowledge of fundamental rights will be developed.¹

To remedy shortcomings

- The Placement of Foreign Children for Adoption Act will be amended enabling intercountry adoption by same-sex couples.
- Lesbian couples who have entered into a marriage or registered partnership will gain equal status as parents, since the requirement that step-parents may only adopt a child after they have lived with their partner for three years will no longer apply to them. The adoption procedure can thus be started before the child is born. Adoption

¹ The guidelines and plan of approach are follow-up to the GPS policy document and implement the motion submitted by member of parliament Bibi de Vries during the parliamentary debate on the GPS policy document, 22 to 24 February 2005

of a child by a single parent will be possible after he or she has cared for the child for one year instead of three, so that here too the procedure will be significantly shorter.

- A feedback meeting will be held every year with civil society organisations and knowledge institutes to identify and monitor trends in the equal treatment and acceptance of homosexuals.
- Discrimination will be included as an item in the secondary school safety monitor, which is now under development (see chapter 3).
- Acceptance of homosexuals within the armed forces will be assessed (see chapter 7).

2. Prevention, long-term care, social support, participation and sport

Measures

To promote quality of life and social cohesion

- Municipalities will have access to knowledge about local policy on equal opportunities for homosexuals, so that they can monitor it themselves. The knowledge centre for local policy and equal rights for homosexuals project will enable municipalities to compare and exchange information on activities in this field, and will produce handbooks for local policymakers. This project will be carried out by the Knowledge Centre for Social Issues as of 1 March 2006.
- A number of local trial projects, especially focusing on adequate assistance, information and advice for ethnic minority homosexuals and encouraging them to form networks, will be given an extra boost in the next few years.
- COC Nederland, the Dutch homosexuals' association, will be involved in doing the groundwork for the introduction of the Social Support Act through participation in the customer/client focus group.
- The Dialogue project will be extended to the end of 2007, with a view to rapprochement between ethnic minority and religious groups in urban districts.

To promote social acceptance

- The government will support a positive, European example of homosexuals' social visibility by contributing to the EuroGames 2005 in Utrecht
- The sports sector will be urged to shoulder their responsibility for creating a safe, tolerant environment in which homosexuals can choose the sport that matches their capacities and needs. The executive bodies of sports' associations have an important role to play here. I shall ensure that citizenship competences are given a prominent

place in the new profiles for the training of sports teachers and that trainers are given instruments to teach young people norms and values and to combat intolerance.

- The National Youth Council will be asked to devote attention to the position of homosexuals below the age of sixteen. During consultations, the Council will be encouraged to use resources such as an Internet panel to list the solutions young homosexuals have themselves found in organising self-help strategies and contact with their peers, and how these can best be disseminated to the rest of this group.
- The government will continue to implement measures relating to World War II assets² by contributing to historical research into the persecution of homosexuals during and after World War II (IISG, *Schorer Stichting*, Humanist Archives), encouraging a permanent exhibition on the subject (IHLIA), and restoring the cultural heritage (*Schorer library*). Knowledge of the circumstances, impact and consequences of the persecution of homosexuals during World War II will thus be more widely disseminated.

To remedy shortcomings

- Given their role in identifying problems and coordinating support, the thirty largest municipalities and the national knowledge centre will be consulted every year during feedback meetings.
- The COC will receive funding for a national meeting in 2005 which will centre on professional development among workers in care institutions and organisations providing services for old people. Talks with sector organisations and the national knowledge centre will focus on the need for professional development in this field.
- An STD and HIV prevention plan will be implemented in the Netherlands (Letter from the Ministry of Health, Welfare and Sport to the House of Representatives, ref. PG/ZP 2.537.024 of 1 December 2004). The programme for prevention activities among men with homosexual contacts will be carried out by the *Schorer Stichting*, which will receive funding for this purpose each year.
- IHLIA will receive a grant enabling it to preserve documentation and maintain knowledge, and to ensure that both remain accessible.

3. Education

Measures

To promote safety

² Progress report on World War II Assets, 25,839 no 66, 21 January 2004.

- Safety is the subject of ongoing concern in the policy of the Ministry of Education, Culture and Science. Schools, teachers, parents and government authorities must make it abundantly clear that mental and physical violence and intolerance cannot be permitted at school under any circumstances. To be able to take action against discrimination, on whatever grounds, the subject must be explicitly referred to in integrated safety policy. For this reason, the Ministry aims to enable schools to take their own responsibility in ensuring a safe climate. The plan of approach to safety in schools and measures to deal with high-risk pupils, debated by the Minister with the House of Representatives in June 2004, will provide the main guidelines. The theme of diversity will be taken on board in delivering these measures.
- The theme of safety will be given a more prominent place in the Education Inspectorate's inspection framework. In all education sectors, inspectors carrying out routine inspections will decide whether schools are making enough of an effort to promote a safe climate and to tackle discrimination on whatever grounds, including homosexuality. The Inspectorate has developed supplementary instruments in the event that a further inspection is needed. This new inspection framework will be introduced in primary schools in August 2005 and in secondary schools and schools for vocational education a year later. The Inspectorate also employs confidential inspectors to whom pupils and teachers can turn with complaints about sexual harassment and sexual, physical and mental abuse.
- The Ministry of Education, Culture and Science is developing a safety monitor for secondary schools to supplement existing provision. This is one of the measures included in the plan of approach to safety. The theme of discrimination will be explicitly included in the monitor. Results will be published in 2005.
- It is important to preserve and disseminate knowledge and examples of good practice. The website and help desk www.gayandschool.nl promotes professional development, and provides parents, pupils and teachers with information and advice. It is part of the Centre for Safety at School, which is run by the National Centre for School Improvement in the Netherlands (APS). The Centre also operates *Pestweb*, a site providing information and advice on the problem of bullying, and a site that aims to prevent sexual harassment, both of which devote explicit attention to homosexuality. The education organisations are all represented in the Centre's advisory group. The Ministry will continue its support to www.gayandschool.nl, since the results of pilot projects conducted in recent years are also published on this site. The booklet entitled *Een regenboog van kansen*, published in 2003, in which education organisations committed themselves to plans to counter discrimination against homosexuals in schools, will receive follow-up.

- The pilot projects on sexual diversity which were conducted by the APS and COC Nederland show that school-wide strategies work. The Ministry of Education, Culture and Science plans to follow up these pilot projects, with the aim of introducing the methods developed for increasing tolerance in schools on as wide a scale as possible. The principle is for schools themselves to determine how they bring the issues of equal rights for homosexuals and sexual diversity into the open.
- The Ministry of Education, Culture and Science supports the project launched by COC Nederland, Lifestyle Empowerment Services and FORUM, the national knowledge centre, to help schools formulate integrated strategies to teach pupils how to behave towards each other. The project focuses specifically on the multicultural society, on connecting gay and lesbian networks with other support networks and on contributing to demand-driven coordination with schools.
- Apart from promoting a tolerant climate, schools should also ensure that homosexuality is dealt with in lessons. The scan of teaching materials carried out by the National Teaching Materials Information Centre and the conferences held on the subject in 2004 with publishers, authors and school boards provided pointers as to how this can be done. Regional meetings will be held as follow up to these conferences with the aim of bringing relevant parties together, and encouraging them to use the opportunities teaching materials present to discuss homosexuality in the classroom.

4. Safety, law enforcement and integration

Measures

To promote quality of life and social cohesion

- As both the coalition agreement and this letter indicate, in the light of social trends and the Social Cohesion Initiative, measures to tackle discrimination are high on this government's agenda. The government has also explicitly raised the matter with local government authorities.

To promote social acceptance

- Meetings will be held with members of ethnic minority organisations to explore ways of breaking the taboo on discussing homosexuality.
- Knowledge developed in the field of ethnic minorities and homosexuality will be stored with FORUM.

To remedy shortcomings

- In the summer of 2005, a special working group representing the government, the Association of Netherlands Municipalities, the provincial authorities, the National Bureau against Racial Discrimination and the National Federation of Antidiscrimination Bureaus and Hotlines, the Equal Treatment Commission, the Public Prosecution Service and the police, will present a plan of approach for the future organisation of the antidiscrimination bureaus. The plan will focus on allocating responsibilities between central government and the municipal and provincial authorities, encouraging other authorities to tackle discrimination effectively, putting organisations engaged in countering discrimination on a professional footing, and forming a nation-wide network of antidiscrimination bureaus.
- In 2005, the National Federation of Antidiscrimination Bureaus and Hotlines will merge with the National Bureau against Racial Discrimination, bundling efforts to tackle discrimination from different angles and making them more effective.

5. Work

Measures

To remedy shortcomings

- Policy will continue to focus on support for equal treatment at work through information (on the Internet, in booklets and articles in magazines and at meetings), talks with the organisations concerned and grants for research and projects.
- The Ministry of Social Affairs and Employment has commissioned a study of equal treatment in companies, in which heterosexual, homosexual and bisexual employees are dealt with as separate groups. The results will shortly be presented to the House of Representatives.
- A campaign was launched on 1 December 2004 targeting people at risk of discrimination on any grounds, including sexual orientation. The campaign provides information on ways victims can deal with discrimination so that it affects their lives as little as possible, and seeks ways of counteracting the behaviour of people who discriminate against others, either consciously or unconsciously. Since the campaign also targets the environments in which discrimination can take place, the aim is to involve organisations in various fields, including work, as stakeholders, willing to devise active policies to encourage their members to counter discrimination and exclusion. This campaign will also make use of the national antidiscrimination hotline and enlist the support of the network of antidiscrimination bureaus, NGOs and the Equal Treatment Commission. The National Bureau against Racism will work with these bodies in running the campaign, 80% of which will be funded by the European

Community action programme to combat discrimination (article 13 of the EC Treaty) and 20% by the ministries involved.

- The Ministry of Social Affairs and Employment has awarded a grant to COC Nederland for a project in the banking, retail and education sectors which aims to anchor policies on diversity and equal treatment in human resource policies, and thus to counter discrimination in the employment market. The project supports management teams in schools and human resource managers in commercial organisations, such as banks and shops, in tackling the problems they have encountered in this field. The first steps will also be taken towards setting up a support network for these sectors. Existing knowledge, instruments and methods in the fields of safety, diversity and equal treatment will be used more widely. They include the website www.diversiteitscode.nl, the equal treatment teaching package, an on-line test for schools and the Prior Method. The project will be completed in 2005.
- The government will also lobby for equal rights in European forums. The Ministry of Social Affairs and Employment is taking part in the civil service working group on implementing the European Community action programme to combat discrimination.

6. Police

Measures

To remedy shortcomings

- Policy on equal opportunities for homosexuals falls under policy on diversity, as formulated in the 2001-2005 working plan on diversity in the police force. A new policy plan for the 2006-2010 period is currently under preparation. The focus is on promoting a safe, enjoyable working climate for homosexual police officers, and a more prominent profile for them in the organisation.
- The National Diversity Expertise Centre will ensure that knowledge and good practices are available to police forces, by, for instance, collecting and disseminating examples of successful recruitment and selection activities.
- Homosexual police officers will share their experiences in both the National Gay and Lesbian Police Officers' Consultative Committee and the European network.
- Police officers will be present at the annual remembrance day ceremonies on 4 May at the monuments to homosexual victims of the Second World War in Amsterdam and The Hague.

- Police forces will assess their policy and management cycles in terms of the policies they have developed on equal treatment for homosexuals. Before selecting staff, and to prepare for interviews, the forces will examine the attitudes to homosexuality of the people responsible for selection. Courses for personnel officers, confidential advisers, support staff and other officers will devote attention to the subject of homosexuality.

7. Defence

Measures

To promote social acceptance

- As follow up to the 1998 study of acceptance of homosexuals within the armed forces, measures to ensure equal treatment and acceptance of homosexual defence staff were stepped up and monitored. In late 2005, a new survey or study is planned, which will also assess the effectiveness of current policy. The report is expected in the spring of 2006, and the House of Representatives will be informed of the results. In drafting and implementing policy on diversity, attention for the position of homosexual defence staff is given an extra boost through support to the Stichting Homoseksualiteit en Krijgsmacht (Centre for Homosexuals in the Armed Forces). The Centre receives an annual grant to enable it to provide information and act as an early warning system for the Ministry of Defence.

To remedy shortcomings

- Diversity is one of the issues of the Ministry of Defence's personnel and organisation policies. The position of homosexual defence staff has received extra attention since 1993, during training, and by maintaining an active, effective support network and providing the necessary information.
- The results of the study referred to above of the effectiveness of policy on homosexual defence staff and the study of the Social and Cultural Planning Office will be used to adapt policy where necessary and to take any new measures that are needed.

8. International policy on equal opportunities for homosexuals, human rights and diversity

Measures

To promote social acceptance

- In Europe, the government will continue to do all it can to ensure people who are discriminated against receive the same legal protection, whatever the reasons for discrimination. In doing so it will seek to dovetail with the steps recently announced by the European Commission, and with the Social Agenda (the Lisbon agenda).
- To promote the free movement of persons, the government will lobby for mutual recognition of same-sex marriages and forms of cohabitation.
- Whenever the opportunity arises at international level, the Netherlands calls for attention for the problem of discrimination on grounds of sexual orientation. It does so during the annual sessions of the UN Human Rights Commission and of the Third Committee of the UN General Assembly. The Netherlands is the EU representative on the subject of non-discrimination at the annual Human Dimension implementation meetings of the Organisation for Security and Cooperation in Europe (OSCE).
- Within the general framework of human rights policy – through, for instance, the Embassy Projects Programme, the MATRA Programme and the strategic facility for human rights and good governance – the Netherlands helps NGOs abroad to build capacity.
- The government will negotiate with the UK EU presidency in the second half of 2005 on follow-up to the initiative launched during the Dutch presidency to set up a European network of government officials responsible for the social acceptance of homosexuals.

To remedy shortcomings

- The Netherlands will continue to act as a frontrunner in the field of equal treatment for homosexuals. At both multilateral and bilateral level, it will continue to devote attention to homosexuals' rights, and to cooperation and exchanges of knowledge between European countries – by continuing to work with ILGA Europe and the Flemish ministry responsible for equal opportunities and by passing on up-to-date information about its policies through the Embassies, NGOs and other platforms and networks.
- The Netherlands will also contribute to projects launched by ILGA Europe and COC Nederland to build and improve capacity at European level by setting up a virtual European network of NGOs.

9. Financial overview

In thousands of euros

Ministry of Health, Welfare and Sport (VWS)

	2005	2006	2007
• Social support and care	650	650	650
• Specific help and facilities for ethnic minority homosexuals ⁱ	350	350	350
• Second World War reparations (2004-2007)	1,588

Ministry of Education, Culture and Science (OCW)

• Safety at school ⁱⁱ	350	(1)	(1)
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Ministry of Justice

• Promoting discussion of homosexuality by ethnic minority organisations ⁱⁱⁱ	350	(2)	(2)
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Ministry of Social Affairs and Employment^{iv} (SZW)

• Equal treatment in different sectors	150	??	??
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Ministry of Defence

• Research and early warning	50	50	10
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The above overview does not include activities undertaken by national knowledge institutes such as the Diversity and Police Expertise Centre, the Centre for Safety at School, the Netherlands Institute for Care and Welfare, FORUM, the Major Cities Knowledge Centre, the Youth Council, the National Bureau against Racial Discrimination and the sports associations' knowledge institutes. The same applies to the activities of the Embassy Projects Programme and the MATRA programme.

Overview of instruments used by ministries for policy on equal treatment of homosexuals

2005-2007 VWS Interior OCW Justice SZW Police Defence Foreign Affairs

Projects

Research

Legislation & evaluation

Consultation
Knowledge
Supervision
Monitors
Information
Coordination

ⁱ Van der Laan amendment, 12 October 2004, Parliamentary Papers 29,800 XVI, no. 6

ⁱⁱ Van der Laan amendment, 12 October 2004, Parliamentary Papers 29,800 VII, no. 12

1. From 2006 onwards, nearly €90 million will be earmarked for promoting safety at school, including promoting equal treatment of homosexuals and safety of homosexual teachers and pupils.

ⁱⁱⁱ Van der Laan amendment, 12 October 2004, Parliamentary Papers 29,800 VI, no. 7

2. In 2006 and 2007, the Ministry of Justice will continue to implement this policy, but it will fall under the existing grant awarded to Forum.

^{iv} The sum cited here goes on grants. No applications have yet been received for 2006 and 2007.