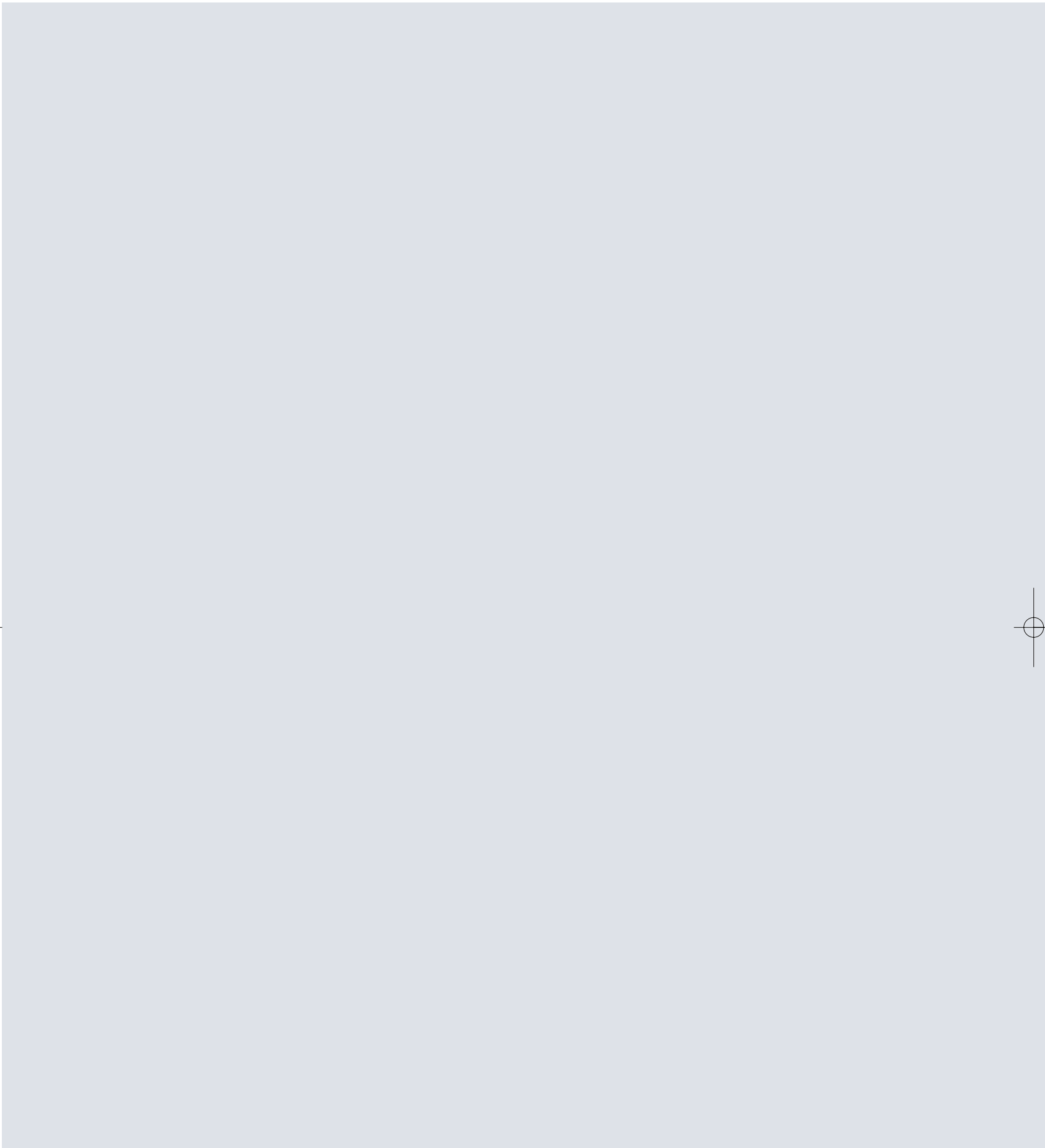


To the Dutch House of Representatives The Hague - The Netherlands, November 9, 2007

As the Minister for LGBT Policy I herewith present, on behalf of the Dutch government, the Policy document, or memorandum, on the 2008-2011 LGBT Policy, entitled 'Simply gay'. This memorandum was announced in the Policy Programme 'Working together, living together'. The policy document is the successor to the memorandum on the 2005-2007 LGBT Policy entitled 'Different shades of pink' of 1 July 2005.

On this occasion the Ministers from the following Ministries agreed to join forces and actively implement the memorandum together: the Interior and Kingdom Relations; Justice; Health, Welfare and Sport; Youth and Families; Housing, Neighbourhoods and Integration; Social Affairs and Employment; Defence; Foreign Affairs and Development Cooperation; Education, Culture and Science.

Simply gay LGBT Policy 2008-2011



Introduction

The Dutch government feels that, although a lot has been achieved, the emancipation of LGBTs¹ is by no means complete. Among other things this is demonstrated by the 2006 study into the acceptance of homosexuality in The Netherlands conducted by the Social and Cultural Planning Bureau (SCP) and by the progress report on the previous government's LGBT policy. The appendix to this memorandum contains the most recent SCP data².

Although tolerance of homosexuals has improved in recent decades, the government is very concerned about intimidation and incidences of violence, about the ongoing reports of discrimination and about homophobic comments on the Internet in recent years. The use of the word 'queer' as a term of abuse in schools and on the street appears to have become common practice. Many citizens have started feeling less safe in recent times. Changes are needed in a number of areas. The approach used until now has proven inadequate. This has to change; things have to get better. The main objective of the policy is to promote the social acceptance of homosexuality. In conjunction with this objective, the government has the ambition to 'ensure that the attitude of the population toward homosexuals will have improved by the end of this government term compared to 2006'.

The government is firmly committed to protecting the safety and equal rights of LGBT citizens. The lack of safety of and the discrimination and violence against LGBTs must therefore be combated forcefully, which makes it an important theme of this memorandum.

The government's efforts in these areas are currently being broadened and enhanced. The government wants to focus more attention on the importance of respect for individual differences, dialogue, the safety of LGBTs in schools, and an active role for The Netherlands on the international stage.

The government feels that social organisations and LGBT advocacy groups must work together to continue building on an improvement in understanding and social acceptance in society. For this reason, the government wants to strongly stimulate this national cooperation. However, things can and must also improve at a local level. The government will therefore come to collaboration agreements with municipalities that are forerunners in this area. Furthermore, by the end of this government term the government wants to see the number of active municipalities increased by at least a quarter, to over fifty cities.

The government aims to put two values on the political and public agenda. The first one is the social acceptance of LGBTs, on the basis of principles like solidarity, the protection of minorities, the prohibition of discrimination and respectful social interaction. Secondly, the government wants to support the freedom of individuals to be open about their homosexuality, on the basis of principles like self-determination, citizen safety, equal opportunities, legal equality³ and other citizens' rights.

During this government term, an approximate additional amount, increasing to 10 million Euro by 2011 will be released in the budget of the Ministry of Education, Culture and Science for the emancipation policy. This amount is designated both for the LGBT policy and for the general emancipation policy. I am making a total of 2.5 million Euro available in 2008. These extra funds will be used to give new stimulus to national and local policies, to support LGBTs within the different policy domains and to stimulate the emancipation process in society.

1 In this policy document the term LGBT collectively refers to all of the following: lesbian women, homosexual men, bisexual men and women and transgender persons, unless the text specifically indicates otherwise. In this memorandum the term 'homosexuality' is used in a broad sense as part of the personal and social identity of individuals and not just the aspect of sexuality.

2 Monitoring van sociale acceptatie van homoseksuelen in Nederland (*Monitoring of the social acceptance of homosexuals in The Netherlands*), SCP, September 2007.

3 In 21minuten.nl the vast majority of the 100,000 participants claim to find equal opportunities, solidarity, the prohibition of discrimination, the protection of minorities and legal equality 'very important' principles. Source: Publieke Zaak (*Forum, thinktank and platform for citizens, administrators and companies*), 6 October 2007.

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The way in which the Ministries and departments plan to convert the LGBT policy into concrete measures within their own domains is described in a separate section of this memorandum. This expresses the responsibility of each individual department. The measures in section II, a mix of continued policy and new initiatives, are supplemented by section I which focuses mainly on the policy objectives and approach.

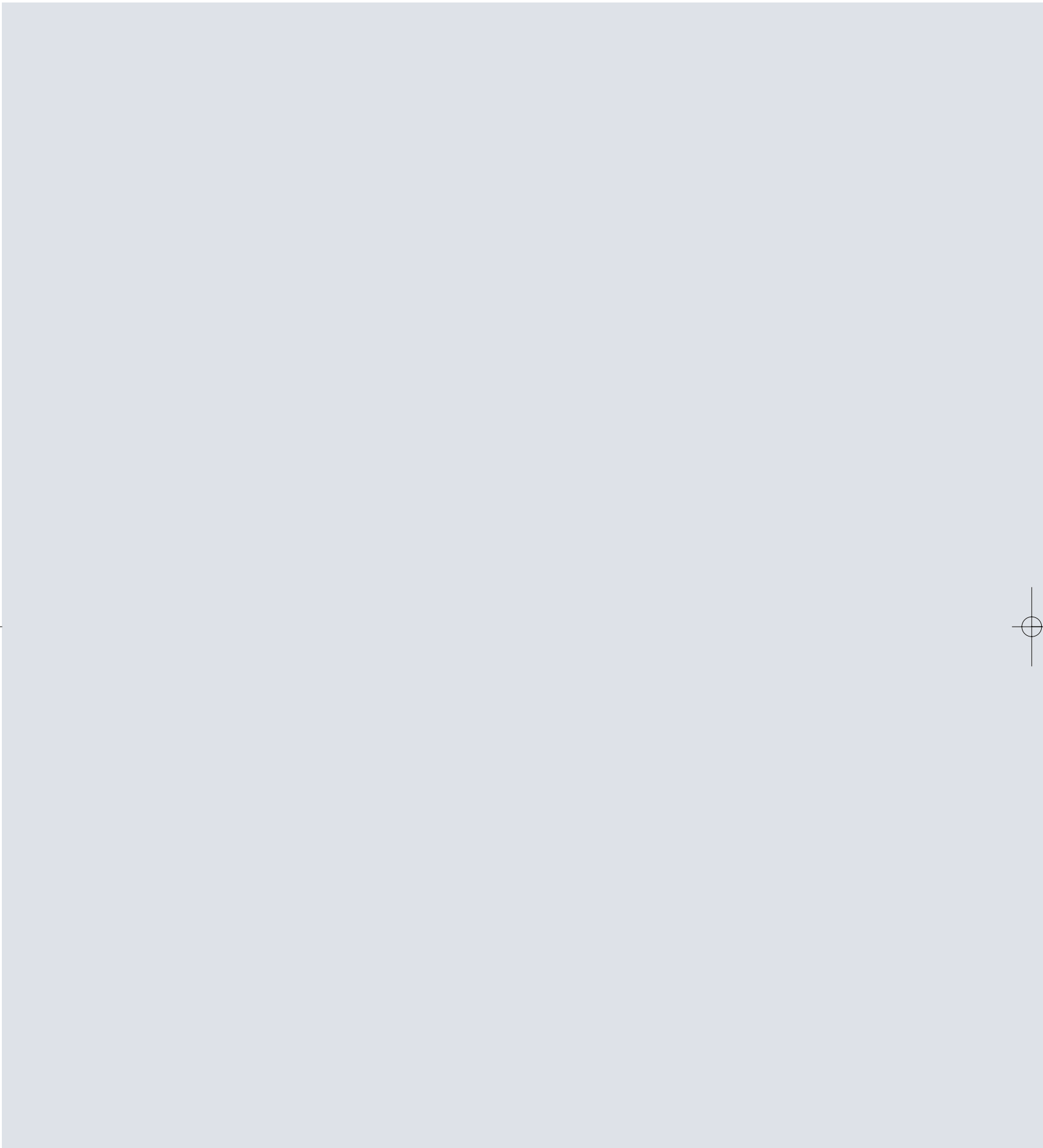
The Minister of Education, Culture and Science

Dr Ronald H.A. Plasterk

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Section I

1 Can you simply be gay in The Netherlands?

The start of this term of Dutch government is a good time to take stock of the situation surrounding the emancipation of LGBTs and draw up a 'balance sheet'.

1.1 The glass is half full and half empty

Acceptance has improved in the past few decades. It has become easier for gay men and lesbian woman to come out and be open about their homosexuality without problems. On television and in other media, homosexuals have become almost 'commonplace'. Who among us does not have a gay or lesbian colleague, relative, fellow student, neighbour or acquaintance?

Even in circles where homosexuality is less easy to discuss, some (occasionally tentative) improvements can be seen. Homosexuality is gradually being given a place in diversity policies. Large multinationals such as ING, TNT and Philips demonstrate awareness of gays and lesbians in their diversity policies and as a consumer target group. Police forces recruit personnel at LGBT events like Pink Saturday and Pink Monday. A pluriform LGBT community, with many active volunteers, makes sure it is seen and heard on a regular basis. Emancipation of LGBTs can clearly be seen in many places in society. From an international perspective The Netherlands is a forerunner when it comes to the equal treatment, acceptance and visibility of homosexuals¹. The glass is half full.

Although the general acceptance of gays and lesbians has increased in past decades, the report entitled 'Just doing what comes naturally' published by the Social and Cultural Planning Bureau (SCP) shows that homosexuality in one's immediate environment and in public is not as well accepted. In its report, the SCP distinguishes between general acceptance and acceptance of equal rights, and acceptance in people's immediate circle and in public. Although most Dutch people generally agree with equality for LGBTs, they find it harder to accept when two men or two women walk hand in hand in public than when a man and a woman do so. In the table below 'social acceptance in a broad sense' therefore scores lower. The glass is half empty.

85% to 88% of the Dutch population has a neutral to very positive view of homosexuality. The SCP measured attitudes among the population. In summary this attitude may be classified as follows²:

The attitude of the Dutch population toward gays and lesbians in 2006.

Table 1 Attitude of the Dutch population with regard to homosexuality on two levels

	completely negative	negative	neutral	positive	completely positive
Generally in agreement with equality for LGBTs.	3	9	21	42	25
Social acceptance in a broad sense.	3	12	33	40	12

Source: SCP (CV'06)

All recent data and background research on the acceptance of gays and lesbians among the Dutch population may be found in the SCP report, appendix I of this memorandum.

1 Acceptance of homosexuality in an international perspective, 'Just doing what comes naturally', SCP, September 2006, pages 29-33.

2 See also appendix I; SCP-report; chapter 2, September 2007.

1.2 The idyll has been upset

In recent years The Netherlands has seen developments that contradict the image of our country as very LGBT-friendly. A double picture has emerged. Although - as a result of the emancipation process - homosexuality is visible in Dutch society in many places and acceptance is generally broad, emancipation of LGBTs is by no means complete.

Surveys among students in secondary education and young people show that they have quite a negative view of homosexuals³. Incidentally, this 'gay negativity'⁴ is not the same as the traditional expressions of homophobia that are considerably more direct. The use of the word 'queer' or 'faggot' as a term of abuse at school and in the street appears to be an accepted practice. In certain conservative religious circles, homosexuality is still an emotionally charged topic and hostility to gays and lesbians is notably strong among Turkish, Moroccan and Antillean young people⁵. Among other (groups of) young people and among older people it is often still impossible to discuss the subject. Age, ethnic background and religion are all notable determining factors for the level of acceptance.

The feeling of not being safe⁶ has therefore increased in recent years among the 0.9 million⁷ citizens with a LGBT, bisexual or lesbian orientation, in spite of the fact that social safety is in fact a condition for personal emancipation⁸.

The government is very concerned about intimidation and incidences of violence against LGBTs, the ongoing reports of discrimination⁹ and the increase in homophobic comments on the Internet in recent years¹⁰. The idyllic picture of almost complete LGBT emancipation has been upset.

According to the CBS, our country is home to around 324,000 Dutch citizens of Moroccan descent and 365,000 of Turkish descent. For Antilleans and Arubans that number is 129,000 and for Surinamese 332,000¹¹. One third of Turks have a negative view of homosexuality; for Moroccans this is 26%. Cosmopolitans of native-Dutch heritage have the most positive view of homosexuality, followed closely by Surinamese and, to a somewhat lesser extent, Antilleans¹².

Around one quarter of our population is under the age of 20. Among school pupils, 66% agree with the statement: 'it is strange when someone is gay or lesbian' (National Youth Council 2006). Gay and lesbian teenagers feel two to six times more unsafe at school than the average student. In a 2001 national ITS study into safety, in 6% of cases LGBT students said that they did not feel safe to just be gay or lesbian. Years later this percentage had increased to 35%¹³. A large-scale study among young people aged 12 to 25 shows that homosexuality is far from accepted¹⁴. Young people in pre-vocational secondary education have a more negative attitude toward homosexuality than young people in pre-university education. Young Turkish and Moroccan people are most outspoken in their condemnation of homosexuality¹⁵.

3 National Youth Council 2006, sexuality and tolerance; De Graaf et al, 2005; Outway, 2005; ITS study into safety in schools, 2001; Sex under the age of 25, RNG, 2005. Rotterdam Youth Monitor 2000/2001 and 2003/2004.

4 Gay negativity is an attitude toward LGBTs that translates into negative attitudes, views, thoughts and opinions about LGBTs, chapter 2, SCP 'Just doing what comes naturally', September 2006.

5 National Youth Council 2006, sexuality and tolerance; De Graaf et al, 2005; Outway, 2005; ITS study into safety in schools, 2001; Sex under the age of 25, RNG, 2005. Rotterdam Youth Monitor 2000/2001 and 2003/2004.

6 Study 'The police and Science' 2007, Local perception study RADAR, Rotterdam, COC study and study by the Gay Krant (Gay Newspaper) in 2006. I.H. Meyer, Minority stress and mental health in gay men, *Journal of Health and Social Behaviour* 995, Mar;36!): 38-56. Survey One Today Opinion Panel in conjunction with COC among 23,000 panel members (including 1800 homosexuals) 42%

of LGBTs have started feeling less safe in the street in the past year, 21 August 2007.

7 The Rutgers Nisso Group knowledge centre for sexuality estimates that 6 percent of Dutch men are gay and 5 percent of women are lesbian. These percentages probably apply to all ages, and ethnic or belief or religious based groups. Our country therefore has approx. 0.9 million citizens with a homosexual, bisexual or lesbian orientation.

8 Policy vision', vision of the gay movement on the coalition agreement, COC and MOVISIE, 1 June 2007.

9 The number of reports to anti-discrimination agencies has increased since 2002 from 127 to 158 reports in 2005. In the total number of reports, the proportion of discrimination of LGBTs has increased in relative terms from 3% in 2002 to 4% of all complaints in 2005.

10 Reporting Point for Internet Discrimination, p. 18, 2006 annual report.

The concept of family honour or the 'macho' culture play an important role in their views. A lack of clarity about what homosexuality actually is about, also perpetuates the taboo. For these young people it is difficult to accept the homosexuality of others, as is the acceptance of their own homosexual tendencies. Because a familiar and safe environment is lacking, they are at risk of becoming outsiders.

Eleven percent of the Dutch population attend church, a mosque, synagogue or other place of worship once a week or more.¹⁶ Orthodox thinking within virtually all religious communities rejects homosexuality or homosexual relationships. In a democratic society with principles like freedom of speech, they are at liberty to do so. At the same time it is not unreasonable to expect them to be aware that homosexuals in their circles may feel rejected and become isolated¹⁷.

1.3 '3rd LGBT emancipation wave'

The above shows that being gay or lesbian is not yet a 'matter of course' situation for everyone, although from a legal perspective LGBTs do now have the same rights as 'straight' people. This statutory anchoring of equal treatment lays the foundation for equal rights for homosexuals and heterosexuals. From a legal point at least, being gay is now an acceptable state of affairs. The fact that same-sex couples can now be legally married also marks the end of the second LGBT emancipation wave¹⁸ that started with the abolition of Article 248 bis from the Dutch Criminal Code in 1971. This article rendered homosexual relations between an adult and those under

the age of twenty-one a punishable offence. Now that the second LGBT emancipation wave has ended, is a third one in sight?

In the past century it was still virtually unthinkable that an Islamic woman, for instance, would openly admit to being lesbian. It was equally unthinkable that a mosque management council would receive a COC (*Dutch advocate association for the integration of homosexuality*) delegation. The same applied to underage lesbian girls and gay boys coming out. Such steps take a lot of courage. An understanding environment is essential. Social changes are slowly becoming visible¹⁹. The government therefore wants to actively support the 'forerunners' in this social process.

A 'third LGBT emancipation wave' or a next phase²⁰ can contribute to greater social acceptance in parts of our society where homosexuality is still a very sensitive issue.

11 Emancipation monitor 2006, SCP & CBS; CBS population statistics, ethnic minorities by origin and generation, January 2006.

12 SCP 'Monitoring of social acceptance of LGBTs in The Netherlands', September 2007, p. 18, chapter differences between ethnic groups; appendix I of the memorandum.

13 Magazine for young gay people, *Expreszo*.

14 Sex under the age of 25, RNG, 2006; Rotterdam Youth Monitors 2000/2001 and 2003/2004.

15 SCP 'monitoring of social acceptance of homosexuals in The Netherlands', September 2007, p. 20, chapter differences between young people; appendix I of the memorandum; Rotterdam study shows that pupils' tolerance is declining. According to the 2005 Youth monitor of the GGD in Rotterdam, the number of young people in pre-vocational secondary education who feel negatively about homosexuality has not improved since 2000/2001. Among Turkish and Moroccan students and students with conservative religious views, the acceptance even appears to be worsening.

16 Cultural changes in The Netherlands, SCP.

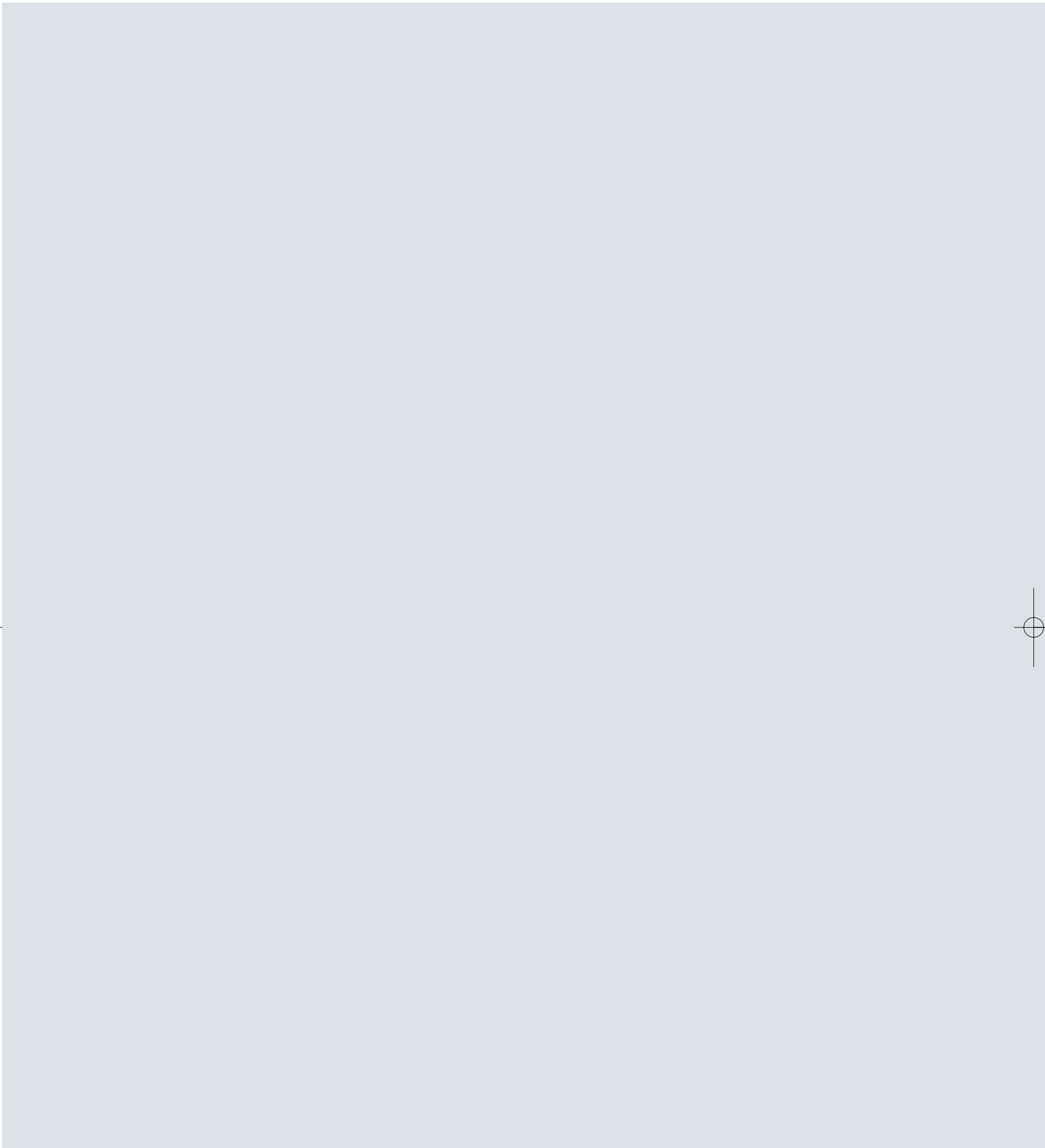
17 Policy vision, vision of the gay movement on the coalition agreement, 1 June 2007, COC and MOVISIE.

18 The first LGBT emancipation wave was marked by the establishment of the Dutch Scientific Humanitarian Committee by Jacob Anton Schorer in 1912, which lobbied for the abolishment of the article of law that made homosexuality an offence (Article 248 bis) and by the publication of the first gay magazine 'Levensrecht', which later became the COC (1946). Gay encyclopaedia of the Netherlands; Ambo/Anthos, August 2005, p. 48.

19 This is shown from the evaluation of the project 'The Dialogue I' and from the participation of minors and their parents in Canal Pride 2007.

20 COC Netherlands, 2006 New year's speech by Chairman Frank van Dalen, Amsterdam; also Policy vision COC and MOVISIE 2007, p. 9.

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2 Simply gay!

Along with the virtually completed anchoring of the equal rights of LGBTs in legislation and regulations, previous governments have argued for greater social acceptance. The previous government memorandums entitled 'Purple on Pink' (2001-2005) and 'Different Shades of Pink' (2005-2007) are proof of these efforts.

At present 85% of the Dutch population claim to accept homosexuality²¹. By 2011 the government wants the attitude of the population toward gays and lesbians to have improved compared to 2006.

2.1 Main objective of the LGBT policy

With the motto: 'Simply gay', the government has set the following main objective for its LGBT emancipation policy:

Main objective

- ⌘ **Promoting the social acceptance of LGBTs among the Dutch population**

To start with the government wants to take a clear and more pro-active attitude with respect to violence, intimidation and discrimination of LGBTs in the street, in sport, in education, in (elderly) care and in companies²². Like those of other citizens, the rights of LGBTs must be actively protected. The government stands firmly behind protecting the safety and equal rights of (LGBT) citizens. The government makes a clear connection between safety in the street and in schools, combating honour-related violence and providing support for LGBT victims.

The government wants to demonstrate moral leadership for the social acceptance of gays and lesbians and invest in initiatives from (civil) society. The government supports collaborations between social organisations; so-called 'gay & straight' alliances. The government itself also wants to be visible in the area of LGBT emancipation. These ambitions must lead to concrete results.

The government also wants to explicitly link the outcome of the policy to indicators. For instance, the government wants to see an improvement in the population's attitude toward gays and lesbians by the end of this term of government, compared to 2006²³. The government also wants the number of municipalities with an active LGBT policy to have increased by at least one quarter by the end of this term of government²⁴.

2.2 Five operational objectives

The starting point of the government is that a lot has been achieved, but LGBT emancipation is by no means complete. Four pillars in the Dutch Coalition Agreement give direction to the government's LGBT policy: safety, social cohesion, a helpful 'government as an ally' and an active international role²⁵.

To work on the main objective of the LGBT emancipation policy: 'promoting the social acceptance of gays and lesbians', the government has set itself five operational objectives.

Operational objectives

- ⌘ **Making homosexuality more of a topic for dialogue and debate in different population groups;**
- ⌘ **Combating violence against and intimidation of LGBTs;**
- ⌘ **Stimulating the establishment of social 'gay and straight' alliances, both nationally and locally;**

21 see table 1, chapter 1.

22 Coalition agreement CDA, PvdA and ChristenUnie (Christian Union), 7 February 2007, p. 30.

23 See table 1, chapter 1. A clarification of this table is included in appendix I.

24 Periodical survey among municipalities by the National LGBT Expert Center, MOVISIE.

25 LGBT policy is based on four pillars of the Coalition agreement: 'safety and respect', 'social cohesion', 'the government as an ally and a helpful public sector' and 'an active and constructive role for The Netherlands in Europe and the world'.

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- ⌘ **Contributing to a LGBT-friendly environment at school, at work and in sport;**
- ⌘ **Fulfilling an active international and European role.**

The government has also opted to continue the policy of the previous government in a number of areas, in order to maintain continuity.

3 Social acceptance of LGBTs

As previously indicated, 'promoting social acceptance' is the main objective, and the Dutch government is committed to five target areas.

3.1 Making homosexuality a topic for dialogue

The government wants to promote homosexuality becoming more of a topic for dialogue in the circle of ethnic and cultural minorities and among groups of young people. Efforts toward making homosexuality a topic for discussion through dialogue and public debate will also focus on (young people in) belief or religious based groups. If dialogue and public debates are to be effective, they will have to be mainly conducted by social organisations and involved citizens and LGBT advocacy groups. The government wants to stimulate such social initiatives at a national level but realises that these types of processes of change require persistence and patience.

The government will encourage municipalities and provinces to support local and regional initiatives in this area. The importance of such initiatives must not be underestimated; this is why it is encouraging to see a number of municipalities already initiating actions.

Social organisations have also shown themselves to be proactive in making homosexuality a topic for dialogue. In a number of conservative belief or religious based circles this is achieved, among other things, by an alliance²⁶ of: COC Netherlands, the Dutch Humanist League, the Yoesuf Foundation, the Platform for Church and Homosexuality. Among other things these organisations enter into a dialogue with spiritual leaders and other key figures in conservative religious circles, in order to achieve better mutual understanding and acceptance. The Institute for multicultural development FORUM, Art. 1²⁷, the Forum for Democratic Development and

the National Youth Council support this alliance. FORUM, COC Netherlands and Art. 1 are also active in making homosexuality a topic for dialogue in different ethnic-cultural circles. The government will continue all aspects of this policy in the coming years.

The acceptance of LGBTs in schools leaves a lot to be desired. A proportion of students, teachers and managers have a negative view of homosexuality. This means there is little openness on this subject, which makes a stronger approach an urgent necessity. The government expects young people and educational managers, institutes and teachers to commit themselves to this area.

Around a quarter of our society consists of young people who use educational facilities. For nearly all young people, school plays an important part in their daily lives. In this important life phase young people orient themselves to their social career. They develop an awareness of norms, such as respect for others and the right not to be discriminated against because of homosexual or heterosexual orientation. The government wants to encourage schools and make them accountable. Naturally, parents also have an important role to play.

Making homosexuality a topic for dialogue

- ⌘ **Making homosexuality a topic for dialogue in conservative belief or religious based circles.**
- ⌘ **Making homosexuality a topic for dialogue in ethnic and cultural minority circles.**
- ⌘ **Social acceptance at school.**

²⁶ Project 'The Dialogue'; Broad Public Dialogue about homosexuality in belief or religious based groups.

²⁷ This new institute is the successor to the National Agency for the Combating of Racism and the National Association of Anti-Discrimination Agencies.

3.2 Promoting safety and combating violence, intimidation and discrimination

The government is concerned about the lack of safety for LGBTs, particularly homophobic incidences of violence, intimidation of LGBTs and discrimination. The combating of violence against LGBTs, and especially the prevention of such violence, is going to require patience and persistence.

Discrimination on the grounds of sexuality is prohibited pursuant to Article 1 of the Constitution. Homo- or heterosexuality as a cause for discrimination is not explicitly included in this Article, but comes under the phrase 'on any ground whatsoever'. The Equal Treatment Act (Awgb) does specifically include sexuality, however, which is why it is not necessary to specifically include the prohibition on discrimination on the grounds of homo- or heterosexuality in Article 1 of the Constitution.

In addition to the active application of the rules, the government will also sharpen its enforcement, detection and registration efforts. For instance, the Dittrich motion²⁸ will be implemented and a register of incidences of violence against LGBTs will be set up. The anti-discrimination facilities and bodies in our country will register reports of LGBT discrimination.

Combating violence and LGBT discrimination is not possible without active participation from anti-discrimination agencies, reporting points and LGBT-interest organisations. The preparedness of victims and witnesses to report incidents must be promoted. Gay-interest groups and anti-discrimination facilities can contribute to this effort by providing targeted information or support.

A good example is an experiment conducted by LGBT-interest groups that, together with FORUM, collaborate with Homophobia Intervention Teams. These 'HIT' teams support residents of certain areas or neighbour-

hoods who are being harassed because of their homosexual orientation. These teams also address young people who are creating a nuisance.

LGBTs should be able to feel safe just like anyone else, not just in the street or when going out but in school as well. This level of safety does not exist at present. Reports about gay and lesbian teachers and students feeling unsafe persist. Furthermore, in schools there is often a lack of openness which makes it difficult to address the situation.

The government feels that the educational environment must be a safe place, for LGBT teachers and students as well. Fortunately there are schools that are exactly like that, and that work to maintain this situation. An unsafe school environment that forces LGBT students and teachers 'back in the closet' is unacceptable. Things therefore have to be different; the situation has to improve. This requires not only the commitment of the Minister of Education, but also the commitment of school boards, teachers and students, municipal councils, supervisory bodies and volunteers. Excellent examples and suggestions are available from the website: www.gayandschool.nl²⁹.

The Minister of Education will be spending 90 million Euro on a plan of approach aimed at ensuring the safety of students and teachers in education. Some of these funds are designated for the acceptance of diversity. This means schools can use these funds to promote the safety of LGBT students and teachers. The government will encourage schools in this respect and ask them to account for their efforts.

The Inspectorate will monitor whether schools are sufficiently committed to providing a safe school environment. Part of providing such an environment is combating discrimination on any grounds, including discrimination on the grounds of (homo)sexual orientation.

28 Dittrich Motion for the registration of incidents against homosexuals; Parliamentary document 27017, no. 20 of 24 April 2006.

29 Recipe book, homosexuality in education contains a number of starting points, April 2005, COC Netherlands, APS and the AOb.

30 'Second Municipal Gay Policy Monitor; municipalities that have two or more policy measures meet this criterion. National LGBT Expert Center, 2006.

31 The Candle Award was established by the National LGBT Expert Center, now MOVISIE.

32 Nijmegen in 2003 and Rotterdam in 2006.

Safety

- ⌘ Good insight into homophobic violence.
- ⌘ Enforcement and detection.
- ⌘ National network of anti-discrimination facilities for citizens.

3.3 Stimulating 'Gay & Straight' alliances, both nationally and locally

At present 42 of the more than 440 Dutch municipalities have an active LGBT policy in place³⁰. Compared to 2003, the number of municipalities with an active LGBT policy increased by approximately 10% in 2006. Of these active municipal councils, Nijmegen and Rotterdam were awarded the 'Lantaarnprijs' (*Candle Award*)³¹ for being the best performing municipality in this area.³² The four major cities are currently talking to local, representative LGBT advocacy groups about collaboration in the area of a LGBT emancipation policy.

Collaborations between municipalities and local and regional executive organisations and LGBT advocacy groups have been shown to work well in practice, certainly if the parties are familiar with the local situation and specific obstacles. *Rotterdam Verkeert*, *Schorer* in Amsterdam, the specific social work in COC Haaglanden, *Embrace Pink* in Tilburg and *Villa Lila* in Nijmegen are all good examples of active local organisations. Results are being achieved in a number of areas, such as the provision of targeted information and LGBT-specific aid to people both of native-Dutch and of non-Dutch heritage, crisis support, and the promotion of expertise among professionals in the (health)care and welfare field.

A number of municipalities also consult with local LGBT advocacy groups and executive organisations in order to better coordinate their LGBT emancipation policy to the local requirements and situation. *Rotterdam Verkeert*

and COC Rotterdam, for instance, organise a 'Pink Breakfast' together with the municipality once a year. On this occasion one hundred representatives from interest groups and social organisations are invited to the main reception room of the City Hall to discuss a practical approach to a current topic. In Nijmegen the GGD (*district health service*) has been discussing the subject of LGBT emancipation at schools in secondary education for many years. Around 80% of schools in Nijmegen are now involved.

The government wants to encourage municipalities to formulate and implement a LGBT policy, in collaboration with organisations that represent LGBTs. To this effect the government wants to encourage municipalities that are forerunners in this area to come to agreements with local interest groups and executive organisations. This will not result in so called specific funding.

The use of the LGBT Impact Assessment on www.homoemancipatie.nl is an important component in the collaboration agreements the government wants to achieve with 'forerunner' municipalities. Municipal and provincial administrators can use this LGBT Impact Assessment, which was developed especially for them, to evaluate how effective their local policy is for LGBT emancipation and its LGBT citizens. Local organisations can also avail themselves of this easily accessible aid.

The government gives municipalities the opportunity to request advice from MOVISIE, the National LGBT Expert Center that was established in 2006, among other things from a merger with the National Expert Center for Lesbian and Gay Emancipation Policy³³. In an advisory meeting, municipal administrators receive tailor-made advice and practical tips about the convenient use of the LGBT Impact Assessment. Local LGBT emancipation policies can cover a broad area, from public order and the safety of LGBTs, youth and education, collective and

33 CIVIQ: the knowledge centre and advice agency in the area of volunteer work, National Centre for Volunteer Work (LCO): the national centre of expertise for volunteer work and works on transfer, innovation and quality development .
NIZW Social Policy: the knowledge centre for local issues in the area of welfare, healthcare and housing,
National LGBT Expert Center: connects knowledge and practice of

gay and lesbian emancipation and assists with policy and implementation, TransAct: the national centre of expertise for the combating of domestic and sexual violence and issues surrounding gender and ethnicity and X-S2: X-S2 is a knowledge network for policy and practice in the social sector and stimulates knowledge exchange between professionals at a national, provincial and local level.

preventative health care, the implementation of the Wmo (Social Support Act) and youth care, through to men have sex with men (msm) meeting places, sport, the elderly etc.

'Gay & straight' alliances are also being concluded at a national level. During the Roundtable meeting, which was held on 10 July 2007 in preparation for this memorandum, it became clear that professional associations of education personnel, civil servants and other service sectors want to collaborate to improve the position of LGBT colleagues. In other areas there are also signs of new alliances, for instance in education, workplace, sport, welfare and elderly care. The government is keen to support new alliances in these areas.

National and local collaboration

- **'Forerunner' municipalities work together with LGBT advocacy groups.**
- **Municipalities obtain expert advice and use the LGBT Impact Assessment.**
- **Social organisations work together in 'gay & straight' alliances.**

3.4 Contributing to a LGBT-friendly environment at school, at work and in sport

LGBTs who want to do so must be able to come out. This is why 'Simply gay' is the motto of the current government policy. This visibility in our society must not yield to violence, intimidation or discrimination. It is a fact that this day-to-day visibility may result in misconceptions or worse: exclusion and violence³⁴. It is impossible to be emancipated if you cannot openly be yourself. This may sometimes put LGBT citizens in a very difficult position.

Times are changing: only a few decades ago marriage between two men or two women was still unthinkable

and controversial. The equal treatment of LGBTs is an achievement of the open and tolerant society The Netherlands aims to be.

This is partially thanks to everyone who had the courage to come out, but also to an active representation of gay interests. Because of the efforts of the world's first LGBT advocacy group³⁵ COC and of many other active national LGBT advocacy groups, such as 'De Kringen'³⁶, foundations and networks, The Netherlands has a good reputation when it comes to the equal treatment of LGBTs. A tolerant climate is an important condition for visibility. By highlighting deficiencies and putting certain issues in the public eye, specific media such as the *Gay Krant*, a gay bi-weekly magazine, and *GK magazine* also contribute to this visibility.

The visibility of gay men and lesbian women contributes to social acceptance, tolerance and understanding. In recent decades the Dutch media have played a very important role in this visibility and they continue to do so.

The government attaches this same positive significance and social function to sport. Together with the State Secretary for Health, Welfare and Sport, the Minister for LGBT Policy therefore wants to focus attention on the acceptance of LGBTs in sport, because people in sport should also be able to be 'just gay or lesbian'. The Minister for LGBT Policy will support this effort by making a contribution available.

Large multinationals like ING, TNT and Philips focus on LGBTs in their diversity policy and as a consumer target group. The State Secretary of Economic Affairs will organise a meeting with pink networks in the business world to evaluate the way in which the government can contribute to breaking through the pink ceiling.

The government also wants to be seen to actively and visibly demonstrate the importance of LGBT policy. This

34 Purple on Pink, memorandum on homosexual emancipation, April 2001.

35 In September 1972 the NVIH-COC received Royal approval.

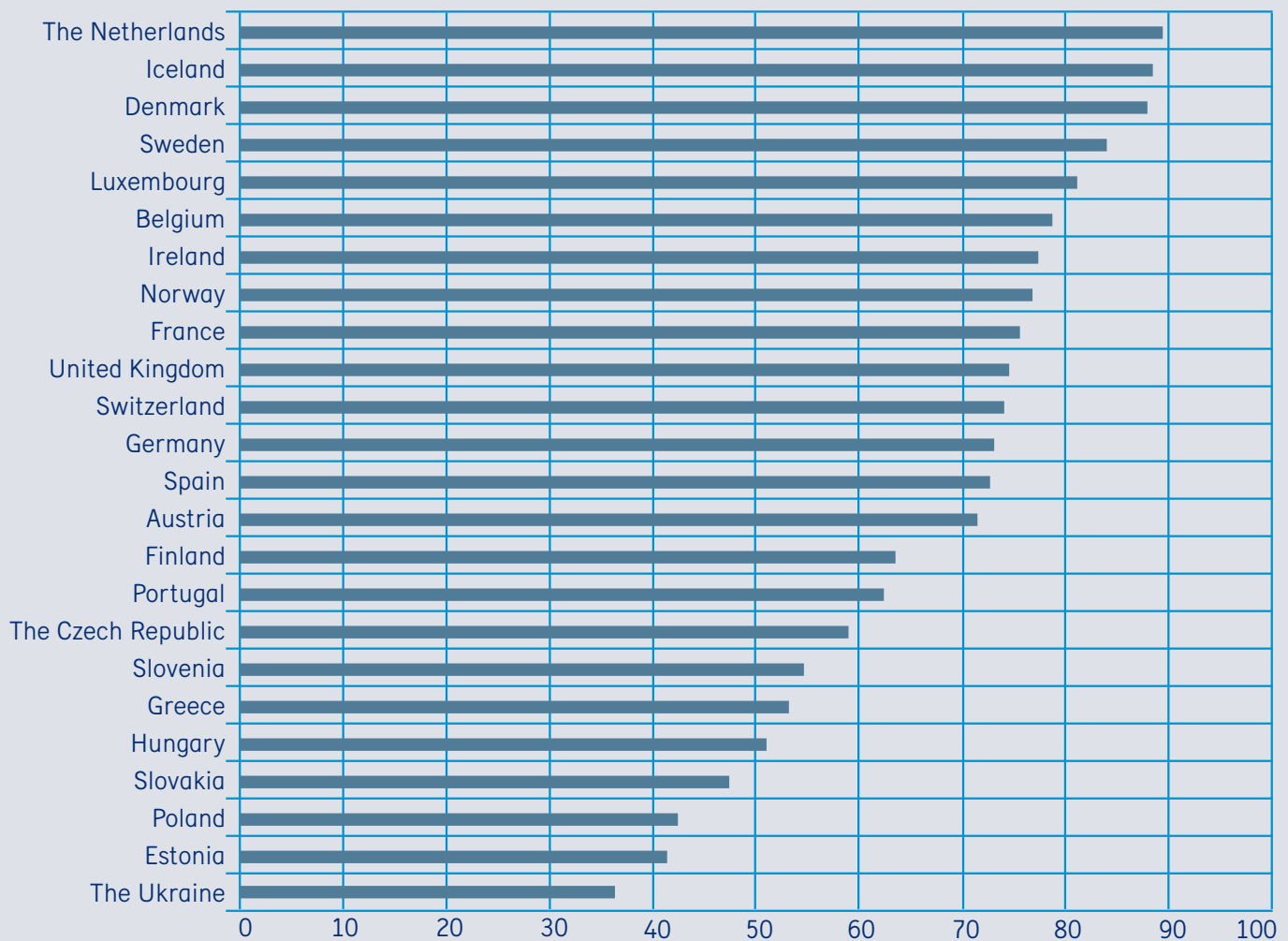
36 National volunteers' organisation: www.kringen.nl

is why State Secretary of Defence Van der Knaap marched with a number of Generals in the parade on Pink Saturday (the annual Gay Liberation Day) in Bergen op Zoom, Minister Plasterk attended National Pink Day and vice-Prime Ministers Bos and Rouvoet received the wishes of the Dutch 'LGBT movement' in June 2007 together with the Minister for LGBT Policy³⁷. In the coming years the government wants to continue to demonstrate this kind of visibility on a number of relevant occasions.

LGBT-friendly environment

- # Link the positive significance of sport to the social acceptance of LGBTs in sport.
- # Acknowledgment of the contribution the multiform LGBT movement has made and continues to make to society.
- # Pink personnel networks visible in large companies.
- # The government is visible at national events against discrimination of LGBTs.

Table 2 'Gay men and lesbian women must be free to live their life the way they want to', Opinion of the population aged 15 and over, 2004 (percentage that (strongly) agrees).



³⁷ Vision of the gay movement on the Coalition agreement and recommendations. COC Netherlands and MOVISIE, 'Policy Vision', June 2007.

3.5 Fulfilling an active international and European role

The Netherlands is a European forerunner when it comes to the general acceptance of LGBTs. Table 2 demonstrates this fact³⁸.

However, in over 80 countries sex between people of the same gender is a punishable offence. Although actual prosecution does not happen often, it is still a clear indication that LGBTs in these countries are in a very difficult position. Even in countries where there is no legal punishment for same-gender sex there is often discrimination. Fundamentalist movements hostile to homosexuality appear to be gaining in strength. This is bad for LGBTs and conflicts with people's basic human rights. International treaties must be complied with. Countries are obliged to treat their citizens without distinction and grant them equal rights, among others pursuant to Article 2 of the International Treaty on Political and Citizens' Rights. In Europe the prohibition of discrimination on the grounds of (homo- or hetero)sexuality is based on Article 14 and protocol 12 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). The government will continue to support LGBT rights in an international context, and opts for an active approach as worded in the Human Rights Strategy received by Parliament in October 2007.

The Dutch government will support the worldwide abolition of legal punishment for consensual sex between people of the same gender, whereby the protection of minors against abuse by adults must be guaranteed. Other objectives of the government policy are combating discrimination by governments on the basis of homosexual or heterosexual orientation and promoting the social acceptance of homosexuality.

The government will use diplomatic means for this purpose and will support projects by LGBT organisations in other countries.

The *leitmotiv* in these efforts is the Yogyakarta Principles from 2007. These Principles summarise human rights and fundamental freedoms in relation to sexual orientation. In short, everyone is entitled to the same human rights irrespective of their heterosexual or homosexual preferences. Non-government (inter)national LGBT organisations, such as COC Netherlands, ILGA and IGLYO, play an important role in this.

Active role in the world

- **International and European leading role for The Netherlands in the acceptance of LGBTs.**
- **Acknowledgment of the human rights work of international LGBT organisations.**

4 LGBT policy: a matter for all of us

Shortly after the Balkenende IV government took up office, a number of Ministers conducted meetings and made work visits to social organisations, institutes and citizens in the context of the LGBT policy. As a result the government was able to give its LGBT policy a more precise shape. The government wants to continue these meetings and work visits in the coming years.

Within the government a number of different Ministers are responsible for LGBT policy. As Minister for LGBT Policy, the Minister of Education, Culture and Science has an inspirational and supporting role. The task of the Ministries is to implement the LGBT policy in their own policy dossiers. The Ministry of Foreign Affairs coordinates the foreign policy and is responsible for gay rights within the human rights policy and the development cooperation policy.

In the development and implementation of the policy, the government envisages an important and active role for the gay movement, parents, schools and social organisations, social partners, organised sport, institutes and other government agencies and society as a whole. Policies that come into effect through dialogue with these parties result in greater involvement. This promotes the workability of the policy and leads to better results³⁹.

The government opts for a cohesive approach and a range of measures.

Emancipation of LGBTs is not a task for the Minister for LGBT Policy and the Minister of Education, Culture and Science alone. Section II of this memorandum describes the measures the government has devised for each Ministry:

- ⌘ Education, Culture and Science;
- ⌘ The Interior and Kingdom Relations;
- ⌘ Justice;

- ⌘ Health, Welfare and Sport;
- ⌘ Youth and Families;
- ⌘ Housing, Neighbourhoods and Integration;
- ⌘ Social Affairs and Employment;
- ⌘ Defence;
- ⌘ Foreign Affairs and Development Cooperation.

Earlier in this memorandum we emphasised the link between policy objectives, results and ambitions. The government has selected two indicators to be able to measure the results at the end of this term of government. These are: the attitudes of the population toward LGBTs and the number of municipalities that are active in the area of LGBT policy.

The government expects that the safety and social acceptance of LGBTs will improve as a result of this commitment. In 2010 the government will review the progress of the LGBT policy, on which the Minister for LGBT Policy, together with his colleagues in the government, will report to Parliament. The government hopes that the developments will be favourable. This is also the time when the government will consider any further measures to be taken.

In conclusion

Support of social organisations in civil society acting in unison with LGBT advocacy groups.

- ⌘ **Coming to agreements with municipalities that want to be forerunners in promoting social acceptance.**
- ⌘ **Maintaining dialogue with the multiform LGBT movement.**
- ⌘ **Allocate extra funds for LGBT policy in 2008: 2.5m. Additional funds will increase to an**

³⁹ Coalition agreement between the CDA, PvdA and ChristenUnie (Christian Union) 7 February 2007, p. 3 and 12.

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indicative 10 million Euro extra in 2011. These funds will be divided between the LGBT policy and the gender mainstreaming policy.

- ⌘ Cohesive range of measures and continuation of the collaboration between ministries and departments.
- ⌘ Report on the progress of the LGBT emancipation process in 2010.
- ⌘ The government wants to be accountable for the results of the policy. These results will be measured against indicators.

Section II

1 Education, Culture and Science

1.A General LGBT policy

Making homosexuality a topic for dialogue

The Minister of Education, Culture and Science will make funding available to make homosexuality a topic for dialogue in belief or religious based groups. It is important that LGBTs feel accepted in belief or religious based groups too. This is a process that requires patience and persistence. In the 'Dialogue' project, there is already an alliance in the area of belief or religious based groups and LGBT emancipation. The government wants to increase its contribution to this project.

For an effective dialogue, it is important that LGBT groups in various belief or religious based groups are strong enough to play a role in these circles. The LGBT movement is a multiform movement, also in a belief or religious based and cultural respect. Networks of LGBTs in different belief or religious based groups, where they are often still vulnerable, deserve support in making the issue of homosexuality a topic for dialogue in their own circle. The government will therefore make funding available for small emancipation projects of LGBTs with this particular purpose.

The discussion of homosexuality among young people must also improve. The National Youth Council will receive a subsidy for a multi-year project to promote acceptance among different groups of young people. By making this subsidy available, the government is honouring the promise of the previous government for plan-based communication with groups of young people⁴⁰.

The government wants to see the social acceptance of LGBTs in this group improved by the end of this term of government.

Promoting 'Gay and Straight' alliances, both nationally and locally

The government feels that civil society and LGBT advocacy groups must work together to further build on improving understanding and social acceptance in society. The government welcomes the establishment of such 'gay & straight' alliances and makes funding available to alliances of the elderly, of employees, sports people and teachers, to name but a few. These are alliances between civil society and national institutes.

In our country the COC Netherlands Federation has its own regional departmental structure. These departments often depend on the help of volunteers, for instance the information provided in schools by COC volunteers and the meeting evenings for people of non-Dutch heritage, such as 'Melting Pot' in The Hague, 'buddy care' and volunteer aid. For the local LGBT policy, the role of local representative interest groups, such as the COC, is very important. Municipalities must be able to communicate properly with LGBT advocacy groups⁴¹. The government therefore makes funding available to COC Netherlands for the reinforcement of the (regional) volunteer infrastructure. By this route, the government is supporting collaboration and LGBT emancipation in the region and with municipalities.

It is also possible and necessary to build on improved understanding and social acceptance at a local level. The government wants to come to collaboration agreements with municipalities that are forerunners in this area.

The government encourages local authorities to come to agreements with representative LGBT advocacy groups in the region and with specific, expert executive organisations. The government is making project funding available for collaboration agreements with active municipalities in the coming years.

⁴⁰ Youth Communication plan; memorandum from the Ministry of Health, Welfare and Sport to Parliament, 13 December 2006, 27017, no. 30.

⁴¹ Memorandum from the Ministry of Health, Welfare and Sport on the Social Support Act, State Secretary for Health, Welfare and Sport, March 2005.

Early in 2010 the government wants to sit down with these municipalities and draw up a balance sheet of the LGBT emancipation policy and exchange experiences about the role of alliances (local, cross-city and national).

The government will make further funding available to MOVISIE to give municipal councils tailor-made advice and support for their local LGBT policy.

Being able to 'come out' and supporting vulnerable groups

Coming out as a gay person often requires a lot of personal courage. The government realises it can sometimes be difficult to find this courage, certainly if an understanding and safe environment is lacking. As we have said before, social acceptance is by no means seen across the board just yet. The government wants to support the emancipation of LGBTs in circles where homosexuality is still a taboo, which is why it will make extra funding available for such national initiatives. This contribution must result in the increased effectiveness and professionalism of these volunteer advocacy organisations at a national level.

Lesbian women are (relatively) less visible⁴² in the emancipation process than gay men. The government wants to give a boost to the multicultural national platform for lesbian women, Fem Fusion, to increase the social visibility and emancipation of lesbian women, and is making project funding available for this purpose.

Little is known in our country about the specific obstacles encountered by the 30,000 to 100,000 transgender persons (careful estimate)⁴³. The term 'transgender' refers to persons who cannot be categorised in the traditional classification of two separate genders.

The government wants this to become more visible. The national network of transgender persons will receive a contribution for a project in this area. This will mainly be intended to break through the huge lack of knowledge

on this theme in general and among aid providers in particular.

By a rough estimate several hundreds of gay men and lesbian women became victims of prosecution in The Netherlands during the Second World War⁴⁴. In order to preserve documentation and knowledge about the development of LGBT emancipation in Dutch history and make this knowledge more accessible, the Schorer library, which was lost in the war, has been reconstructed and housed in the International Gay and Lesbian Archive (IHLIA) in Amsterdam and Leeuwarden. The IHLIA is dependent on the help of volunteers, but the number of these volunteers is declining. The availability of new documentation about lesbian/gay emancipation is increasing. The diversity of library visitors and exhibition viewers is also increasing. The government acknowledges the importance of this – world-renowned – collected knowledge in the area of LGBT emancipation and therefore wants to give stimulus to this documentation and exhibition centre about the position of gays and lesbians during and after the Second World War, so that it can remain independently accessible and preserved. To this effect, the Minister for LGBT Policy will increase his annual contribution to this Institute by 100,000 Euro.

The government also wants to show its support for LGBT emancipation by being physically present at a number of events in the context of LGBT emancipation, among others at Pink Saturdays, the Dutch 'Gay Liberation Day'.

The government also wants to recognise the efforts of active citizens, organisations and institutes by establishing a LGBT emancipation award in line with the example of the Joke Smit award⁴⁵, for men and women, groups or agencies that make a fundamental contribution to improving the position of homosexuals in society. This

42 Fem Fusion, Pink Saturday 2007, Policy Vision Lesbian Emancipation, 15 June 2007.

43 People who do not fit in the traditional classification into two genders. According to the Dutch Expertise Centre on LGBT Issues this includes: transsexuals, transgenderists, transvestites and intersexuals. Fact sheet, March 2007. RNG 'Sexual Health in The Netherlands 2006': 0.5% of the Dutch population feels psychologically more like the other gender than their own (16,300-49,000 men

and 16,000-48,000 women in the age group 19 - 69) and 5.1% of men (229,000-332,000 persons) and 5% of women (219,000-321,000 persons) feel psychologically as much man as woman. Approx. 150 adults register with the Gender team of the Amsterdam Free University every year, and approx. 100 of them start a treatment process.

44 Factual Overview of the equal treatment of homosexuals and bisexuals by the Dutch government, October 2004, p. 5, Ministry of

award will be presented for the first time on 17 May 2009. The 17th of May is the international anti-homophobia day (IDAHO).

Enhancing the international dimension of LGBT policy

As indicated in the first section of this memorandum, LGBTs are not yet universally accepted in Europe. A lot still needs to be done in the area of human and LGBT rights. European organisations that represent the interests of LGBTs play an important role. The Minister for LGBT Policy wants to give a boost to the effectiveness of such organisations by supporting a number of projects headed by the International Lesbian & Gay Association-Europe (ILGA-Europe) and the International Lesbian, Gay, Bisexual, Transgender, Queer Youth and Student Organisation (IGLYO-Europe).

The government wants to maintain its position as a forerunner in the area of LGBT Policy. Because the problems in most of our neighbouring countries are virtually the same⁴⁶ as those in our country, The Netherlands wants to exchange good practical examples. This is why The Netherlands is hosting the European meeting for the exchange of good examples of LGBT Policy. This meeting will deal mainly with: making homosexuality a topic for discussion through dialogue, with safety and with homosexuality in schools. The government wants to express its support for the work of ILGA, the umbrella organisation of gay advocacy groups, by being the host of the ILGA meeting to be held in The Netherlands in 2010.

Cohesive approach

In his capacity as Minister for LGBT Policy, the Minister of Education, Culture and Science will be contributing to increasing the cohesion of government policy. This mainly concerns subjects or areas that transcend individual sectors or touch on the domains of a number of

Ministries. Some examples are: monitoring of social acceptance among population groups, social and inter-cultural and interreligious dialogue, contributing to international LGBT policy, LGBT networks and the Dutch LGBT Emancipation Award. In addition, the Minister wants to contribute to the LGBT emancipation process in special areas. For the coming years, extra emphasis will be given to the policy areas of safety, schools, youth and sports.

The Interdepartmental Work Group for Government Policy and Homosexuality (IWOH) will organise round-table meetings with field and advocacy organisations and experts under the chairmanship of the Minister for LGBT emancipation. The first meeting was held in July 2007. The collaboration between Ministries and departments in the IWOH will be continued.

In order to assess how the visibility and social acceptance of homosexuality are progressing, the government will continue the gay and lesbian emancipation monitor and ask the SCP to expand the monitoring body with a panel of gay and lesbian youths. The results found among pupils and students will also be linked to the SCP survey, so that the attitude of students regarding homosexuality can be systematically assessed. By doing so the government is following recommendations from the SCP⁴⁷. In its progress report to Parliament in the summer of 2010, the government will include the results of the SCP data available at that time.

The additional funding the government is making available for LGBT policy, which will increase to an extra 10 million Euro by 2011, will be distributed between the gender mainstreaming and LGBT policies. The Minister for LGBT Policy is making a total of 2.5 million Euro available in 2008.

Health, Welfare and Sport.

⁴⁵ The Joke Smit award is a government award for gender mainstreaming that is awarded every two years. It was established in 1985 and named after the feminist Joke Smit, after an initiative of the female Members of the Lower and Upper House in the House-wide Women's Consultation. see: http://www.emancipatieweb.nl/emancipatie_algemeen#1934

⁴⁶ 'Mainstreaming policies on sexual orientation in Europe', Ministry of Health, Welfare and Sport, December 2004.

⁴⁷ Acceptance of homosexuality in The Netherlands: 'Just doing what comes naturally', September 2006, SCP 'recommendations'.

Concrete measures

In the area of the general LGBT policy, the Minister of Education, Culture and Science will make additional funding available during this term of government for:

- ⌘ **Promoting homosexuality as a topic for dialogue among young people, in circles where homosexuality is still taboo.**
- ⌘ **Supporting 'forerunner' municipalities that work with LGBT advocacy groups and support for the alliance of the G4 (the four major cities in The Netherlands) and COCs in the G4, tailor-made advice to the G50 (the 50 largest cities in The Netherlands) and support for the COC Netherlands Federation.**
- ⌘ **Encouraging the formation of 'gay & straight' alliances in the following sectors: sport, education, employment and elderly care & welfare, and support for the police and defence LGBT networks.**
- ⌘ **Studies among lesbian gay youths and among pupils.**
- ⌘ **Support for the LGBTs in certain circles, support for national networks of lesbian women and of transgender persons.**
- ⌘ **Maintaining the documentation and exhibition centre about the position of gays and lesbians during and after the Second World War (IHLIA).**
- ⌘ **LGBT policy 'in general', e.g. a bi-annual LGBT award, the national 'coming out day' on 11 October etc.**
- ⌘ **Contribution to the international human rights work of ILGA-Europe and IGLYO-Europe and the 2010 European exchange conference.**

1.B Education

Safe schools, for LGBTs, for everyone

Increased acceptance of sexual diversity in schools cannot be viewed separately from a safe school environment. The Ministry of Education, Culture and Science (OCW) will therefore continue to support and stimulate all schools so that together with their students, personnel, parents and other involved parties they can create, improve or maintain an open and safe school environment. This gives LGBT students and teachers the opportunity to just be gay or lesbian. In the context of this safe school environment, express attention will therefore have to be given to the acceptance of gay and lesbian students and teachers.

The Minister of Education is spending 90 million Euro on schools to create a safe school environment. This money will also specifically have to be used for the acceptance of this diversity. The Minister of Education will discuss this issue with the educational institutes. Creating a safe school environment is not easy, but very important.

More than anything, the provision of information is done on a tailor-made basis. Experiences with recent projects on homosexuality show that school boards are not always comfortable with an approach that focuses exclusively on sexual diversity. It is more effective if sexual diversity forms part of a broader safety programme or projects on citizenship, social etiquette and social cohesion. In such a broader context schools tend to find the focus on sexual diversity par for the course. In most cases they will also be willing to use the information provided by experienced volunteers from the COC. A broad approach to general etiquette in which the theme of sexual diversity is incorporated can also work. In such a context, schools view attention for sexual diversity as normal. Sufficient good practical examples for schools are available. Schools are expected to make the

acceptance of homosexuality a topic for dialogue in a way that suits their identity.

The government feels that teachers may be expected to have a professional attitude toward LGBTs, LGBT colleagues and their LGBT students. In recent years the government has made considerable investments in acquiring knowledge on this subject, collected by pedagogical study centres like the General Pedagogical Study Centre (APS).

School Boards must also accept responsibility. The government realises that this is not easy for School Boards. Educational institutes deserve support. The Minister of Education will therefore be providing a code of conduct for schools in primary and secondary education. This guideline is also intended for teachers, students and school administrators and is currently being prepared by the Equal Treatment Commission. It will consist of a number of points, including how to deal with homosexuality.

For students it is important that they (learn to) deal with the issue of homosexuality, not only in the interests of their LGBT fellow students, but also in their own interest. After all, a dismissive attitude toward different people or differing opinions will obstruct students in their personal and social development. The National Youth Council will receive a multi-year subsidy from the Minister of Education to promote the acceptance of homosexuality among different groups of young people.

Promoting a safe school environment for LGBTs is not only a matter for teachers and school administrators, but also for others. The role of students, interest representatives and professional organisations must not be underestimated. Social acceptance of sexual

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diversity must be put higher on everyone's agenda. The government therefore welcomes collaboration in a 'gay & straight' alliance in education. The Minister of Education will actively support the creation and activities of such an educational alliance.

The role of municipalities is also important. In Amsterdam, Rotterdam and Nijmegen, for instance, aldermen involved in education show that they are active in and committed to this area. This relates not only to the administrators in public – local – education but also to safety in and around schools and to the provision of health-related information. Municipal councils should use these and other municipalities as an example. The Minister of Education will make education aldermen aware of the advantages of such an active approach, starting with the 50 largest municipalities, the G50.

Further to the social safety policy in the education sector, the Ministry of Education, Culture and Science will continue to support complementary initiatives of forerunners for sexual diversity in education, such as COC Netherlands' Pink Elephant project. This project assists students and educational personnel who want to actively promote the acceptance of sexual diversity. The starting point is that the school independently accepts its responsibility and embeds this theme in its school etiquette. Where this is being done, the role of the COC can remain in the background.

Government support for the website, an information source and helpdesk at www.gayandschool.nl, is being continued.

In the area of research, the bi-annual safety surveys in the three educational sectors (primary education, secondary education/vocational education and adult education) are being continued. This allows the Ministry of Education, Culture and Science and the

educational institutes to evaluate whether the way teachers, support staff and students experience safety has improved, including in relation to sexual diversity. If further information about homosexuality is needed to enable a thorough understanding of the ongoing developments, the relevant questions will be incorporated in the survey in question.

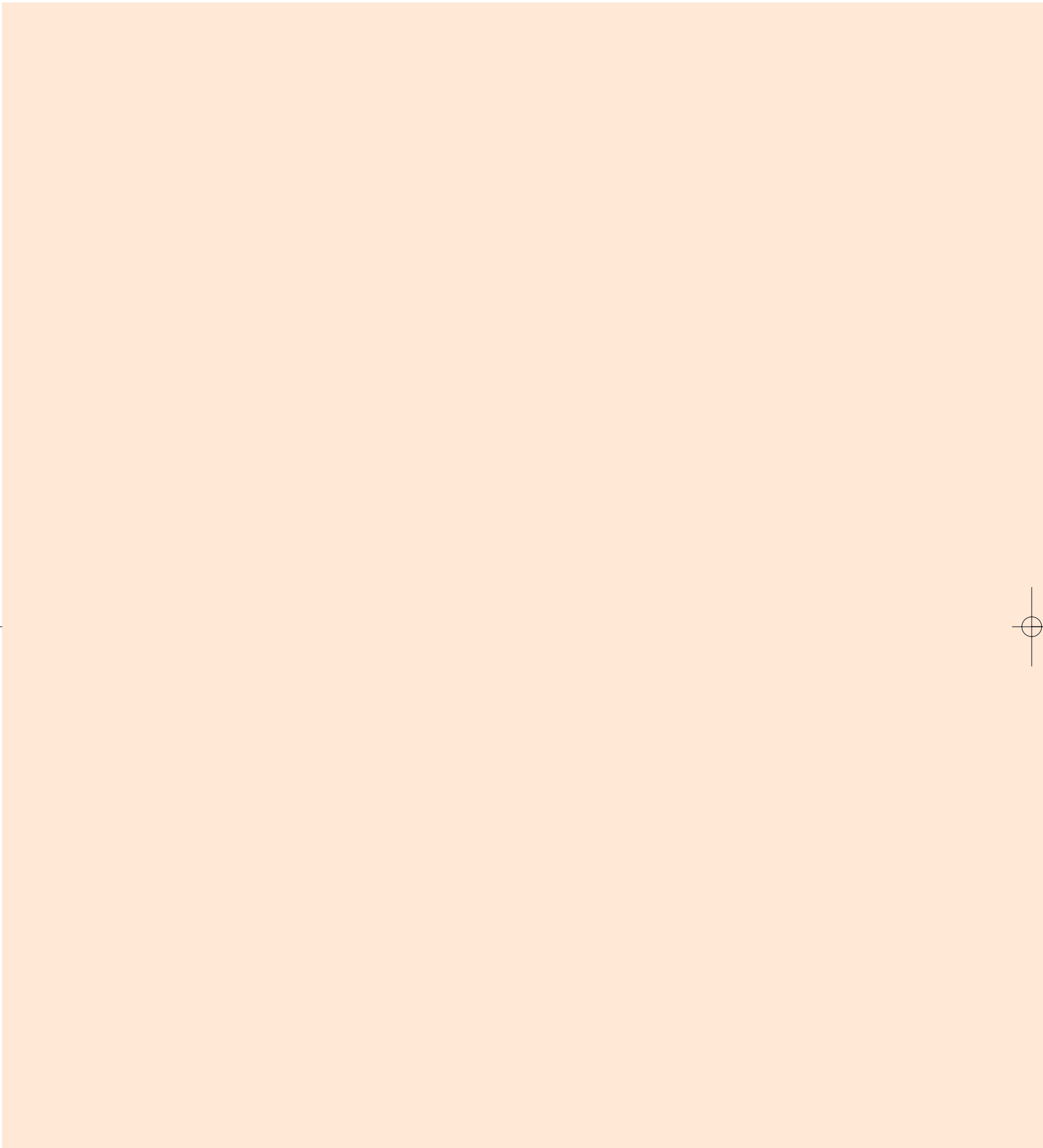
The intensified evaluation of the safety policy in schools and institutes in primary education, secondary education/vocational education and adult education by the Education Inspectorate is being continued unchanged. Where necessary, the Inspectorate, as in previous years, may be asked to investigate attitudes with regard to homosexuality as a separate theme.

In the context of this diversity, attention for LGBTs must also be given a place in the different studies available. During regular consultation with professional organisations, trade organisations and the MBO (*Intermediate Vocational Education*) and HBO (*Higher Vocational Education*) council, the relevance of an emphasis on diversity as an aspect of educational programmes will be put on the agenda.

Concrete measures

- ⌘ A code of conduct containing a number of guidelines, including how to deal with homosexuality, will be prepared for teachers, students and school administrators.
- ⌘ The National Youth Council will receive multi-year support for activities to promote acceptance of homosexuality among different groups of young people.
- ⌘ Contribution to the creation of a 'gay & straight' educational alliance to promote the acceptance of LGBTs in schools.
- ⌘ Support for projects aimed at improving the social acceptance of LGBTs in schools, among others the Pink Elephant project and the website www.gayandschool.nl.
- ⌘ In safety surveys, questions will also be asked about the (feelings of) safety of LGBTs.
- ⌘ Putting the social acceptance of LGBTs on the agenda of trade organisations and educational councils.

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2 The Ministry of Justice and the Ministry of the Interior and Kingdom Relations: the Public Prosecution Service and the police

Safety of LGBTs

The government is concerned about the situation surrounding the safety of LGBTs. The government wants people to be more tolerant of each other. Violence against and intimidation and discrimination of LGBTs clearly exceeds a boundary and must not be tolerated. The government takes a strong stand on this because all citizens - and therefore also LGBTs - have an equal right to safety. They must be able to rely on the government standing up for their safety and protection. Safety is one of the four pillars that support the government's LGBT policy.

The government will set up a proper register of violence against LGBTs for the purpose of increasing knowledge about homophobic violence. By doing so the government is implementing the Dittrich⁴⁸ motion. The development of a 'criminal picture' of discrimination is one of the agreements the Minister of the Interior and Kingdom Relations (BZK) and the Minister of Justice made with the police in their Covenant for 2007 (National Framework for the Dutch Police). Further to this Covenant, the Minister of the Interior and Kingdom Relations has designated diversity within the police a management priority for the period 2008-2011. A diverse police force, equipped for a diverse society, is better able to deal with crimes like discrimination.

In addition to a good record of the reports in this area, regional anti-discrimination agencies play an important role in making the local situation visible and putting it on the agenda. The recently established national anti-discrimination organisation, Art. 1, which originated from the merger between the National Agency for the Combating of Racial Discrimination (LBR) and the National Association of Anti-Discrimination Agencies

(LVADB), can count on the government's support.

It is important that all local parties feel an urgency to formulate a joint local procedure for combating discrimination, including gay violence. During the conference on a Joint Approach to Discrimination, organised by the Minister of the Interior and Kingdom Relations (BZK) and the Minister of Justice in conjunction with the Public Prosecution Service (OM) and the police on 7 June 2007, the municipalities (VNG), the Public Prosecution Service, the police, the Equal Treatment Commission and anti-discrimination agencies formulated the starting points for a joint approach to discrimination (see www.justitie.nl).

On the Internet we also see a range of discriminatory or hatred or violence-inducing messages of a homophobic nature. In 2006 the Reporting Point for Internet Discrimination (MDI) registered an increase in the number of reported incidents of this on the basis of homosexuality. The work of the MDI is aimed at having expressions of discrimination removed from the Internet. In 2006 the removal percentage was 97%⁴⁹. The Ministry of Housing, Neighbourhoods and Integration (WWI) and the Ministry of Justice will continue to provide the MDI with a subsidy in the coming years.

Combating of homophobic violence by the police and the Public Prosecution Service

The combating of homophobic violence covers three areas: reporting crimes of homophobic violence, understanding the nature and scope of the problem and adequate penalisation for homophobic violence.

Reporting policy

When incidences of discrimination are reported, they will always be treated seriously by the police and the

48 Dittrich Motion, 27017, no. 20, 13 April 2006 registration of offences with a homophobic background.

49 MDI 2006 annual report.

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Justice Department. Needless to say, this also applies to offences under general criminal law that have a discriminatory background, the so-called hate crimes such as homophobic violence. In the reporting policy, we can distinguish efforts to promote the preparedness of the public to report incidents, as well as the intake process when reports are made to the police.

In order to get a realistic overview of the scope of the problem, it is important that as many hate crimes are reported as possible. This is the only way that an optimal preventative, enforcement and detection policy can be implemented – not just by the police, but by all chain partners. At the end of 2007 the National Centre for Diversity Expertise (LECD) of the police will start the *Hate Crimes* project in conjunction with the divisional police forces of Gelderland-Zuid and Amsterdam-Amstelland. This project will run for three years and has the objective of increasing the public's preparedness to report hate crimes, so generating a better insight into the actual scope of hate crimes like homophobic violence. The Ministry of the Interior and Kingdom Relations financially supports this project.

The *Hate Crimes* project focuses on increasing the public's preparedness to report hate crimes by making it possible to report a hate crime anonymously. Information packs are being distributed via the police forces. These packs contain information about personal safety and about the Public Prosecution Service, contact information for local help lines and support groups and information on how people can (anonymously) report hate crimes, including a reporting form and a stamped return envelope. The information packs are being distributed through gay entertainment venues and organisations, anti-discrimination agencies and public spaces like libraries and town halls.

All the information and data gathered via these information packs will be collated by the Info Desks of

the various police forces to make it possible to recognise trends, tension indicators and hot spots, which will contribute to the prevention, reduction and recognition of hate crimes. A website is also being developed, which will be linked to www.politie.nl. Via this website, victims/interested parties can contact the regional police forces to make a report. The website will also contain links to supporting and associated agencies. The pilot will start in two regional police forces. The project will ultimately be rolled out nationally in 2011.

A very important aspect of the intake process at police stations is the ability of the police officer to recognise discrimination as a motive when an offence is being reported. A circumspect and professional attitude during the intake process increases the preparedness to report offences.

In January 2007 the Council of Chief Constables decided that a structural focus on diversity and discrimination is needed in initial and post-initial police training. The police LECD was instructed to ensure such focus.

To this effect the LECD set up a Diversity and Discrimination Taskforce that is reviewing the training and will make recommendations about any changes and developments. A number of steps have already been taken:

- ⋮ In the training for Assistant Public Prosecutors, specific attention is given to the Discrimination Designation of the Public Prosecution Service.
- ⋮ In initial and post-initial police training, discrimination is a topic in the Service & Intake key assignment.
- ⋮ Within diversity and integrity training courses, specific attention is given to incidences of harassment and violence with a homophobic background.
- ⋮ In 2007 it will be assessed whether the diversity policy (including the focus on homosexuality) should be given a more specific place in leadership training.

Insight into homophobic violence

To be able to combat violence against LGBTs, it is important that the operational systems of the police and the Public Prosecution Service provide an insight into the nature and scope of crimes with a discriminatory element. The operational systems of the police and of the Public Prosecution Service are being updated to this end.

In 2009 all regional police forces will get the same operational system. A code for discrimination will be included in this system. This means that for all offences under general criminal law with a discriminatory background (such as homophobic violence) it will be possible to register the discrimination aspect of the incident.

In January 2007 the Council of Chief Constables instructed the police LECD to develop a uniform format for a regional criminality analysis (CBA) of discrimination. The regional Discrimination CBAs will be compiled into a national Discrimination CBA. To present the most realistic picture possible, figures from both the police and the chain partners, e.g. anti-discrimination agencies, are used. On the basis of the Discrimination Designation, the police, the Public Prosecution Service and the anti-discrimination agency will meet at least twice a year in regional consultation, to share figures and to discuss their approach to discrimination. This will provide an understanding of the discrimination issue, including homophobic violence, per region and at a national level.

The police LECD has agreed with the COC that, prior to the regional discrimination meeting, the police will actively seek contact with the COC Department in the region in order to find out whether this department is aware of any incidents or other relevant matters. These can then be discussed during the regional discrimination meeting. This way, discussion with the COC in the police regions will be structured from 2008, the police

will have a better understanding of the problems, and there will be an improvement in access to the criminal law chain for victims and in signals of homophobic violence.

Around the middle of 2008 the police LECD will submit its initial national criminality overview on discrimination. This overview will focus on the different grounds for discrimination, such as homosexual orientation, racism and religion. The criminality overview will give a picture of the nature and scope of discrimination against LGBTs.

In addition, the police will provide a national overview of homophobic violence every year. The first such overview can at least be expected to cover the first half of 2008.

In the Public Prosecution Service's new operational system, called GPS, it will be possible to designate a social classification to each offence. This classification can be specified per offence. For discrimination it can be specified, among other things, what the ground for the discrimination was. The ground of homosexual orientation will be included as a social classification, alongside with other grounds for discrimination like race, gender, religion or personal philosophy. GPS is expected to be rolled out in the Public Prosecution Service in a phased manner from the end of 2007. By the middle of 2008 all offices and other operational units of the Public Prosecution Service will be equipped with GPS.

Together with the Minister of Education, Culture and Science, the Minister of Justice will have research conducted into the backgrounds of homophobic offences. Knowledge about such backgrounds can help in dealing with homophobic violence and perhaps also in preventing such violence.

Prosecution of homophobic violence

When it comes to the prosecution of violent offences, any discriminatory background must be emphasised in the public prosecutor's demand and included in the complaint as a circumstance that will increase the penalty in the case of violations of Articles 141, 266, 300 and 350 of the Dutch Criminal Code. The complaint must be increased by 25% (Discrimination Designation and Discrimination Prosecution Guideline). It is important that the Public Prosecution Service applies this rule consistently. The Public Prosecution Service can also increase the penalty by 25% if an offence was committed by more than one person or against a random victim. The Public Prosecution Service will specifically emphasise the use of these options for violent offences with a homophobic background to its senior officers.

Criminal law gives the Public Prosecution Service sufficient opportunities to take the fact that a violent offence was based on gay hatred into account when formulating the penalty demand in the way indicated above. There is no need to adjust the legislation on this point.

The Public Prosecution Service is also investigating in which cases of homophobic violence a specific area restraint can be imposed, for instance by means of a designation within the meaning of the legislative proposal for measures to combat football hooliganism and serious nuisance, which is currently before the Council of State. The Public Prosecution Service is also talking to the Probation and After-Care Service about developing community service orders in cases of violence with a discriminatory background, including homophobic violence.

Concrete measures

- ⌘ **The national organisation for combating discrimination, Art. 1, and the Reporting Point for Internet Discrimination can count on financial support.**
- ⌘ **Around the middle of 2008 the police will submit its first national criminality overview on discrimination. The criminality overview will present a picture of the nature and scope of the discrimination against LGBTs.**
- ⌘ **Once a year the police will submit a national overview of homophobic violence. The first overview will cover the first half of 2008.**
- ⌘ **In 2009 all regional police forces will have a system that registers offences with a discriminatory background (such as homophobic violence).**
- ⌘ **In 2008 the Public Prosecution Service will have a system that registers offences with a discriminatory background (such as homophobic violence).**
- ⌘ **The Diversity and Discrimination Taskforce will review existing police training and make recommendations for any changes to this training, such as how to deal with harassment and incidences of violence with a homophobic background.**
- ⌘ **Together with the Probation and After-Care Service, the Public Prosecution Service will consider how community service orders can be used adequately in, for instance, cases involving homophobic violence. The COC will be involved in these considerations.**
- ⌘ **Research into the backgrounds of homophobic violence (in conjunction with the Ministry of Education, Culture and Science).**

3 The Ministry of the Interior and Kingdom Relations

Safety

Citizens must be able to trust that the government will guarantee their safety and protection. The government wants to combat violence, intimidation and discrimination against LGBTs and closely monitor the developments in their social acceptance. The latter is achieved through active enforcement, detection, prosecution and registration. In the previous chapter the government outlined the measures and approach of the Public Prosecution Service and the police.

Legislation

Equal treatment - Article 1 of the Constitution

Discrimination on the grounds of sexual orientation is prohibited pursuant to Article 1 of the Constitution (GW). Sexual orientation is not explicitly included in this Article, but comes under the phrase 'on any ground whatsoever'. There is no specific hierarchy in the grounds that are or are not explicitly named in Article 1. From the fact that, among others, homosexual or heterosexual orientation is specifically included in the Equal Treatment Act (Awgb), we can conclude that Article 1 also refers to this ground. The express inclusion of the ground of sexual orientation has no consequences for the safeguarding of legal rights pursuant to Article 1 of the Constitution; the prohibition of discrimination because of sexual orientation is a fundamental norm in the Dutch legal system.

Awgb

In conjunction with the Ministry of Education, Culture and Science (OCW), the Ministry of Justice, the Ministry of Social Affairs and Employment (SZW) and the Ministry of Health, Welfare and Sport (VWS), the Ministry of the Interior and Kingdom Relations (BZK) has had an evaluation conducted of the Equal

Treatment Act (Awbg). This evaluation was completed in the summer of 2006. The evaluation assessed whether the Awgb corresponds closely enough to the European Directives. The Equal Treatment Commission also evaluated its view of the functioning of the Act and its own activities. In the autumn of 2007 the government will respond to the findings in both evaluations.

The government as employer

The diversity policy of the government as an employer focuses on a workforce that is well-balanced with regard to gender, age and ethnic background. Extra efforts are made to ensure such a balance. The LGBT policy focuses mainly on the equal treatment and non-discrimination of LGBTs and, as such, does not form part of the integral diversity policy of the government as a whole. However, separate parts of the organisation that feel a need to do so can pay extra attention to the position of LGBT employees.

A helpful government

Registrars

In the Coalition Agreement the following has been agreed about registrars of births, deaths and marriages. In line with the policy that was formulated at the time, a sensitive approach to registrars with conscientious objections means that, in mutual consultation, another registrar will be asked to marry persons of the same gender, provided it remains possible for such a marriage to be a celebrated in every municipality. If problems should arise in the municipal practice, action will be taken to safeguard the employment rights of registrars with conscientious objections.

In response to Parliamentary questions by MPs Van der Ham and Van der Staaij,⁵⁰ the Minister of the Interior

⁵⁰ Session year 2006-2007, Parliament, Appendix of Actions, numbers 1147, 1564 and 1574 of 29 March and 21 May 2007.

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and Kingdom Relations, the Minister of Justice, the Minister of Education, Culture and Science, the Minister of General Affairs (AZ) and the Minister of Finances have further clarified the government's standpoint.

Kingdom relations: The Dutch Antilles and Aruba

The Dutch government subscribes to the importance of social acceptance of homosexuality, particularly in small communities like those in the Antilles and Aruba. It is important that the local gay movement is supported in its efforts to increase this acceptance. Non-government organisations (NGOs) that develop activities for LGBT emancipation can therefore request financial support from the financing organisations Antillean Co-Financing Organisation (AMFO) in the Dutch Antilles and the Centro pa Desaroyo di Aruba Foundation (CEDE) in Aruba. The registration of the first 'gay marriage' in Aruba, early in August 2007, was a step in the right direction.

Concrete measures

- ⌘ **Antillean and Aruban advocacy groups of LGBTs may be eligible for project support from the AMFO or the CEDE.**
- ⌘ **By the end of 2007 the government will announce a standpoint with regard to the findings based on the evaluations of the Equal Treatment Act by the Equal Treatment Commission and external researchers. The government standpoint will look at the obstacles in the Act and the way in which these need to be resolved.**

4 The Ministry of Justice

Safety

Citizens must be able to trust that the government will guarantee their safety and protection. The policy must combat violence, intimidation and discrimination against LGBTs and closely monitor the developments in their social acceptance. The latter is achieved through active enforcement, detection, prosecution and registration. For the measures and approach of the Public Prosecution Service and the police, please refer to Chapter 2: The Ministry of Justice and the Ministry of the Interior and Kingdom Relations.

Honour-related violence against LGBTs

To openly admit to a different sexual orientation may be considered a violation of the family honour. Family members will sometimes try to protect the family honour through violence. It is not clear to what extent LGBTs are faced with this aspect. Recent research shows that there are at least male victims and that it is difficult for them to find help.

The Programme for Honour-Related Violence has the following objectives:

1. To make victims and high-risk communities resistant to honour-related violence;
2. To enable aid providers to recognise the (threat of) honour-related violence;
3. To enable aid providers to help (potential) victims of honour-related violence;
4. Insight into the phenomenon of honour-related violence is based on thorough research;
5. The police, women's shelters, the Public Prosecution Service and other relevant agencies will register instances of honour-related violence unambiguously;
6. There are sufficient shelters and facilities for (potential) victims of honour-related violence.

Together with its partners, the programme is formulating measures to achieve these objectives. Because these objectives can mainly be achieved at a local level, commitment from the different professional groups as well as municipal direction are relevant. Issues like the promotion of expertise, methodologies, risk assessments, registration and adequate support run through this effort like a *leitmotiv*. These issues are also the focal point in the attention for LGBTs within the combating of honour-related violence. Measures are included in the planning document of the Programme for Honour-Related Violence that the Minister of Justice presents to Parliament twice a year on behalf of his own Ministry and the State Secretary for Health, Welfare and Sport and the Minister for Housing, Neighbourhoods and Integration. Research has shown that more clarity about the nature and scope of honour-related violence against men, including LGBTs, is needed.

Victim aid

Under the header of safety, gay organisations are requesting attention for the support of victims. Victim Support Netherlands is involved in the legal and practical support of victims. Victim Support Netherlands has knowledge of local situations and, where necessary, can refer victims on. This free support is also available to LGBT victims. Together with the COC and the G4, Victim Support Netherlands will evaluate how support for this group can be improved.

Through an information pack that is distributed on a wide level, the police *Hate Crimes* project provides written information for victims about personal safety and about local support groups and aid groups. The project wants to offer victims a confidential, in-depth and high quality service.

Asylum policy

Support of LGBT asylum seekers

To ensure a safe living environment in the reception centres, there is intensive supervision combined with regular individual interviews with asylum seekers. The Agency for the Reception of Asylum Seekers (COA) pays specific attention to vulnerable groups in the reception centres, including LGBTs. This special attention translates into a number of measures.

For instance, the COA provides asylum seekers in the central reception centre with intensive information at an early stage. In these sessions it is clearly explained and discussed how The Netherlands deals with the rights, obligations and freedoms of its citizens in the areas of religion, equality of men and women and sexual orientation.

The COA 'house rules' stipulate that (incitement to) discrimination, intimidation and violence against fellow occupants, personnel and residents in the neighbourhood of the reception centre, or against anyone else, is prohibited and may be punishable. The COA therefore has the means to deal with persons who harass, discriminate against or intimidate LGBT asylum seekers. As a last resort this will result in the (temporary) exclusion of the perpetrator from the reception facility. If the victim so wishes he can get assistance when reporting the incident to the police. The victim may also be transferred to a different facility.

In addition to the assertiveness training the COA offers to women and girls, specific assertiveness training aimed at LGBT asylum seekers will be developed. It is not always possible to offer aid and support to LGBT asylum seekers as not everyone is prepared to admit to their homosexual orientation. In confidential interviews COA staff will try to assess whether

intervention is desired and needed. LGBT asylum seekers are also informed of the possibility of contacting organisations for LGBTs, such as the COC.

There is a complaint arrangement for asylum seekers. The complaints and incident registers do not show any negative treatment of asylum seekers based on their sexual orientation. Of course this may be because occupants of reception centres prefer not to make their sexual orientation known.

When asylum seekers are moved from the central reception centre into a municipality, the equal treatment of all asylum seekers is the starting point. Two persons of the same gender can ask to be placed in a house together. The COA is increasingly using a system whereby new accommodation is shown to residents of the asylum centre. They can then respond themselves if they are interested.

The asylum seekers reception policy is based on the assumption that the quality of life in a centre is best guaranteed by diversity of its occupants. This corresponds as closely as possible to the situation in Dutch society and the rights and obligations that apply in this society. Reception based on the categorisation of people would only increase the risk of stigmatisation. However, as explained above, there is a lot of attention for vulnerable groups and, where necessary, measures are taken to protect them.

Official reports

The general official reports the Minister of Foreign Affairs prepares at the request of the State Secretary for Justice always look at the position of specific groups. These are groups for which it may be assumed that they are in a vulnerable position in the society of their country of origin, or groups that deserve attention for another reason, also in view of the asylum practice.

Where relevant the Minister of Foreign Affairs will include a paragraph on the position of LGBTs in his general official reports.

This applies in any case to official reports about countries where homosexuality is a punishable offence or where there is serious discrimination or punishment in practice. This paragraph describes the legal position of LGBTs on the one hand, and on the other hand the report looks at the social acceptance of LGBTs and the problems that LGBTs who are open about their sexual orientation may be faced with.

Once the initiative has been taken to have an official report compiled, the State Secretary for Justice will formulate the 'terms of reference'. This is a list with points for attention the Minister of Foreign Affairs must address when formulating the official report. The position of LGBTs is part of the standard. In the case of some countries, additional questions about the position of LGBTs are added, depending on the situation. Social organisations are invited to contribute information that will be included in the Ministry of Justice's terms of reference. The contribution to these terms of reference by social organisations has only been included since the middle of 2007. In 2008 it will be evaluated whether this has improved the quality of the official reports.

Adoption and parenthood

Adoption of foreign children and children of lesbian parents

On 26 and 27 June 2007 Parliament conducted a plenary debate on the Legislative Proposal for changes to Book 1 of the Dutch Civil Code in relation to acceleration of the adoption procedure and changes to the *Placement of Foreign Foster Children Act in Relation to Joint Adoption by Same-Gender Spouses* (30 551).

The legislative proposal means that same-gender couples can jointly adopt a foreign child. The Placement of Foreign Foster Children Act is being amended to this effect. The legislative proposal also means that for same-gender spouses who want to adopt a foreign child, a single adoption procedure will suffice, rather than two successive single-parent adoptions. This will accelerate the adoption period from three years to one year.

Lesbian parenthood

In order to improve the position of lesbian couples it has been proposed that the requirement for a 3-year cohabitation period be abolished in cases of the adoption of a child born in the relationship. The adoption can take place at the time of the birth and, provided the request is submitted within six months after the birth of the child, can be retroactive in effect to the time of the birth (if the request was submitted before the birth) or to the time when the adoption request was submitted (if the request is submitted after the birth). If a child was conceived by means of artificial insemination (anonymous donor) and is or will be born in a lesbian relationship, the granting of adoption is taken as the basic premise. The person wishing to adopt can submit a declaration from the Foundation for Donor Information for Artificial Insemination, which will allow the court to conclude that the child was born through artificial insemination. The legislative proposal was adopted on 3 July 2007 and is currently before the Upper House.

In January 2007 a motion by Member of Parliament Pechtold et al (Parliamentary documents II 2006/07, 30 800 VI, no. 60) was adopted. The essence of the motion is that the female partner who has married the mother – in order to become legal parent to the child – is not required to adopt. She is legally the parent of the child. If the women are registered partners or otherwise cohabitate, the mother's female partner can acknowledge

the child. The fact that lesbian couples are still dependent on the adoption procedure does not comply with the principle of equality, according to the motion.

As a result of this motion, the Minister of Justice, also on behalf of the Minister for Youth and Families and the Minister of Education, Culture and Science, decided to appoint a Commission under the chairmanship of Ms. N.A. Kalsbeek.

The task of this Commission for lesbian parenthood is as follows:

1. To investigate whether there is an alternative to adoption to make it easier for the mother's female partner to become a parent to the child. The interests of all involved, the costs and the time of the procedure must all be taken into account.
2. To provide an outline of the legal implications associated with acknowledgment, legal parenthood or a new legal concept. The protection of the position of the biological father must also be considered. Furthermore, the acknowledgment of the feasible legal concepts in other countries also deserves attention.

The letter from the Minister of Justice dated 8 June 2007 outlines the instruction to and the composition of this commission (Parliamentary documents II 2006/07, 30 551 and 30 800 VI, no. 9). The commission met for the first time on 5 July 2007. On 31 October 2007 the commission presented its report entitled 'Lesbian parenthood' to the Minister of Justice. The commission feels that it should at least be possible for the co-mother to acknowledge the child. In addition, it should be possible to make a co-mother a legal parent if she is married to the mother. The latter is a legal and political decision the commission leaves up to the legislator. The government is currently considering the conclusions of the report.

Concrete measures

- ⌘ **Together with the COC it will be assessed how the support provided by Victim Support Netherlands can be improved for this group of victims.**
- ⌘ **As part of the reception of LGBT asylum-seekers, attention is given to their often vulnerable position. COA will enter into a discussion on this subject with the COC.**
- ⌘ **In addition to the assertiveness training the COA offers to women and girls, specific assertiveness training will be developed for LGBT asylum seekers.**
- ⌘ **In October 2007 the Kalsbeek commission will issue its advice on lesbian co-motherhood.**
- ⌘ **Social organisations have been invited to contribute points for attention for official reports. Homosexuality forms part of the official report as standard. In 2008 it will be assessed whether the quality of the official reports has improved.**

5 The Ministry of Health, Welfare and Sport

When LGBTs experience problems in their social functioning and wellbeing as a result of their sexual orientation, the government should pay attention to this. The Ministry of Health, Welfare and Sport (VWS) contributes to the government policy for promoting LGBT emancipation from a number of different angles and various gradations. Needless to say, the commitment of other authorities and organisations from the VWS field is also needed. In this context the Ministry of Health, Welfare and Sport has opted to concentrate on the issues of sport, sex education, support in cases of honour-related violence, attention for homosexuality at a local level and for vulnerable target groups (the elderly, the disabled and young gay people from ethnic minorities).

In the coming period - 2008 tot 2011 - the LGBT policy will be redesigned. To this effect a range of measures at various levels will be used:

- ⋮ *To determine the framework* (promoting acceptance is the norm in all VWS areas, such as healthcare, via the welfare policy and in sport);
- ⋮ *To set the agenda* (consultation, the presence of Ministers or representatives at events, inclusion of the theme in speeches, holding partners accountable for their responsibilities);
- ⋮ *Stimulating* (support of exemplary projects, the project-based support of organisations that play a leading role);
- ⋮ *Initiating* (including a policy for LGBT emancipation within VWS).

For the purpose of collecting, validating, enriching and distributing knowledge and information in the area of LGBT emancipation the Ministry of Health, Welfare and Sport funds MOVISIE. This organisation, which incorporates the

former knowledge centre for lesbian and homosexual emancipation policy, works for and with authorities, citizen's initiatives and volunteer and professional organisations with the objective of promoting the participation and self-reliance of LGBTs.

5.A Sport

Sport is for everyone and at the same time it is a reflection of society. In sport, too, we see phenomena like physical and verbal aggression, discrimination and intimidation. The Social and Cultural Planning Bureau (SCP) illustrated this picture of undesirable practices in its report entitled 'A yellow card for sport' (2007).

Because it has its own environment, regulations and codes, the area of sport has the opportunity to devote attention to the nurturing of fair play and respect, for instance with regard to LGBTs.

The current government's policy agenda stipulates that the government will actively work on the social acceptance of homosexuality among young people (among others: teachers and students in schools), *in sport* and in ethnic communities in which homosexuality is not or hardly a topic for discussion yet. LGBT emancipation therefore forms part of the broad policy the government will be implementing in the coming period with regard to fair play and respect. Further information on this aspect can be found in the policy memorandum 'The power of sport' (October 2008).

In recent years the Ministry of Health, Welfare and Sport has supported various, relatively small projects that focus on improving the climate in sports clubs and on putting gay sport on the agenda in The Netherlands and in Europe (Council of Europe). For instance, the project 'Emancipation and integration in sport', organised by the Dutch Cultural Sports Association (NCS) and Homo Sport Netherlands, which was recently completed, has

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resulted in a special website, workshop and training module. Research was also conducted into the position and acceptance of homosexuality in sport. This has resulted in a number of reports, namely 'It's all about sport' (Mulier Institute, 2003), 'Just doing what comes naturally' (SCP, 2006), 'The advantage of playing at home' (Mulier Institute, 2007) and 'A yellow card for sport' (SCP, 2007). These reports show that organised sport is not always open to gay sportsmen and that they often hide their sexual orientation because derogatory comments and jokes are often made about homosexuality in the sporting environment. The reports also show that many branches of sport, especially the competitive variants, often have a heterosexual, 'macho' image. LGBTs (and also older people and women) are therefore less inclined to join a sports club. The reports also make it clear that LGBTs play virtually as much sport as straight people. However, there are clear differences in the types of sport. Gay men tend to focus on 'solo' sports. Lesbian women tend to participate more in physically-oriented team sports. It is not clear whether these differences can be explained by a possible LGBT-unfriendly climate within organised sport.

The government endeavours to achieve a tolerant sporting environment, in which people can play sports together on the basis of respect and equality. In this environment there has to be room for everyone, and therefore also for homosexual players. This applies both to organised and unorganised sport. Negative phenomena like discrimination and intimidation of homosexuals in sport manifest themselves mostly in sports clubs that organise contact sports in a team context. This is undesirable and makes LGBTs feel unwelcome.

To create a fair and sportsmanlike environment, in which equality and respect for everyone are the starting points, the Ministry of Health, Welfare and Sport plans to take the following measures:

1. The State Secretary for Health, Welfare and Sport will ask NOC*NSF (*Dutch Olympic organisation*) to focus on the acceptance of LGBTs. Together with organised sport the government wants to formulate a code of conduct for sports. This guideline must be available to sports associations and must be 'translated' to sports club level. Among other things, a code of conduct means that associations reject discrimination on the ground of sexual orientation. The management of sports clubs must also comply with this.
2. UEFA (*Union of European Football Associations*) has included the combating of homophobia in its objectives. Partly as a result, the KNVB (*Royal Dutch Football Association*), together with its partners, is making efforts to combat discrimination on the grounds of race, religion, ethnicity and sexuality in football. The results of these efforts will be announced during the 20th anniversary of the European Gay & Lesbian Sport Federation (EGLSF) in the spring of 2009. In October 2007 a meeting of Football Against Racism Europe (FARE) will be held, with the kick-off for the diversity policy. Results in the football environment can carry over into other sports. The Ministry of Health, Welfare and Sport will contribute to this endeavour and encourage other sporting associations to use the experiences from football to create a more LGBT-friendly environment in other sports as well. In this context the Ministry of Health, Welfare and Sport will organise a meeting with sporting associations and other partners.
3. Dealing with (hetero- and homosexual) diversity and inclusive thinking in general must form part of the competencies of trainers and coaches in sport, which is why sports education needs to pay attention to this aspect. This can be done within the sports management training of sporting associations and

through the curriculum of the academies for physical education (ALOs) and the sport and fitness courses in Intermediate Vocational Education (MBO). A module developed with government support by the Dutch Cultural Sporting Association (NCS) will be brought to the attention of the relevant institutes with the assistance of the Ministry of Health, Welfare and Sport and the Ministry of Education, Culture and Science, in order to promote the implementation of this module.

4. In 2008 the Ministry of Health, Welfare and Sport, together with the Ministry of Housing, Neighbourhoods and Integration (WWI) and the Ministry for Youth and Families, will organise an expert meeting with the partners of the programme entitled 'Including youths from ethnic minorities through sport'.
5. A number of sports ambassadors have been appointed in the context of the government's sport policy. Ambassadors have added value because they promote policy objectives and generate attention for socially relevant subjects. In the context of fair play and respect, the ambassadors will also request attention for homophobia in sport.
6. The Ministry of Health, Welfare and Sport will support projects that promote a tolerant sporting environment for LGBTs, such as the John Blankenstein Foundation.
7. The SCP study 'A yellow card for sport' will be followed up with a more in-depth study. The objective of this study is to attempt to get a better understanding of practical experiences. A comparison will also be made with other social sectors.
8. Meetings with people in the field of sport have made it clear that there is a need for collaborations between various social organisations in order to promote the

acceptance of LGBTs. In the interest of the creation of 'gay & straight' sports alliances, the Ministry of Health, Welfare and Sport and the Ministry of Education, Culture and Science will be inviting, among others, the KNVB, the NCS and Homo Sport Netherlands (they have already expressed their interests) to further define the shape of such alliances.

Concrete measures

- ⌘ **The State Secretary for Health, Welfare and Sport will put the acceptance of homosexuality in organised sport on the agenda in consultation with NOC*NSF. The desired result is a code of conduct.**
- ⌘ **The Ministry of Health, Welfare and Sport will organise a meeting with the sporting associations and other partners to exchange good practical examples.**
- ⌘ **The Ministry of Health, Welfare and Sport and the Ministry of Education, Culture and Science will ensure that the topic of sexual diversity is included in sports education.**
- ⌘ **The Ministry of Health, Welfare and Sport, the Ministry of Housing, Neighbourhoods and Integration and the Ministry for Youth and Families, together with the key players in the programme entitled 'Including youths from ethnic minorities through sport', will be organising an expert meeting about homosexuality.**
- ⌘ **Ambassadors will be employed to promote fair play and respect.**
- ⌘ **Projects aimed at creating a tolerant sporting environment for LGBTs will receive support.**
- ⌘ **The SCP report 'A yellow card for sport' will have a follow up. This follow-up study will once again look at negative comments about homosexuality.**
- ⌘ **The Ministry of Education, Culture and Science will support a national initiative of sports organisations. Such a 'gay & straight' sports alliance will focus on the acceptance of LGBTs.**

5.B Sex education

Figures from the study 'Sex under the age of 25' (2005 Rutgers Nisso Group/STD Aids Netherlands) show that homosexuality is still far from accepted among young people in the 12 - 25 age group. As these young people get older their attitude toward homosexuality becomes less negative. Lower-educated young people, religious young people and young people with an ethnic-minority background in particular, reject homosexuality. Among these groups of young people there are also (still) many misconceptions about homosexuality.

Young LGBTs are a high-risk group with regard to specific problems in the area of sexuality. They are faced with sexual coercion more often than other young people. Assertiveness must therefore be given special attention in sex education. If they practise unsafe sex, there is also more chance of contracting HIV and other sexually transmitted diseases from LGBTs of an older age group. A focus on safe sex is therefore still as important as always.

Concrete measures

The Ministry of Health, Welfare and Sport promotes sex education in and outside schools by funding organisations like the Rutgers Nisso Group and STD Aids Netherlands. The district health services (GGDs) also play an important role in sex education.

In 2007 the Ministry of Health, Welfare and Sport started a new programme at Zorg Onderzoek Nederland/ Medische Wetenschappen (ZON/mw) (*Health Research Netherlands/Medical Sciences*), the Dutch organisation for health research and health innovation. The programme 'Sexual health of young people' will run for five years and builds on the results from the study 'Sex under the age of 25'. The intention is to promote the sexual health of young people, with special attention for young people of non-Dutch heritage and young people with lower education levels.

The programme will work on the adjustment and implementation of existing preventative interventions (for instance lesson packs and materials for youth workers). New preventative interventions will also be developed.

With regard to preventative interventions in the area of sexual health, simply providing information about, for instance, safe sex, is not enough. Relationships and sexuality and the differences between people with regard to sexuality must also be discussed.

Assertiveness is also an important aspect. For these reasons homosexuality remains a point for attention within the different measures to be implemented. The negative attitude toward homosexuality that has been observed among young people is a point for attention within the programme. The State Secretary for Health, Welfare and Sport is also working on a new system for the provision of first-line aid, where young people can go with their questions or problems about sexuality. Homosexuality has a place in this system as well. In the context of combating sexually transmitted diseases, the Minister of Health, Welfare and Sport is financing the Schorer Foundation, which conducts parts of the STD/AIDS prevention programme for gay men. The Schorer Foundation also contributes to The Healthy School. Lesson packs about sexuality, including homosexuality, are developed and their use is encouraged by district health services (GGDs) and various non-government organisations (NGOs).

5.C Help and support in cases of honour-related violence

The combating of honour-related violence is supported by the entire government. An important aspect of the Programme for Honour-Related Violence (in addition to social prevention, see also paragraph 7.1, and criminal law approach) is the theme of protection. The State Secretary for Health, Welfare and Sport has the responsibility for

policy for this theme. Within the theme of protection, attention is given to the support and protection of (potential) victims of honour-related violence. Among other things, the concrete measures relate to providing adequate support and reception facilities, customised treatment methods, a focus on aftercare and collaboration between local partners. These measures also relate to the group of homosexual men.

5.D Social Support Act (Wmo)

It is important that municipalities are encouraged to focus on a LGBT policy within their municipal policy. The most recent survey on municipal gay policies, *Homosexuality in municipalities* (December 2006), shows that the percentage of municipalities taking specific policy measures has increased since 2003 from 6.2 to 9.1. The number of policy measures per municipality is also increasing. In 2003 there were 31 municipalities with two or more policy measures. At present there are 42.

Concrete measures

The *Social Support Act (Wmo)*, which came into effect on 1 January 2007, offers municipalities an excellent opportunity to pay attention to the participation and support of lesbian women and gay men. In the context of the implementation of the Wmo, the guideline *Wmo and Sexual Diversity* was published in 2006. This guideline contains tips for municipalities that want to look at the position of vulnerable homosexual and transsexual citizens in their Wmo policy.

The Ministry of Health, Welfare and Sport funds MOVISIE, among other things for the distribution of this knowledge. With the aid of this guideline, municipalities can consider what actions are needed for gay men and lesbian women in all performance fields of the Wmo, depending on the local situation, for instance in the area of informal care and volunteer work. Recently the State Secretary for Health, Welfare and Sport sent

Parliament a memorandum on these subjects. The Ministry of Health, Welfare and Sport will be making investments in enhancing the local support of volunteers and informal care providers. After that it is up to municipalities to give a concrete definition to their policy in this area and to decide whether they want to focus on specific groups in the context of the policy.

Wmo project at the COC

Until the end of 2007 the Ministry of Health, Welfare and Sport is financing a Wmo project at COC Netherlands. In Rotterdam, Eindhoven, Middelburg and Friesland 'experimental gardens' are being set up to evaluate how the participation of lesbian women and gay men in the Wmo policy may be increased. Based on the results it will be assessed, in 2008, what further actions are needed. MOVISIE will be involved in this assessment.

5.E Vulnerable groups

LGBT emancipation also focuses on vulnerable groups. In this context the Ministry of Health, Welfare and Sport finances a number of projects.

The elderly

With his memorandum of 31 May 2007, entitled 'Care for the elderly: about quality of life', the State Secretary for Health, Welfare and Sport has laid down a clear vision regarding care for the elderly. The memorandum emphasises the actual contact between client and professional, which can contribute to a better quality of care. The State Secretary for Health, Welfare and Sport feels it goes without saying that this applies to all elderly people in The Netherlands. Good, personal treatment must also be available to LGBT elderly people requiring care. The client focus and substantive quality of care is currently being researched using a number of measuring instruments. In 2008 elderly care will be assessed and it

will become clear how clients experience it. In addition a Governmental Degree is currently being prepared that will regulate the formulation of a care plan together with the client. This means that the (health)care provider has a duty to come to express agreements with the client about the care that will be provided. This gives clients an instrument to be able to make specific demands.

Project 'Pink elderly people in The Netherlands'

Last year ANBO (*General Dutch Association for the Elderly*) for the over-50s, COC Netherlands, the Schorer Foundation and Movisie (previously the National Expert Center for LGBT Emancipation Policy) developed the project plan 'Pink elderly people in The Netherlands'. The Ministry of Housing, Spatial Planning and the Environment (VROM) and the Ministry of Health, Welfare and Sport (VWS) will be financing this plan (until the end of 2007).

The first activity was a week of calling LGBT elderly people to ask about their needs and requirements with regards to accommodation, welfare and healthcare. Important conclusions are, among others, that the living and working environment within care for the elderly must be more LGBT-friendly and that training for nurses and care providers must include information on LGBTs. It is also notable that many elderly people hide their sexual orientation. This is a fear of 'going public', which means they may temporarily remove a picture of their boyfriend or girlfriend when the home care provider is visiting. In the project, the recommendations of the Green Paper are translated into activities relating to accommodation, training and (health)care. ActiZ (organisation of care providers) and Aedes (Association of housing corporations) are also involved in this process. At the end of the project the results will be reviewed.

The way people are treated by care providers or fellow clients/patients must be correct, irrespective of origin or philosophy. Currently there is a lot of focus on treatment and co-determination in the quality programme 'Care for the Better' (improvement processes in the area of, for instance, the care plan, co-determination and quality). Once again this focus is aimed at the correct treatment of everyone.

People with mental impairments

A group that is often forgotten when it comes to dealing with sexuality are people with mental impairments. Discussing sexual feelings with this target group is often still somewhat of a taboo and is therefore hardly given any attention. Through a number of projects the 'Care for the Better' programme is now responding to the aforementioned problems surrounding sexuality. There is also a focus on dealing with sexuality.

Support, help and a network for young LGBT people of non-Dutch heritage

It is a known fact that many lesbian women and gay men, especially those of non-Dutch heritage, lead double lives because homosexuality is not accepted in their environment. This can cause feelings of isolation. For this reason the Ministry of Health, Welfare and Sport is implementing the project 'Support, help and a network for young LGBTs of non-Dutch heritage', with (temporary) pilot schemes in The Hague, Amsterdam, Rotterdam and Tilburg. These pilot schemes must make it clear what type of help and support young LGBTs of non-Dutch heritage need. The pilots develop ways to free these people from their isolation, such as a website that allows them to chat anonymously. Physical accommodation is also provided (*Safe Harbour* in Amsterdam). The experiences with the pilots will be bundled in a final report to be made available to municipalities and institutes. This will give municipalities suggestions for structurally embedding this type of help and support in their regular

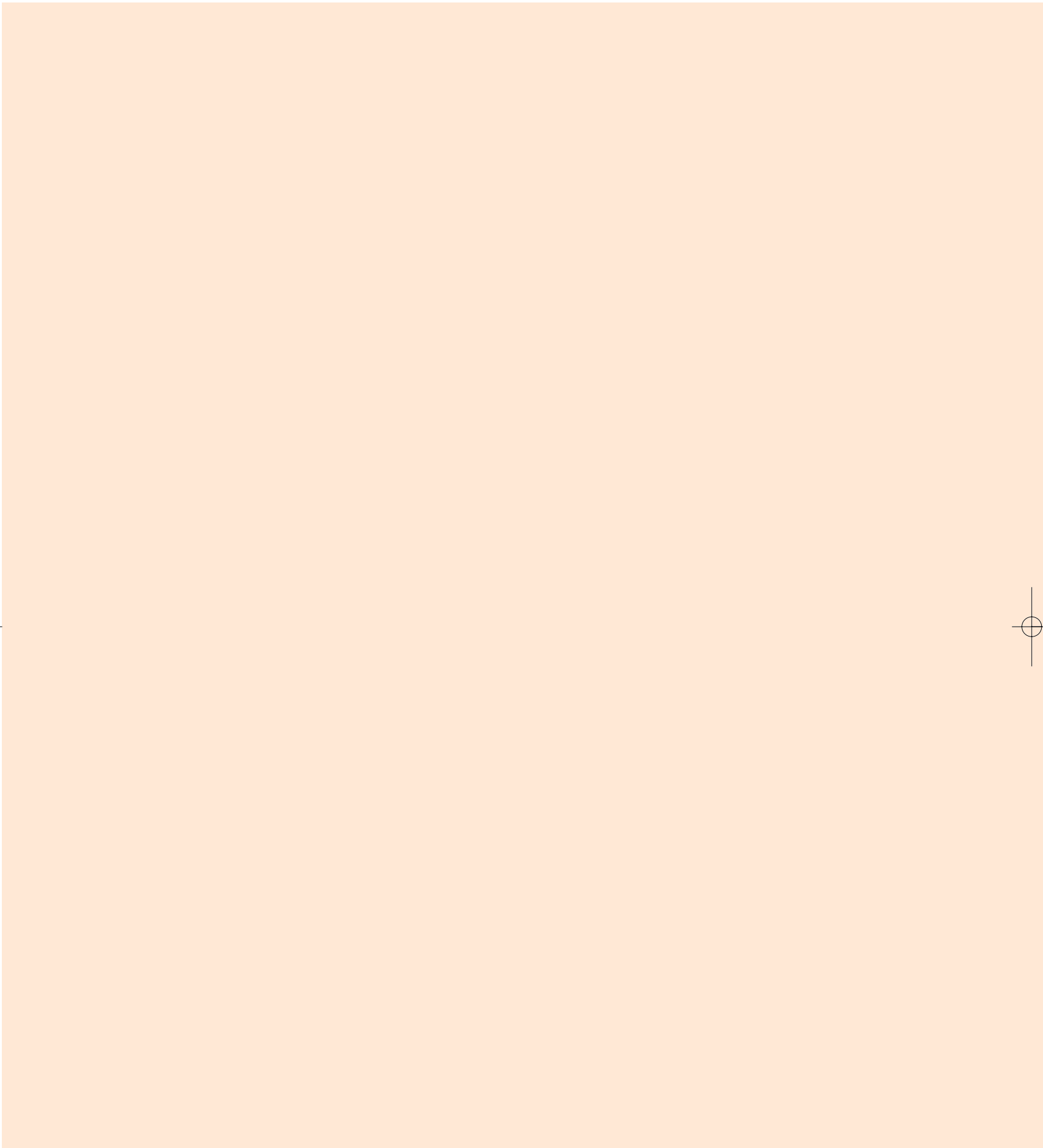
policy. As a result of the Wmo (see above) the municipalities have the primary task of assisting and supporting these young people.

Based on the final report, the State Secretary for Health, Welfare and Sport will review, in 2008, what further actions are needed. To this effect a link will also be established to the Programme for Honour-Related Violence (see above) and the 'Dialogue' project (see under 1A).

Concrete measures

- ⌘ The five-year Zon/Mw programme entitled 'Sexual health of young people' will look at homosexuality in the context of promoting the sexual health of young people, with special attention for young people from ethnic minorities and young people with lower levels of education.
- ⌘ In its fourth progress report (May 2008), the Programme for Honour-Related Violence will report on possible measures regarding the help and protection of LGBT victims of honour-related violence.
- ⌘ Depending on the results of the project for increasing the participation of lesbian women and gay men in the Wmo policy, it will be assessed, in 2008, what further actions may need to be taken. MOVISIE will be involved in this assessment. In 2008 the results of the project 'Pink elderly people in The Netherlands' will also be evaluated.
- ⌘ The quality programme 'Care for the Better' looks at the treatment and co-determination of the elderly, including LGBT elderly requiring care.
- ⌘ In 2008 it will be assessed what the follow-up to the four-city project, dealing with support, help and a network for gay people of non-Dutch heritage, needs to be.

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6 The Ministry for Youth and Families

The Programme Minister for Youth and Families is responsible for ensuring the cohesion of the government's efforts in the area of youth and families. If, in this LGBT Policy memorandum, specific measures are named that relate to young people, these will be implemented in conjunction with or in consultation with the Minister for Youth and Families. An example of this approach is the programme 'Including youths of non-Dutch heritage through sport'⁵¹.

The Ministry for Youth and Families has a direct policy responsibility in the following areas. If a young person becomes aware of his own (homo)sexuality, this may result in certain emotions and/or questions. The same applies to the young person's parents. Young people and their parents can contact the Centres for Youth and Families with all their questions relating to growing up and raising children, including questions about homosexuality. In areas where there is not yet a Centre for Youth and Families, support can be sought from institutes like Youth Healthcare.

It is also important that the government keeps a close eye on the combating of anti-gay behaviour. To this effect the Collaborating Youth Services Inspectorates (the Youth Protection Inspectorate, the Healthcare Inspectorate, the Education Inspectorate, the Public Order and Safety Inspectorate and the Work and Income Inspectorate) have investigated to what extent the theme of gay tolerance and homophobia can be included in the (implementation of) regular sectoral supervision processes in 2007. Where this proved to be possible, these themes have been incorporated in the supervision processes. The first (sectoral) reports will appear in 2008.

In addition, the Collaborating Youth Services Inspectorates will organise two expert meetings of practical experts in 2007. In (and after) the expert meetings, the Collaborating Youth Service Inspectorates will focus attention on the theme of gay tolerance and particularly on the flipside of gay tolerance: gay intolerance and homophobic behaviour of young people. The first expert meeting will cover the area of education. The central question will be 'How can supervision against homophobia in schools be effectively implemented?' The second expert meeting focuses on different collaborating youth institutes and has the purpose of investigating whether the (integral) supervision of these youth institutes can result in signalling anti-gay behaviour among young people. This will map out the places and situations in which anti-gay behaviour occurs the most frequently.

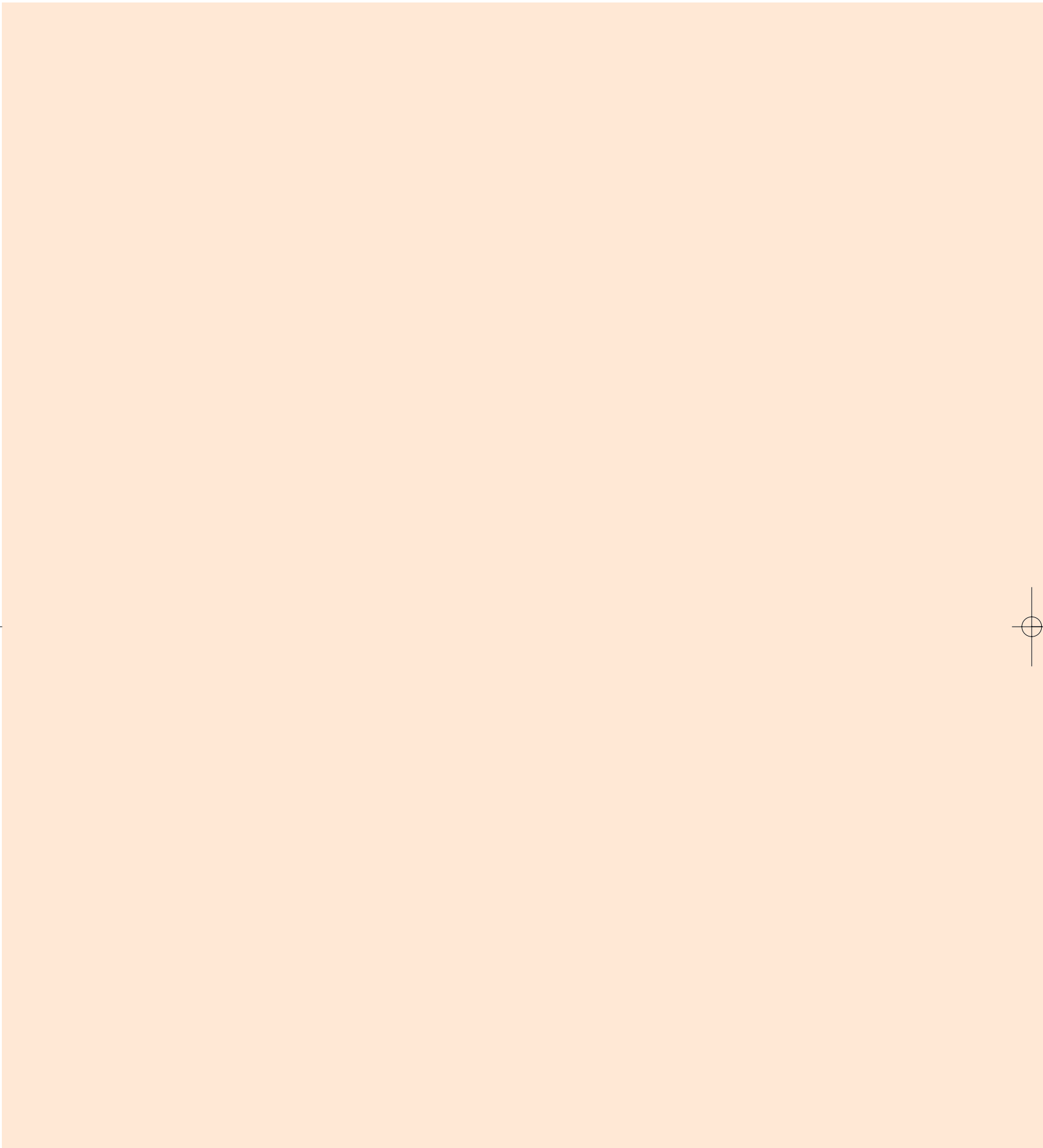
This way the Inspectorates can eventually, after a targeted policy has been implemented, investigate whether a reduction in anti-gay behaviour can be seen. Where this is not or not sufficiently the case, the Inspectorates can make suggestion for further targeted measures to institutes, and consult with the responsible government organisations.

Concrete measures

- **In 2007 the Collaborating Youth Services Inspectorates will organise two expert meetings with practical experts on the theme of gay tolerance and particularly the flipside of this.**

⁵¹ See page 41, et seq under the header 'Concrete measures in the area of sport'.

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7 The Ministry of Housing, Neighbourhoods and Integration

7.1 Making homosexuality a topic for dialogue in ethnic-minority circles and combating discrimination

In some ethnic circles homosexuality is a controversial subject. It is still very much a taboo and is rejected as a result of, among other things, religious and cultural traditions. From a political and social point of view it is an urgent necessity to look for ways of breaking through this taboo on homosexuality.

A direct reason for trying to make homosexuality a topic for dialogue in ethnic-minority heterosexual circles was a number of violent incidents against LGBTs in 2005, in which groups of young people from ethnic minorities were involved. Regional surveys show that a considerable number of young people from ethnic-minority backgrounds do not want gays and lesbians in their circle of friends. This hostility to LGBTs manifests itself internally, within ethnic-minority groups and also externally, aimed at other LGBTs. Younger ethnic-minority LGBTs experience major difficulties in their own ethnic circle if their gay orientation becomes known. Abuse and exclusion may be the result. There are also increasing numbers of reports of harassment and physical abuse of LGBTs by groups of ethnic-minority youths in nightlife venues, in the street and in public spaces.

In order to combat the hostility toward LGBTs that exists among groups of young ethnic-minority people, processes were started in 2005 through to 2007 that were aimed at the social acceptance of LGBTs and lesbians. A number of further initiatives have since started up, ranging from local meetings about sexual diversity, radio programmes, walk-in meetings and training programmes aimed at teaching ethnic-minority LGBTs to be more assertive.

The government wants to continue to give specific attention to the promotion of 'respect for differences', particularly in ethnic-minority circles. The organisations involved will work on activities aimed at making homosexuality a topic for dialogue in ethnic-minority circles and on measures to combat discrimination against LGBTs.

In the period 2008 - 2011, the policy aimed at making homosexuality a topic for dialogue in ethnic-minority circles will be continued.

For instance, the gay-interest group COC Netherlands, in conjunction with Art. 1, the national organisation for combating discrimination, developed a number of initiatives in 2007 to encourage ethnic-minority communities in The Netherlands to make homosexuality a topic for dialogue in their own circles. To this end, both organisations have formulated a master plan aimed at creating an atmosphere in which LGBTs can find the self-confidence to start up dialogue in their immediate environment. In addition to a substantial dialogue, both organisations want to create role models to remove the main prejudices with regard to homosexuality. The master plan will be implemented in conjunction with many partners, including non-Dutch heritage (gay) advocacy groups and ethnic-minority organisations.

As part of the master plan, the following projects will be implemented:

- ⋮ The production of a short movie, with expressive examples and well-known actors, as a means for starting the debate. Elements from the movie will be used in a lesson pack for students in secondary education;
- ⋮ Media campaigns on the basis of fact sheets with role models in conjunction with national, regional and local radio and TV broadcasting stations;

- ⌘ Visibility campaign at festivals visited by ethnic minorities. Special information material is being developed;
- ⌘ Respect Festival, in the form of a talk show with interviews and performances by rappers and stand-up comedians;
- ⌘ Stand-up comedy followed by a debate with the audience;
- ⌘ Edition of *Expreszo (magazine for LGBT teenagers)* on ethnic minorities and homosexuality;
- ⌘ Various local activities aimed at starting the debate about homosexuality in ethnic-minority circles;
- ⌘ Accessible website where young LGBTs of non-Dutch heritage can get information and make contacts.

In this context and based on its own master plan, the Centre for Knowledge and Expertise, FORUM, is also working on an *Internet community* of young LGBTs of non-Dutch heritage aimed at increasing their assertiveness. In addition to the website a *toolkit* is being developed that they can use to realise their own initiatives. The project also aims to create a network of confidential persons whom young people from the target group can fall back on if necessary. In this project, FORUM works closely with relevant parties, such as COC Netherlands and ethnic minority interest groups.

The above projects will continue until the end of 2007. After their completion an evaluation of the Master plans of COC Netherlands/Art. 1 and FORUM will be conducted. It will be assessed whether the projects contributed to improving the debatability of homosexuality in ethnic-minority circles, and to increasing the assertiveness of LGBTs of non-Dutch heritage. Based on the results of the evaluation and a meeting with experts in the area of ethnic-minority homosexuality, the policy for 2008 - 2011 will be given further shape.

7.2 National network of anti-discrimination facilities

Victims of discrimination, for instance on the basis of sexual orientation, must be able to find support in their own area. This is why the government makes 6 million Euro available each year for a national network of anti-discrimination facilities. Municipalities are obliged by law to give citizens access to anti-discrimination facilities. Such facilities give citizens access to low-threshold, independent and efficient advice and support if they feel discriminated against. These facilities can also refer people on to the police, the courts and the Equal Treatment Commission. Municipalities can provide supplementary financing for these facilities for the purpose of information activities and policy advice.

In the second half of 2007 the Minister for Housing, Neighbourhoods and Integration will submit a legislative proposal to Parliament. The effective date of the legislative proposal is expected to be 1 January 2009. In view of this impending legislation, the Minister for Housing, Neighbourhoods and Integration wants to work toward a network that provides full national coverage. For the years 2006, 2007 and 2008, a bridging measure has therefore been put in place (September Circular 2006, June Circular 2007, September Circular 2007), for the purpose of which administrative agreements have been signed.

In order to achieve a comprehensive chain of discrimination facilities, there will be a national website and a telephone number where citizens can submit complaints. Citizens, therefore, have direct access to the anti-discrimination facility in their own municipality. The website and telephone line are a low-threshold supplement to the national infrastructure.

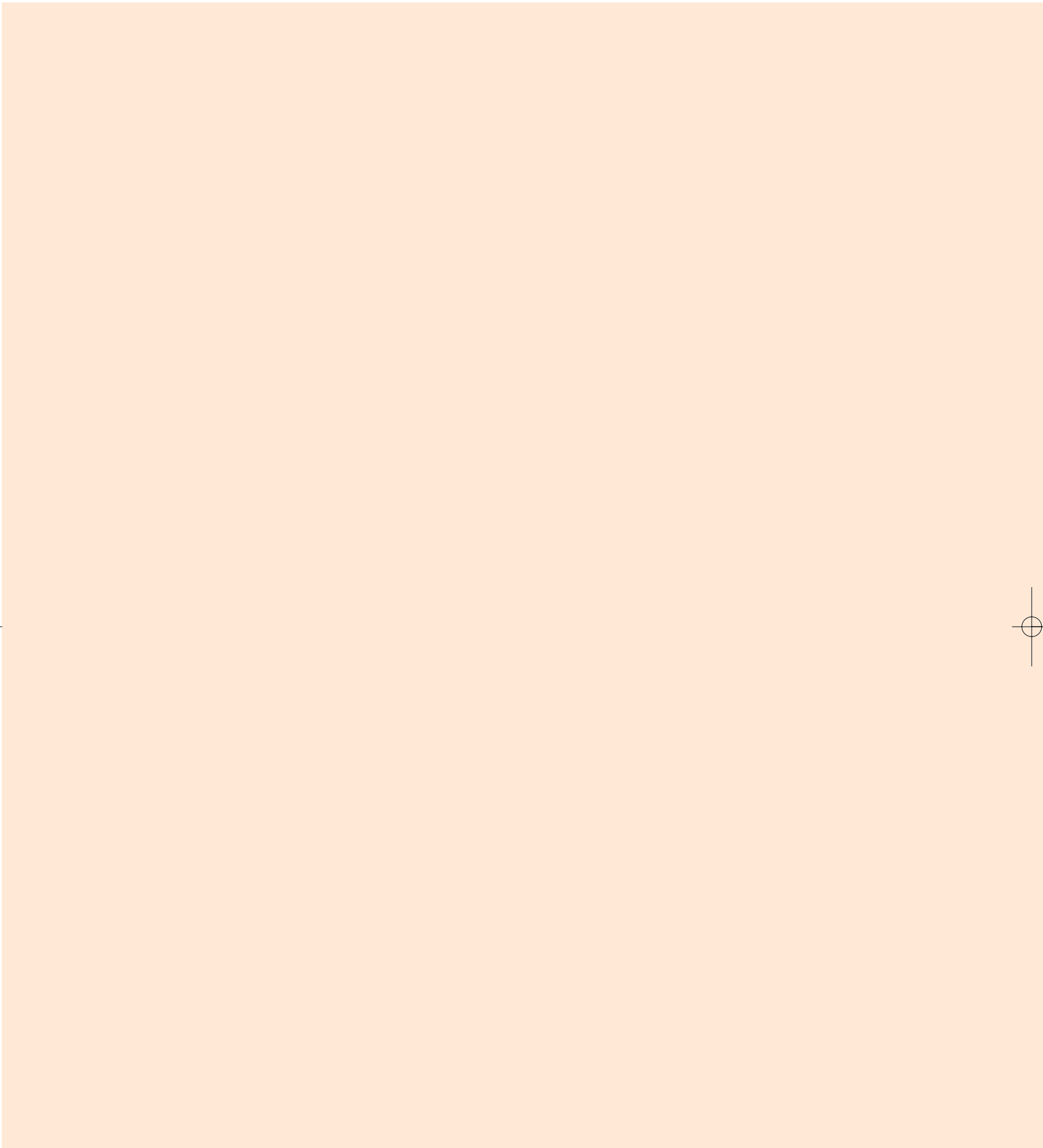
In order to inform citizens about the options for reporting discrimination, the Minister for Housing, Neighbourhoods and Integration will also, at the request of Parliament, design a national information campaign in conjunction with Art. 1 and the VNG when the legislation is being defined. This campaign will also focus on complaints in the context of sexual orientation.

The national association against discrimination, Art. 1, plays an important role in the realisation of the national network of anti-discrimination facilities and their professionalisation. This new national association, Art. 1, has played an important role in the information provision to municipalities, provinces and anti-discrimination agencies and the distribution of knowledge and expertise. Art. 1 provides training courses on complaints handling for the purpose of training staff in anti-discrimination facilities. Here, complaint handlers learn how they can best help victims of discrimination. Parts of these courses focus specifically on dealing with citizens who have become the victim of discrimination as a result of their sexual orientation.

Concrete measures

- ⌘ **The policy aimed at making homosexuality a topic for dialogue in ethnic-minority circles will be continued without change. The substantive content of the policy depends on the evaluation of projects that will be completed at the end of 2007.**
- ⌘ **Every year 6 million Euro is made available for a national network of anti-discrimination facilities.**
- ⌘ **Submission of a legislative proposal for a national network of discrimination facilities in the second half of 2008.**

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8 The Ministry of Social Affairs and Employment

Equal rights are not only important for employees, but also for companies. Equal treatment is essential to allow employees to develop and utilise their talents to the maximum. For this reason supporting equal treatment and promoting diversity in the workplace and in companies remains a point for attention in government policy.

Legislation

Based on Article 13 of the Amsterdam Convention, the European Council can take measures to combat discrimination on the ground of, among others, sexual orientation. Directive 2000/78/EC of 2 December 2000 is based on this Article. At that time The Netherlands strongly supported the inclusion of sexual orientation in this Directive. The Directive obligates the member states to take measures to combat discrimination on the ground of different sexual orientation. As a result of European anti-discrimination legislation, such as Directive 2000/78 EC, the national legislation of EU countries has changed considerably in recent years. Now it is important that equal treatment also becomes a practical reality. The Netherlands promotes this realisation, among other means by focusing on discrimination on the basis of (homo- or hetero)sexual orientation in official exchanges and contacts with other member states.

Someone who feels they are a victim of discrimination can submit a complaint to the Equal Treatment Commission (CGB) or an anti-discrimination agency, or take the matter to court. The CGB can also conduct investigations and make decisions on its own initiative. This option of conducting independent investigations was expanded via the Awgb Evaluation Act. This was adopted by Parliament on 13 September 2005 (Parliamentary document 2004-2005, 29311). Before, an investigation initiated by the CGB had to relate to an entire sector. As a result of the legislative change, a

small-scale independent investigation is now also possible. The Minister of Social Affairs and Employment (SZW) is currently evaluating the possibility of including discrimination as psycho-social work pressure in the Working Conditions Act.

Acceptance in the workplace

At the request of the State Secretary for Health, Welfare and Sport, the Social and Cultural Planning Bureau (SCP) has evaluated what the status is in The Netherlands with respect to the acceptance and tolerance of homosexuality. The Minister of Social Affairs and Employment made funding available for a specific emphasis, within this study, on the situation in the workplace. In September 2006 the SCP report entitled 'Just act normal!' Acceptance of homosexuality in The Netherlands' was published. Situations still occur where LGBTs in the workplace are faced with a negative attitude because of their sexual orientation. The report also shows that harassment and discrimination at work are being dealt with seriously, even in workplaces that do not have a specific gay or diversity policy.

The National Employment Conditions Survey (NEA) is a periodical study into employment conditions in The Netherlands, conducted by TNO (*Dutch Institute for Working Conditions*) by order of the Ministry of Social Affairs and Employment. The purpose of the NEA is to 'monitor' working conditions in The Netherlands in a broad sense. This is achieved by conducting a random survey among a large and representative group of employees.

Subjects about which the respondents are questioned include, for instance, working hours, work pressure, noise and hazardous substances, but also intimidation, harassment and discrimination. One of the questions in the 2006 NEA was: "Is there discrimination in your workplace based on sexual orientation?" 2.8% of the 24,100 respondents answered "yes, regularly" to this

question. Men said this slightly more often than women. The results have been classified by sector, for instance 3.2% in the hospitality sector and 1.4% in the financial services sector.

Employment

In its equal treatment policy, the Ministry of Social Affairs and Employment specifically takes sexual orientation into account. The practical realisation of equal treatment in the workplace is supported by means of information (via the Internet, brochures, publications or articles in (trade) magazines and information meetings), regular consultations with the organisations involved and the subsidisation of studies and projects. For the Ministry of Social Affairs and Employment, the starting point when granting subsidies is: a positive approach and entering into a discussion with the business community, whereby good examples and the importance of diversity is brought to people's attention at all levels.

Some examples of information and training projects:

Recruitment and selection

The Ministry of Social Affairs and Employment has requested a subsidy from the European Commission for the project 'Recruitment and selection without problems'. The project involves workshops aimed at eliminating prejudices and promoting equal treatment in the recruitment and selection procedures of HRM managers, personnel functionaries and functionaries of the Centre for Work and Income (CWI).

European Year of equal opportunities for everyone (2007)

The European Commission pronounced 2007 the 'European year of equal opportunities for everyone'. With this initiative the Commission wants to try to put a stop to differentiation and discrimination, but especially also emphasise the advantages of diversity. In 2007, The Netherlands is also focussing comprehensively on this

subject, with workshops, debates and a subsidy scheme for special projects. The activities The Netherlands has organised in the context of the European Year of Equal Opportunities are outlined in a National Action Plan. Various organisations that work for equal opportunities and the combating of discrimination, such as centres of expertise, social partners and NGOs, are involved in the formulation of the plan. Some examples of activities that have been organised in the context of the European Year are the conference on 'Coloured Ceilings' and workshops on equal treatment and discrimination for journalists, spiritual counsellors and religious leaders and judges in training. A special subsidy scheme was also announced, called the Temporary National Subsidy Scheme for the European Year of Equal Opportunities. Twenty-one projects that promote equal opportunities and diversity have already received a subsidy on the basis of the scheme.

Care leave

In its policy vision, the gay movement advocated the provision of more opportunities for care leave for non-family members. However, care leave is not always the solution for care problems. Other solutions, for instance, may be found in different arrangements, such as the adjustment of working hours. At present the law regulates the minimum care leave rights of the employee in relation to the employer and limits itself to family members. Social partners are free to expand these rights and include any changes in their CAO (Collective Labour Agreement).

Concrete measures

- **Research into the inclusion of discrimination as a factor for psycho-social work pressure in the Working Conditions Act.**
- **Funding is made available for projects aimed at equal treatment in the workplace.**

9 The Ministry of Defence

In 1974 the ban on homosexuality in the armed forces was lifted. However, the acceptance of LGBT soldiers was still a long time coming. The Foundation for Homosexuality and the Armed Forces, which was established in 1987, fulfils an important role in representing the interests of gay, lesbian, bisexual and transsexual Defence personnel. Among other things the Foundation represents these rights by monitoring the progress of the translation of the LGBT policy into practice in the Defence Department, by advising, consulting with political and military leaders and organising conferences. There has been gradual progress in LGBT emancipation in the armed forces. In 1992 a major study was conducted into the acceptance of and discrimination against LGBT personnel. To an important extent, the results of this study were the foundation for the Ministry of Defence's LGBT emancipation policy. Subsequent studies were conducted in 1998 and 2006.

'Uniform out the closet'

The 2006 study by the Social and Cultural Planning Bureau, 'Uniform out the closet' corresponded with the broader SCP study into the acceptance of homosexuality among the Dutch population (report 'Just doing what comes naturally').

The 'Uniform out the closet' report shows a detailed picture of the acceptance of homosexuality in the armed forces. There is broad acceptance (90%). This acceptance has remained the same or even increased somewhat over the years. With regards to views on equal rights and anti-discrimination, the results correspond with those of the general Dutch population. On average, Defence personnel have a positive attitude toward homosexuality. However, the picture is not all rosy. The study also shows that, like the Dutch population as a whole, a proportion of the Defence personnel has trouble

with the visibility of homosexuality. One-third of personnel members do not value the attention given to this theme. The report also states that nearly all persons interviewed in the context of the study have had, at one time or another, a negative experience as a result of sexual orientation. A considerable proportion are afraid to openly come out about their sexual orientation at work. Finally, the study shows that Defence personnel are not very aware of the policy with regard to homosexuality; on some points the knowledge of the policy and the implementation of the policy leaves somewhat to be desired.

The current policy of the Ministry of Defence focuses on acceptance, emancipation and integration of LGBT Defence personnel by means of training, the provision of support, studies and information. Based on the results of 'Uniform out the closet', the decision was made to intensify the current policy.

For the period 2008 - 2011, the Ministry of Defence policy will continue to focus on promoting the emancipation and support of LGBT Defence personnel, both in The Netherlands and in Europe. Creating a safe work environment for all personnel and banishing all forms of undesirable conduct and discrimination are essential. The policy as it has been implemented so far remains in force unchanged, but where necessary it will be intensified. In more concrete terms, this involves the following.

Training

Although the necessary has been done in the area of training, it has become clear that there is still not enough focus on diversity and homosexuality. For this reason a project was started up to give these themes a clear place in all the initial and ongoing career training of the Defence Department.

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Information

It is important to continue working on the provision of good information, both internally and with an external focus. For this reason the Ministry of Defence – in conjunction with the police – participated in Pink Saturday for the first time in 2007. This participation (and collaboration) will be continued in the coming years. In addition the Ministry of Defence will work on its image as a 'diverse' employer, with a good and safe work environment for LGBT personnel.

Research

The study 'Uniform out the closet' did not make any pronouncements about the acceptance of LGBT personnel by Defence personnel with a specific ethnic cultural background. This means that additional and more targeted research is necessary, which will start in 2008.

In 2010 another department-wide (follow-up) study into the acceptance of homosexuality in the armed forces and into the effects of the current policy will also be conducted.

Foundation for Homosexuality and the Armed Forces (SHK)

In November 2007 the Foundation for Homosexuality and the Armed Forces (SHK) will be celebrating its 20th anniversary. The Ministry of Defence continues to support the Foundation, among other means by subsidies, other facilities and funding for specific projects.

The SHK works with volunteers. The SHK has asked the Defence Department for professional support that could take over parts of the administrative burden. The Defence Department has a number of other networks, including the women's network and the multi-cultural network. The Defence Department aims to promote collaboration with these networks and to allow them to jointly make use of professional support for an initial

period of four years (2008-2011). This plan will be discussed in the autumn of 2007.

In order to focus on the international nature of the gay problems in the armed forces, the Defence Department and the SHK, in conjunction with the police, will be organising an international conference on homosexuality in the armed forces in 2010. In addition, collaboration with other (international) gay organisations will be encouraged in order to share knowledge and experiences.

Concrete measures

- ⌘ **The theme of diversity, including homosexuality, will be incorporated in initial and follow-up training.**
- ⌘ **Multi-year support of the SHK network (in conjunction with the Ministry of Education, Culture and Science).**
- ⌘ **International exchange – LGBT emancipation and armed forces in 2010 (in conjunction with the Ministry of Education, Culture and Science).**
- ⌘ **Study in 2008 and third evaluation of acceptance in the armed forces in 2010.**
- ⌘ **More visibility for the Defence Department during events like Pink Saturday.**

10 The Ministry of Foreign Affairs and Development Cooperation

10.A LGBT policy in bilateral relations

Respect for human rights is a condition for LGBT emancipation. If the human rights of LGBTs - for instance the freedom of association and the freedom of peaceful demonstration - are being violated, the Dutch government will, in principle, protest to the authorities in question, referring to the international obligations. Such protests are sometimes made via the Common Foreign and Safety Policy (CFSP) of the European Union. In other cases The Netherlands will use bilateral channels. The human rights ambassador also plays an active role.

In the summer of 2007 the Minister for Development Cooperation had a study conducted into the liability to punishment of homosexual acts in the 36 countries with which The Netherlands maintains a development cooperation relationship. Homosexual acts proved punishable in 18 of the 36 partner countries. The Dutch embassies have been asked to include the abolishment of liability to punishment in their dialogue with the authorities of the partner countries in question.

In many of these countries the theme of homosexuality is a very sensitive one. However, efforts will still be made to discuss the issue with the local authorities in the context of broader human rights issues if there is a chance this could lead to useful results.

In addition to the legal position, the social position of sexual minorities is also an area of attention for the Dutch embassies. For this purpose many embassies maintain contacts with gay advocacy groups in the countries in question. When necessary, embassies provide support by, for instance, closely monitoring court cases in which sexual orientation plays a role, like the recent case in Uganda.

10.B LGBT policy in multilateral forums

Council of Europe

As a result of violence against homosexuals demonstrating peacefully in Moscow on 27 May 2006, The Netherlands took the initiative of presenting an EU statement in the Council of Europe. This statement condemned any expression of racism, xenophobia, intolerance, discrimination and homophobia. The statement also emphasised the responsibility of the authorities to guarantee the rights and obligations imposed by the European Convention on Human Rights (ECHR), including freedom of opinion, freedom of association and freedom of assembly. The statement was read by the Committee of Ministers during the meeting on 21 June 2006.

The Secretary-General of the Council of Europe, Terry Davis, has expressed his concern about the increasing homophobia in a number of statements, and advocates the breakdown of the walls of prejudice and intolerance. The Human Rights Commissioner of the Council of Europe, Thomas Hammarberg, has also declared homophobia and all expressions of homophobia an area for attention.

In the period up to and including 2009, The Netherlands supports the appointment of an expert in the area of human rights. This expert will reinforce the office of the Human Rights Commissioner and put the theme of homophobia higher on the agenda within the Council of Europe.

OSCE

Within the Organization for Security and Co-operation in Europe (OSCE), three personal representatives of the Chairmanship deal with issues surrounding tolerance and non-discrimination. Personal representative Anastasia Crickley is charged with the combating of discrimination against Christians and other forms of discrimination, including discrimination on the ground

of sexual orientation. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) has a separate programme for the promotion of tolerance and non-discrimination. The office maintains a website containing information about international tools and practical initiatives to promote tolerance (<http://tandis.odihhr.pl>).

Since 2006 The Netherlands, in an OSCE context, has requested more explicit attention for discrimination on the ground of sexual orientation. One of the reasons for this is the growing homophobia in Middle and Eastern European countries (all of which are part of the OSCE). In a number of participating states this meets with resistance, especially because sexual orientation is currently not named as a specific ground for discrimination under the relevant OSCE obligations. On the basis of the Programme for the Support of Foreign Policy, The Netherlands finances the participation of non-government organisations (including COC) in OSCE conferences to request, via *'side-events'*, that attention be given to The Netherlands' experience of making such issues a topic for discussion. In the coming years The Netherlands will continue to try and keep this theme on the agenda within the OSCE.

UN

During the 59th session of the Human Rights Commission (2003), Brazil submitted a resolution on human rights and sexual orientation that called on states to respect each other's human rights, irrespective of sexual orientation. The resulting debate was heated and resulted in a postponement of the issue until the 2004 session. Even then support for the resolution remained limited to western countries; the resolution was not passed. A new initiative for a UN resolution appears to have little chance of success. As soon as there is a realistic chance that a similar text will be adopted The Netherlands will once again make a concerted effort.

Partly in view of the above, The Netherlands feels it is important that gay-interest organisations are also represented in the UN and can obtain consultative status for this purpose. The Non-Government Organisations (NGO) Committee of the ECOSOC (Economic and Social Council) mostly rejects applications from gay organisations. In an EU context there has, consequently, been active lobbying for some time to have applications from these organisations approved by the ECOSOC. The fact that it requires this much effort to get consultative status for gay organisations demonstrates the nature of the balance of power in the UN and the NGO Committee. Formal involvement of The Netherlands in the NGO Committee is not possible as The Netherlands is not a member. However, EU members in the Committee do vote against the Committee's negative recommendations.

The Netherlands rejoined the ECOSOC in January 2007. Decisions in the ECOSOC are made by majority of vote. The Netherlands actively attempts (in EU context and with other member states) to support applications from gay organisations and to approach ECOSOC member states in order for these organisations to be able to get a status. At the end of July 2007 these efforts were awarded by the admission of two organisations, Coalition Gaie et Lesbienne du Québec (*Gay and Lesbian Coalition of Québec*) and the Swedish Federation for the Rights of Lesbian Women, Homosexual Men, Bisexuals and Transgender Persons, despite the negative advice of the UN 'NGO Committee'. Finally, The Netherlands actively supports the application for consultative status of COC Netherlands, which will be taken into consideration by the NGO Committee in 2008.

At an international level a number of umbrella organisations for gay advocacy groups are active. Among others, these are the International Gay & Lesbian Youth Organisation (IGLYO) and the

International Lesbian & Gay Association (ILGA). The work of these organisations is often done by volunteers. A lot of Dutch gay organisations and associations are members of these federations, such as the COC and Expreszo. The Minister for LGBT Policy wants to give a boost to both federations, which do important work for the international emancipation of LGBTs.

Activities that contribute to combating the discrimination of LGBTs will be supported from the Human Rights Fund of the Ministry of Foreign Affairs.

10.C LGBT policy and the EU

The prohibition of discrimination on the basis of sexual orientation is named explicitly in Article 13 of the EC Treaty. This Article gives the Council the authority to take measures against discrimination on the grounds of gender, race, religion, age, disability or sexual orientation, after a proposal to that effect by the Commission and after consultation with the European Parliament. The Netherlands deems it very important that equal treatment standards exist for the aforementioned grounds for discrimination at an EU level. After all, equal treatment is a fundamental value that must be respected by all member states and citizens. A number of different measures have now been implemented pursuant to Article 13 of the EC Treaty.

In 2005 the EU adopted a 'non-discrimination framework strategy' that resulted from the 2004 'Green Paper on equality and non-discrimination'. The framework strategy describes how the national legislations of the EU member states must be converted as a result of the Community anti-discrimination legislation (Directives 2000/43/EC and 2000/78/EC). The Commission indicates it is closely monitoring the conversion of this legislation and that, where necessary, it will start violation procedures. Directive 2000/78 applies to equal treatment in work

and profession and prohibits discrimination on the ground of sexual orientation. In July 2007 the European Commission started a consultation round that will help it develop new measures for combating discrimination on the grounds of gender, religion or philosophy, race, disability, age and sexual orientation. The European Commission wants to hear the opinion of as many people as possible on the question as to how discrimination in areas other than employment can be combated effectively. The Netherlands supports this consultation round and is looking forward to the Commission's findings on the basis of this round with interest.

LGBT policy comes under the competency of national governments. In this area The Netherlands, together with the other Benelux countries, Germany, the United Kingdom, the Scandinavian countries *and* Spain, belongs to the leading group in Europe. This is also easy to see in the attitude of the population with regard to LGBTs. Appendix I (SCP publication 'Just doing what comes naturally') takes a closer look at the position of The Netherlands compared to other countries.

The problems in this leading group show similarities remarkably often and sometimes the way of dealing with these problems is also the same. Collaboration between European countries by exchanging good practical examples provides opportunities for further improving the effectiveness of the LGBT policy. For this reason the government wants to organise a meeting of countries in that leading group. The focal point in such a meeting would be the exchange of good practical examples for the themes of: dialogue, education and safety. This exchange will also be shared with countries that are currently still behind.

10.D Support for gay organisations in other countries

Other than by diplomatic means, the government also contributes to LGBT policy by means of financial support for LGBT advocacy groups in other countries. The capacity structuring of such organisations takes place, among others, via the Matra projects programme, which will see a project start up in 2007 in the area of LGBT emancipation and the rights of sexual minorities. The COC was promised a subsidy for a project with the Turkish organisation that represents gay rights. The government will make over 600,000 Euro available for this project.

Earlier comparable COC projects were implemented in the period 2002-2005. In the Ukraine this involved an amount of nearly 400,000 Euro. For Romania and Bulgaria nearly 400,000 Euro was made available in the period 2001-2004. These funds were intended to reinforce local interest groups and protect the rights of sexual minorities. The projects have reinforced the local organisations.

In addition, the COC and the Schorer Foundation receive subsidies from Official Development Assistance (ODA) funds. The main reason for this support is the activities these organisations undertake in the area of the combating and prevention of HIV/AIDS.

With the help of financing within the Thematic Co-Financing context, COC Netherlands started the PRECIS project with partner organisations in Central Asia and Eastern Europe in 2006. The objective of this project is to drive back the further spread of HIV/AIDS and other sexually transmitted diseases among sexual minorities in this region. Throughout the project, gender-specific campaigns for HIV/AIDS prevention are to be organised for sexual minorities. The capacity of local gay

organisations is to be increased in seven countries. The LGBT-community's resistance against the further spread of HIV/AIDS will be increased and a better understanding will be obtained into the sexual behaviour of sexual minorities. HIV/AIDS and the prevention of sexually transmitted diseases will be incorporated in the national policy.

Schorer aims to structurally combat poverty in DAC (*Development Assistance Committee*) countries by offering and implementing management training and organisational development to local NGOs. This relates to homosexual emancipation, a 'buddy' care system, and HIV/AIDS prevention. Schorer does its work in collaboration with Hivos, ICCO (*Interchurch Organisation for Development Co-operation*) and Cordaid. In the context of the co-financing system, a programme will be financed until the end of 2010 that focuses primarily on HIV/STD prevention for sexual minorities in relation to the combating of poverty. Priorities are the institutional and thematic increasing of partner organisations' capacities and 'mainstreaming' as regards health policy and its implementation in the countries where the partners work. The organisation focuses on training, advice and practical support. Through the partner organisations, Schorer is active in South Africa, Botswana, Namibia, Zimbabwe, Brazil, Costa Rica, Honduras, Ecuador and Surinam.

At a local level a number of embassies also provide financial support to gay advocacy organisations. For instance, the Embassy in Dhaka (Bangladesh) funds the Bandhu Social Welfare Society that represents the rights of sexual minorities and does important work in the area of HIV/AIDS prevention.

10.E Role of Hivos and other co-financing organisations

Because of its humanitarian background, Hivos feels closely involved in the battle for emancipation of sexual minorities. According to Hivos, gay rights are inextricably linked to freedom, self-determination and access to opportunities and possibilities. Because it is related to development, the emancipation of sexual minorities (in developing countries) is also on Hivos' agenda. For Hivos, the emancipation of homosexuals, lesbians, bisexuals and transgender people not only forms part of the broader HIV/AIDS and human rights programmes, but is also an objective in itself. Nonetheless, the AIDS pandemic was an important reason for the expansion of the number of gay advocacy organisations that Hivos supports and the formulation of a specific policy. As a result the HIV/AIDS policy of Hivos has, since the early Nineties, included special attention for high-risk groups like gay men and the double stigma they may be afflicted with: having the AIDS virus and their sexual orientation.

Meanwhile, Hivos' southern partners are implementing 57 projects, in 25 countries, in the area of gay rights. This involves a total of over 2 million Euro per year. 1.6 million goes to specific gay advocacy partners. The remainder goes to women's organisations, HIV/AIDS organisations and general human rights organisations that include gay rights in their programmes and projects.

In addition to the traditional role of financier, the approach used by Hivos consists of six components:

- ⌘ supporting local activism;
- ⌘ reinforcing a worldwide gay movement;
- ⌘ donor coordination;
- ⌘ reinforcing inter-sectoral alliances (joining the gay movement to other social movements at a national level);
- ⌘ concluding international alliances (for instance aimed at lobbying the UN system);
- ⌘ sharing knowledge and capacity structuring of gay organisations.

Six of the Hivos projects relate to supporting Dutch and global organisations like the COC, Schorer and ILGA (International Lesbian and Gay Association), but also to the establishment of a new worldwide virtual platform for education about homosexuality, 'GALE'. Together with Empowerment Lifestyle Services, Hivos is the founder of this project that is expected to start in September. Hivos also feels it is important that there are more exchanges and contacts between organisations in The Netherlands that are involved in international LGBT emancipation projects. In collaboration with a number of colleagues (COC, Schorer, Amnesty International and WPF), the PILE platform (Platform for International LGBT⁵² Education) was established for this purpose.

Concrete measures

- ⌘ **The liability to punishment of homosexual acts is included in the dialogue with countries where this is an issue (Ministry of Foreign Affairs).**
- ⌘ **Active lobbying for gay organisations that want to obtain consultative status with the ECOSOC, including COC (Ministry of Foreign Affairs).**
- ⌘ **Exchange of good practical examples of LGBT emancipation with countries from the leading group in Europe (Ministry of Education, Culture and Science in conjunction with the Ministry of Foreign Affairs).**
- ⌘ **Financing of gay rights expert in Council of Europe (Ministry of Foreign Affairs).**
- ⌘ **Support for the human rights network of ILGA-Europe, IGLYO (International Gay and Lesbian Youth Organisation) (Ministry of Education, Culture and Science).**

52 LGBT is the acronym for 'Lesbian, Gay, Bisexual and Transgender'.

Simply gay LGBT Policy 2008-2011

- ⌘ Continued subsidies for capacity structuring of gay organisations and the combating of HIV/AIDS among high-risk groups in other countries (Ministry of Foreign Affairs).
- ⌘ Hosting the annual ILGA meeting (Ministry of Education, Culture and Science).

Appendix I

Monitoring of social acceptance of homosexuals in The Netherlands

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1 Just doing what comes naturally

Homosexuality may not be accepted across the board, it is certainly accepted across broad layers of the population. This was the main conclusion in the report entitled *Just doing what comes naturally. Acceptance of homosexuality in The Netherlands*, published by the Social and Cultural Planning Bureau (SCP) at the request of the Balkenende III government (Keuzenkamp et al. 2006). This was the first study to provide a broad overview of the attitude of the Dutch population toward homosexuality. Overall the picture is favourable. However, it is clear that there are also certain groups – young people and some ethnic minority groups – for whom homosexuality is still a problem. And stories about homosexuals being abused in the streets still show up regularly in newspapers.

Now that the regulation of equal rights for homosexuals in The Netherlands is as good as complete, the 4th Balkenende government, as part of its LGBT policy, wants to pay special attention to promoting respect for differences (TK 2006/2007). Promoting the social acceptance of homosexual men and women is currently a prominent item on the political agenda. The government wants to closely follow developments in this area and has asked the Social and Cultural Planning Bureau to prepare a short memorandum. This memorandum must provide an overview, in figures, of the current situation and trends and provide suggestions for the selection of a policy indicator for the LGBT policy.

In this publication we give a brief outline of the current status of the social acceptance of homosexuals, what developments have occurred in this acceptance, and for which groups this acceptance still lags behind compared to the average population. The information largely originates from the aforementioned report *Just doing what comes naturally* (Keuzenkamp et al. 2006), but we will start with a description of the results of a

recent survey into the attitude of the population toward homosexuality, which was conducted in the context of the periodical study *Cultural Changes in The Netherlands*¹.

2 Current situation

In order to get a good insight into the attitudes of the population toward homosexuality, it is important to look at different aspects of this attitude. The Just doing what comes naturally report distinguishes between four categories: general acceptance, equal rights and anti-discrimination, reaction to homosexuality in one's immediate environment and attitudes toward homosexuality in public. To start with this paragraph will first list the answers of the respondents to the individual statements under each category.

The most general statement that was put before the respondents is: 'homosexual men and lesbian women must be able to live their life the way they want to'. The table shows that the vast majority of the population (85%) agree with this statement; 6% do not agree. This abstract acceptance does not change the fact that homosexuality can simultaneously evoke negative emotions: over one third of the population finds sex between two men 'disgusting'. Incidentally, men feel this way considerably more often than women, especially when it concerns sex between two men.

Two statements were submitted to the respondents that relate to the matter of equal rights for women and men. The answers show that the majority of the population supports gay marriage, but at the same time around one in six people feel that it should be abolished. Adoption by gay couples is more problematic for people: a narrow majority of the population feels that homosexual couples must have the same rights as heterosexual couples in this respect. However, three out of ten respondents do not agree.

Previous research had already shown that homosexual men and women who demonstrate their sexual orientation in public can often count on disapproval. Men who

kiss in public are particularly perceived as offensive (by 49% of the population). In the case of two women only 33% of the population feels this way. Incidentally, it is not simply the fact that the disapproval is aimed at everyone who expresses affection in public. Only 16% of people take offence when a heterosexual couple kiss in public and four out of ten people say they find it easier to handle if a heterosexual couple walks hand-in-hand than when two men do so.

Although it is easy to assume that homosexuality would be especially problematic for people if it were in their immediate environment, this is not the case. Statements about public expressions of homosexuality evoke more negative feelings than those about possible confrontation with homosexuality in one's own environment. When asked, three quarters of the population say it would not be a problem for them if their own child was taught by a homosexual teacher in school. Only 10% would have a problem with that. However, a big group of people would have problems if their own child lived together with someone of the same gender: 18% find that (very) unacceptable.

Table 2.1 Views on homosexuality, population aged 16 and over, 2006 (in percentages)

	(totally) agree	Don't agree/ don't disagree	(totally) disagree	Never thought about it
<i>general</i>				
1 Homosexual men and lesbian women must be able to live their life the way they want to	85	8	6	1
2 I find sex between two lesbian women disgusting	18	23	54	5
3 I find sex between two gay men disgusting	35	22	38	6
4 Gay men are not real men	12	19	64	5
<i>equal rights</i>				
5 Gay marriage must be abolished	16	14	67	3
6 Homosexual couples must have the same rights as heterosexual couples when it comes to adopting children	54	14	28	3
<i>homosexuality in public</i>				
7 I find it offensive when two men kiss in public	49	23	27	2
8 I find it offensive when to women kiss in public	33	23	42	2
9 I find it offensive when a man and a woman kiss in public	16	19	63	3
10 When I see a man and a woman walking hand-in-hand I find it less difficult than when I see two men the walking hand-in-hand	39	17	43	2
<i>homosexuality in one's immediate environment</i>				
11 I would find it a problem if my child were taught by a homosexual teacher at school	10	12	74	5
	(very) unaccept- able		(very) acceptable	
12 Imagine that you have a son or daughter who lives together with a steady partner of the same gender. Please indicate how acceptable you would find this. ^a	18	27	56	

Source: SCP (CV '06)

Summarising statistics: acceptance in a narrow and in a broad sense

To be able to measure the development of the population's attitude, it is possible, as was done above, to provide an overview of the answers to a series of individual statements. However, the results of such a working method depend on a number of methodological issues (such as the chosen formulation of the statements, the bandwidth of the answer categories and the sequence of the questions) and on coincidences (such as specific current topics in the media at that time). For this reason, science prefers to use attitude scales to measure the attitude of the population. These scales gave a summarising score for the attitude with respect to, for instance, homosexuality, which is based on a number of variables.

Depending on exactly what one would want to measure with regard to the attitude of the population with respect to homosexuality, different scales can be constructed: a narrow scale that primarily relates to the key values of the democratic state and a broad scale that gives a more comprehensive view of social acceptance.

The government has an important task in guaranteeing and enforcing our democratic state. In this context it is important that the freedom of people is guaranteed, that everyone has equal rights and that people are not obstructed by others in their daily life. In the

Netherlands equal rights for and a prohibition on the discrimination of homosexuals are laid down in legislation. They are part of the key values of the Dutch democratic state and as such it is important that these principles are supported in society on the broadest possible basis for homosexuals too.

Looking at the statements that were submitted to the respondents in the 2006 survey entitled *Cultural changes*, there are three statements that correspond with this. Based on statement 1 (homosexuals must be able to live their life the way they want to), 5 (about marriage between people of the same gender) and 6 (about equal rights with regard to adoption), a scale has been constructed that is referred to here as general *agreement with equality for homosexuals*.² This scale provides a total score per respondent. The scores on the scale range from 1 (completely negative) to 5 (completely positive). The first line of table 2 contains a summarising overview of the attitude of the population with regard to this scale. Taken as an average, 12% of the population may be typified as 'gay-negative': they do not feel that homosexuals should be able to live their life the way they want to and are against equal rights for homosexuals and heterosexuals. 21% of the population is undecided: they are not for equality for homosexuals but they are not against it either. In this scale 67% have a positive attitude toward homosexuality.

Table 2.2 Attitude of the population toward homosexuality summarised under two indicators

	completely negative	negative	neutral	positive	completely positive
General agreement with equality for homosexuals.	3	9	21	42	25
Social acceptance in a broad sense.	3	12	33	40	12

Source: SCP (CV'06)

2 A Principal Component Analysis shows that the three items form a scale. Cronbach's Alpha is .79.

Because the item about gay marriage was formulated negatively and both other items positively, the scores for this item were re-coded. Next, a total score was calculated for each respondent, whereby respondents who failed to reply to more than one statement, or indicated they had never thought about it, were not included (3% of the respondents). A score was imputed for any

missing value among the other respondents, taking into account the total answer pattern of the respondent and the average among the respondents for the item in question.

The second, more comprehensive statistic is based on the scores for the different categories that were distinguished earlier and therefore gives an impression of the social acceptance of homosexuality in a broad sense.³ A score of 1 means that the respondents totally disagree with all the statements and a score of 5 means that the respondents totally agree with everything. The second line of the table shows that, according to this statistic too, the majority (52%) has a positive attitude toward homosexuality. However, the gay-negative group is somewhat bigger (15%) and the same applies to the group whose attitude is neither positive nor negative (33%).

3 With the aid of a Principal Components Analysis, it was checked whether the items form one or more scales (the statement 'I find it offensive if a man and a woman kiss in public' was not taken into consideration. Cronbach's Alpha for the scale is .92. Because not all items were formulated 'in the same direction' some items were re-coded. Next, a total score was calculated for each respondent, whereby respondents who failed to reply to more than one statement, or indicated they had never thought about it, were

not included (4% of the respondents). A score was imputed for any missing value among the other respondents, taking into account the total answer pattern of the respondent and the average among the respondents for the item in question.

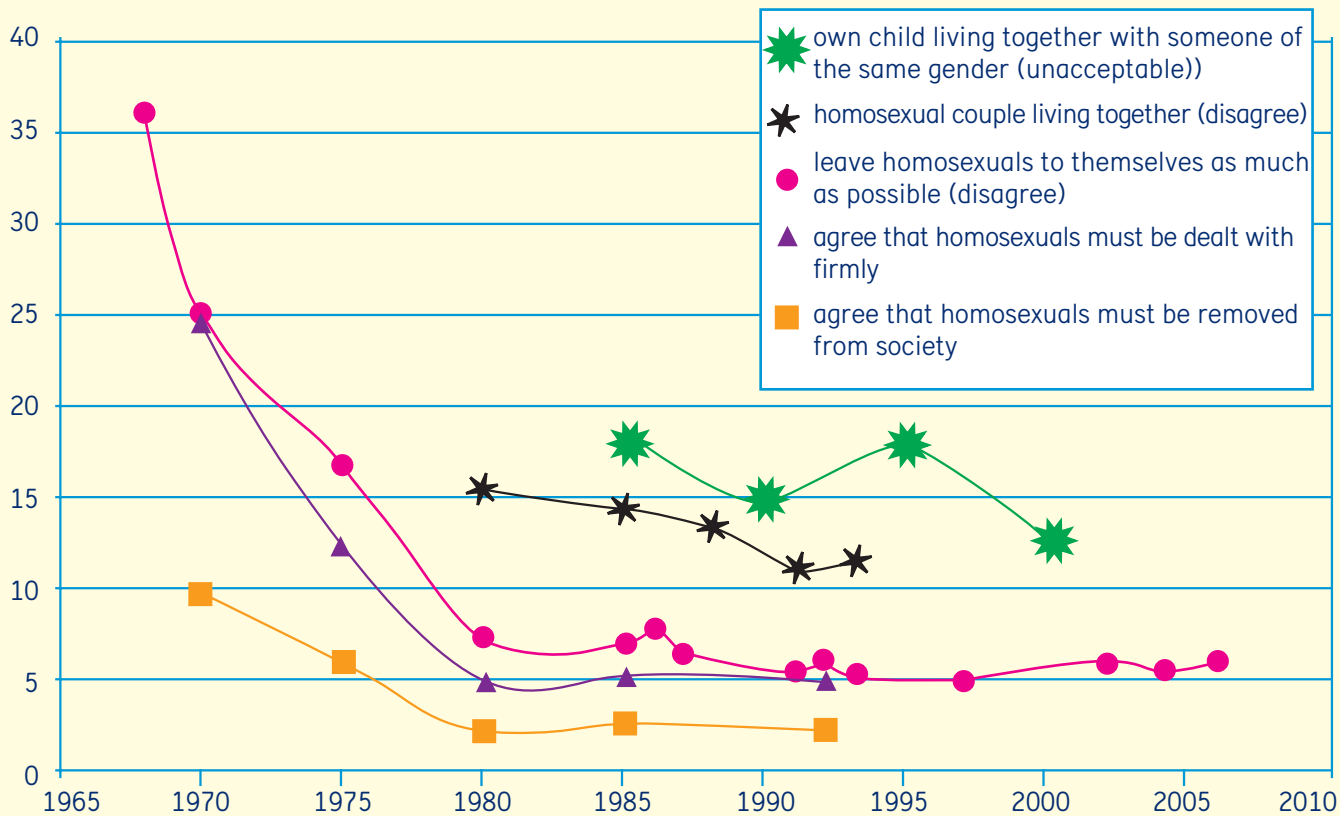
3 Developments over time

Longitudinal research shows that in the past decades attitudes toward homosexuality among the Dutch population have become more positive in a number of aspects. The aforementioned report *Just doing what comes naturally* (Keuzenkamp et al. 2006) provides a comprehensive overview of these changes. Below follow the main findings, where possible updated with the latest figures. Unfortunately not all statements that we discussed in the previous paragraphs were included in the earlier studies so here we must limit ourselves to a number of statements that relate to the categories 'general acceptance' and 'equal rights'.

General acceptance

Figure 3.1 shows that in the period between 1965 and 1980 in particular there was a clear decline in the proportion of the population that feels negative toward homosexuals. The longest time sequence is available for the question 'Do you feel that people who are homosexual should be left alone as much as possible to live their life the way they want to, or do you feel that this should be prevented as much as possible?' (CV'68-'06). The proportion of people that responded negatively to this statement dropped by 30 percentage points in the period from 1968 to 2006 (from 36% to 6%). This decline took place in the period up to 1990; after 1990 there were no further significant changes.

Figuur 3.1 Proportion of the population (aged 21-64) that score negative for a number of items (1968-2006) (in percentages)



Source: SCP (Sex in The Netherlands 1968; Progressiveness and conservatism 1970; CV'75-'06; ESS'02 and'04); ITS (Socon '85-'00)

Strongly negative statements like 'Homosexuals must be removed from society' and 'Homosexuals must be dealt with firmly' were no longer included in surveys after 1992. The figure shows that the proportion agreeing with the statements declined between 1970 and 1980 and thereafter remained constant until the last survey.

In surveys the respondents were also asked a number of times whether they accepted homosexuals living together. In the study *Cultural changes in The Netherlands*, respondents were asked how they felt about homosexuals living together in general; in the study *Socio-cultural developments in The Netherlands* (Socon) respondents were asked how they would feel if it was their own child. The two shorter top lines in figure 3.1 show how large the proportion of the population is that respond to this negatively. In the Socon, which concerns a situation that is 'closer to home', the proportion that scores negatively is always somewhat higher.

Equal rights and anti-discrimination

From the questions that were included in surveys over the years, we can see what issues were current in the public and/or political debate at the time. For instance, in the Eighties and the start of the Nineties the *Cultural changes* survey asked respondents how they felt about equality of rights when it concerned living accommodation and inheriting. The right of adoption has a longer tradition. This was included in *Cultural changes* for the first time as early as 1980, and still forms part of it now. It was not until 1988 that a question about opening up civil marriage was included for the first time.

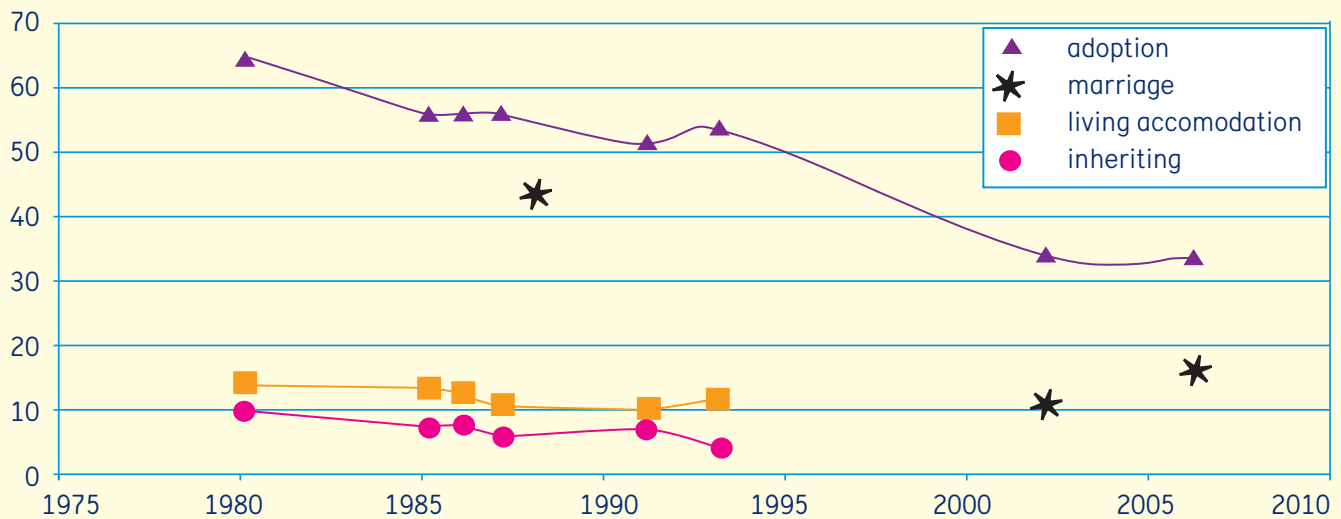
As early as 1980, the majority of the Dutch population felt that homosexual couples should have equal rights with regard to living accommodation and inheriting. The proportion of the population that responded negatively to this is relatively small and became even

smaller in the period to 1993 (figure 3.2). Incidentally, these themes were later included in the Socon study. Because this is a different survey, the results cannot be compared one for one and are therefore not included in the figure. However, for information purposes we can say that in 2000, 4% responded negatively to the statement that homosexuals should have the same right of accommodation as heterosexuals and 3% responded negatively to the statement that homosexuals should have the same right to inherit from each other.

Another issue of equality of rights concerns civil marriage being made available to homosexual couples. In the *Cultural changes* survey in 1988, 2002 and 2006, Dutch citizens were asked for their opinions on this issue, albeit in different ways. In 1988 respondents were asked to indicate to what extent they agreed with the statement 'Homosexual couples should have the right to marry each other'. At that time 43% were still against. In 2002 the question was: 'Homosexuals can now officially marry each other. Do you find this a good thing, a bad thing or are you indifferent?' When asked 11% found it a bad thing, while 35% took a neutral position. In the most recent edition of *Cultural changes* (2006), the question was asked in the same way. In this survey 16% indicated they found it a bad thing and 29% were indifferent.⁴ However, on the basis of the results from only two survey years (2002 and 2006) it is not possible to say whether support for gay marriage is declining.

⁴ In the same study, but in the written questionnaire, respondents were also asked to answer the statement 'gay marriage should be abolished'; 17% of the population said they agreed. Both types of questions therefore had an almost identical result.

Figur 3.2 Proportion that disapproves of equal rights for homosexuals with regards to inheriting, living accommodation, adoption and marriage, ages 21-64, 1980-2006 (in percentages)



Source: SCP (CV'80-CV'06).

With regard to the opinion regarding the right of homosexuals to adopt, a longer time sequence is available. In 1980 respondents were asked in Cultural changes whether homosexual couples should have the same rights as normal couples to adopt children. At that time two-thirds of the population responded negatively (see figure 3.2). In 2002 this group had become smaller, but it was still one-third of the population. Between 2002 and 2006 this proportion remained the same.

Conclusions

Based on the trend data, it is firstly, clear that the majority and, over the years, a growing proportion of the population has a positive attitude toward homosexuality. At the same time it appears that a limit has been reached with regards to the acceptance of homosexuality in general. For around two decades 5% of Dutch citizens have disagreed that homosexuals should be free to live their life the way they want to. A large proportion of the population still has a negative view about civil marriage being made available to homosexuals and about adoption by same-gender couples, more so in the case of adoption than in the case of marriage. With

regard to the issue of adoption it appears that the increasing acceptance is stagnating, whereas the rejection of the gay marriage appears to have increased between 2002 and 2006. Subsequent repeated measurements should show whether a limit has also been reached, or if there is in fact a decline in the support for equal rights.

The general trend throughout the decades, whereby fewer and fewer people have a negative attitude with regard to homosexuality, could be ascribed to the changing composition of the Dutch population: there are more highly educated people and the proportion of (strongly) religious people in the population has declined. At the same time, however, there could be an opposite development. After all, there has been an increase in the proportion of ethnic minorities and these groups relatively often have a negative attitude toward homosexuality. In the next chapter we will take a closer look at the relevance of these different population characteristics.

4 Differences between groups

Earlier research has shown that there are (sometimes large) differences in the attitude toward homosexuality between different population groups. Among young people, strongly religious people, lower educated people and among Turks and Moroccans especially, there is relatively a great deal of resistance against homosexuality. However, young people and people from ethnic minorities are not well represented in the *Cultural changes* study. This makes it difficult to draw comparisons between the different population groups. For ethnic minorities we need to use a different database (the 2004 study *Living Situation of City dwellers of Non-Dutch Heritage*). In this study, Turks, Moroccans, Surinamese and Antilleans as well as a control group of native-Dutch heritage were all given three statements. However, no study with comparable statements is available for young people. For them we therefore present an overview on the basis of different questions. Firstly, we will look at the differences within the total population with regard to involvement with the church, educational level and gender. Next we will focus on

ethnic minorities. Finally we will look at the views of young people.

4.1 Differences by involvement with the church, educational level and gender

With the aid of the *Cultural changes* study, we can answer the question as to which groups in the population aged 16 years and over are the most negative. To this end, we use the scale for social acceptance in a broad sense (see chapter 2). Table 4.1 shows the differences between people by involvement with the church, educational level and gender. Involvement with the church is measured here on the basis of the question how often people attend church⁵. The very religious (11% of the population) in particular have a negative attitude toward homosexuality relatively often. 48 % may be classed as gay-negative. Of those who only have primary-level education or at most VMBO (pre-vocational secondary education), 22% have a negative attitude. The table also shows that more men (17%) than women (12%) have a negative attitude toward homosexuality.

Tabel 4.1 Attitude toward homosexuality by involvement with the church, educational level and gender, population aged 16 and over, 2006 (in percentages)

	completely negative	negative	neutral	positive	completely positive
Involvement with the church^a					
attend church once a week or more	12	36	31	17	4
attend church once every 2 weeks or less	1	9	37	43	10
never	1	7	30	46	16
Educational level^a					
primary-level, lower-secondary (vmbo)	5	17	38	35	6
higher-secondary (havo/vwo/mbo)	2	9	35	41	13
university (hbo/wo)	2	10	24	46	19
Gender^a					
man	3	14	35	39	9
woman	3	9	29	43	16

Source: SCP (CV '06)

^a The differences by involvement with the church, educational level and gender are significant (< .001)

⁵ Here Hindus, Moslems, Jews etc. were asked how often they attend the Temple, Mosque, Synagogue etc.

4.2 Differences between ethnic-minority groups

In order to map out the attitude of Dutch citizens of non-Dutch heritage with regard to homosexuality, Turks, Moroccans, Surinamese and Antilleans as well as a control group of native-Dutch heritage from the 50 largest municipalities were all given three statements⁶. Below follow once again the responses of the different groups to the individual statements.

All ethnic-minority groups agree most with the statement that homosexuals must be able to live their lives the way they want to. City dwellers of native-Dutch heritage have the most positive attitude, followed by the Surinamese. Among Turks and Moroccans, agreement is clearly lower, but it is still the majority (60% and 64% respectively). The fact that homosexuals in The Netherlands can

marry each other is not something that all groups agree with. Among the native-Dutch heritage population and, to a lesser extent, the Surinamese, the majority feel it is a good thing, but among the Turks the majority feel rather the opposite (55%). Of the Moroccans 48% do not agree with civil marriage being made available to persons of the same gender and 31% do.

The third statement the respondents were given is whether they feel it would be a problem if their child were taught by a homosexual teacher in school. The majority of respondents in all the groups say that this would not be a problem. Turks still say they would have a problem with this the most often (27%).

Tabel 4.2 Opinion of people aged 15-64 from five ethnic-minority groups with regard to three statements, 2004/2005 (in percentages)

	(totally) agree	Don't agree, don't disagree	(totally) disagree	Don't want to say, no information
Homosexual men and lesbian women must be able to live their lives the way they want to				
Turks	60	11	23	6
Moroccans	64	11	17	8
Surinamese	88	6	4	2
Antilleans	77	9	12	2
city dwellers of native-Dutch heritage	95	2	3	0
It is a good thing that homosexuals are able to marry each other				
Turks	26	12	55	7
Moroccans	31	12	48	9
Surinamese	61	12	22	5
Antilleans	47	15	36	3
city dwellers of native-Dutch heritage	83	7	9	1

⁶ The vast majority of people of non-Dutch heritage aged 15 or over of Turkish, Moroccan, Surinamese or Antillean origin live in one of the 50 largest municipalities (75% to 79%). In the case of the native-Dutch population, this is 35%. The native-Dutch population in this study is therefore by definition a select group, as the majority do not live in the 50 largest municipalities.

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	(totally) agree	Don't agree, don't disagree	(totally) disagree	Don't want to say, no information
I would find it a problem if my child was taught by a homosexual teacher in school				
Turks	27	9	58	6
Moroccans	21	7	65	7
Surinamese	11	6	81	2
Antilleans	14	9	75	2
city dwellers of native-Dutch heritage	2	3	95	0

Source: SCP (LAS'04/'05)

Based on the scores for the three items, a further combined score was calculated, which can be used to sketch a picture of the attitude of the different groups toward homosexuality.⁷ Table 4.3 lists the results.

We see the largest proportion of people who have a negative attitude toward homosexuality among the Turkish (32%), followed by Moroccans (26%).

City dwellers of native-Dutch heritage have the most positive attitudes toward homosexuality, followed closely by the Surinamese and, to a lesser extent, by Antilleans.

Tabel 4.3 Attitude toward homosexuality by ethnic group, respondents aged 15-64, 2004/2005 (in percentages)

	completely negative	negative	neutral	positive	completely positive
Turks	10	22	34	26	7
Moroccans	7	19	33	30	11
Surinamese	1	6	19	43	32
Antilleans	3	12	25	37	23
city dwellers of native-Dutch heritage	-	2	9	46	44

Source: SCP (LAS'04/'05)

In *Just doing what comes naturally* (Keuzenkamp et al. 2006), it was assessed to what extent the differences between the ethnic minorities can be explained from the differences in population characteristics, such as the generally lower educational level and the greater importance of religion. The latter aspect in particular

appears to be an important determining factor, but the relatively low educational level also plays a role. Among the Turkish, Moroccans and Antilleans, differences between generations are also noticeable: the first generation in these groups has a more negative attitude toward homosexuality.

4.3 Young people

Young people are in a phase of their life where they start experimenting with relationships and may have questions about their own sexual preferences. A safe environment – at home, at school or among friends – without negative opinions about homosexuality, is important at this time.

2004 was the last time that questions about the attitude of young people toward homosexuality were asked in a large-scale national survey. The four categories named earlier, with respect to different aspects of this attitude, are not found in this survey. Questions were only asked about young, same-gender people cuddling and kissing, and about the reaction to homosexuality in one's immediate environment.

Table 4.4 shows the results. We can see that a large proportion of the young people in 2004 had a problem with homosexual young people cuddling and kissing. Gay boys cuddling and kissing in particular are sure to evoke aversion. Nearly 4 out of 10 young people find this disgusting, compared to fewer than 2 out of 10 when it concerns two girls.

When young people are asked how they would react to homosexuality in their immediate environment, the reaction is less negative: 8% of young people say they would break off a friendship with their best friend if the friend turned out to be gay.

Among young people there are also differences in opinion. Research shows that girls are more positive toward homosexuality than boys and that young people under the age of 18 are more negative than young people between ages 18 and 24. There are also differences between ethnic-minority groups. Young Moroccans and Turks have the most negative attitude, in contrast to Surinamese and native-Dutch heritage young people.

Although the reactions to the statements give an idea of the attitude of young people toward homosexuality, it is clear that in this survey attitudes were only measured to a limited extent. For a possible policy indicator they do not really offer any starting points. It is therefore advisable to include questions in surveys among young people that are appropriate for this purpose and, preferably, also questions that make it possible to draw comparisons with adults.

Tabel 4.4 Attitude toward homosexuality among young people aged 11-24, 2004 (in percentages)

	Totally / fairly wrong		Totally / fairly OK
Two boys have strong feelings for each other; if they want to cuddle and kiss, I find that ...	30		70
Two girls have strong feelings for each other; if they want to cuddle and kiss, I find that ...	19		81
	(totally) agree	Don't agree / don't disagree	(totally) disagree
It is disgusting when two boys cuddle and kiss	38	20	42
It is disgusting when two girls cuddle and kiss	17	18	65
If my best friend were to tell me that he/she was gay/lesbian, I would break off the friendship	8	10	82

Source: RNG (JOS'04)

5 The selection of a policy indicator

The above text contains lots of figures about the opinions of the population. The recent information about the population aged 16 and over from *Cultural changes* 2006 offers the broadest picture of the attitude of the population, but as the age limit makes clear, information about young people is missing.

Furthermore, ethnic minorities are not well represented in this study. It is therefore advisable to use more than one indicator in the policy. For the population aged 16 and older, two statistics were presented that could be used: a narrow statistic that relates mainly to support for the key values of the democratic state, and a broad statistic that gives a more comprehensive picture of the social acceptance. A broad statistic is also presented for ethnic minorities, although it is based on a much smaller number of statements. For young people, it was not possible to present a statistic that could be used as a zero measurement.

In addition to these statistics, however, it is also advisable to use an indicator that is based on information from homosexuals themselves. The information presented in this memorandum originates from surveys among the (largely) heterosexual population. Their answers need not correspond with the experiences of gay men and women. The interviews with homosexuals that were reported in *Just doing what comes naturally* showed that, although the majority of respondents felt they were accepted, many had also been faced with upsetting reactions. Often this was in the form of 'jokes', hurtful remarks, insults and other verbal violence. Research by the Rutgers Nisso Group shows that 26% of gay men and 21% of lesbian women have experienced negative reactions to their sexual orientation 'several times' to 'often' (Bakker and Vanwesenbeeck 2006). Research by Van San and De Boom (2006) also gives an indication of the occurrence of negative reactions.

More than half of their respondents (55%) were ridiculed or verbally abused because of their homosexuality, 17% were teased or harassed, 12% were threatened with physical violence at some point and over 3% suffered actual physical abuse. It is advisable, when selecting a policy indicator, to not just look at the results of the general opinion polls among the population, but also at the experiences of homosexuals themselves.

Future monitoring

Finally, a number of recommendations are made regarding data collection to make it possible to continue monitoring the acceptance of homosexuality in future. Only for the *Cultural changes* study it is fairly certain that it will periodically be repeated. In principle this offers the option to resubmit statements about homosexuality to the population. Apart from this study, the SCP also conducts periodical studies among ethnic minorities. In 2004/2005 three questions about homosexuality were included in this study and it would be desirable to repeat this in future. In order to get a good understanding of the attitude of young people, it is advisable to develop a module with questions that will periodically be included in a nationally representative study. One good option appears to be the Pupil Survey that the Ministry of Education, Culture and Science conducts.

With regards to these opinion polls, we must note that they only measure views and attitudes. They therefore don't provide us with information about the way heterosexuals behave toward homosexuals in actual practice. Do they have homosexuals in their family, in their circle of friends, among their colleagues, and if so, how do they interact with them? To what extent are they guilty of unfair treatment and discrimination? And to what extent do they stand up for homosexuals who are treated unfairly by others? For a more complete picture of social acceptance in practice, such information is also required. However, it is not currently available.

Finally, to get a good picture of the attitude of the population it is advisable to periodically collect information among homosexuals themselves. Consider, for instance, a repeat of the survey by Van San and De Boom into violence against homosexuals or of the study by the Rutgers Nisso Group (Bakker and Vanwesenbeeck 2006). Research among homosexual young people could also shed light on the experiences they have with the acceptance of their sexual orientation.

A summary of recommendations for future monitoring

- Inclusion of a question module on the social acceptance of homosexuality in the periodical survey 'Cultural changes in The Netherlands'.
- Inclusion of a question module on social acceptance of homosexuality in periodical surveys among ethnic minorities.
- Development of a comparable question module and the inclusion thereof in a survey among young people.
- Research into acceptance amongst the population to focus not only on opinions but also on behaviour.
- Periodically repeated research among homosexual men and women into their experiences with the acceptance of their sexual orientation.
- Periodically repeated research among homosexual young people into their experiences with the acceptance of their sexual orientation.

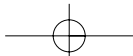
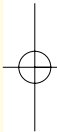
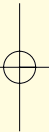
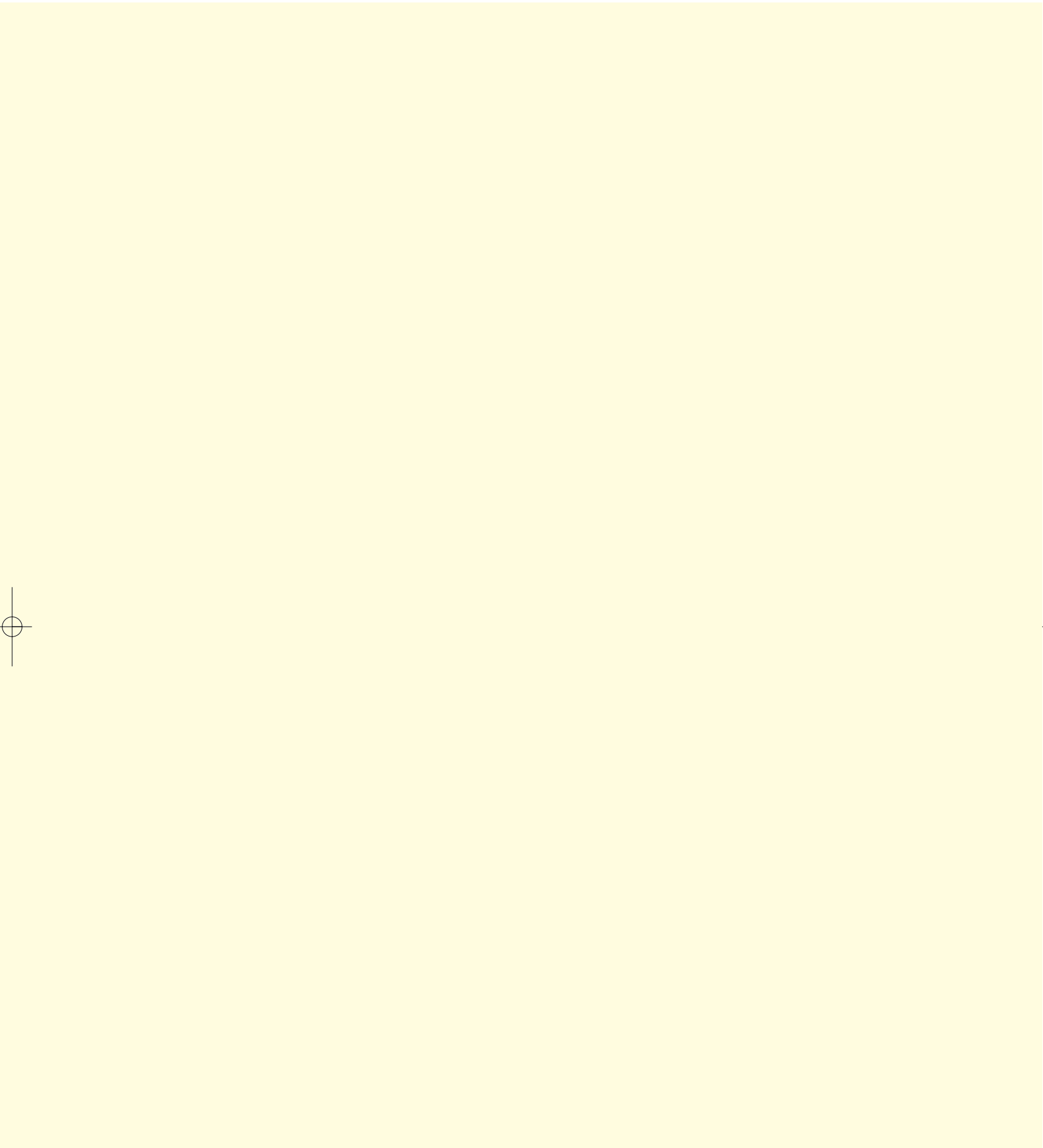
Literature

Bakker, F. and I. Vanwesenbeeck (ed.) (2006) Seksuele gezondheid in Nederland 2006 (Sexual health in The Netherlands). Delft: Eburon.

Keuzenkamp, S., D. Bos, G. Hekma and J.W. Duyvendak (ed.) (2006) Gewoon doen. Acceptatie van homoseksualiteit in Nederland (Just doing what comes naturally. Acceptance of homosexuality in The Netherlands). The Hague: Social and Cultural Planning Bureau.

San, M. van and J. de Boom (2006) Geweld tegen homoseksuelen (Violence against homosexuals). Rotterdam: RISBO contract research.

TK (2006/2007) Kabinetsformatie. Brief van de informateur (Cabinet formation. Memorandum from the investigating politician) Lower House, Parliamentary year 2006-2007, 30891 no. 4.



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