



## **Economic and Social Council**

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### **Commission on the Status of Women**

#### **Fifty-seventh session**

4-15 March 2013

**Follow-up to the Fourth World Conference on Women  
and to the special session of the General Assembly entitled  
“Women 2000: gender equality, development and peace  
for the twenty-first century”: implementation of strategic  
objectives and action in critical areas of concern and  
further actions and initiatives**

### **Statement submitted by Tiye International, a non-governmental organization in consultative status with the Economic and Social Council**

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



## **Statement**

Tiye International is an umbrella non-governmental organization (NGO) of national associations of black, immigrant and refugee women and youth in the Netherlands.

According to a research report published in July 2012 under the auspices of the European Union Daphne III programme to combat violence against children, young people and women, prevalence studies were conducted by the research team of the International Victimology Institute Tilburg and/or the Ministry of Justice of the Netherlands in 2010 and a study of victims and perpetrators of domestic violence was conducted between 2007 and 2010. It was estimated that about 200,000 people in the Netherlands became victims of domestic violence annually. In the last five years, about 9 per cent of people in the Netherlands have suffered from domestic violence.

### **Effects of economic crises on violence against women and girls**

According to predictions, the Netherlands, just as many other countries, faces a serious economic crisis. In the coming years, nearly every family will be confronted with financial problems, especially if one or both earners lose their jobs. A divorce will be too costly for many women in a bad or violent marriage. More domestic violence must be expected. At the same time, the availability of social support, financial help and counselling will, owing to the economic crisis and budget cuts, be reduced.

The Government's policy on domestic violence for the period 2012-2016 will be similar to the current policy, but, owing to the economic crisis, the availability of services (such as police and health care) will be more restricted.

A favourable development is that, owing to some major sexual violence cases and the ensuing investigations, policymakers are developing a policy on sexual violence. Research in this context shows that 33 per cent of all women have been victims of sexual abuse and 12 per cent have been victims of rape. Nevertheless, Tiye International and a group of other NGOs recommended in a shadow report to the Committee on the Elimination of Discrimination against Women that a national action plan on sexual abuse was needed.

Another favourable development is that the position of victims of domestic and sexual violence, especially in legal proceedings, will be improved. However, free, professional legal help for victims is still not available and will remain unavailable in the coming years.

While there are no clear data on female genital mutilation and honour-related violence, the Government of the Netherlands emphasizes these forms of violence against black, migrant and refugee women and girls in different national reports and in the context of national prevention policies. In this way, the Government itself is stereotyping black, migrant and refugee women and girls.

Tiye International is also worried about the position of female asylum seekers in detention centres. There are indications that these women are victims of sexual abuse by inmates and by male professionals. Facts and figures are urgently needed to develop adequate policies.

Tiye International would also like to bring to the attention of the Commission the results of a national investigation, led by Rieke Samson, into rates of sexual abuse of children placed in foster homes, which are almost three times higher than those of children not in such homes. Tiye International recommends that the Commission propose that the Government take effective measures regarding this form of violence against children as soon as possible.

### **Situation of undocumented women**

Tiye International is concerned that experiences have shown that undocumented women have become easy victims of domestic violence, trafficking and violence within the sex industry. Because of their status, they will not seek help through legal channels because of the risk of being punished. Even if they are not able to return to their countries of origin, they do not qualify for a residence permit. Exceptions for victims of domestic violence or trafficking do not provide a solution, given that victims can never be certain that they qualify for this exception. For example, the police may not believe their allegations or there may be a lack of evidence. Moreover, according to the current policies, only trafficking victims who are able and willing to cooperate with the authorities qualify for support and a temporary residence permit. In addition, trafficking and domestic violence are not the only forms of violence from which undocumented women suffer.

Tiye International is of the opinion that it is the duty of Governments to ensure that undocumented women who are victims of domestic violence, trafficking or other forms of violence can safely report such offences to the police and receive assistance and protection without being themselves punished.

### **Health service**

Undocumented women cannot make use of health services, even if their health situation is critical, because they are afraid of being arrested. This means that they lack access to the pregnancy and maternal care to which they are officially entitled, not to mention access to means of preventing and treating sexually transmitted infections and HIV. Tiye International is of the opinion that it is a human right for undocumented women to have access to such care.

### **Women living with HIV/AIDS**

Tiye International agrees with the observation of women's movements in the Netherlands that the information previously provided by the Government on HIV/AIDS to the Committee on the Elimination of Discrimination against Women hides specific problems behind global information. The Government did not provide specific information or describe measures taken with regard to identified at-risk groups. The Government reported that 871 people, including 166 women, had been diagnosed as HIV-positive in 2006. According to the Government, most of those women did not originate from the Netherlands, unlike most HIV-infected men. A total of 73 per cent of men had acquired the infection through sex with other men, while heterosexual contact was by far the most important risk factor among women (95 per cent). Many resources for prevention and treatment are aimed at the large group of Dutch men living with HIV because of homosexual contact. NGOs have suggested that preventive measures and treatment should be developed for women

as well. The Government has indicated that, in principle, everyone in the Netherlands has access to HIV treatment.

While medical care is theoretically accessible, since the policy of the Netherlands is aimed at returning people without a residence permit to their home country, many people in this group are too scared to apply for medical support. In some cases, HIV-infected undocumented women are allowed to stay in the Netherlands until their CD4 count is stable and it is safe for them to return to their country of origin. However, such safety is measured only by the availability of HIV medication and not by its accessibility or affordability.

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