

36th session of the Human Rights Council – Item 6
UPR Outcomes The Netherlands
Statement by Federatie van Nederlandse Verenigingen tot Integratie van
Homoseksualiteit - COC Nederland

Delivered by Nikki Brörmann

Dear Mr. President,

This statement is made on behalf of COC Netherlands, the Dutch Network of Intersex/DSD and Transgender Network Netherlands.

Since the previous review of the Netherlands, Dutch parliament and government took important steps to further the human rights standards and policies for the protection of persons based on their sexual orientation. The government should be commended for its adherence to the protection and emancipation of people based on sexual orientation. Much is however still to be done to equally guarantee the human rights and protection of trans and intersex persons and to better address discrimination of and violence against LGBTI people.

The Dutch government accepted the constructive recommendations received by Belgium, France, Ireland, Israel, Slovenia, Sweden. The government did not, however, give satisfying explanations to these SOGIESC recommendations. Its rationale being that the government is already implementing running policies. We would however like to clearly express to the Human Rights Council that there is *much* room for improvement on full access to legal gender recognition without any barriers including reimbursement of all aspects of gender affirmative health care, comprehensive education on sexual and gender diversity in teachers academies, discrimination of trans and intersex people on the labour market and policies on hate crimes against LGBTI people. We ask for much stronger commitments from the Dutch government.

We were astonished by the reaction of the Dutch government on the recommendation of Australia to “implement measures to protect intersex persons from discrimination.” The government states that “the rights of intersex persons are already guaranteed by the Constitution and by medical guidelines.” These medical guidelines are in violation of the conventions on torture and the elimination of all forms of discrimination against women. In line with CAT and CEDAW recommendations, we urge the Netherlands to implement effective legislative, administrative, judicial and other measures to ensure that no child or adult is subjected to unnecessary surgery or treatment without free and fully informed consent and that intersex children are protected against experimental medical treatments.

During this third universal periodic review of the Netherlands, we as civil society were somewhat unsatisfied with the process of national consultations, that were not organized in a timely manner. For future reviews, we ask the government to appoint a permanent inter-ministerial coordinator on UPR and Treaty Body reviews, to properly organize the process and follow-up on acceptable implementation.

Again, we are grateful to have a government that is clearly taking position on human rights of lesbian, gay, bisexual, trans and intersex persons. With many remaining challenges, and persisting human right offences, especially against trans and intersex people, we urge the Dutch government to take a more proactive step to prevent any human rights violations against Dutch LGBTI people.

I thank you Mr. President.