

## **ANNEXE II**

### **Specific approach to discrimination on the grounds of descent, skin colour, religion, sexual orientation, gender, age and handicap or chronic illness**

As already indicated in the presentation letter and in the National antidiscrimination action programme contained in Annexe I, based on the idea that many of the underlying mechanisms of exclusion and discrimination are the same, the Cabinet intends to increase the synergy between – and hence the quality of – the various policy measures for specific groups. In spite of these efforts, however, for effective antidiscrimination measures, it still is and remains essential to also take measures focused specifically on the various target groups. This annexe provides an overview of current and new measures, the aim of which is to tackle discrimination against a specific group.

In comparison with other grounds for discrimination, in this annexe greater attention will be paid to government measures against discrimination on the grounds of descent, skin colour and religion. On the one hand this is due to observations from the reassessment process and on the other from the recommendations of the Committee on the Elimination of Racial Discrimination that monitors implementation of the International Convention on the Elimination of all forms of racial discrimination (CERD) and the European Committee against Racism and Intolerance (ECRI) to focus specific attention on measures against discrimination on the grounds of descent, skin colour and religion. The summary in this annexe does not consider a series of measures in a broader context: for example discrimination on the ground of age is also (indirectly) tackled by the action programme on labour market discrimination and by the generic labour market policy. The same applies for the discrimination of women and LHBTs which are indirectly tackled by the measures contained in the emancipation policy, while the measures that are due to be implemented following the introduction of the Convention on the Rights of Persons with a Disability will result in a reduction of discrimination against persons with a disability.

### **Discrimination on the grounds of descent, skin colour and religion**

#### *Effective, combined approach*

The Cabinet will make every possible effort to tackle all forms of discrimination and exclusion on the grounds of descent, skin colour and religion. This approach will be broad based in cases where the nature of the problem makes a broad approach suitable, and in which a joint approach delivers added value (for example in preventing ethnic profiling and tackling youth unemployment); it will however be targeted where necessary. An essential common thread within this approach is that central government will aim to facilitate, to utilize and to combine positive social forces, with a view to initiating a broader social movement, and greater awareness. The central underlying principle will be that together with local authorities and social parties, central government will invest in developing and distributing knowledge and understanding of the nature and means of tackling exclusion and discrimination.

#### *Dialogue and support for social initiatives*

Dialogue with social organisations and key figures faced with exclusion and discrimination and/or who play a role in tackling this problem is essential for an effective joint approach. With that in mind, the Ministry of Social Affairs and Employment will be organising annual round tables to discuss the themes antisemitism, Muslim discrimination and anti-black racism / the decade for people of African descent. Annual meetings will also be held to discuss such themes as social media and education. These efforts will specifically promote the establishment of links, mutual learning between organisations and common initiatives

Support for social organisations is part of the activities of the Knowledge Platform on Integration and Society (KIS). On the basis of the results of research into effective methods to prevent discrimination, for example, in 2016 a series of workshops will be organised for social organisations with a view to strengthening their own projects, for example in respect of effective dialogue to counter racial discrimination and antisemitism, and training programmes. From 2017 onwards, support for social initiatives as an element of the Knowledge Platform will be further underpinned by organising workshops on project management and project applications, in collaboration with private funds. The possible use of twinning between social organisations, with strong organisations issuing advice to new social initiatives, will be investigated. In collaboration with social media parties such as Twitter, a number of social organisations will also receive training to allow them to play a (more effective) role in countering discrimination on social media. Finally, more deliberate efforts will be focused on bringing together social initiatives and private funds.

#### *Ridderzaal meeting*

At the end of 2014, a Ridderzaal meeting was organised in the form of a combined search by a broad-based representation of religious leaders, young people and administrators into what efforts all parties can make to reduce the rising tensions between different population groups. At the end of 2016, along the same lines as this meeting, a broad dialogue will be launched on the themes inclusion and exclusion and cohesion. Within the process, influential social parties such as mayors and aldermen, representatives of the media, educational institutions, employers' organisations, sports associations, the hospitality industry, care providers, churches, mosques and synagogues will be encouraged to enter into discussion with young people, in order to develop specific ideas and solutions which could contribute to an inclusive society.

#### *Preventing ethnic profiling and strengthening diversity within the police*

Ethnic profiling by the police is rejected, in principle. Attention for this subject has grown considerably over the past few years. The theme is high on the agenda, and has the attention of the police force management team and senior police officers. Preventing ethnic profiling is essential for the effectiveness and legitimacy of police actions, and confidence in the police, within society. In 2014, a number of (additional) measures were announced to prevent ethnic profiling. These are now being implemented. The chief focus is training, contact, revision of the complaints procedure and diversity in staffing. Attention for diversity and discrimination in basic police training is also being strengthened along a whole series of different pathways. The in-depth training 'Brown eyes, Blue eyes' – which was attended by more than 400 police officers from the Noord-Holland unit – will be evaluated together with the Free University (Amsterdam). The various activities aimed at establishing contacts between the police and non-governmental organisations will be continued and – on the instructions of the Minister of Security and Justice – examined by the Knowledge Platform on Integration and Society (KIS). In 2016, a digital guide for police units will also be developed, aimed at organising and further improving methods for establishing contacts and mutual understanding between the police and young people. By revising the complaints scheme, the independence of the complaints committee will be guaranteed, and information for the public was recently updated. Partly on the basis of a study by the Security and Justice Inspectorate due to be published at the start of 2016 into the experience of citizens when submitting a complaint on police actions, further possibilities for improvement will be investigated.

The Netherlands will also be working to encourage the exchange of good practices within the EU, in the field of ethnic profiling. This subject will be submitted as part of the discussion on the possible continuation of the mandate of the Working Party on Hate Crime of the EU Agency for Fundamental Human Rights.

As also described in annexe I to the letter dated 17 June 2015<sup>1</sup> from the Minister of Security and Justice, the police is already hard at work raising the intake of employees with knowledge of ethnic groups and cultures, with a view to improving diversity within the police force. A national recruitment campaign has for example been launched, with special attention for these aspects, and studies are being undertaken into the pull and dropout factors among these groups.

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<sup>1</sup> Parliamentary Papers II, 2014/15, 29 628, no. 539.

The problem of pre-entry discrimination when finding internships and employment above all affects young people with a bicultural background. In response, as part of the campaign against youth unemployment in the Citydeal (previously the district-specific approach) with five cities (Amsterdam, The Hague, Eindhoven, Leeuwarden, Zaanstad), the Cabinet will be facilitating innovation, knowledge development and knowledge sharing, also in the field of antidiscrimination measures. As concerns discrimination in respect of internships, the Knowledge Platform on Integration and Society (KIS) will be carrying out an initial study into internship discrimination, as part of the Anti Youth Unemployment measures by the Ministers of Social Affairs & Employment and Education, Culture & Science, in which the knowledge and experience accrued by internship counsellors and students will be combined. On that basis, consideration will be given to the further development of promising interventions for promoting equal opportunities on the internship market. A method will also be developed to offer better support to young people and schools of senior secondary vocational education (MBO) as part of LOB programmes (Career Orientation Counselling) in dealing with discrimination and negative prejudices in finding internships and employment.

Elsewhere, the Ministry of Social Affairs & Employment will be monitoring the pilot studies for anonymous job applications, proposed by the municipalities. This will put into practice the motion put forward by the MPs Vermeij and Weyenberg on 2 December 2015<sup>2</sup> in which they called for local trials to actively promote and monitor anonymous job applications, and to send the results of these efforts, and the follow-up steps taken, to your House, before the summer recess.

### **Anti-black racism**

On the basis of studies and reports received, there is a clear picture that discrimination on the basis of skin colour and descent occur commonly. Racism is the most commonly occurring ground for discrimination in reports submitted to ADVs, MiND and the police. This is confirmed in the study 'Perceived discrimination in the Netherlands' by the Social Cultural Planning Office (2014)<sup>3</sup> which reveals for example that among Dutch citizens of Surinamese and Antillean descent, perceived discrimination on the grounds of ethnic descent and skin colour plays a large role in their daily life. The SCP report 'Worlds of difference'<sup>4</sup> also points out that young Dutch people of Surinamese and Antillean descent experience a distance and mistrust in respect of Dutch society and Dutch institutions.

Over the past few years, specifically in the field of anti-black racism, a series of measures have been implemented, that focus attention on the history of slavery and its continuing effects. With financing from the Ministry of Social Affairs & Employment, for example the website 'slavery and you' (slavernij en jij) was developed, and a subsidy was awarded for research into how teaching about slavery, as part of the standard history of the Netherlands is currently given, and how this area of teaching could be strengthened. Between now and 2020, the Cabinet has also made available a structural grant to the tune of €50,000 per year, to the Mondriaan Fund, which will continue to allow the annual national commemoration ceremony for the history of slavery to be held. A series of initiatives have also been taken by different museums, to draw attention to colonial history and the history of slavery, and to promote social awareness in our country of the history of many people of African descent.

On 23 December 2013, the General Assembly of the UN adopted resolution 68/237 announcing an international Decade for people of African descent. On 28 October 2015, your House was informed about the outlines of the interdepartmental structure for this decade.<sup>5</sup> These outlines indicated that the decade will be used to strengthen antiracism measures, and that the aim is to design the national structure for the decade in close consultation with social organisations, active citizens and interested municipalities. Within this same framework, in 2015, detailed discussions were held with various parties and key figures to investigate the intended efforts, wishes and expectations.

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<sup>2</sup> Parliamentary Papers II, 201/16, 34 300 XV, no. 40.

<sup>3</sup> Parliamentary Papers II, 2013/2014, 30 950, no. 68.

<sup>4</sup> Parliamentary Papers II, 2015/2016, 32 824, no. 117.

<sup>5</sup> Parliamentary Papers II, 2015/16, 30 950, no. 80, annexe 2

Investments were also made in a social map of organisations within the community of African descent. The outlined memorandum, supplemented by the outcomes of the discussions with organisations and key figures from civil society, that are indeed set to be continued, will form the guidelines for tackling anti-black racism over the next few years. Additional measures in this framework are plans in respect of the following outlines, whereby it should be noted that the social consultations have revealed that considerable importance is attached to recognition as the first step:

- Recognition (including knowledge and research, awareness, attention for cultural heritage and empowerment);
- Justification (in particular commemoration of and processing the history of slavery; in this process, the recommendations from 'Onderhuids' in respect of a shared past and a joint future will be considered); and
- Development (education, labour market, diversity).

In 2016, a more in-depth analysis of the position and problems experienced by people of African descent will be carried out, to identify action points for policy. An initial study will also be carried out into how anti-black racism can be made more visible in the reports by the ADVs and the police. A major conference will also be organised for the Decade. Finally, efforts will be made to promote initiatives relating to encouraging dialogue and leadership.

### **Muslim discrimination**

Discrimination and the exclusion of Muslims, often based on a fear and rejection of Islam, is a growing social problem, and one of its most unfortunate consequences is that many Turkish and Moroccan Dutch young people no longer feel at home in the Netherlands, and have a sense that double standards apply. The already mentioned SCP study 'Worlds of difference' painfully reveals this situation. Police figures for 2014 show an increase in incidents of Muslim discrimination from 150 incidents in 2013 to 206 incidents in 2014. This is a trend which is also observed in a number of local and/or regional ADV reports, as a result of which the Muslim community in the Netherlands feels threatened. The SCP report 'Perceived discrimination' also reveals that Turkish and Moroccan Dutch citizens regularly experience discrimination. Reports about Muslim discrimination to the police lead to the conclusion that above all women are often the victims of discriminatory statements and violence.

Over the past two years, investments have been made for example in dialogue with Muslim organisations and improving the visibility of Muslim discrimination in the annual police reports on discrimination. At the end of 2015, an option for 'clicking on' Muslim discrimination was introduced to the police registration system. In-depth studies were carried out into incidents around mosques and into Muslim discrimination in education. A start meeting was also held aimed at strengthening local cooperation between police, municipalities, ADVs and mosques, and co-financing was awarded to a project by the antidiscrimination agency Radar and the Foundation Platform for Islamic Organisations in Rijnmond (SPIOR) aimed at improving the low-threshold character of ADVs, among Muslims. Numerous initiatives have also been taken by society itself, in particular in the form of a series of reporting points. Local attention for anti-Muslim hatred by ADVs has also grown, in particular in the large cities.

On the basis of the outcomes of social consultations, recommendations from studies and already active local and social initiatives, over the coming years, efforts will broadly be focused on the next three main outlines, within which attention for the position of women will receive particular attention:

#### *Strengthening insights into and knowledge of Muslim discrimination*

Many ADVs register and report on Muslim discrimination, but in the national reports, reporting on this form of discrimination as a separate category is not yet compulsory. Regulations governing the annual reporting on all reports to ADVs, on the basis of the Municipal antidiscrimination provisions Act (Wga) are due to be revised at the start of 2016, so that registration and reporting of Muslim discrimination by ADVs is made a national requirement, in the future.

In the first half of 2016, with a view to more precise policy development, a study will be carried out into trigger factors for Muslim discrimination. This study should result in a greater understanding of the degree of negative images of Muslims, and the background to and trigger factors for Muslim discrimination. On the basis of the recommendations from the study by Panteia into Muslim discrimination in education, initiated on behalf of the Anne Frank Foundation, a survey will be carried out of the availability of existing methods suitable for encouraging discussion of Muslim discrimination, and the desirability of developing additional methods.

#### *Increased willingness to report and resilience*

In the spring of 2016, on the basis of the outcomes and recommendations from the pilot study by SPIOR and Radar, an assessment will be made of how an improvement in the willingness of Muslims to report discrimination can be further encouraged on a national scale. Consideration will also be given to strengthening cooperation and ties between reporting points within the community, and ADVs. There are already concerns that a growth in numbers of reporting points will not result in a better insight into Muslim discrimination, and will make people uncertain about where they should report. In collaboration with Muslim organisations, strengthening the resilience of Dutch Muslims will also be given priority in the approach. Given the fact that discrimination and resistance can never be entirely eradicated, it remains vitally important that in particular young people are encouraged, also by their own community, to continue to demand their own position.

#### *Promoting local cooperation in tackling Muslim discrimination*

In tackling Muslim discrimination at local level, a great deal of improvement can still be made in collaboration between ADVs, police, municipal authorities, mosques and other Muslim organisations. Partly against that background, in 2016, a series of mosque meetings will be organised throughout the country. The goal will be to help the various stakeholders improve their ability to come into contact with one another, leading to greater cooperation and more local initiatives in tackling and preventing Muslim discrimination, in particular discriminatory incidents.

### **Antisemitism**

Police figures for 2014 show a rise in targeted anti-Semitic incidents. Various incidents aimed at Dutch Jews, in particular in relation to the upsurge in the conflict in the Middle East over the past few years, mean that the Jewish community feels threatened. Denial of the Holocaust, for example on the Internet or in classrooms, deeply affects the Jewish community and Dutch society. Anti-Semitic chanting at football matches also contributes to a climate of intolerance. The terrorist threat against synagogues and Jewish institutions results in a feeling of insecurity.

Over the past few years, efforts have been aimed at an active dialogue in Round Tables on antisemitism between Jewish organisations and Muslim organisations, with a focus on education, role models and joint response to incidents. A variety of initiatives have been undertaken in this framework by the Round Table partners, for example the initiation of a broad dialogue within the Turkish community about antisemitism, by the Consultative Body for Turks in the Netherlands (IOT). Local discussion sessions about the 'rule of law in the classroom' were initiated with a view to strengthening the capacity of teachers to discuss different themes, such as the denial of the Holocaust. A large-scale study was carried out into the causes and trigger factors of antisemitism, which was reported to the House on 27 October 2015. At the end of 2015, a possibility of 'clicking on' antisemitism in the police registration system was realised. Additional efforts focused on antisemitism will concentrate on the following points:

#### *Tackling tension in Dutch society*

The aim here is to prevent the conflict between Israel and the Palestinian areas being imported into the Netherlands. The policy is aimed at supporting key figures from the Jewish and Islamic communities, who visibly work together. With this in mind, at the start of 2016, consultation with

key figures from the Jewish and Islamic communities will be organised, about their efforts for reducing the knock-on effects of the Israeli-Palestinian conflict, in the Netherlands. Consideration will also be given to a follow up to the project aimed at discussing antisemitism within the Turkish-Dutch community, initiated by the Consultative Body for Turks in the Netherlands (IOT).

### *Football*

Discriminatory and anti-Semitic chanting at football matches cannot be tolerated. Where such incidents do occur, solid and immediate interventions are required. This is a responsibility for all parties involved (municipalities, KNVB (Netherlands Football Association), police, Public Prosecutor's Office, football clubs and central government) and is indeed experienced by these parties as such. This includes both civil law measures and KNVB guidelines, the authority of a mayor to intervene, and criminal prosecution in the event of discriminatory chants. As well as repressive/disciplinary measures, awareness of and information about discrimination in football is of vital importance.

With that in mind, in December of last year, the KNVB extended the licensing requirements for professional clubs with an obligation to formulate and implement an antidiscrimination policy. The KNVB will also be improving the structure and broadening the scope of the activities of the KNVB plan on diversity, that above all concerns amateur football. The Minister of Social Affairs and Employment recently consulted with the KNVB, Ajax football club, the Centre for Information and Documentation on Israel (CIDI) and the Central Jewish Consultation body (CJO) about discrimination in football, in which the discussions focused on tackling anti-Semitic/discriminatory chants with the aim of improving awareness of the harmful character of these chants. The KNVB announced that it would be coming up with a series of proposals on these issues, in consultation with the clubs, in the spring of 2016.

### *Education*

Education plays an important role in passing on fundamental values of the democratic rule of law, and hence tackling racism and discrimination in any form. With that in mind, we will be focusing in several ways on strengthening citizenship education. The Second World War and the Holocaust have also been laid down in the core targets for history teaching for both primary education and the lower school of secondary education.

In response to the Round Tables on Antisemitism and incidents in discussing the Holocaust in the classroom, research was carried out into the reticence of teachers to discuss these issues. Training programmes were then made available for teachers who had difficulty in discussing social themes in class; such as Muslim discrimination and antisemitism. Via an online portal on citizenship, teaching material for diversity, the rule of law, basic values, etc. will be made more visible. As far as possible, use will be made of materials developed by social organisations such as the Anne Frank Foundation.

### *Security of Jewish institutions*

The Minister of Security and Justice will inform your House on a separate occasion on security for Jewish institutions. This is not part of antidiscrimination policy.

## **M/F: discrimination on the ground of gender**

### *Salary discrimination according to gender*

The Cabinet will actively work to remove any still existing salary discrepancies between men and women for equal work. Every two years a study is carried out by the CBS (Statistics Netherlands) into pay differences between men and women in government and industry. The Council for Human Rights in collaboration with the Ministries of Education, Culture & Science and Social Affairs & Employment is also carrying out research into equal pay between men and women at universities of applied science and in the insurance sector. The study into equal pay at universities of applied science will be handed over in January 2016.

The completion of the study into equal pay in the insurance sector will then follow in the course of 2016. The studies by the Human Rights Council and the CBS are part of the 28 measures from the 'Labour market discrimination action plan' sent to your House on 16 May 2014, by the Cabinet.

## **LHBT**

### *GSA Natuurlijk Samen*

The Ministry of Education, Culture and Science has been supporting the national gay-straight alliance Natuurlijk Samen, since 2012. The aim of this alliance is to improve safety of LHBTs in the residential environment. In this alliance, antidiscrimination facilities work together with the police, the LHBT rights organisation COC, the National Cooperative Body for active residents (LSA) (in residential districts) and Movisie. The Ministry of Security and Justice is involved in terms of content. The focus is on the chain approach by municipalities and their stakeholders (including local residents): from identification, reporting and handling of incidents through to prevention and after care. At present, the response is often too ad hoc, so that victims are only able to solve the situation in their residential environment by moving home.

### *Willingness to report*

The previously held campaign for increasing the willingness to report in the LHBT media, will be continued in 2016 by the Ministry of Security and Justice.

Since 1 August 2015, there has been a police network Pink in Blue (Roze in Blauw) in the Netherlands. The existence of this network has given a major boost to the activities of the Pink in Blue network in the units; national coverage has now been achieved. Knowledge exchange is also promoted. The Police Academy is happy to make use of the Pink in Blue network from a number of police units, actively participating in the curriculum of basic police training. The contact details for Pink in Blue available on the police website within the regional units were extended in the autumn of 2015, and are kept up to date.

The national police – in consultation with the University of Amsterdam, VelsPol Germany and Flag! France – will be organising the first LHBT world conference for criminal justice professionals, in August 2016.

### *Investigation into explicit description of the prohibition of discrimination of trans genders*

The Minister of the Interior and Kingdom Relations will be investigating the question of how the prohibition of discrimination on the grounds of gender identity and gender expression can be explicitly expressed in the Equal Treatment Act (Awgb). This investigation will include the legal protection of trans genders in other countries, international recommendations and research into this field and the various possibilities of making protection of trans genders explicit in the Awgb. The results of the investigation are expected to be sent to your House at the start of 2016.

## **Age**

In the progress report on the labour market discrimination action plan submitted to the Lower House on 1 September 2015, a study was announced into the possibilities of further tackling discrimination on the ground of age (both young and old). This study investigated which measures can be deployed for further tackling and preventing age discrimination, over and above the actions and measures already taken by the Cabinet in the labour market discrimination action plan, in order to strengthen the labour market position of the older people. This study was concluded at the end of 2015. You will be informed of the measures to be taken in response to this study in the next progress report on labour market discrimination.

## **Disability or chronic illness**

With the ratification of the UN convention on the rights of disabled persons, this Cabinet has made it clear to the more than two million people in the Netherlands with an impairment that it will be working on an inclusive society, which will enable people (wherever possible) to take responsibility and to take control over their own life.

By means of this Convention, we will work towards an inclusive society, in which everyone can participate. The issue is opening and changing society on all levels, so that people with an impairment are hindered as little as possible in participating and as such are able to make a contribution to society. An inclusive society demands involvement from us all. It is important to increase awareness on these issues, to expand the choices for people with an impairment and to promote inclusive thinking.

Non-discrimination is one of the general principles of the Convention. In addition to general articles about non-discrimination, this principle is further elaborated in specific areas.

At present, the Bills for the ratification of the UN Convention on the rights of disabled persons are with the Lower Chamber, for discussion. Ratification is planned in 2016. The aim is that when ratification takes place, an operating mechanism will be in place for the (further) implementation of the convention in the Netherlands. With this in mind, an office will be established (working title Platform for Inclusion). The aim of this office will be to encourage awareness and to reach agreements for improving the position of persons with a disability. The Platform on Inclusion will encourage activities within society. Partners who join this platform will be taking up a positive position and will be accountable for the results to which they have committed. Partners can be all types of organisations and combinations of organisations responsible for carrying out existing or new activities. For example (representatives of) the target group for the Convention, employers, industry, municipalities, central government and a large number of other social organisations. A special campaign will be developed in respect of the ratification of the Convention under the overarching campaign *Zet een streep door discriminatie (Cross out discrimination)*, in accordance with the objectives of the Convention and its ratification.