Experiences with reporting to CEDAW for the Netherlands

Margreet, a colleague of mine, and I wrote the shadow report on behalf of the Dutch womens organisations and the Dutch Section of the International Committee of Jurists. The part on sex work and the position of migrant sex workers is under art. 6 (trafficking), art. 9 (exclusion of migrant workers from legally working in the sex industry) and art. 11 (lack of policies to improve the position of sex workers). You will find the shadow report on the website (in English).

In august last year Margreet and I attended the pre-session of the Committee in which we had a chance to talk about one and a half hour with members of the Committee and answer their questions. One issue, of course, was sex work and the Dutch prostitution policies. They, for example, asked if the lifting of the ban on brothels indeed improved the position of sex workers in the Netherlands and if the new law was supported by NGOs and society. (Art. 6 of the Treaty obliges states to take all measures to combat trafficking and 'the exploitation of the prostitution of others'.)

Following the pre-session, the Committee made up a list of issues and questions to the Dutch government. One question was why the Dutch government excluded migrant workers from working legally in prostitution: this is a very radical question for the Committee, considering the dominant view on sex work.

Following the pre-session with NGOs, the so called 'constructive dialogue' between the CEDAW Committee and the Dutch government took place. Preceding the session with the government delegation (headed by the Dutch minister of Social Affairs), we had the opportunity to react to the answers of the government to the Committee. Unexpectedly we had to share our 10 minutes 'Dutch speaking time' with the Coalition, who predictably stated that since the Netherlands decriminalised the sex industry the number of children in the sex industry had increased as well as the number of trafficking victims. Reason for us to write an additional factsheet on trafficking and prostitution which we submitted to the Committee.

A few weeks after the 'constructive dialogue' the Committee released its Concluding Comments, in which they commented on the state of affairs and gave recommendations. These are published on the CEDAW website.

More information on the Dutch shadowreport is on the website www.vrouwenverdrag.nl (Vrouwenverdrag is the Dutch name for Womens Treaty. In full: the Convention on the Elimination of all Forms of Discrimination of Women = CEDAW). Part of the website is in Dutch (among others the diary that Margreet and I kept in New York when going their to talk with the Committee), but all the documents are in English.

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