

## **NETHERLANDS ANTILLES**

Committee on the Elimination of Discrimination  
Against Women  
Forty-Fifth Session  
Geneva, 27 January 2010

**Introductory statement by Mrs. Omayra Leeflang, Minister of  
Public Health and Social Development/Minister of Education,  
Head of the Delegation of the Netherlands Antilles**

at the occasion of the consideration of the fourth and fifth periodic  
report of the Netherlands Antilles in pursuance of its obligations  
under the Convention on the Elimination of All Forms of  
Discrimination against Women

Geneva, 27 January 2010

Madam Chair, distinguished members of the Committee, ladies and  
gentlemen,

Thank you for giving me the floor.

First of all I would like to take this opportunity to wish you a healthy

and prosperous 2010.

For me it is an honour and a privilege to address your Committee on the occasion of the consideration of our fourth and fifth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. This is the last time the Netherlands Antilles will address your Committee as a country comprising of five islands within the Kingdom of the Netherlands.

Madam Chair,

As of October 10, 2010 the Netherlands Antilles will cease to exist and Curaçao and Sint Maarten will become separate countries within the Kingdom of the Netherlands. The other islands, being Bonaire, Saba and Sint Eustatius [Statia] will integrate as public bodies within the Netherlands.

This constitutional restructuring of the Netherlands Antilles within the Kingdom of the Netherlands has been a major development for a number of years, sometimes overshadowing other developments.

Madam Chair,

Though the constitutional reform has been getting most of the attention, the Government of the Netherlands Antilles is duly aware of its obligations under CEDAW and has sought to implement, to the best of its abilities, the provisions of this Convention and the other

human rights treaties, which apply to the Netherlands Antilles.

Regrettably, we at times do encounter difficulties which hinder a speedier implementation of all the provisions of the Conventions, the recommendations and/or general comments of the various Committees. We also encounter difficulties in having the periodic reports to the various Committees submitted on time. This is certainly not due to unwillingness on our part, as we do value your remarks and that of the other Committees, but the Government of the Netherlands Antilles experiences difficulties in obtaining the necessary information due to primarily a lack of sufficient qualified personnel and available resources. Nevertheless, the Government of the Netherlands Antilles keeps on striving to have the reports submitted on time.

Madam Chair,

Despite these challenges we have made progress on a number of issues.

Parliament has accepted the law protecting children against pornography (including virtual images), prostitution and sexual abuse. This much awaited revision of the Criminal Code has been sent to Parliament for their review. It is expected that Parliament will discuss the Criminal Code in the coming days.

Madam Chair,

Human trafficking is currently not yet a criminal offence by means of a separate article, cases of human trafficking are tackled by the prosecution of other offences, such as fraud, kidnapping, people smuggling and coercion as defined in the Criminal Code. Under article 260 of the Criminal Code, the trafficking of women and minors is an offence, which carries a maximum prison sentence of five years.

But the Government of the Netherlands Antilles considers the combating of human trafficking very important and in light hereof the legislation dealing specifically with human trafficking has been taken out of the bigger project of the revision of the Criminal Code and has been sent as a separate piece of legislation to the Advisory Council and it is my understanding that the Council will discuss this early February.

Once this legislation is passed by Parliament, the Netherlands Antilles will be able to ratify, among other treaties, the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the UN Convention against Transnational Organized Crime and the Council of Europe Convention on Action against Trafficking in Human Beings.

Madam Chair,

In the case of domestic violence a special public prosecutor has been appointed. Together with other stakeholders they are working towards enhancing policy development regarding domestic violence; mandating special therapy for perpetrators, providing after care for victims; resettlement supervision for offenders as well as the continued empowerment of women in general. Preventive information is also being given to non governmental organizations, dealing with domestic violence, so they can empower their clients.

Madam Chair,

The Netherlands Antilles is the only country in the Kingdom of the Netherlands where there has been a total of five female prime ministers thus far. Women's political participation at both central and island level has been a constant ever since women achieved the right to vote. In last Friday's election for parliament again there were a number of parties headed by women as well as numerous female candidates on the lists of the various political parties. On Sint Maarten there was even a political party with more women on the list than men.

Madam Chair,

Education has always been a priority of the Government of the Netherlands Antilles. We have put a lot of effort into reforming the

educational system. The National Ordinance on Compulsory Education, for children 4 to 18 years has been implemented full force. The National Ordinance on Compulsory Social Education has also been implemented. This Ordinance aims at providing youngsters, ages 16 to 24, who have dropped out of school with a second chance by helping them go back to school or by providing training that will better help them to find a job.

In the Netherlands Antilles, like in many other Caribbean countries, there is a developing trend in which boys and young men are falling behind in education. We have ascertained that for instance special education consists of 70% of boys, whereas the secondary schools and universities comprise primarily of girls.

In the Kingdom of the Netherlands the women in political functions have joined forces to analyze problems concerning youth education and initiate projects to solve these problems.

With funds from UNESCO the Government of the Netherlands Antilles has conducted a research regarding these discrepancies between boys and girls in the educational system. These findings are in the process of being finalized.

Madam Chair,

The 2009 Labour Force Sample Survey shows that the unemployment rate under the working population of Curaçao is still decreasing. In 2006 it was 15%, in 2008 10.3 % and in 2009 9.7%.

It is worth noting that the degree of participation of women has risen while that of men has remained the same. More women than men in relative terms are joining the labour market. In 2009 there was a surplus of working women reported. This is an interesting fact in the light of the human rights conventions and UN Millennium Development Goal no. 3, where equal access of men and women to the labour market is promoted.

With the assistance of the International Labour Organization the Netherlands Antilles is revising its labour regulations so that the Netherlands Antilles can adhere to the principles laid down in the Decent Work Programme Declaration of 2006.

Madam Chair,

In September 2009 the Commission Maternity Protection presented a draft Ordinance Maternity Protection. The draft deals among other with:

- the right to breastfeed during working hours;
- the ban of dangerous work circumstances during the breastfeeding period;

- the evaluation of the work circumstances of the breastfeeding worker;
- the working hours of the breastfeeding worker, such as no night work/ shifts or overtime hours.

This legislation will make it possible for the Netherlands Antilles to ratify the International Labour Convention no. 183.

Madam Chair,

On the 1st of October 2009, the Government of the Netherlands Antilles, with the blessing of Parliament, regulated sickness insurance for pensioners. Many of our pensioners have already made use of this opportunity to take care of their sickness insurance.

On the 1st of January of 2010 an increase of old age pension (to ANG 800 monthly) became effective. Together with the old age pension the widow and orphan pension were increased as well.

Madam Chair,

Within the family law of the Netherlands Antilles, the position of children born out of wedlock who have been acknowledged by their fathers has been equated with that of legitimate children. Paternity can now be acknowledged outside of marriage. After an amendment to the law, this will also be possible by judicial declaration of

paternity for those cases where the biological father does not wish to acknowledge the child. The National Ordinance on Judicial Declarations of Paternity will introduce a provision enabling the court, at the request of a mother, a child or the Guardianship Council, to determine paternity even though the biological father has not acknowledged the child. This may also occur after the death of either the father or the child.

The draft will be sent to Parliament in the coming weeks.

Finally, Madame Chair,

The draft National Ordinance on the Law of Names will introduce a provision to the effect that parents may choose either the mother's or the father's surname for their children. Once a surname has been chosen for the first child, it will also apply to any further children of the same parents. Children aged 16 or older may themselves choose their surnames if their paternity is acknowledged. If a child has a family-law relationship with only one of its parents, it bears the surname of that parent.

It is my understanding that Parliament will discuss this legislation in plenary soon.

Madam Chair,

I look forward to a constructive and fruitful dialogue with the distinguished members of your Committee. The Government of the

Netherlands Antilles highly welcomes any suggestions and recommendations from your esteemed Committee.

I thank you for your attention.