



DANISH INSTITUTE FOR  
HUMAN RIGHTS

**COWI**

# The social situation concerning homophobia and discrimination on grounds of sexual orientation in the Netherlands

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## A. A Summary of the Overall Situation of LGBT Persons

- [1]. Compared to the EU average surveys show that positive attitudes toward homosexuality are widespread in the Netherlands. . In 1998 Dutch law established the system of registered partnership for both same-sex and different-sex couples and a gender neutral civil marriage was passed into law in 2001. There is a strong civil society in the Netherlands, including the oldest existing LGBT NGO (*COC*). Similarly, there is a long tradition for including civil organizations in the legislative and administrative process.
- [2]. The Netherlands has a strong legal framework regarding equality and anti-discrimination, which is enshrined in the *Grondwet* [Constitution], in private and public employment law, in criminal law and the *Algemene Wet Gelijke Behandeling* [General Equal Treatment Act (GETA)]. Dutch law provides for a gender neutral registered partnership and civil marriage, which means that both different and same sex couples can be married as well as registered. Foreign adoption is still not legal for same-sex couples.
- [3]. Even though the social acceptability of homosexuality is widespread, negative attitudes are found particularly among young people, older people, men, the less well educated, religious people and Dutch citizens with ethnic minority backgrounds. Research has identified problems with harassment such as bullying in schools and in surveys more than half of LGB respondents state having experienced insults because of their sexual orientation.

## B. The Collection of Data

- [4]. The material for this report has been collected by the use of four different sources:
  - A legal country report carried out for this study, written by Professor Rick Lawson (University of Leiden), Professor Tom Barkhuysen (University of Leiden), Professor Janneke Gerards, Director Maarten den Heijer, Professor Rikki Holtmaat and student assistant Nelleke Koffeman.<sup>1</sup>
  - As no researcher was found to carry out a sociological examination, data used in this report has been drawn from

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<sup>1</sup> Rick Lawson *et.al* (2008) *Legal Study on Homophobia and Discrimination on Grounds of Sexual Orientation in the Netherlands*. FRALEX.

reports and research published by various national research institutions.

- Data collected through interviews held in the Netherlands with the LGBT NGO *Nederlandse Vereniging tot Integratie van Homosexualiteit (COC)*, *Ministerie van Onderwijs, Cultuur en Wetenschap* [the Ministry for Education, Culture and Science] and *Commissie Gelijke Behandeling* [the Equal Treatment Commission].
- Research information gathered using an online questionnaire that was sent out to the stakeholders mentioned above.

## C. Key Findings

### C.1. Attitudes Toward LGBT Persons

- [5]. Surveys examining acceptance and attitudes toward homosexuality were carried out across all EU Members States, both in 2006 and again in 2008.
- [6]. The 2008 *Eurobarometer* asked, 'How would you personally feel about having a homosexual (gay man or lesbian woman) as a neighbour?' (1 meaning 'very uncomfortable' and 10 meaning 'very comfortable'). The figure in the Netherlands was 9.3., compared to the EU average of 7.9. Romania was the lowest with 4.8.<sup>2</sup>
- [7]. In answer to questions asked as part of the 2006 Eurobarometer survey, 42 per cent of EU citizens agreed that same-sex marriages should be allowed throughout Europe. The figure was 82 per cent in the Netherlands - the highest in Europe. Romania scored lowest with 11 per cent. With regard to adoption by same-sex couples, the level of acceptance decreased in the Member States (31%), including in the Netherlands (69%). The Netherlands figure of 69 per cent was again the highest in Europe and Poland and Malta scored equal lowest with 7 per cent).<sup>3</sup>
- [8]. In 2006 *the Netherlands Institute for Social Research (SCP)* carried out research into social acceptance of homosexuality in the Netherlands.<sup>4</sup> The researchers concluded that homosexuality is widely accepted, with 89 per cent of the population stating that 'gays and lesbians should be free to live their lives as they choose'<sup>5</sup> However, negative attitudes towards homosexuality are higher than average among young people,

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<sup>2</sup> European Commission (2008) *Special Eurobarometer 296. Discrimination in the European Union: Perceptions, Experiences and Attitudes*, chapter 9.

<sup>3</sup> Eurobarometer 66 (2006), available at:  
[http://ec.europa.eu/public\\_opinion/archives/eb/eb66/eb66\\_en.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb66/eb66_en.pdf), pp. 43-46.

<sup>4</sup> S. Keuzenkamp and D. Bos, 'Out in the Netherlands: Acceptance of homosexuality in the Netherlands', Netherlands Institute for Social Research 2007.

<sup>5</sup> European Social Survey 2004.

older people, men, the less well educated, religious people and Dutch citizens with ethnic minority backgrounds.<sup>6</sup> According to the SCP, homosexuality remains a private matter: people expect homosexual couples to show much more restraint than heterosexual couples in public spaces.<sup>7</sup> The COC also point out that there still is a high prevalence of people perceiving homosexuals as ‘them’ and heterosexuals to be ‘us’..<sup>8</sup>

- [9]. According to the COC representative, the younger LGBT generation is more aware of their rights.<sup>9</sup>

## C.2. Criminal Law - Hate Crime

- [10]. The Dutch Penal Code outlaws defamation on the grounds of (among others) hetero- or homosexual orientation. Public incitement of hatred, discrimination or violent action against persons on the ground of his/her hetero- or homosexual orientation is also criminal. The Dutch Civil Code provides for a civil tort procedure against derogatory speech, which has been invoked several times in cases involving LGBT plaintiffs.<sup>10</sup>

- [11]. Neither the Penal Code nor the Code of Criminal Procedure identifies homophobic motivation as an aggravating factor in sentencing. However, since December 2007 the Public Prosecution is instructed to increase the sentence s/he demands by 25 per cent in the case of an offence with a discriminatory aspect. Furthermore, there are examples of cases in which the court takes a discriminatory aspect of an offence into account during sentencing.<sup>11</sup>

- [12]. In recent years the Dutch media has reported an increase in violence against LGBT persons. There were some incidents that attracted great international and national media attention, including the assault of a gay American tourist attending the Dutch Queen’s Day party in 2005 and other violent attacks on gay visitors to the 2007 Gay Pride. These news reports create the impression that physical, homophobic violence has increased in the Netherlands in recent years.<sup>12</sup>

- [13]. However, there are no precise figures for violent attacks on LGBT persons in the Netherlands. In May 2005 the Mayor of Amsterdam

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6 S. Keuzenkamp, D. Bos, Jan Willem Duyvendak and Gert Hekma, ‘*Gewoon doen: Acceptatie van Homoseksualiteit in Nederland*’, Netherlands Institute for Social Research 2006, ‘Summary: Acceptance of Homosexuality in the Netherlands’.

7 S. Keuzenkamp, D. Bos, J.W. Duyvendak and G. Hekma, ‘*Gewoon doen: Acceptatie van Homoseksualiteit in Nederland*’, Netherlands Institute for Social Research 2006, ‘Summary: Acceptance of Homosexuality in the Netherlands’.

8 Field trip meeting with the COC (the Netherlands, 1 April 2008).

9 Field trip meeting with the COC (the Netherlands, 1 April 2008).

10 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands.

11 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands. FRALEX.

12 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands.. FRALEX:

estimated the incidents of violence against LGBT persons in his city at a minimum of 10-20 per year. The number of incidents of homophobic discrimination reported to local anti-discrimination offices rose in the period 2002-2005, from 127 in 2002, (3 per cent of the total number of complaints of discrimination), to 158 in 2005, (4 per cent of the total number of complaints of discrimination). However, it is not possible to draw any solid conclusions regarding the significance of these figures since not all victims report their cases, and a higher number of reports may be the result of increased publicity.<sup>13</sup>

- [14]. According to a survey involving 776 homosexuals in 2006, more than half of the respondents (55%) had sometimes been laughed at or insulted because of their homosexuality, 17 per cent had experienced bullying or taunting while 12 per cent had occasionally been threatened with physical violence. Three per cent had actually experienced physical assault. Some 17 per cent of the respondents stated they sometimes felt unsafe, whereas 2 per cent frequently felt unsafe.<sup>14</sup>

### C.3. Freedom of Assembly

- [15]. In the Netherlands the right to freedom of assembly is protected in Article 9 of the Dutch Constitution and by international treaties. In general there is no obligation to give prior notice of a planned demonstration. However, informing authorities of the subject of a demonstration might be necessary in order to estimate the risk of counter-demonstrations and to determine the size of the police presence.
- [16]. For several decades demonstrations and events in favour of tolerance of LGBT persons have taken place on a yearly basis. The authors of the legal report are not aware of any demonstration against tolerance of LGBT persons in the Netherlands in the period 2000-2007.
- [17]. In the early 1980s a large-scale demonstration in favour of tolerance of LGBT persons was violently disturbed. These disturbances led to a new police policy on LGBT matters. After 1982 only incidental disturbances have taken place (see the paragraph on 'Hate Crimes' above).

### C.4. Family and Other Social Issues

- [18]. Since 1998 Dutch law has allowed citizens have their relationships recognised using registered partnerships for both same-sex and different-sex couples. Similarly, since 2001 'gender neutral' civil marriages have been authorised by the State. This means that marriage,

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13 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands.. FRALEX.

14 M. van San and J. de Boom, '*Geweld tegen homoseksuelen*' (violence against homosexuals), RISBO Contactresearch, Rotterdam 2006. Quoted in the government's LGBT policy '*Gewoon homo zijn; Lesbisch en homoemancipatiebeleid 2008-2011*'.

most parental rights, registered partnership and rules on de facto cohabitation are equally regulated for both different and same-sex couples. Foreign adoption of children is not possible for same-sex couples, but a bill reconsidering this is now before parliament.<sup>15</sup>

- [19]. There is also a bill pending that would ease the adoption procedure for both lesbian partners in cases where children have been born to one of the parents. In 2007 a Commission established by the Ministry of Justice proposed that lesbian partners should have the possibility of simply acknowledging children born within wedlock, or that they even should become the legal parent of the child automatically, which would grant lesbian partners rights equal to those of men in heterosexual marriages. The government is currently considering this proposal.<sup>16</sup>

## C.5. The Labour Market

- [20]. Discrimination on the grounds of sexual orientation is prohibited, both in civil and in criminal law. It is a criminal offence to ‘discriminate against persons on the grounds of their race, religion, beliefs, sex or heterosexual or homosexual orientation’, but only if a person does this in the execution of a ‘profession, business or official capacity’. Most employers fall under one of these three categories.<sup>17</sup> Furthermore, the ground of sexual orientation is covered by the *Algemene Wet Gelijke Behandeling* [General Equal Treatment Act (GETA)] of 1994.
- [21]. GETA also provides for protection against discrimination from colleagues. A requirement of such a finding is that the leadership of the organisation knows of the discriminatory act and that the person in question has complained. The leadership of the organisation is responsible for facilitating and ensuring a work environment free from discrimination.
- [22]. The GETA outlaws any direct or indirect ‘distinction between people on the grounds of religion, belief, political opinion, race, sex, nationality, heterosexual or homosexual orientation or civil status’, in the field of employment, in the field of the liberal professions, by organisations of employees, employers or professionals and in providing goods or services, in concluding, implementing or terminating agreements thereon and in providing educational or careers guidance. Article 5(1) of the GETA prohibits unlawful distinctions in the context of employment, covering all aspects including, for example, vacancy advertisements and recruitment to working conditions and promotion. The GETA also covers membership and

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15 See the government’s LGBT policy 2008-2011: ‘*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*’ [‘Simply gay; Dutch Government LGBT Policy document 2008-2011’].

16 Government LGBT policy 2008-2011: ‘*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*’ [‘Simply gay; Dutch Government LGBT Policy document 2008-2011’].

17 Rick Lawson *et.al.* (2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands. FRALEX.

involvement in organisations of employees, employers or professionals and benefits attached to these.

- [23]. The officially designated equality body is the *Commissie Gelijke Behandeling* [Equal Treatment Commission (ETC)]. The ETC is a semi-judicial independent body the decisions of which are authoritative but non-binding. The ETC can hear and investigate cases, conduct an investigation on its own initiative, conduct surveys and issue reports and recommendations. Organisations can take legal action in court and have the right to ask the ETC to start an investigation. Several gay and lesbian interest groups have been recognised as having standing. There are also local anti-discrimination bureaus, which are very accessible, and that can provide quantitative data on homophobia/discrimination.
- [24]. Out of 261 opinions in 2006 and 224 opinions in 2007, the ETC only gave 8 opinions (4 per year) concerning sexual orientation. To examine the question on why there are few complaints regarding discrimination on grounds of sexual orientation, the ETC has commissioned a study on discrimination of LGBT persons in the work place. This research is currently still in progress.
- [25]. According to the ETC, discrimination on the ground of sexual orientation often takes a subtle form. Remarks that might be experienced as hurtful or degrading are often justified as being jokes – and people should ‘be able to take a joke’. This makes discrimination and harassment in the labour market hard to tackle and difficult to prove.
- [26]. In a periodical study on working conditions in the Netherlands, 2.8 per cent (of the over 24,000 respondents) stated that discrimination on grounds of sexual orientation happened regularly in their workplace.<sup>18</sup>

## C.6. Education

- [27]. The Dutch constitutional guarantee of right to freedom of education, limits the degree to which curricula and education facilities can be regulated. There are school inspectors that assess the environment at schools, taking the safety for LGBT persons into account. The inspectors are asked to take the school’s background into consideration (for example Christian, Islamic, Jewish).<sup>19</sup>
- [28]. LGBT persons experience discrimination in schools at various levels: among teachers, between teachers and students as well as among students. Data gathered through a survey about safety at schools and commissioned by the ETC, to obtain additional analysis about sexual

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18 Government LGBT policy 2008-2011: ‘*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*’ [‘Simply gay; Dutch Government LGBT Policy document 2008-2011’ ].

19 Field trip meeting with the *Ministry of Education, Culture and Science* (the Netherlands 1 April 2008).



orientation, showed there was a significant problem with bullying.<sup>20</sup> There are also problems at schools for LGBT persons who choose to 'come out'. In preparatory middle-level vocational education schools with larger amounts of pupils with a non-Dutch ethnic background, school management is often afraid to enforce a more open climate of LGBT visibility, as they anticipate that their pupils are against LGBT rights. Similar problems have also been identified at Orthodox Christian schools.<sup>21</sup>

- [29]. School materials appear to have a largely hetero-normative focus and because of the constitutional right to freedom of education the government cannot easily interfere with their conduct. This is especially a problem with orthodox Christian schools. Schools have the duty to act when they become aware of discrimination, but the law does not give schools a clear duty to also prevent discrimination and provide a discrimination-free atmosphere.<sup>22</sup>
- [30]. One of the goals of the government's new policy paper on 'homosexual emancipation' is to contribute to an LGBT-friendly environment in schools. On request of *the Ministry of Education, the Equal Treatment Commission* is providing advising on the implications, obligation and responsibilities of schools based on the General Equal Treatment Law. The Ministry will formulate this into a code of conduct for primary and secondary schools which will include the topic of sexual orientation.<sup>23</sup> The General Teachers' Union has called for a specific policy on homosexuality in secondary schools.<sup>24</sup>

## C.7. Health Service

- [31]. Single women and lesbians can receive assisted insemination.
- [32]. The ETC received a complaint regarding blood donation, where a gay man was excluded from giving blood. The Commission did not find this practice unlawfully discriminatory, as statistics showed clearly that there is a high health risk of using blood donated from men who regularly have sex with men. The ETC recommended though that there be more research done in this area and that blood banks should revise their approach.<sup>25</sup>

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20 Field trip meeting with *the Equal Treatment Commission* (the Netherlands, 2 April 2008).

21 Field trip meeting with *COC* (the Netherlands, 1 April 2008)

22 Field trip meeting with *the Equal Treatment Commission* (the Netherlands, 2 April 2008).

23 Government LGBT policy 2008-2011: '*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*' ('Just being gay; lesbian and homo-emancipation policy 2008-2011').

24 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands. FRALEX..

25 Field trip meeting with *the Equal Treatment Commission* (the Netherlands, 2 April 2008).

## C.8. Religion

- [33]. The GETA provides for a system of justification grounds for discrimination. An important justification in the LGBT context is that institutions founded on religious or political principles, and schools founded on the basis of religious denomination, may impose requirements on the occupancy of a post which, in view of the organisation's purpose, are necessary to live up to its founding principles (Article 5(2) GETA). The GETA does not apply to legal relationships within churches, other religious communities or associations of a spiritual nature. The EU has criticized these justification grounds in the GETA, in reaction to which the ETC has proposed that these provisions should be restated.<sup>26</sup>
- [34]. There appears to be tension between freedom of religion and the rights of LGBT persons, which, for example, manifests itself in religious schools and other places where homosexuality is hardly discussed. As the latest government (since 2006) is composed of the Social Democrats, Christian Democrats and a smaller Christian party, the influence of Christian religion on government policy has become slightly stronger. For example, a government agreement contains a paragraph stating that, if necessary, the legal position of civil servants who refuse to marry same-sex couples will be secured.<sup>27</sup>

## C.9. Sports

- [35]. The ETC considers homosexuality to still be a taboo in sports.<sup>28</sup> A survey done in 2003 showed that LGBT persons do not participate less in sports than heterosexual persons do, but they tend to hide their sexual orientation. Other surveys show that organised sports are not very open towards homosexuality and that degrading names for homosexuals (mostly gay men) are used as where swear words or when players are joking. Competition sports often emphasise a predominantly stereotypical heterosexual male image.<sup>29</sup>
- [36]. Gay men come out less in sports than in any other sphere of life (family, work, neighbourhood etc.). Of gay male athletes, 15 per cent have been confronted with anti-gay jokes and remarks, or even with

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26 Advisory opinion on the letter of formal notice to the Netherlands from the European Commission in connection with the incorrect transportation of Directive 2000/78/EC; CGB Advisory opinion/2008/02, March 2008.

27 Government LGBT policy 2008-2011: '*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*' ('Just being gay; lesbian and homo-emancipation policy 2008-2011').

28 Field trip meeting with *the Equal Treatment Commission* (the Netherlands, 2 April 2008).

29 Government LGBT policy 2008-2011: '*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*' ['Simply gay; Dutch Government LGBT Policy document 2008-2011'].

outright discrimination. For lesbian athletes this number is 6 per cent.<sup>30</sup>

- [37]. In-depth interviews carried out by the Netherlands Institute for Social Research showed that the majority of the 80 interviewees had come out to their fellow sports participants. Many of them considered staying closeted virtually impossible.<sup>31</sup>
- [38]. Sports have become a focus area for the government's LGBT emancipation policy for 2008 to 2011. A private foundation, named after gay soccer referee John Blankenstein, is working on the promotion of a positive and inclusive climate in sports.<sup>32</sup>

## C.10. Media

- [39]. There are few problems concerning LGBT persons and the media. The media cover LGBT issues in a neutral way and there is a well developed LGBT press, such as the 'gaykrant' ('the gay paper'). Recently a commercial LGBT TV station called 'Out-TV' began broadcasting in the Netherlands.<sup>33</sup>
- [40]. Incidents of homophobic hate speech have taken place on the internet, mainly on extreme right and orthodox protestant and Islamic web forums.<sup>34</sup>

## C.11. Asylum and Subsidiary Protection

- [41]. An LGBT asylum seeker can be eligible for refugee status when s/he fears persecution or runs a risk of being inhumanely treated on the grounds of his/her sexual orientation or gender identity. Also, the general situation of LGBT persons in the country of origin can be a reason for so-called categorical protection. Since 18 October 2006 this categorical protection has been applied to Iranian LGBT persons by the declaration of a moratorium on their deportation (*vertrekmoratorium*). The moratorium covers both homosexual and transgender persons.
- [42]. LGBT partners and family members of a refugee to whom asylum has been granted can also qualify for a residence permit on asylum grounds, or can apply for family reunification. Dutch law does not differ between different-sex or same-sex couples.

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30 S. Keuzenkamp and D. Bos, 'Out in the Netherlands: Acceptance of homosexuality in the Netherlands', Netherlands Institute for Social Research 2007.

31 S. Keuzenkamp and D. Bos, 'Out in the Netherlands: Acceptance of homosexuality in the Netherlands', Netherlands Institute for Social Research 2007.

32 Government LGBT policy 2008-2011: '*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*' ['Simply gay; Dutch Government LGBT Policy document 2008-2011'].

33 Field trip meeting with the COC (the Netherlands, 1 April 2008).

34 S. Keuzenkamp and D. Bos, 'Out in the Netherlands: Acceptance of homosexuality in the Netherlands', Netherlands Institute for Social Research 2007.

- [43]. In practice it is not easy to get asylum in the Netherlands as the requirements for evidence are very high. Presently there is a case pending involving a male Iranian homosexual facing expulsion to the United Kingdom because this was the country of first arrival. The key question in this case is whether he can legitimately be expelled to the UK, where there is no guarantee that the UK will not deport him back to Iran.<sup>35</sup>

## C.12. Family Reunification

- [44]. Family members (both third country nationals and EU citizens) of foreigners with a residence permit have a right to family reunification. When it comes to the legal situation regarding partners of EU citizens in the context of the freedom of movement, Dutch law makes no distinction between LGBT partners and non-LGBT partners.<sup>36</sup>
- [45]. In practice the legal recognition of Dutch same-sex marriages and registered partnerships entered into abroad (even within the European Union) can be problematic. Some countries do not recognise such marriages or partnerships at all, whereas other countries would recognise a marriage as a civil partnership.<sup>37</sup>

## C.13. Transgender Issues

- [46]. In Dutch law discrimination on the ground of ‘transsexuality’ and ‘transvestism’ are regarded as forms of sex discrimination. Public incitement to hatred on the basis of sex (thus including transsexuality) is outlawed by several articles of the Penal Code.<sup>38</sup>
- [47]. The Civil Code provides that courts may authorise a person to change his/her sex on his/her birth certificate, but only after the requesting person has undergone sex change surgery and/or treatment – as far as this is possible and sensible from a medical and psychological point of view. After the sex change, the person must be sterilised (i.e. incapable of bearing or conceiving children). This latter precondition has generated strong opposition from some NGO’s that consider this to be a humiliating requirement.<sup>39</sup>
- [48]. Once an appeal for a change of sex has been granted, the civil courts have the competence to order the change of the applicant’s first name(s). There has been a case where the request for a change of name was rejected by the court, as the physical sex change operation had not

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35 Field trip meeting with the COC (the Netherlands, 1 April 2008).

36 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands. FRALEX.

37 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands. FRALEX.

38 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands. FRALEX.

39 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands. FRALEX.

been fully completed, which according to court meant the person's sex therefore could not be officially adjusted.<sup>40</sup>

- [49]. The university hospital connected to the *Vrije Universiteit* in Amsterdam has a specialised gender team. About 150 persons approach this team every year, of whom two-thirds start treatment. About 0.5 per cent of the population considers themselves to be transgender, which counts for approximately thirty to a hundred thousand persons. Very little is known about the problems they are facing due to their gender identity.<sup>41</sup>

#### C.14. Multiple discrimination

- [50]. The ETC is currently making multiple discrimination a priority in their work. A few cases have involved multiple discrimination and the ETC is aware of the problem.
- [51]. The LGBT community is primarily dominated by ethnically Dutch gay men. Lesbians, black, migrant and refugee LGBT persons are in general less visible than gay men in the public discourse regarding the LGBT community.<sup>42</sup>
- [52]. A project concerning elderly LGBT persons was started by several civil society organisations with financial support from the government. The project tries to map out specific needs of elderly LGBT persons regarding social and medical care, living circumstances etc.<sup>43</sup>
- [53]. In four cities (Amsterdam, Rotterdam, The Hague and Tilburg) pilot projects for LGBT youth with a non-Dutch ethnic background are taking place. There is a fear that this group is significantly isolated from mainstream Dutch society as their sexual orientation might not be accepted by their own ethnic community. The pilot projects focus on breaking through this isolation by giving support and care.<sup>44</sup> The Yoesuf Foundation is a civil society organisation focusing on LGBT persons with an ethnic minority background.
- [54]. Within the *COC* there are several subgroups where issues of multiple discrimination and multiple prejudices can be tackled, such as a group for hearing impaired LGBT persons, a group for mentally disabled

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40 Rick Lawson *et.al.*(2008) Legal study on homophobia and discrimination on grounds of sexual orientation in the Netherlands. FRALEX.

41 Government LGBT policy 2008-2011: '*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*' ['Simply gay; Dutch Government LGBT Policy document 2008-2011'].

42 Government LGBT policy 2008-2011: '*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*' ('Just being gay; lesbian and homo-emancipation policy 2008-2011').

43 Government LGBT policy 2008-2011: '*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*' ['Simply gay; Dutch Government LGBT Policy document 2008-2011'].

44 Government LGBT policy 2008-2011: '*Gewoon homo zijn; Lesbisch en homo-emancipatiebeleid 2008-2011*' ['Simply gay; Dutch Government LGBT Policy document 2008-2011'].

LGBT persons etc. In the city of Nijmegen a café especially for mentally disabled LGBT persons has successfully been started. There are also job agencies that assist mentally disabled LGBT persons to seek employment.<sup>45</sup>

## D. Good Practice

[55]. Good practices are described in Annex 1.

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<sup>45</sup> Field trip meeting with the *COC* (the Netherlands, 1 April 2008).