OSCE ODIHR
HATE CRIME REPORTING

Information contained in this report was compiled as part of ODIHR's 2022 Hate Crime Report.
For more information, including on previous years' reporting, please visit: hatecrime.osce.org/netherlands

For more information about ODIHR's Hate Crime Report, visit: hatecrime.osce.org/our-methodology

1 2022

Summary

The Netherlands regularly reports hate crime data to ODIHR. Police and prosecution statistics are published annually. A victimization survey is conducted by the Central Bureau of Statistics every two years and the results are published here.

A National Co-ordinator against Discrimination and Racism, appointed in October 2021, is tasked with ensuring a comprehensive approach to countering discrimination and hate crime, in co-operation with civil society organizations (CSOs). A State Commission against Discrimination and Racism is tasked with conducting research into discrimination and racism, including hate crimes.

The Ministry of the Interior (MoI) regularly consults CSOs on anti-discrimination policies. In particular, the MoI has entered into a formal co-operation agreement with the CSO Discriminatie.nl, which monitors discrimination in the Netherlands.

Hate crime data collection in the Netherlands
Support for hate crime victims in the Netherlands
Hate crime capacity building in the Netherlands
The Netherlands's hate crime legislation

ODIHR's Key Observation

ODIHR recognizes the Netherlands' efforts to build the capacity of law enforcement and criminal justice professionals to address hate crimes. However, based on the available information, it observes that since 2018, the Netherlands has not reported data on hate crimes recorded by the judiciary to ODIHR. In addition, ODIHR observes that the Netherlands would benefit from reviewing the existing legal framework in order to ensure that bias motivations can be effectively acknowledged and appropriate penalties imposed on the perpetrators.

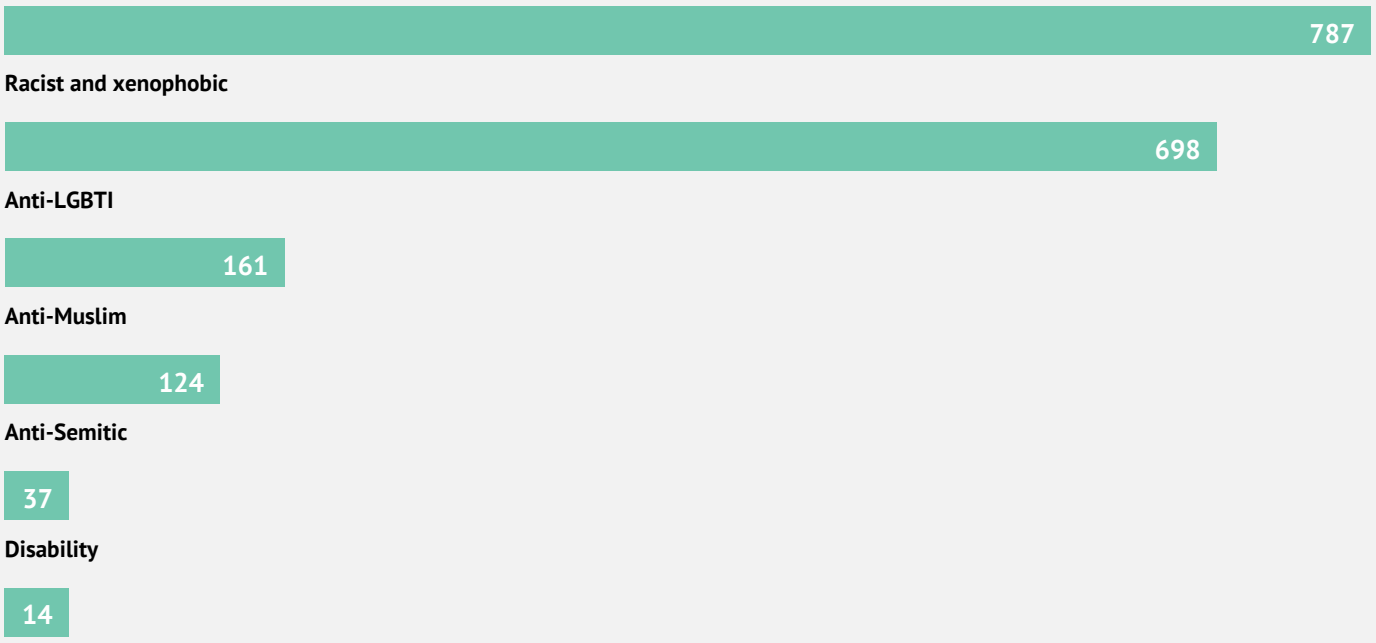
Official Data

Police-recorded figures only include hate crime incidents within the OSCE definition. Hate speech incidents, including insults, are not included in the figures above (4,149 incidents of insults were recorded in 2022). Where multiple biases are registered for an offence, each bias is reported separately. Data on prosecuted cases only include hate crime incidents within the OSCE definition. Prosecutor data present the number of criminal discriminatory offences that can be legally qualified, rather than the number of incidents. One alleged criminal offence or hate crime fact can lead to the registration of more than one discriminatory ground. The judiciary does not record hate crimes, as the discriminatory motive does not need to be proven in court or addressed in judicial decisions. The discrepancy between the police and the prosecution figures can be explained by the different approaches to recording (including a perception-based recording and a broader framework for recording by the police), the fact that not all reported incidents lead to a prosecution (e.g., due to the victim's preference for an alternative solution or a lack of evidence), and the fact that not all registered hate incidents are found plausible by the prosecution.

Year	Hate crimes recorded by police	Prosecuted	Sentenced
2022	2,476	81	not available

Police data by bias motivation

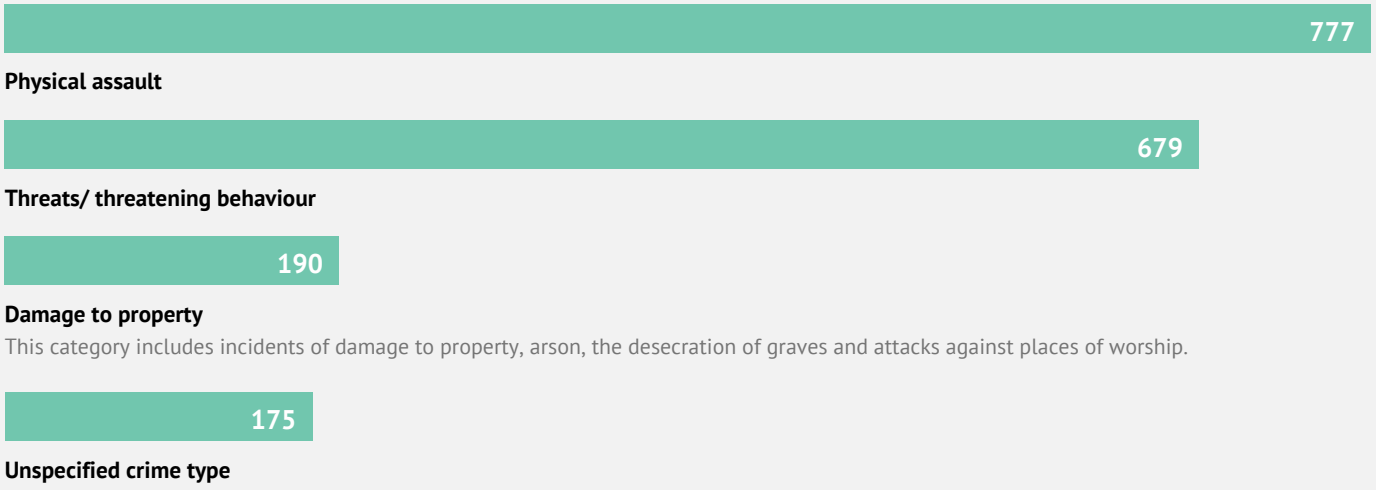
Police figures do not include hate speech incidents, including insults, which were recorded separately (4,149 incidents in total). The below charts present the total numbers for each bias motivation.



This category includes incidents motivated by bias against other religions or belief, including an anti-Christian bias.

Police data by type of crime

Police figures do not include hate speech incidents, including insults, which were recorded separately (4,149 incidents in total). The below charts present the total numbers for each bias motivation.



National Developments

In January 2021 a **draft bill** was submitted to the Dutch Parliament with the aim of introducing a criminal provision of general application on aggravating circumstances. Accordingly, when a discriminatory aspect is proven, the maximum term of imprisonment imposed on the offence concerned may be increased by one third. In June 2022, the initiators sent the revised version of the bill to the Dutch Parliament.

In May 2022, a new **State Commission against Discrimination and Racism** was established by the **Dutch Government.** The State Commission is an independent scientific advisory body that will conduct research into discrimination and racism, including hate crimes, in the Netherlands for the next four years, and make recommendations on how to address these issues. The Government has also financed a project for the Police, the Public Prosecution Service and local-level anti-discrimination agencies to consider improvements to the criminal justice approach to hate crimes, and to identify alternative settlements in cases where this approach is less effective.

In October 2021, a **National Co-ordinator against Discrimination and Racism** (NCDR) was appointed. In 2022, the NCDR presented a comprehensive national programme to strengthen the Dutch approach to counter discrimination. The NCDR works closely together with the different ministries and the **National Co-ordinator on Combating Anti-Semitism** (NCAB). The NCDR organized town hall sessions with a range of actors to gather input on the national programme.

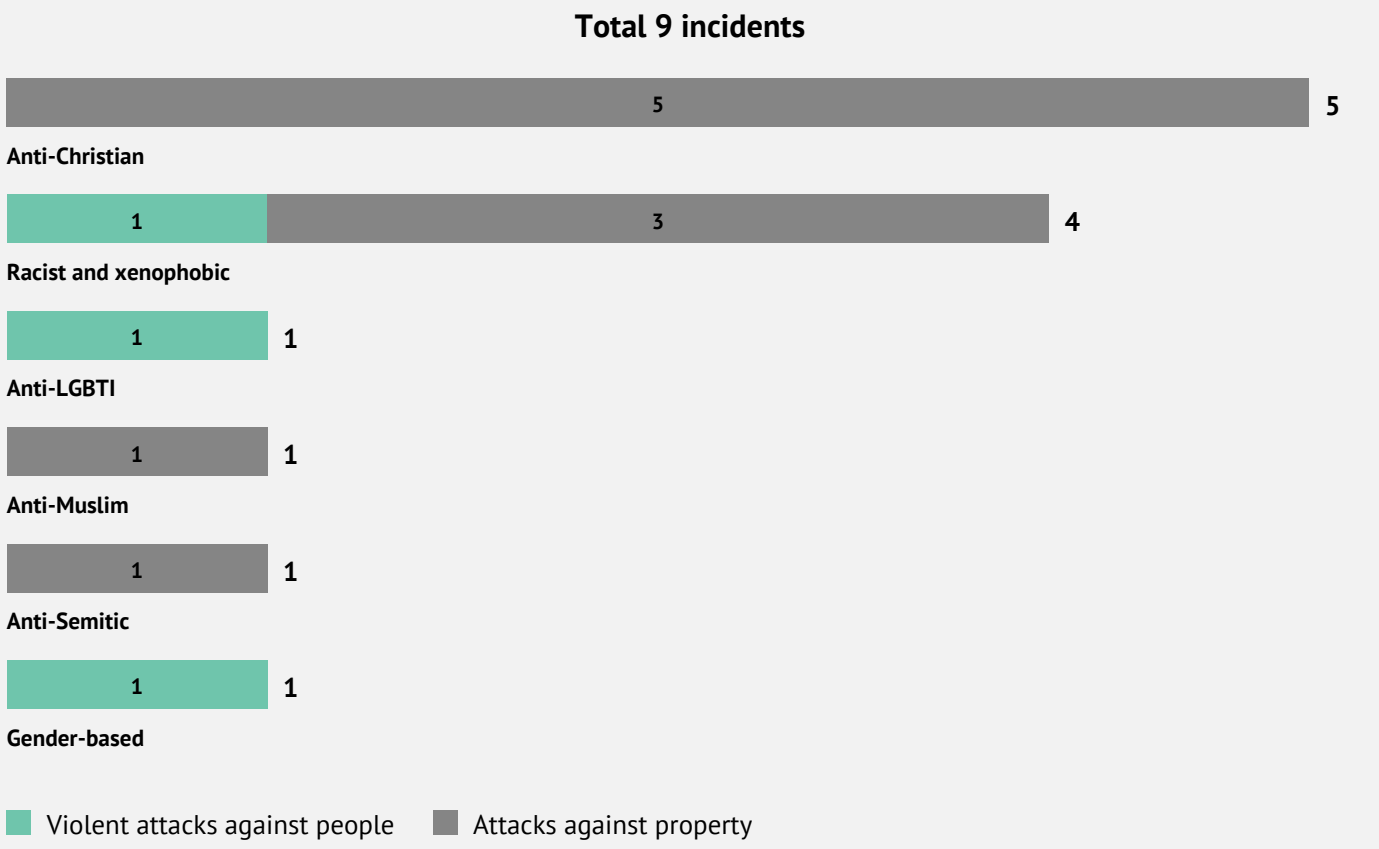
The **Netherlands Police** is implementing a pilot project deploying specialist police officers on combating discrimination. The project foresees developing the Centre of Expertise Discrimination (ECAD-P), which is intended to train police officers to better recognize and deal with issues relating to discrimination. It also serves as a national information and knowledge hub for the entire police organization, monitoring external developments and expanding, using and maintaining expertise on discrimination. One of its tasks is to compile an annual report on discrimination figures. The ECAD-P also ensures that knowledge of the approach to tackling discrimination is embedded in police training. ECAD-P advises and shares knowledge – both internally and externally - about discrimination and hate crime cases. ECAD-P works on different levels and on different topics (including on training, tackling discrimination, handling cases, and policymaking).

In a **notable hate crime case**, a gay man in a centre for asylum seekers in Schalkhaar was physically assaulted and verbally abused by a fellow resident in June 2022. The magistrate sentenced the suspect to a suspended imprisonment of two weeks and 30 hours of community service.

Also in June, a Muslim woman had her headscarf removed and was physically assaulted at a shopping centre in The Hague by another woman. The perpetrator was convicted of assault and fined, and the defendant appealed to the verdict.

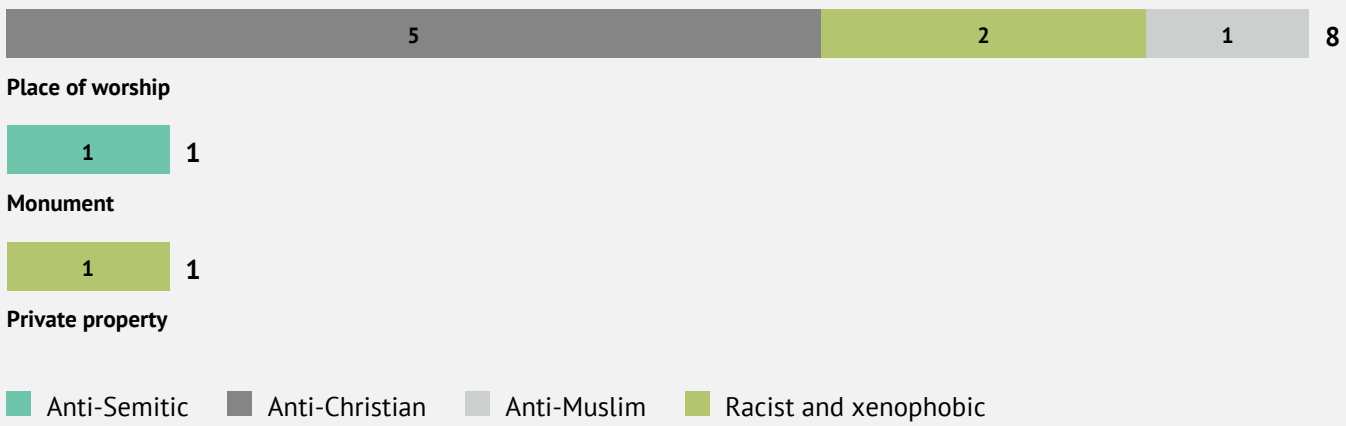
In 2022, a sentence was issued in a vandalism case, in which the facade of the office of COC-Netherlands (an LGBTI+ advocacy group) in Rotterdam was covered with graffiti indicating an anti-LGBTI bias. Two of four the suspects were prosecuted for vandalism, and prosecutors demanded a higher sentence due to the discriminatory aspect. As a result, one perpetrator was sentenced to 40 hours of community service.

Incidents reported by civil society

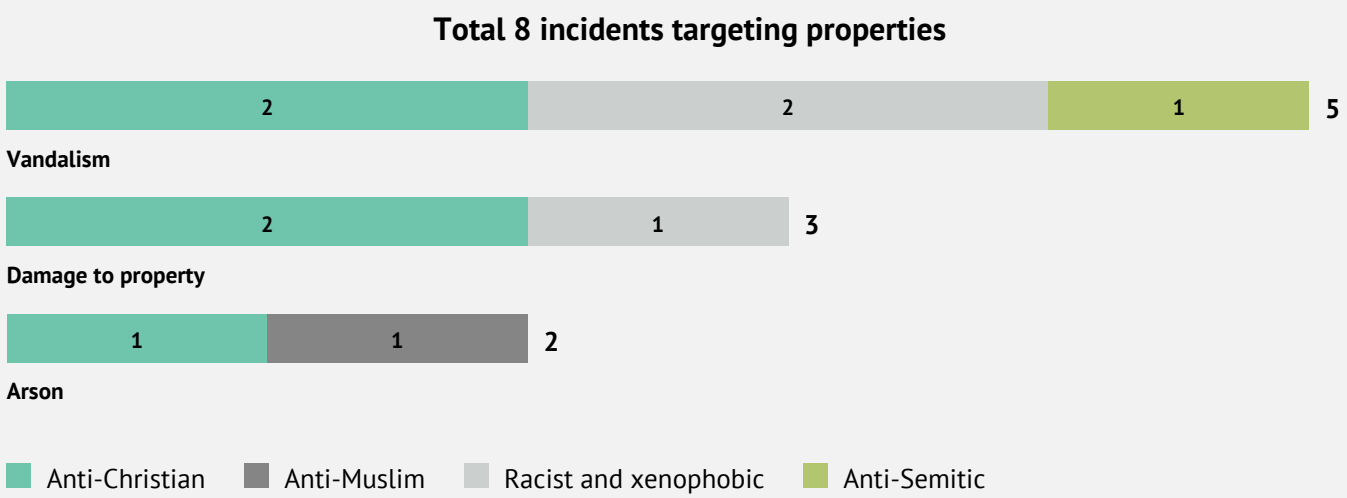


Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.

Targeted properties



Type of property attack



View civil society incidents for Netherlands, 2022