OSCE ODIHR
HATE CRIME REPORTING

Information contained in this report was compiled as part of ODIHR's 2021 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 2021

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 address hate crimes comprehensively as well as the information submitted on police and prosecution records. 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.

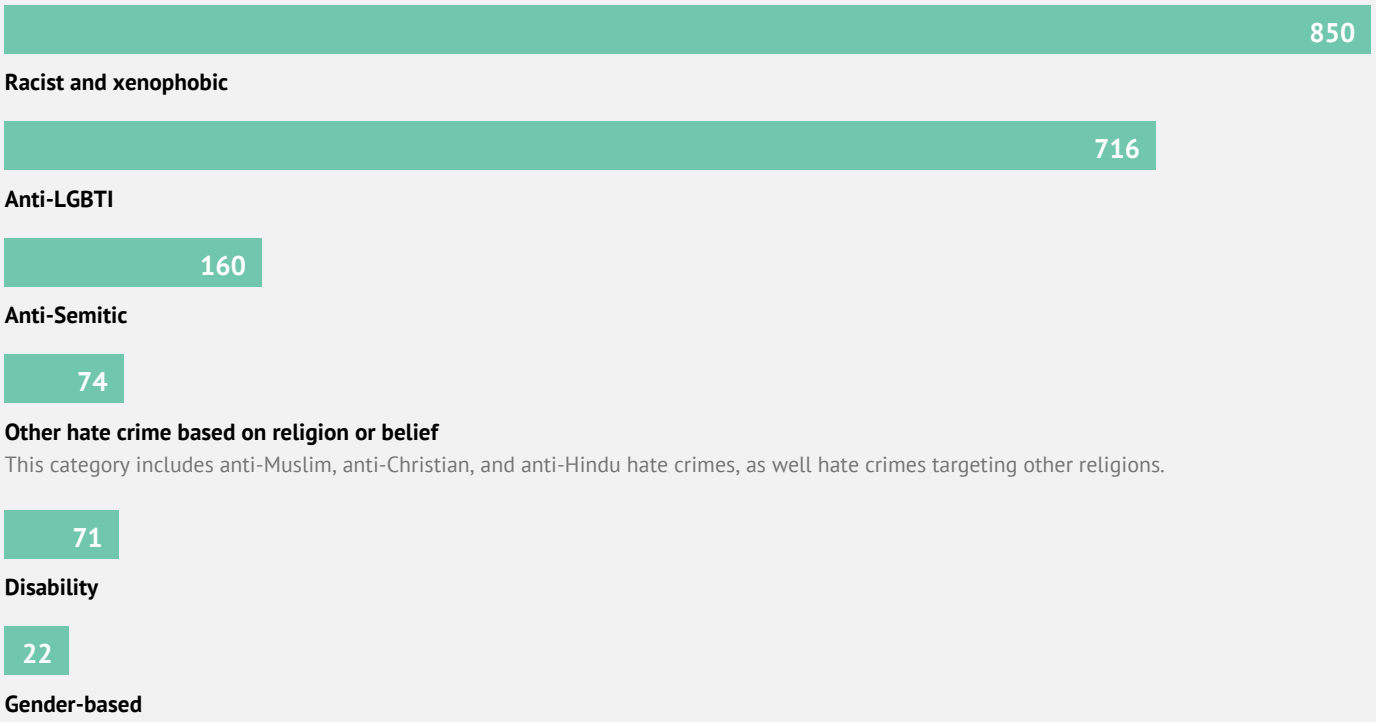
Official Data

The figures recorded by police do not include hate speech incidents, including insults, which were recorded separately (4,069 incidents in total), and are understood as "common offences with a discriminatory motive". Most of the cases reported by police include physical assaults (753), threats (718) and damage to property (693). Where multiple biases are registered in an offence, each of them is reported individually. Data from prosecutors include hate speech and discrimination offences (or "basic forms of discrimination"), as well as hate crimes ("common offences with a discriminatory motive"). Prosecutor data refer to the "discriminatory facts" found in incidents, which means the number of criminal discriminatory offences that can be legally qualified, rather than the number of incidents. The judiciary does not record hate crimes. According to the law, the discriminatory motive does not need to be proven in court and courts do not systematically address such motives explicitly in their decisions.

Year	Hate crimes recorded by police	Prosecuted	Sentenced
2021	2,417	485	not available

Police data by bias motivation

The police figures do not include hate speech incidents, including insults, which were recorded separately (4,069 incidents in total). Hate crimes recorded by police can only be disaggregated by either bias motivation or type of crime (both breakdowns were reported to ODIHR), but not simultaneously by both. The disaggregation below shows the total numbers for each bias motivation.



Police data by type of crime

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Unspecified crime type

National Developments

In May 2022, a new **State Commission against Discrimination and Racism** (State Commission) 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 over 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.

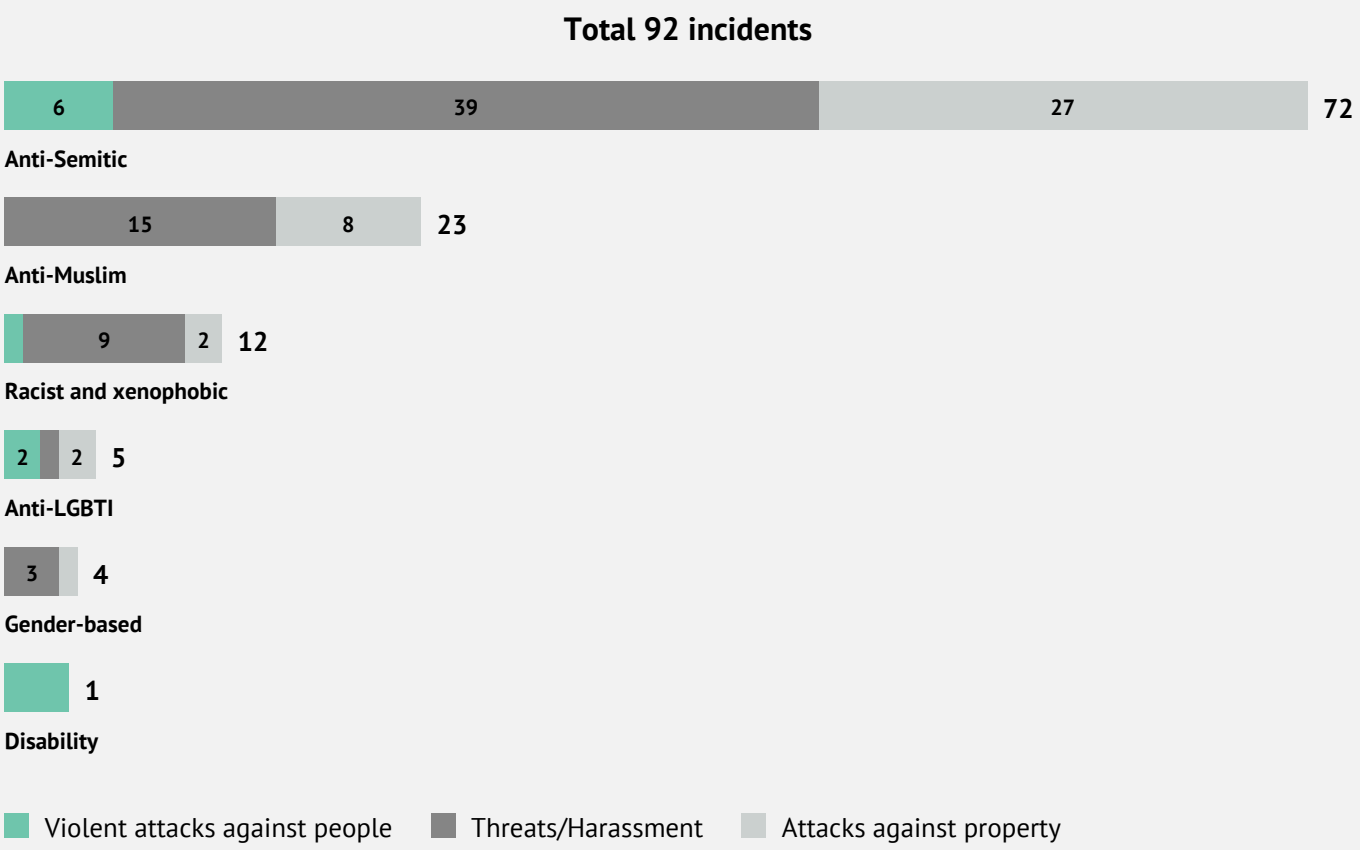
In October 2021, a **National Coordinator against Discrimination and Racism** (NCDR) was appointed. In 2022, the NCDR will present a comprehensive national programme to strengthen the Dutch approach to counter-discrimination. The NCDR works closely together with the different ministries and the **National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

Notable cases:

Case 1: A man was repeatedly subjected to insults by a male passer-by while walking in the street. When the victim finally addressed the man and asked for an apology, the passer-by demanded to know his sexual orientation. The victim accidentally touched the man, and was punched 20 times in the face. During the interrogation, the perpetrator expressed homophobia and transphobia. The perpetrator was charged with aggravated assault with a homophobic and transphobic motive. On 19 July 2021, he was convicted and sentenced to a prison term of four months, half of which is suspended. He was also ordered to pay compensation to the victim. The judgement was upheld following an appeal.

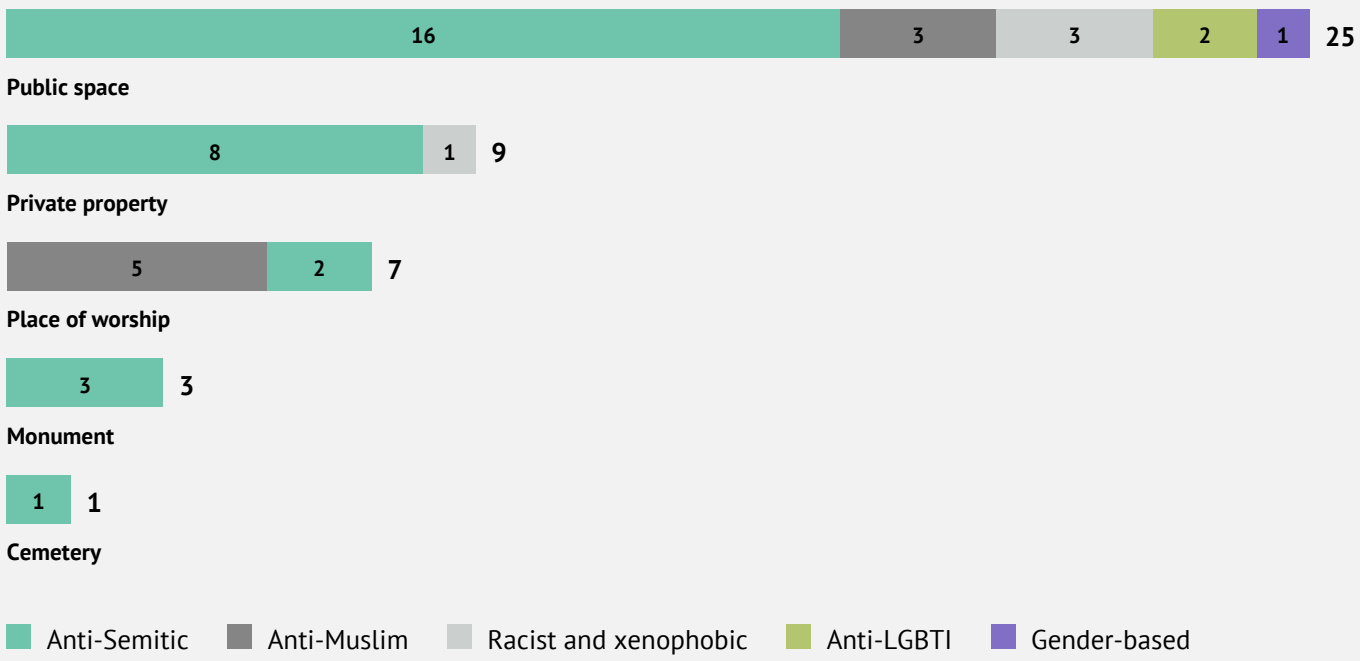
Case 2: A woman was harassed by her neighbour who kept ringing the doorbell on her front door. The neighbour then yelled, "I am going to send you back to where you came from". Shortly after, the woman received a message in her letterbox containing racist, disablist and misogynistic insults. The neighbour also vandalized the victim's car. The perpetrator was charged with criminal insult and vandalism with a racist motive. On 1 December 2021, the criminal judge ruled both offences proven and sentenced the woman to a suspended community service of 30 hours. She was also ordered to pay compensation to the victim.

Incidents reported by civil society

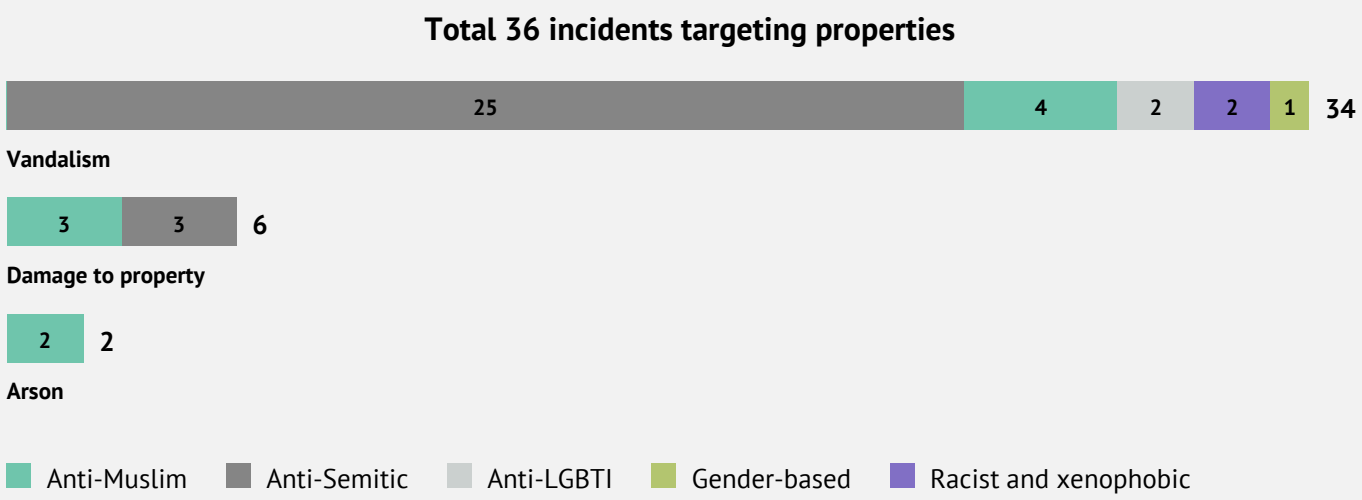


Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.

Targeted properties



Type of property attack



View civil society incidents for Netherlands, 2021