

NETHERLANDS

ASYLUM

The report ‘[Transcripts from the Margins](#)’ found that trans asylum seekers are routinely failed.

CSOs [urged](#) Prime Minister Rutte to protect LGBTI asylum seekers in unsafe asylum centres. COC [lobbied the](#) government to make it easier for LGBTI Iranians to seek asylum.

BIAS-MOTIVATED SPEECH

Numerous newspaper articles called trans activists “dangerous for women”. TNN’s ‘[Media Monitor](#)’, to be released in 2022, will provide an overview of anti-trans rhetoric in media.

BIAS-MOTIVATED VIOLENCE

Hate crimes [continued](#) to be a serious issue, and included vandalism (see [here](#) and [here](#)), [death threats](#), [arson](#) attacks, and physical [assault](#).

The government [reported](#) 2,336 anti-LGBTI violence and discrimination cases in 2020, up from 2,072 in 2019. A large demonstration [took place](#) in Rotterdam calling for protection. CSOs [urged](#) the new government to [take action](#).

BODILY INTEGRITY

In November, the outgoing Dutch government offered a repeated and public [apology](#) for the old ‘transgender law’ (1985-2014), which forced trans people to undergo unnecessary medical procedures affecting their fertility and bodily integrity. From October onwards, trans and intersex people affected can [apply](#) for financial compensation of 5,000 euro. Civil society [criticised](#) the compensation scheme for excluding people who postponed LGR because of the requirements and for the amount being a fourth of Sweden’s.

Four parties [announced](#) preparing a draft law on banning conversion therapies.

The government’s study on medically unnecessary and non-consensual surgeries on intersex children is still unpublished, without information about its release date or scope.

EDUCATION

The Senate [passed](#) a law [obliging](#) all Dutch schools to

make sure that LGBTI youth and teachers are respected and protected, which [entered into force](#) in August. Nonetheless, alarming reports [emerged](#) alleging that the Gomarus School Community teaches that being LGBT is a sin and has forced students to come out to their parents – in some cases locking them up in a classroom until they did so. The Education Inspectorate [reprimanded](#) the school. In October, the parliament [banned](#) the use of ‘identity declarations’ whereby parents can consent to anti-LGBTI school content. The Minister of Education [pledged](#) to make LGBTQI content mandatory in all teacher training.

A study with responses from 30,000 students [found](#) that at least one in four LGBTI young people are bullied in school compared to 13% of cisgender straight peers. In December, about half a million students in 2,500 primary and high schools participated in the 12th [Purple Friday](#), organised by COC’s [GSA Network](#).

EMPLOYMENT

All political parties [support](#) paid transition leave, following a government [study](#).

In May, Leiden municipality [signed](#) an action [plan](#) for safe and trans-inclusive workplaces.

EQUALITY AND NON-DISCRIMINATION

On 13 March, ten party leaders and representatives signed a new [Rainbow Ballot Box Agreement](#) with COC Netherlands, committing to LGBTI equality ahead of the elections. The Agreement includes measures against violence, for respect and acceptance in schools, transition leave, the option of getting an ‘X’ gender marker, and a legal ban on unnecessary operations on intersex people without their consent. The [previous Agreement](#) (2017) was crucial for law reform over the past years and CSOs [now hope](#) the same. In December, the new government coalition [committed](#) to implementing the new Rainbow Agreement.

In May, the city of The Hague signed the Dutch Intersex Treaty.

A government report found that the state is responsible for discrimination against LGBTI people in the past century. Civil society [demanded](#) a public apology.

TNN’s annual monitoring report found a rise in anti-trans discrimination for the fourth consecutive year.

SAVE and Trans United Europe launched 'The situation of migrant sex workers in the Netherlands'.

The first national study about bisexual people's experiences highlights invisibility, exclusion and prejudice.

After almost 20 years of campaigning by COC, the Senate adopted the first reading of Constitutional amendments to cover LGBTI people in the prohibition of discrimination. The second reading will continue into 2022.

FAMILY

Civil society continued calling for legal recognition for families with more than two parents, included in the new Rainbow Ballot Box Agreement.

A court ruling affirmed in June that the right of the child to know about their donor's identity outweighs the donor's choice to be anonymous.

FOREIGN POLICY

In June, civil society held a demonstration against Hungary's propaganda law.

COC launched the government funded the Power of Pride programme, supporting LGBTI organisations in 22 countries.

FREEDOM OF ASSEMBLY

Amsterdam Pride celebrated its 25th anniversary this year.

Some Pride events were cancelled or held online.

FREEDOM OF ASSOCIATION

COC Netherlands celebrated its 75th anniversary.

HEALTH

In March, TNN published a comprehensive map of services for trans people in the country, including healthcare providers, support groups, and others. TNN and Tranvisie launched 'Gender Talks', a hotline for trans, non-binary and questioning young people between 15-25.

On 26 June, 500 people held the first ever demonstration on trans healthcare, demanding care based on self-determination; that excruciating waiting times be reduced; and healthcare services be decentralised. The waiting time for an appointment is currently over 100 weeks. On 1 July,

TNN sent recommendations to parliament.

In September, one of the largest trans healthcare providers, Stepwork was declared bankrupt. TNN urged the Ministry of Health to ensure Stepwork's clients are not left without services and published resources for trans people.

From 1 September onwards, sexually active men who have sex with men can donate blood if in a monogamous relationship.

INTERSECTIONALITY

LGBTI CSOs joined Black Pride NL in June. Addressing intersectional discrimination is covered in the Rainbow Ballot Box Agreement and demanded by civil society.

LEGAL GENDERrecognition

In May, Minister of Legal Protection Sander Dekker tabled the legal gender recognition (LGR) bill, which provides for LGR on the basis of self-determination. Some gaps remain. First, those under 16 and people who want the 'X' gender marker in their documents, must go to court procedure. Second, trans refugees need to present a birth certificate from their home countries. Third, gestational trans fathers would continue to be featured as 'mother' on their child's birth certificate.

An Amsterdam Court ruled on 21 July that 'X' can be retroactively entered as a gender marker in birth certificates, instead of 'sex cannot be determined'. Civil society continued to lobby this year to make it easier for anyone to access alternative gender markers. TNN and a law firm published an amicus curiae brief anyone can use in their court case.

An online petition calling for alternative gender markers, gathered over 5,000 signatures. The issue was included in the Rainbow Ballot Box Agreement in March. MP Lisa van Ginneken announced she would prepare the relevant bill.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Civil society prepared information for LGBTQI voters this year, ahead of the parliamentary elections (see here and here).

Lisa van Ginneken became the first ever trans person to be sworn in as an MP. In April, Vera Bergkamp, former



COC Netherlands Chairperson, became the Speaker of Parliament - the first openly out lesbian in the position. A TNN study found that six out of ten trans people feel unsafe when participating in sports, for instance in changing rooms. More than half have experienced misunderstanding, jokes, or negative comments.

POLICE AND LAW ENFORCEMENT

The Army State Secretary presented a brochure on trans people in the military.

PUBLIC OPINION

In February, the government presented the first ever research on intersex people's societal acceptance, finding that 67% of the population does not know what exactly intersex is, and that knowledge about intersex increases acceptance.

Another survey found growing public awareness about non-binary people.

SOCIAL SECURITY AND SOCIAL PROTECTION

A shelter was opened for young LGBTQI homeless people in Utrecht, but many more are needed.



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