

NETHERLANDS

ASYLUM

In July, a coalition government composed of the Freedom Party (PVV), the People's Party for Freedom and Democracy (VVD), New Social Contract (NSC) and the Farmer-Citizen Movement (BBB) was inaugurated. Minister Faber for Asylum and Migration, of the Party for Freedom (PVV), announced the 'strictest asylum policy ever'. Reinette Klever, Minister for Foreign Trade and Development and also member of the PVV, said that the government is considering sending refugees back to Uganda, a country with one of the strictest anti-LGBTI laws in the world. The new government announced in October it will only allow refugees who are married to bring their partners to the Netherlands, effectively excluding LGBTI couples from countries where they cannot marry. The issue was addressed by various LGBTI organisations and will hopefully be corrected.

In February, the People's Party for Freedom and Democracy advocated for a soon-to-be built asylum centre in Nieuwegein to serve as a refuge for LGBTI asylum seekers.

LGBTI Asylum Support in 2024 documented over 750 incidents of unsafe conditions for LGBTI people in asylum shelters in the Netherlands. The organisation reported that LGBTI asylum seekers are more prone to face discrimination, bullying, and physical violence in reception centres.

In April, reports revealed that at least four Russian-speaking LGBTI asylum-seekers had taken their own lives in 2023. Human rights groups urged the Dutch Ministry of Justice to investigate and reassess migration procedures.

BIAS-MOTIVATED SPEECH

In October, a petition calling on the Parliament to protect trans and non-binary people against hate speech garnered over 29,000 signatories.

BIAS-MOTIVATED VIOLENCE

A number of reports of bias-motivated violence against the LGBTI community were recorded in 2024. For example, in May, a gay couple fleeing Tunisia was hospitalised after being attacked as they exited their unit at an asylum centre in Ter Apel. The attackers started shouting derogatory terms, threatening to kill the couple, before physically assaulting them with knives.

In another instance, in August, someone set fire to an apartment in the city of Breda where a rainbow flag was hung. In Montfoort, the apartment of a same-sex couple was attacked with a firework bomb, and in Groningen, the rainbow flag that a citizen hung outside of their apartment was destroyed, and visitors to a queer party were attacked.

A report by the National Police and Anti-discrimination Bureau showed a sharp increase in reported discrimination and violence against the LGBTI community by almost 25% in one year. The report also showed a sharp increase in reported discrimination and violence against other minorities. In December, the National Statistics Bureau (CBS) reported that LGBTI people encounter almost twice the rate of violence (10%) as compared to others in The Netherlands (6%). The highest prevalence is reported for non-binary people (23.5%) and bi+ women (12.7%).

In September, the Parliament took up a hate crime bill striving to prosecute perpetrators of discriminatory violence more severely. It was adopted by the Second Chamber in December. The parliamentary procedure in the Senate is expected to continue into 2025.

BODILY INTEGRITY

In April, Bert-Jan Ruissen and Diederik van Dijk, politicians from a Dutch political party SGP (Staatkundig Gereformeerde Partij), went to Rome to sign an international declaration condemning surrogacy.

DATA COLLECTION

In January 2024, the National Voter Survey highlighted increasing intolerance towards non-binary individuals and growing opposition to proposed amendments to the Transgender Act. These amendments aim to simplify the process of gender rectification on birth certificates, including removing the requirement for expert statements and lowering the minimum age for gender change applications.

Research from the Dutch health service GGD indicated a significant decline in LGBTI acceptance among youth, with only 43% of young people in Amsterdam declaring support for homosexuality. The data notably indicated a sharp drop from the 69% recorded in 2022. (See also under Education.)

In October the National Bureau of Statistics (Centraal Bureau voor de Statistiek, CBS) published an article based on their large scale Safety Monitor Survey, about the number of LGBTI people there are in the Netherlands, concluding that there are 2.7 million LGBTI people and that bi+ people are the largest group under the acronym with 1.7 million people.

EDUCATION

In August, following reports from several local youth monitors about a sharp decrease in the acceptance of LGBTI identities among young people, civil society called on the government to investigate this alarming trend. In response, the Secretary for Education committed to launching a research study, which has

already begun, to better understand the causes of this decline in acceptance.

The governmental programme of the new Dutch cabinet states that sexual and relational education in schools should be ‘neutral’ and ‘age appropriate’. The new secretary for Education later stated that such a form of education is already neutral and age appropriate and that the existing policy will not be changed.

EQUALITY AND NON-DISCRIMINATION

On January 1, a new policy came into effect to put an end to discriminatory practices in blood donations against men who have sex with men.

In March, Ministers De Jonge (BZK) and Yeşilgöz (J&V) introduced a bill aimed at better protecting especially bi, intersex and trans people against discrimination. The bill includes sex characteristics, gender identity and gender expression as non-discrimination grounds into the penal code and replaces the term ‘homosexual orientation’ by ‘sexual orientation’.

In August, an open letter was addressed to the Government by a number of organisations advocating for the rights of LGBTI people, people of colour, Muslim and Jewish people, women, people with disabilities, and Dutch citizens with Moroccan and Turkish heritage to advocate for measures against discrimination and discriminatory violence. The National Voter Survey indicated a growing intolerance toward trans rights among residents of the Netherlands. The report noted diminishing support for gender reassignment surgeries and growing intolerance towards queer and intersex people.

The Bishops’ Conference of the Netherlands rejected the idea of providing blessings or prayers for same-sex couples, criticising a contrasting declaration by the Dicastery for the Doctrine of the Faith.

FAMILY

Starting January 1, a law came into effect making it possible for children to receive the surnames of both parents.

In October, the Dutch government submitted three reports to Parliament concerning the development of legislation for multi-parent families. In one report, the Child Protection Board stated it has changed its position and is now in favor of a law providing the option of parental custody and multi parenthood for intentional multi-parent families. Similar advice was issued by the Council for the Administration of Criminal Justice and Protection of Juveniles. A report on values and wishes concerning a law for multi parent families was also sent to parliament and, in the

accompanying letter, the government wrote that it is still awaiting several other reports.

FOREIGN POLICY

The new government has announced a cut of about 2.4 billion euro to its development cooperation budget. This may affect the global fight for LGBTI human rights disproportionately, since The Netherlands is the largest donor in this field in the world. The United Nations Human Rights Secretariat protested the cuts. The government confirmed that LGBTI human rights as a priority in Development cooperation in a letter sent to Parliament at the end of November.

FREEDOM FROM TORTURE, CRUEL, INHUMAN, OR DEGRADING TREATMENT

In May, the House of Representatives voted in favour of a motion calling on the government to do everything possible to prevent non-consensual, non-emergency medical treatments on intersex children from taking place. In June, a roundtable was held by the Ministry of Health, Welfare, and Sport as part of an exploration into the possibility of a ban. A similar exploration took place in 2019, indicating a repeated legislative process. In December, parliament adopted a second motion, explicitly calling for a legal ban on the non-consensual treatments.

HEALTH

In June, a symposium was organised by outspoken critics of gender-affirmative care for trans youth at the Free University in Amsterdam about non-medical interventions, with speakers including Dr. Hillary Cass and Dr. Riittakerttu Kaltiala. Outside the venue, a protest was held by trans people against the anti-trans premises of the symposium.

In July, the draft bill seeking to ban so-called conversion practices was concluded and the bill was submitted for review during a plenary session by Parliament (expected in 2025).

LEGAL GENDER RECOGNITION

In April, the House of Representatives was scheduled to vote on a motion by the New Social Contract party to withdraw an amendment to the ‘Transgender Act’, which aims to simplify the process of changing the gender marker in birth certificates. However, just before the debate began, the NSC announced they would temporarily set the motion aside. A few weeks after the initial discussions, a vote was held, and a slight majority voted in favour of asking the government to withdraw the proposed amendment. However, the government ultimately chose not to proceed with the withdrawal, and the newly formed government has maintained the same position. Since the amendment was

originally introduced by the government, the decision to withdraw remains at their discretion.

In July, the government introduced a bill to remove gender markers from official identification cards, a move long advocated by civil society organisations including the Transgender Network, COC, and NNID.

SEXUAL AND REPRODUCTIVE RIGHTS

In May the Dutch association of obstetricians and gynaecologists presented their updated position on assisting trans people's reproductive wishes. It states that there is no reason to treat trans people who wish to become parents and need reproductive assistance any differently than cisgender people, contrasting the previous position.

POLICE AND LAW ENFORCEMENT

In July, the Council of State of the Netherlands, an advisory body routinely consulted by the cabinet on proposed legislation before a law is submitted to parliament, ruled that Aruba and Curaçao must introduce same-sex marriage. The ruling overturned their previous bans on the practice, and pushed for an alignment of their policies with those of the Netherlands.



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Back to index <-->