

ANNUAL REVIEW

OF THE HUMAN RIGHTS SITUATION
OF LESBIAN, GAY, BISEXUAL, TRANS
AND INTERSEX PEOPLE IN EUROPE
AND CENTRAL ASIA

2024

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Design & layout: MaqueStudio, **www.maque.it**



**Co-funded by
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NETHERLANDS

ACCESS TO GOODS AND SERVICES

Several people [reported](#) being harassed by Uber and Bolt drivers during Pride.

ASYLUM

LGBTI asylum seekers continue to be denied status on the basis of stereotypical criteria, unlawfully, and in fast-tracked procedures. LGBT Asylum Support [launched](#) the #NietGayGenoeg (Eng: Not gay enough) campaign and presented their call to the parliament. The group also continued [documenting](#) violence and harassment against LGBTIQ+ asylum seekers in reception centres, while several people were [deported](#) or awaiting deportation.

Two LGBTIQ+ asylum seekers committed suicide, several others [made](#) attempts, and at least six people [went](#) on [hunger strike](#) this year. The organisation's report [found](#) that over half of LGBTI asylum seekers who responded felt unsafe in the asylum application and three-quarters went back into the closet. The organisation [held](#) a sit-in during the Pride march in the capital in July.

A 21-year-old transgender refugee from Russia [committed](#) suicide in an asylum camp in Drachten.. She had previously complained about the unavailability of hormone therapy.

BIAS-MOTIVATED SPEECH

(See also under Participation in Public, Cultural and Political Life)

Threats and anti-LGBTI+ speech [increased sharply](#) online. Transgender Network's (formerly known as Transgender Network Nederland) annual media monitoring report found that anti-trans rhetoric still remains a serious issue. Another study affirmed the findings, showing that anti-trans hate online has significantly [increased](#) over the past years and instances multiplied by five between 2020-2023. Anti-trans speech remained common during the parliamentary debates.

Transgender Network and Transvisie [filed](#) a complaint about an article on trans healthcare in the Volkskrant.

In June, the Appeals Board of the Advertising Code Committee [re-affirmed](#) that Gendertwijfel's (Eng: Gender Doubt) radio spot against the new Transgender Act [contained](#) factually incorrect information and therefore damaged the public's trust in advertising.

In May, the court [found](#) that the firing of a teaching assistant at a school, who said homosexuality was sinful and led to hell, was justified.

Homophobic chants were common at football games again this year (see [here](#), [here](#), and [here](#)). Following the Dutch Football Federation's (KNVB) [announcement](#) in June that no agreement was made on how to tackle homophobic speech in stadiums, civil society and some sports clubs launched a [petition](#). In July, KNVB announced they would take action from the 2023/2024 season onwards. Those who chant discriminatory slogans will be warned if the chants are repetitive, prolonged and involve many, and the game will be suspended after two warnings. Perpetrators can be banned from stadiums for up to 17 months.

In October, KNVB [announced](#) it would no longer encourage clubs actively to join the OneLove campaign.

The suspect in the 2003 murder of a migrant trans woman sex worker was [arrested](#) in July.

BIAS-MOTIVATED VIOLENCE

Hate crimes continued to be a serious issue (see [here](#), [here](#), [here](#), [here](#) and [here](#)), including against minors. The government [reported](#) 2,654 cases of anti-LGBTI+ violence and discrimination in 2022, up from 2,471 in 2021. Many attacks occurred against symbols of the rainbow community; a rainbow flag was [set](#) on fire in Delft in May and in [Wageningen](#) in June, and another one was [binned](#) in Haarlemmermeer; an intersex-themed Pride [exhibition](#) in Alkmaar was [vandalised](#) in May and a monument remembering LGBTIQ+ victims of Nazi persecution in the Hague was [vandalised](#) in July and again in [November](#). In May, a group of 20 [threatened](#) a COC support group for LGBTI+ teenagers in Eindhoven, attacked a volunteer and took away their rainbow flag. After a [call for solidarity from COC](#), many people, companies and almost 70 local and regional governments put up a rainbow flag in response.

EenVandaag's annual Pride survey [found](#) that 28% had negative experiences the past year (2021: 41%), and only 23% consider the Netherlands to be a leading country in LGBTI equality (2019: 51%).

CSOs continued to urge the government to take action. The [Rainbow Ballot Agreement of 2023](#) includes measures like tougher sanctions, more capacity for the police and more inclusive legal protection against LGBTI+ discrimination. In October, Queen Máxima [met](#) with victims, NGO's and authorities to discuss anti-LGBTI+ violence.

A minor was [sentenced](#) to community service and two years of probation for assaulting a trans asylum seeker on 1 January.

BODILY INTEGRITY

The Dutch professional association for psychiatrists [issued](#) an apology for [harming](#) and trying to ‘cure’ LGBTIQ+ clients because they considered them ‘disordered’ in the past. The bill on banning so-called ‘conversion practices’ was [submitted](#) by the parties D66, VVD, PvdA, GroenLinks, SP and the Party for the Animals to the Lower House in [October](#). The bill sets out a 22,500 EURO fine or one to two years in prison for those administering the harmful practice. The law is part of the 2021 [Rainbow Ballot Box Agreement](#), which was adopted as part of the coalition agreement.

In July, the Minister of Education and the Minister of Health, Welfare and Sport [announced](#) an exploration of the ‘pros and cons’ of a ban on medically unnecessary and non-consensual treatments on intersex children. In January, a Parliament-initiated study [confirmed](#) that the surgeries continue to take place in the Netherlands, reporting up to 8461 surgical interventions in a period of seven years (2014-2020) of which many were medically non-necessary. Civil society continued to [lobby](#) for a ban throughout the year, including through a petition that almost 90 organisations [signed](#).

Trans and intersex people who were forcibly [sterilised](#) in the past as a requirement for legal gender recognition could [apply](#) for financial [compensation](#) of 5,000 euro until 18 October.

EDUCATION

In December, about half a million students in more than 3,000 schools participated in the 14th Purple Friday, organised by COC’s [GSA Network](#).

EMPLOYMENT

The government’s proposed Municipal Supervision of Sex Businesses Act would make it possible for municipalities to register each sex worker. Civil society is [concerned](#) about the discriminatory bill that will harm sex workers.

Introducing transition leave [remained stalled](#) this year, but more and more companies provide this to their employees (see [here](#), [here](#), and [here](#)).

EQUALITY AND NON-DISCRIMINATION

Civil society [addressed the stagnation](#) of LGBTI+ emancipation in The Netherlands during Pride Amsterdam 2023.

Organisations asked government and political parties for strong measures, with [research](#) for the first time showing a small decrease in acceptance among the population, the country taking [fourteenth place](#) in the Rainbow Europe Index, [increased](#) online hate speech, more reported [incidents](#) of violence and discrimination and [increased](#) feelings of unsafety.

55 rainbow municipalities [continued](#) their work this year, and with government [funding](#).

Transgender Network’s annual monitoring report [found](#) that the number of reported anti-trans discrimination cases almost doubled from 78 in 2021 to 149 in 2022. This was the highest annual number to date.

After almost 20 years of campaigning by COC, in January the Senate [adopted](#) Constitutional amendments to cover sexual orientation and disability in the prohibition of discrimination. During the parliamentary procedures, it was made explicit that the existing constitutional ban on discrimination on the basis of sex, includes gender identity, gender expression and sex characteristics. The provision [entered](#) into force in February. After calls from civil society, the Dutch government published its first policy document addressing [emancipation of bi+ people](#), probably the largest group in the Dutch LGBTI+ community.

FAMILY

Civil society continued calling for legal recognition for families with more than two parents. The outgoing Cabinet stated that recognition should be introduced, but would be the task of the new coalition.

The government [tabled](#) an altruistic surrogacy bill in June. The rules are currently unclear, [jeopardising](#) the child’s best interests, and creating uncertainty for the surrogate and the intended parents. The bill [envisions](#) automatic legal recognition for the intended parents, financial support for the surrogate, and a registry where the child can look into the surrogacy agreements made by their families.

The regulation [giving](#) gestational trans men the option to be featured as ‘parent who gave birth’ on their child’s birth certificate, [entered](#) into force in March.

FOREIGN POLICY

The Netherlands [joined](#) the European Commission’s infringement proceedings against Hungary over its anti-LGBT legislation.

HEALTH

In May, the Minister of Health shared the findings of the Mijn gender, wiens zorg? (Eng: My gender, whose care?) research project, which concludes that due to a lack of knowledge, society and general healthcare settings are currently unable to support trans people and that there is a parallel need for temporarily increased capacity in specialised trans healthcare to address the years-long waiting times. The Minister proposed a twin-track approach to improve the situation.

A second research report concluded that the increased demand for trans healthcare does not necessarily mean there are more trans people than before, but that due to more information, trans people may recognise their identity and find healthcare providers more easily than before.

In September, the right-wing Forum for Democracy (FVD) presented a bill at the House of Representatives to ban puberty blockers and hormonal therapy for minors. A few days later, the House voted down the motion with a clear majority.

The Minister of Health announced that PrEP would be more accessible from August 2024 onwards. Amsterdam is close to achieving zero new HIV transmissions per year.

Monkeypox vaccination continued this year after an increase in cases in March.

HUMAN RIGHTS DEFENDERS

COC celebrated 50 years of official recognition by the government this year. The Ministry of Finance issued a commemorative euro coin in honour of COC's work.

Trans activist, writer and researcher Alejandra Ortiz received the Winq Community Award.

INTERSECTIONALITY

After calls from civil society, parliament in January adopted a resolution demanding the government to more intensively counter intersectional forms discrimination.

LEGAL GENDER RECOGNITION

Civil society continued to lobby for the new LGR bill to be adopted (see here, here, and here), but the law reform remained stalled this year. In September, the standing committee on Justice and Security of the House of Representatives voted to halt the process until a new cabinet takes office, arguing that the bill is 'controversial'.

The bill provides for LGR on the basis of self-determination and expert statements would no longer be required. However, gaps remain. First, those under 16 must go through a court procedure. Second, trans refugees need to present a birth certificate from their home countries. Third, married trans mothers are not granted automatic and presumed parenthood, contrary to how a cisgender father would be recognised.

Civil society continued to lobby this year to make it easier for anyone to access alternative gender markers, and the Minister of Education, Culture and Science expressed support. A Rutgers study found that 1.8% of the Dutch population over 16 identify as outside the gender binary. In October, the District Court in The Hague ruled that there was an ongoing distinction between binary and non-binary trans people, the latter being unable to change their gender markers. The court acknowledges that the change is not simple and requires lawmakers to amend a range of laws, but stated that its patience was not infinite. Meanwhile, the online petition calling for alternative gender markers launched in 2021, has gathered over 10,000 by the end of September and was presented to the House of Representatives in late October. On October 27, Lisa van Ginneken MP presented a draft law for making alternative gender markers more easily accessible for anyone, which was welcomed by NGOs.

The municipalities of Rotterdam, Utrecht, Amersfoort and Deventer announced that they would reimburse the costs of legal gender recognition, which can amount to 400 EURO. Amsterdam plans to do the same.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

(See under Bias-motivated Speech)

The Rainbow Ballot Box Agreement 2023 by COC, addressing issues such as countering violence and discrimination, acceptance in schools and improvement of LGBTI+ human rights, was signed by ten political parties ahead of the general elections in November.

In February, NOC*NSF presented their updated Guide to Gender and Sex Diverse People in Sports, which was welcomed by Transgender Netwerk.

Rikkie Kollé, a trans woman, won Miss Netherlands 2023. She was targeted by endless hate comments afterwards.

The Dutch competitor, Solange Dekker, won Miss International Queen 2023, a beauty pageant for trans women.

PUBLIC OPINION

A poll from the media outlet Hart Van Nederland found that two-thirds of the Dutch population have no issues with gender-neutral toilets.



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