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Thousands of asylum seekers were temporarily housed in unsanitary and inadequate reception centres. A bill ensuring sex without consent is punishable as rape came before parliament. The Senate voted to abolish the mandatory waiting period of five days for abortion. The authorities continued to use discriminatory algorithmic systems to combat fraud.

Refugees' and migrants' rights

State authorities housed thousands of asylum seekers, including children, for months in emergency reception centres only appropriate for very short-term stays, such as sports halls. The centres were unsanitary and failed to provide adequate food, healthcare, privacy or proper protection from the weather. In August hundreds of asylum seekers were forced to sleep outside the only registration centre in Ter Apel, Groningen province, as the government failed to ensure sufficient accommodation. In October, in Groningen province, the local government issued an emergency regulation imposing a maximum penalty of three months' imprisonment or a EUR 4,500 fine for anyone providing tents to homeless asylum seekers.

In October, to alleviate the overcrowding in asylum reception centres, the government introduced a measure delaying the family reunification process, placing it in breach of its obligations under the EU Family Reunification Directive and the right to family life.

In contrast, the government invoked state emergency law to allow municipalities across the country to take urgent measures to welcome more than 60,000 refugees fleeing the Russian invasion of Ukraine,

ensuring they had accommodation, were allowed to work and did not need to apply for asylum.

In January the government of the Netherlands suspended its aid for immigration detention in Curaçao, one of the constituent countries of the Kingdom of the Netherlands, after concerns were raised, including about inhumane conditions. In July, a Curaçaoan judge ruled that the immigration detention of four Venezuelan women and six Venezuelan men in a prison was unlawful and ordered their immediate release.

Violence against women and girls

In October, the Minister of Justice and Security sent a bill to the House of Representatives to bring rape legislation into line with human rights and change the definition of rape to one that is consent-based. The bill also makes the use of coercion, violence or threats aggravating circumstances rather than a condition for criminal liability. Civil society urged the authorities to ensure prompt discussion of the bill in parliament and its subsequent swift implementation.

Sexual and reproductive rights

In June, the Senate voted in favour of abolishing the previously mandatory waiting period of five days for abortion, which created an unnecessary access barrier. This positive reform will enter into force on 1 January 2023.

Discrimination

During the year the government made a number of commitments to safeguard people's rights when using algorithms in the public sector. This followed Amnesty International's 2021 exposure of how the tax authorities had utilized a discriminatory algorithmic system, disproportionately affecting those from a migrant background and from low-income households, to detect potential benefit fraud. By the end of the year, however, no action had been taken to introduce human rights compliant regulation of algorithms to combat crime or to prohibit the use of nationality and race as "risk factors".

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