

2023
**ANNUAL
REVIEW**

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

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NETHERLANDS

ASYLUM

A new [report showed](#) that LGBTI asylum seekers continue to be unlawfully denied status on the basis of stereotypical criteria. Civil society [organised](#) support for LGBTI people fleeing Ukraine.

BIAS-MOTIVATED SPEECH

Transgender Network Nederland's (TNN) annual media monitoring report [found](#) that representation of trans people increased and diversified in 2021, but anti-trans rhetoric still remains a serious issue. In September for instance, posters [appeared](#) with false fear-mongering messages about the impact of the new trans law. TNN filed a complaint to the Advertising Code Committee and [called](#) for tougher sanctions for anti-trans speech. In October, anti-trans speech was common during the parliamentary [debate](#) on a new legal gender recognition bill. Nevertheless, many political parties supported trans and intersex rights.

A petition targeted Bunq bank this year for cancelling the account of an anti-trans group and enacting "ideological discrimination".

BIAS-MOTIVATED VIOLENCE

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

The government [reported](#) 2,471 anti-LGBTI violence and discrimination cases in 2021, up from 2,336 in 2020 and 2,072 in 2019. CSOs continued to [urge](#) the new government to take action. In June, a bill was [tabled](#) in parliament to impose higher sanctions in cases where bias was one of the aspects of the attack. The Social and Cultural Planning Office's (SCP) study, published in July, [found](#) that LGBT people face disproportionate rates of violence, one in three bisexual women has experienced sexual violence in the past five years and 44% have been [targeted](#) by online or offline sexual harassment in the past year. Civil society continued [advocating](#) for tougher [sanctions](#) and more capacity for the police.

A new report, '[Invisible in Two Worlds](#)' [found](#) that trans people face domestic violence in great numbers, and that state assistance is inadequate.

Civil society [sent](#) a joint letter to parliament calling for the ongoing reform of the Sexual Offences Bill to protect LGBTQIA+ victims of sexual violence, including through prevention.

BODILY INTEGRITY

Trans and intersex people have been [receiving compensation](#) for unnecessary medical procedures they were forced to undergo under the old 'transgender law' (1985-2014) and which affected their fertility and bodily integrity.

Four parties [tabled](#) the draft law on banning so-called 'conversion therapies' in February, which envisions 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.

The government's study [confirmed](#) that medically unnecessary and non-consensual surgeries on intersex children continue to take place. In March, the UN Committee on the Rights of the Child [recommended](#) that the Netherlands prohibit intersex surgeries.

EDUCATION

At least [36](#) orthodox Protestant schools still require parents and/or pupils to sign anti-LGBTI+ declarations. Civil society [demanded](#) an end to these as part of the [Rainbow Ballot Box Agreement](#).

In December, about half a million students in 3,000 primary and high schools participated in the 13th [Purple Friday](#), organised by COC's [GSA Network](#). The Network also campaigned on Coming Out Day for [safe toilets](#) in schools.

EMPLOYMENT

Following other municipalities, Nijmegen and its library [signed](#) an action plan for safe and trans-inclusive workplaces.

SCP's study [highlighted](#) that over half of trans people are low-income, double the rate among cisgender people. TNN [called](#) for legal protections, and concrete action plans, and [held](#) a conference in October.

EQUALITY AND NON-DISCRIMINATION

90 municipalities have signed local Rainbow Ballot Box Agreements. Minister of Education, Culture, and Science, Robbert Dijkgraaf announced he would continue to fund LGBTI+ initiatives by 'rainbow municipalities'.

TNN's annual monitoring report found that for the first time in five years, the number of anti-trans discrimination cases decreased.

After almost 20 years of campaigning by COC, the House of Representatives adopted the draft Constitutional amendments in March, to cover LGBTI people in the prohibition of discrimination. The Senate is expected to vote on the amendments in January 2023.

A large survey commissioned by the Ministry of Justice and Security found that 11% of residents over the age of 15, some 1.6 million people felt discriminated against in 2021.

Three NGOs launched a survey to learn about the experiences of over 50 BIPOC LGBTI+ people.

FAMILY

Civil society continued calling for legal recognition for families with more than two parents, - included in the new Rainbow Ballot Box Agreement. A motion was successfully passed in parliament in June on the issue.

A new regulation was adopted that will give gestational trans men the option to be featured as 'parent who gave birth' on their child's birth certificate. The regulation will enter into force in March 2023 and will have a retroactive effect from 1 July 2014.

FREEDOM OF ASSEMBLY

After two years of a break due to the COVID-19 pandemic, the Amsterdam Canal Pride was held in August and celebrated by hundreds of thousands.

HEALTH

TNN's non-representative survey found that 60% of trans respondents have experienced discrimination in

healthcare. The Quartermaster for Trans Healthcare's report about experiences in trans healthcare, published in November, found that the extensive waiting times cause serious suffering to trans people. Both the government and TNN responded.

Protests were held in the cities of Nijmegen, Amsterdam and Utrecht to demand better access to trans healthcare. The city of Utrecht put in place funding for a trans health clinic for trans sex workers and undocumented trans migrants, similar to the one in Amsterdam.

The Dutch Institute for Human Rights established that a hospital in Amsterdam discriminated against a trans man when denying him gynaecological care.

Trans and intersex people can now register to be regularly called for regular cervical and breast cancer screenings. Previously, only those with an 'F' gender marker were called in.

Access to PrEP remained difficult this year, with waiting lists in place.

In the summer months, many men who have sex with men were affected by MPOX. The vaccination campaign was off to a slow start and civil society demanded that more people qualify for access. The policy was changed in October.

LEGAL GENDER RECOGNITION

The process of legal recognition law reform continued. The current legal gender recognition bill provides for LGR on the basis of self-determination, but 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. Under the new bill, expert statements would no longer be required.

In September, NGOs TNN, NNID, and COC attended the parliamentary debate on the bill. The debate was characterised by considerable anti-trans rhetoric, but many parties stood in support of trans rights. It is expected to resume in February 2023.



Civil society continued to lobby this year to make it easier for anyone to access alternative gender markers. Legislating on non-binary gender markers is included in the Rainbow Ballot Box Agreement. The online petition calling for alternative gender markers launched in 2021, has gathered over 7,200 by the end of this year.

PUBLIC OPINION

An SCP monitoring study published in May found that, for the first time in many years, there was stagnation instead of an increase in the number of Dutch people who have a positive opinion of LGB people.

It also found that one in six people think there is “something wrong” with people who do not identify as either a man or a woman.

SEXUAL AND REPRODUCTIVE RIGHTS

Civil society urged the government to ensure that IVF reimbursement extends to everyone, not just people who have eggs.

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