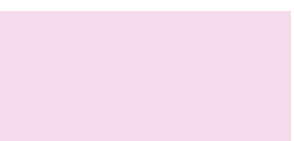




National Coordinator against
Discrimination and Racism
*Ministry of the Interior and
Kingdom Relations*

National Programme against Discrimination and Racism 2023





**National Coordinator against
Discrimination and Racism**

**National Programme
against Discrimination and Racism 2023**

Constitution, Article 1

All persons in the Netherlands shall be treated equally in equal cases. Discrimination based on religion, belief, political affiliation, race, gender, disability, sexual orientation or any other ground is prohibited.



National Coordinator against
Discrimination and Racism
*Ministry of the Interior and
Kingdom Relations*

Accompanying letter of Rabin Baldewsingh

National Coordinator against Discrimination and Racism

21 November 2023

To the members of the government

For the attention of: The Minister of the Interior & Kingdom Relations, H.M. de Jonge, Minister responsible for coordinating the approach to discrimination and racism

Date: 21 November 2023

Subject: National Programme against Discrimination and Racism 2023

Excellencies,

Fight discrimination and racism and clear the way for equal opportunities, diversity, inclusion and empowerment. That, in essence, is the important remit you gave me just over two years ago. In those two years, numerous parties inside and outside the government have put their shoulders to the wheel and achieved a great deal together. The most significant achievement was the sincere apology for the Slavery past. But that's not all. For instance, Article 1 of our Constitution has been expanded to include the grounds of disability and sexual orientation. Municipal anti-discrimination facilities (*antidiscriminatievoorzieningen*, ADVs) are better positioned, and

descendants of enslaved people can now change their names free of charge. Active efforts are now being made to eliminate differences between the Caribbean Netherlands and the European Netherlands, such as those concerning socioeconomic security and the introduction of equal treatment legislation. At the same time, I note that society is becoming increasingly polarised. That is taking the form of hardening attitudes and a shift from 'we' to 'I'. The human touch is increasingly fading into the background. This is a race to the bottom that we must bring to a halt. In that context, I call for us to show each other more understanding, but also for the government to better understand members of the public.

In the Netherlands, many things look good on paper, but there's still a world to be gained in practice. We see the same phenomenon in the fight against discrimination and racism. A ban, law or rule does not mean something will no longer happen or, conversely, that it will. The government is mindful of this. As King Willem-Alexander put it in his Speech from the Throne in September, 'There is still discrimination and racist exclusion in society.' And he is right. Despite all the rules and laws, the media still report all too often on the burning or vandalising of rainbow flags, racist incidents around football matches and discrimination at or by government agencies. Despite all the promises

and good intentions, there remains a lack of diversity in the media, and it is still far too difficult for wheelchair users to get to, say, a restaurant, school or playground or to travel by bus, train or tram.

These examples are also reflected in surveys and European rankings. At one time, the Netherlands was a leading country on the European Index of Human Rights for LGBTIQ+ persons. These days, we have slipped down to 14th place. And, according to a recent study by career platform Intermediair and Nyenrode Business University, the pay gap between men and women is widening rather than narrowing. Something similar can be seen in traveller sites. Despite previous commitments, the number of pitches has not increased much, if at all, over the past five years. A government task force to coordinate this failed even to get off the ground. That prompted the commissioning of an investigation into the lack of progress.

The Power of Difference

In recent decades, Dutch society has undergone significant changes. Our country has become more and more diverse. That gives us access to an ever-widening range of talents, prospects and experiences. That is valuable resource for our country. It is 'The Power of Difference', the carefully chosen title of the first National Congress against Discrimination and Racism.

That well-attended congress on 28 September 2023 in Ede was one of the many places and moments where I spoke to citizens, civil society organisations, businesses and government representatives. Over the past two years, we at the Office of the National Coordinator against Racism and Discrimination (NCDR) have attended numerous town hall sessions, symposiums, book launches and other gatherings. They were held at community centres, schools, lecture halls, businesses, places of worship and other meeting tables. All of them were inspiring and motivating talks and formed a valuable dialogue with society.

Caribbean Netherlands

Also valuable were my talks with people from the Caribbean Netherlands, where there are significant and striking differences from the European Netherlands in areas such as socioeconomic security. In that context, I refer to the Thodé Commission's conclusions on the lack of a social minimum. I am pleased to note that the government recently announced measures to increase the minimum wage and benefits and that funding has been released to improve public transport in Bonaire, St Eustatius and Saba. These are not the only positive developments. There is the announced introduction of equal treatment legislation and the establishment of anti-discrimination facilities.

Student debt is another highly topical issue. My interlocutors strongly advocate cancelling the study debt for people returning to the islands after their studies in the Netherlands. Salaries there are lower, making student debt an even heavier burden. As a result, people - sometimes by necessity - choose to stay in the Netherlands, leading to a brain drain in the Caribbean Netherlands. The talks often cover fervent calls to recognise the rights of LGBTIQ+ persons in practice and to communicate in Papiamentu and English. The compulsory use of Dutch is perceived as exclusionary, especially in the labour market. A good first step would be to also translate and read out judgments of the Court and Appellate Court in Papiamentu and English.

National programme with 29 new reinforcements. My societal talks form the basis of the National Programme 2023, which I am presenting today, requesting that it be forwarded to the House of Representatives. The National Programme 2023 includes 29 new policies and reinforcements. We are also marking the progress of the 61 reinforcements from the National Programme 2022 - what is on track, and where is more action needed?

This National Programme, with the measures and strengthened policies it contains, can count on the agreement of the ministries concerned in line with your remit. This programme will further strengthen the existing approach to eliminating discrimination and racism. The programme is also the prelude to a multi-year approach focusing on prevention, support and sanctioning. Next year, I will elaborate and present the NCDR multi-year plan.

Our ambition extends beyond this.

Fighting discrimination and racism is a tough job. There is sometimes societal resistance to inclusion measures, which forces us to push back against the pushback. And even though we are again making progress with all the agreements and measures in this new National Programme, I note emphatically that my ambition extends beyond this.

I would have liked to have taken some extra steps in this National Programme. Relevant ideas for specific measures have not (yet) found a place in the National Programme. To effectively tackle discrimination and racism, we need to be bold and go the extra mile. We must fight the poison of discrimination and racism in our society with all the means at our disposal. Failure to do so will further undermine confidence in our democratic rule of law, standards, and social cohesion.

Therefore, in addition to the National Programme, there are ten explicit points that I would like to bring to your attention.

1. Mandatory equal treatment following the Irish and British example

I am concerned to note that 65% of municipalities do not yet have an anti-discrimination policy or inclusion agenda in place. Reports of institutional racism in some government organisations also give me pause for thought. That is why I advocate an equal treatment obligation, which should apply to all levels of government and all public bodies. Such a requirement, enshrined in law, ensures that public authorities always incorporate equal treatment and non-discrimination in their policies and how they are pursued. And that they are accountable for this. Many of the measures mentioned in this National Programme can be placed under such a general obligation. I advise the government to follow the example of Ireland and the UK. These countries have long had mandatory equality policies in the form of a *Public Sector Equality Duty*. I will develop concrete proposals for the multiannual programme I will be presenting in 2024. I am gratified to note that the State Commission against Discrimination and Racism has indicated that it will include this issue in its inquiry.

2. Transition leave

Pregnant people are entitled to maternity leave. There is birth leave and additional birth leave for partners. And there are suitable arrangements for parental leave. What is missing from this list is transition leave. No provision at all is made for people wanting to transition. They have to financially bridge the period when they necessarily cannot work or are only able to work less for a while. That can often be a considerable hurdle. I advocate a statutory regulation for transition leave. That was included in the coalition agreement of the now-outgoing government but subsequently faded into the background. That must not mean the end of that policy.

3. Compliance with the Rainbow Agreement

An important step in combating discrimination against LGBTIQ+ persons is the implementation and effective enforcement of the Rainbow Agreement (in Dutch: *Regenboogstembusakkoord*). I call for the measures from this agreement, which has also been embraced by the now-outgoing cabinet, to be implemented as soon as possible. In addition to the transition leave mentioned under point 2, the Rainbow Agreement includes enabling multi-parenthood and multi-parental custody and tackling discriminatory violence. Another part of the agreement is the prevention of non-consensual,

non-emergency medical treatment of intersex children and adults. The best way to regulate this is a legal ban. I call for this to be done without delay. The same applies to amending the Transgender Act. Doing away with the expert statement will make it easier to obtain an identity document with the correct name and gender designation.

4. Slavery past. What comes after the comma?

The prime minister gave an impressive speech on our slavery past on 19 December 2022. When making the apology, it was rightly pointed out that we share not only the past but the future. In the Prime Minister's words: 'So today we place a comma, not a full stop.' We are now almost a year on. This was the year in which even the King, in a speech that moved me to tears, apologised and asked for forgiveness from his personal perspective. I call on the government to maintain the momentum, to work with all stakeholders to give concrete substance to the post-comma part and also to legally enshrine the apology for slavery. That way, we continue to work together to raise awareness, recognition and understanding.

5. Institutional mistrust and Muslim discrimination

The cabinet energetically took up the inquiry into Muslim discrimination announced in the previous

National Programme. We look forward to the results. They are important for a strengthened approach to tackling Muslim discrimination. However, Muslim discrimination did not appear out of nowhere. The predominantly negative political and public discourse on Islam and Muslims in recent decades has contributed to how we in the Netherlands, including our institutions, view this group of Dutch citizens. I call on politicians and the government to reflect and end the institutional distrust towards Dutch Muslims in particular. We must look closely at the stigmatising and exclusionary effects of certain (proposed) laws and regulations. This is the case, for example, in the case of the Face-Covering Clothing (Partial Ban) Act, the Money Laundering and Terrorist Financing (Prevention) Act (Wwft), the bill on transparency of civil society organisations and the proposed supervision of informal Islamic education. When considering such plans, bills, and laws, I urge you to look closely at their reason, usefulness, and necessity and to seriously consider constitutional concerns.

6. The judiciary and non-discrimination

Maintaining fundamental rights is one of the pillars on which the rule of law rests. For its legitimacy, the judiciary should be safeguarded from any association with discrimination and unequal treatment. The

judiciary stands or falls on the core values of impartiality, integrity and professionalism. Therefore, the judiciary must pay constant attention to possible discrimination within its organisation. In 2015, the Council for the Judiciary (*Raad voor de Rechtspraak*) commissioned a study by Leiden University on ethnically-related differences in court sentencing. I understand the judiciary is currently having a study conducted into judgment forming from the perspective of judges. A follow-up to the 2015 study focusing on the outcomes of criminal judgements would be a welcome addition.

7. Higher education placement hotline

Higher education placement discrimination hotlines are an essential link in anti-discrimination policy. However, students are still not always aware of these hotlines, and the approach is not straightforward. I therefore recommend moving as quickly as possible towards a model in which data collection, registration of reports, independent assistance to reporting parties, information and other procedures and processes are made transparent and comparable. That also opens the door to an efficient approach at the national level. It is important that the Ministry of Education, Culture and Science actively facilitates and encourages the production of a framework for contact points to report

placement discrimination at educational institutions to ensure uniformity. That can be explored in cooperation with anti-discrimination facilities (ADVs).

8. Inclusive and accessible quiet study areas

Inclusive and accessible quiet study areas in schools and educational institutions meet the needs of several groups of pupils and students. That is underlined by the nationwide manifesto presented by various educational lobby organisations in July 2023. The administrative agreements banning mobile phones from classrooms show that it is perfectly feasible to put clear rules in place even without a legal instrument. I ask the Ministry of Education, Culture and Science to make similar arrangements for setting up quiet study areas in all educational institutions. By extension, I also call for quiet rooms in public buildings, such as community centres, hospitals, libraries and town halls, and in buildings owned by the state.

9. Inclusion in Healthcare

Stereotyping and assumptions about cultural background or ethnicity still occur in various medical guidelines that healthcare providers use for diagnoses and treatments. That can lead to less effective, wrong or unequal treatment. This is the case not only with GPs and hospitals but also in the mental health sector.

Differentiating treatments based on ethnic differences or gender can be helpful but should be based on sound research and culture-specific knowledge, not assumptions. Besides more research, I also recommend setting up an advisory committee in the short term to work with external parties to ensure the quality of this knowledge.

10. Addressing discrimination in the Working Conditions Act

Under the Working Conditions Act, employers are obliged to prevent, or at least minimise psychosocial work stress. That includes issues such as work pressure, undesirable behaviour, harassment and discrimination. This implies that employers must conduct a risk assessment to review their organisation and develop an improvement plan. By no means all employers do this, which means they do not always have a clear view of the risk of psychosocial work stress

due to discrimination. That calls for a cultural change. However, the recently published Occupational Health and Safety Vision 2040 makes no mention at all of discrimination as a form of psychosocial work stress. The NCDR calls on the Ministry of Social Affairs and Employment to rectify this omission and supplement the Occupational Health and Safety Vision 2040 on this point.

Recognise and acknowledge

As I outlined at the beginning of this letter, the past year has seen solid, meaningful steps taken to combat discrimination and racism. And on paper, we have made – increasingly better – provision for this in the Netherlands. But in practice, there remains a great deal to be done. It is important to speak out uncomfortable truths such as these. After all, if we fail to recognise and acknowledge the problem, we cannot work on solutions and answers.

From my position as National Coordinator against Discrimination and Racism - a government commissioner with three roles: liaison, promoter and watchdog - I see it as my duty to explicitly bring the above urgent advice to your attention. Let this be the next step towards an even more inclusive Netherlands!

Sincerely,



Rabin Baldewsingh

National Coordinator against Discrimination and Racism





*Driven by
equality.
Together for
inclusion.*





National Congress against Discrimination and Racism

On Thursday, 28 September 2023, the NCDR organised the first National Congress against Discrimination and Racism. A milestone! Over 500 people from all parts of society came to Ede to discuss current developments concerning diversity and inclusion. Afterwards, National Coordinator Rabin Baldewsingh spoke of a successful congress. “There was a tremendously good vibe, real dialogue and focus on solutions.” Many ideas and topics reviewed at the congress have found a place in this National Programme. Other issues are still being fleshed out and will be on the NCDR agenda at a later date.

Looking back in photos

Many of the photos in this National Programme were taken during the National Congress. This is a conscious choice meant to keep the positive energy of that day alive. The same goes for some inspirational quotes. A comprehensive review of the 2023 Congress, including a film report and a podcast, can be found on the website of the National Coordinator against Discrimination and Racism: www.bureauncdr.nl.

National Congress in 2024: 20 June 2024

Baldewsingh also announced in Ede that the National Congress will have a follow-up. The next edition of the Congress will be on Thursday, 20 June in Nieuwegein. Mark this date in your diary. Further information will follow via the NCDR website and social media.

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Michaela Moua

European Commission Anti-racism Coordinator

‘It is our collective responsibility to shape the society we want to live in. For a life free from discrimination, racism and hatred, we must all stand up against injustice. We are all part of the problem, and we are all part of the solution.’

National Congress against Discrimination and Racism

Congress Centre De ReeHorst, Ede

28 September 2023



1. Introduction

‘If you leave stones on the road, your children will trip over them.’

(Surinamese proverb)

This introduction covers developments in anti-discrimination and racism in the Netherlands. This is followed by a section on the NCDR’s mission and an explanation of the underlying National Programme.

The government took a step towards change with the establishment of the National Coordinator against Discrimination and Racism (NCDR) in 2021. A change in thinking about discrimination and racism in the Netherlands and the approach taken until then. The NCDR was established as a promotor, connector and watchdog. To gather insights from society and, in consultation with relevant governing bodies, draw up a national programme with clearly defined targets.

In 2022, this led to the first National Programme against Discrimination and Racism, containing many strengthening measures for policies and legislation. Sometimes, this concerned established policies; other times it was about strengthening them or new initiatives. This aimed to make the Netherlands an inclusive society.

The government is adopting a growth model in which the NCDR plays a central role. The NCDR was established to strengthen the approach to eliminating discrimination, linking the various actors in the field.

1. Motion by member Podt, *Parliamentary Papers II, 2022/23*, 30 950 no 331.
2. Motion by member Azarkan, *Parliamentary Papers II, 2021/22*, 35 925-VII-36 on policy effectiveness assessment, motion by member Van Baarle, *Parliamentary Papers II 2021/22*, 30 950, no 290.

After a period of pioneering, that mission has now taken more shape. It has also led to a visible positioning of the NCDR in society, departments, politics and the media.

The growth model means that the National Programme will be updated every year and, where possible or necessary, supplemented by new measures. The House of Representatives called on the government to attach the most concrete possible targets and timelines to the measures, starting with at least one concrete measure per policy area¹. But ultimately, it should lead to a programme that sets as many measurable targets as possible. This process is still evolving. As far as possible, concrete timelines and targets are already attached to the new measures. The next update of the National Programme will look at how to work even more with concrete objectives or targets. That could help assess the effectiveness of the measures.² The government ultimately wants a good programme on paper, but most importantly, that we have an impact on combating discrimination and racism in our society.

The Constitution provides a solid basis for that fight, confirmed by the broad support for extending Article 1 of the Constitution to include ‘sexual orientation’ and ‘disability’.

In the dozens of townhall sessions, expert meetings and other gatherings organised by the NCDR together with community partners, participants shared their knowledge and experiences of discrimination and racism with each other and with the NCDR.

1. Introduction

That led to impressive sessions in Delft and Utrecht, among others. Students from migrant backgrounds shared experiences about their place in society. They were born and raised in the Netherlands but still feel marginalised. Although they bring a valuable experience, they feel they are not entitled to an opinion on the Netherlands. There is a high probability that they will drop out, as aptly described in the *Atlas van Afgehaakt Nederland* ('Atlas of Dropped Out Netherlands').³ Young people from Muslim backgrounds wondered when the time will come when their loyalty as Dutch citizens will not be questioned, and they will no longer hear or read in the news that they are an "integration issue" or a "security issue". Similar experiences emerged in other sessions, from LHBTIQ+ people, people with disabilities and people from Asian backgrounds, for example. Many suffer from the lack of recognition.

The insights from these sessions powerfully underline the need to combat discrimination and racism. In the following, we set out where we are now and what the work of the government and the NCDR has achieved in the first two years.

For every step forward...

'Ten kon drai - times have changed.'

(King Willem-Alexander, 2023)

Combating discrimination and racism is a slow process, as the past few years have shown.⁴ The government therefore sees its approach as a growth model. With the National Programme, the government wants to create cohesion for comprehensive anti-discrimination efforts.⁵ Looking back at the past, we see several themes where steps have been taken. Chapter 5 provides an overview of the implementation status of the National Programme 2022.



King Willem-Alexander at the National Remembrance of Slavery Past at Oosterpark in Amsterdam

3. J. De Voogd and R. Cuperus, *Atlas of Afgehaakt Nederland. Over buitenstaanders en gevestigden* The Hague: Ministry of Interior and Kingdom Relations 2021.
4. Parliamentary Committee of Inquiry Senate of the States General, Equal Justice. A parliamentary inquiry into the legislature's ability to combat discrimination. The Hague: Senate of the States General 2022.
5. *Parliamentary Papers I, 2022/23 CXLVI, AB, Government response to research report on equal justice*, p. 12.



1. Introduction

Apologising for the slavery past was not up for discussion until recently. But it happened anyway. On 19 December 2022, Prime Minister Rutte apologised on behalf of the Dutch state for the harm done to enslaved people. On 1 July 2023, when the Netherlands commemorated the abolition of slavery in Suriname and the Caribbean, King Willem-Alexander also apologised on behalf of the State of the Netherlands. He closed with the hopeful message *'Ten kon drai. Times have changed. Den keti koti, fu tru! The chains are broken, truly!* With this recognition, the government made a start with addressing the knock-on effects of the colonial and slavery past.

Legislation

Measures have been taken on the legislative front. An important step was the expansion of Article 1 of the Constitution. The addition of the grounds 'sexual orientation' and 'disability' does justice to the social and legal recognition of LHBTIQ+ persons and people with disabilities. That includes the study that the Minister of the Interior and Kingdom Relations (BZK) wants to commission on, among other things, the concept of race in the Equal Treatment Act. There is no question that there is only one human race. That raises the question of whether the term 'race' in the law carries unwanted connotations.

Another development is the government decision to ratify the Optional Protocol to the UN Convention on Disability. After exhausting national remedies, this allows citizens to have a complaint of discrimination on the grounds of disability reviewed by a specialised UN committee.

One measure with direct practical implications is the bill 'Monitoring equal opportunities in recruitment and selection' adopted by the House of Representatives. The bill, which is before the Senate for consideration, requires employers and intermediaries to set up a procedure in the recruitment and selection process to prevent labour market discrimination.⁶ The Labour Market Discrimination Action Programme 2022-2025 contains initiatives to promote and support the practical application of this law through communication, research and practical tools for employers.

An important step to promote equal pay for men and women has been taken with the adoption of Directive (EU) 2023/970. The Directive introduces several measures aimed at pay transparency and strengthening enforcement in the field of equal pay.⁷ The Ministry of SZW is currently working on implementing this directive into Dutch legislation.

Policies inside and outside government

The benefits scandal highlighted how algorithms can lead to far-reaching forms of discrimination. In 2023, it emerged that the algorithm the Education Executive Agency (DUO) used to detect student finance fraud led to adverse consequences for students with a migration background. That underlines the importance of monitoring the use of algorithms. Governments are making increasing and intensive use of algorithms when making and implementing policies. There are undeniable benefits to using big data, and the development is unstoppable. However, the use of

6. *Parliamentary Papers I*, 2022-2023, 35 673, B.
7. Directive (EU) 2023/970, Official Journal of the European Union L132/21, 17 May 2023.

artificial intelligence (AI) still requires even more emphatic ex ante and ex post tests for the protection of human rights, in particular non-discrimination. The algorithm regulator, launched in 2023 under the auspices of the Personal Data Authority, should play a major role in that review.

The documentary ‘The Blue Family’ (2022) made strikingly clear the experiences of people who experience exclusion, discrimination and racism in the police organisation. The police are implementing the ‘Exclusion of Discrimination and Racism’ plan to clarify the norm and better address transgressions. It should be noted, however, that the ban on wearing visible religious expressions in combination with the police uniform and other uniformed professions within the government may cause people to drop out of the police profession.⁸

Civil society organisations are increasingly taking responsibility for combating discrimination. For example, the KNVB has decided that matches in professional football can be halted when discriminatory and racist speeches are observed. More and more organisations in the Netherlands are drawing up diversity and inclusion policies.

Within the government, the Policy Compass (“Beleidskompas”) has been introduced. This gives policymakers and legal experts in central government a practical tool to take human rights standards, including gender equality, into account in proposed policies. Ways to embed the prevention of discrimination and racism better are explored. The

Guide to Constitutional Review has also been added to the Policy Compass. This provides information specifically for new legislation on including and weighting fundamental rights.⁹

The above examples show that various measures have been taken to counter discrimination and racism. However, everyday reality also tells a different story. Discrimination and exclusion persist in the Netherlands.

... there’s sometimes one step back

‘Those who belong to the norm never have to think about themselves.’

(Sinan Çankaya)

The change of thinking in politics, administration and society on how to tackle discrimination and racism is not always in line with the expectations of people facing discrimination. The lack of a firm social norm and how groups in our society are treated can result in a toxic cocktail that reinforces polarisation and keeps an inclusive society at bay.¹⁰ The open and (almost) uncritical discussion of xenophobic and partly racist thinking is visible on social media but also in political discourse, the media and everyday life. The projected texts on the Erasmus Bridge at the turn of the year are illustrative of the efforts of some to normalise a right-wing extremist movement.¹¹

8. ‘Minister’s new dress code cuts short the dialogue on inclusive policing’ News release Netherlands Institute for Human Rights, 28 June 2023.

9. Parliamentary Papers II, 2021/22, 35 925 VII, no 142.

10. E. Miltenburg et al, Citizen Perspectives Message 2 - 2022, The Hague: Social and Cultural Planning Office 2022.

11. National Coordinator for Counterterrorism and Security, Terrorism Threat Assessment Netherlands 58. The Hague: NCTV 2023.

1. Introduction

There are worrying developments and examples of everyday discrimination and racism, institutional racism and polarisation. This has implications for the government's ambitions in tackling discrimination and racism. The National Programme 2022 added important impetus to this, which will be taken further in the underlying programme. There is still a world to gain.

Everyday discrimination and racism

Everyday racism takes the form of belittling, the creation of social or spatial distance, and social or physical aggression. The phenomenon of '*victim blaming*' is common: responsibility for non-intervention is placed on the victim.¹² These are subtle, everyday forms of discrimination and racism, deeply rooted in society and manifested in everyday interactions and structures. People of colour, for example, still experience micro-aggressions, humiliation and exclusion in their daily lives due to stereotypes and prejudices.

People also experience violence based on gender, gender identity, sexual orientation or gender expression. Misogyny, including in politics, is becoming more and more visible, with all the adverse consequences that entails.¹³ Femicide is a very extreme manifestation of this.¹⁴ Discrimination against LHBTIQ+ persons is on the rise. In 2023, for instance, Pride flags were damaged and destroyed on several occasions, and the International Gay Monument in The Hague was defaced with discriminatory expressions. Police recorded many sexual orientation discrimination incidents in 2022. After recorded incidents about 'origin', this forms the second ground of

discrimination at 32 per cent. The reports were mainly about discriminatory remarks that may or may not have been accompanied by violence and threats. Reports on sexual orientation at anti-discrimination facilities (ADVs) in 2022 also mainly involved hostile treatment.¹⁵

It also emerged that Muslim women frequently experience everyday racism, often in a combination of sexism and discrimination based on religion. This also happens in the workplace.¹⁶ Incidents of anti-Asian racism are recorded more frequently than before, with some cases involving violence.¹⁷ Research shows that the coronavirus has led East Asian Dutch people to experience more discrimination and has also increased their fear of physical and verbal violence.¹⁸

Incidents and reports of discrimination on the grounds of origin form the bulk of the registrations by police and ADVs. Almost two-thirds of reported incidents to the police and half of reports to ADVs involve discriminatory statements or hostile treatment in public places. That often involves people who know each other: neighbours who make racist remarks, children who are bullied at school and colleagues at work who insult others. Employees with duties in public spaces, such as NS employees or police officers, are also discriminated against because of their origin. Discriminatory, anti-Semitic and racist texts still appear on social media and other online places.¹⁹

12. P. Essed, *Everyday racism*. Amsterdam, Feminist publisher Sara, 1984.
13. 'Number of female politicians may stagnate due to misogyny' (nos.co.uk).
14. Victim guide: Femicide: violence against women. (<https://slachtofferwijzer.nl/artikelen/femicide-geweld-tegen-vrouwen>) and CBS: More people were murdered in 2022, most victims in Rotterdam.
15. G. Waltz and B. Fiere, *Discrimination figures in 2022*, Rotterdam: Art.1 2023.
16. A. Vijlbrief, N. de Wit and B. Fiere, *Ervaren discriminatie onder moslima's op de Rotterdamse arbeidsmarkt*, Idem Rotterdam, 2021.
17. S. Quekel, 'Yanii (16) moet onder dwang sorry zeggen en krijgt trap in gezicht: 'Wie is de baas?' AD, 23 June 2020.
18. R. Broekroelofs and J. Poerwoatmodjo, *De stille voorbij*. Exploration of discrimination experienced during the Covid-19 pandemic among Dutch people with an East Asian background. Utrecht: KIS 2021.
19. Waltz and Fiere 2023.

The number of reports of religious discrimination made to ADVs - especially discrimination against Muslims - increased in 2022 compared to the previous year. The police additionally recorded incidents in the form of insults and threats towards Muslims or people believed to be Muslim. They include women with religious head coverings and men in traditional dress or with a beard. There are also a few incident registrations about anti-Muslim stickers by far-right action groups in public places and at least 20 registrations of vandalism or threats at mosques.²⁰ This also relates to current international developments, such as the tearing up of religious books in public places.

ADV's and municipalities can play a key role in countering everyday racism. The ambition of the government and ADVs to work towards firmly positioned, capable, visible and widely deployable ADVs contributes to this.²¹

Institutional racism

Institutional racism is a social phenomenon in which processes, policies and rules (written and unwritten) of institutions have a discriminatory effect. Institutional racism involves a phenomenon that is collectively and structurally 'ingrained' in organised forms of coexistence in society. This includes rules, procedures, policies, and all kinds of non-formalised, socially ingrained behaviour. It has diverse manifestations and is often not immediately recognisable due to 'embedding'.²²

Effects of institutional racism can be found everywhere. Besides the risks of AI mentioned above, the government is aware of the potentially discriminatory impact of legislation, regulations and policies. In this context, the NCDR is also concerned with how financial institutions implement the Money Laundering and Terrorist Financing Act (Wwft). It also has concerns about the adverse effects of the Face-Covering (Partial Ban) Act. The latter law will be reviewed in 2023. The report on institutional racism at the State Department shows that much needs to be done within the government to combat discrimination and racism and promote an inclusive and safe working environment.²³

Studies and surveys show that many people experience exclusion. In 2022, 10 per cent of workers said they had felt discriminated against at work in the past 12 months.²⁴ For example, they felt discriminated against based on origin, skin colour or nationality, age or gender (including pregnancy). The Netherlands does not score well on preventing discrimination compared to other EU member states. According to the OECD, one in five children of migrant parents in the EU feels discriminated against because of skin colour or ethnicity. In the Netherlands, this is more than one in three.²⁵

Achieving true gender equality remains a challenge: in the Gender Gap Index 2023, the Netherlands is in 28th position, behind Mozambique, Australia and Chile.²⁶ Recent research shows that the gender pay gap has actually increased: from 5 per cent to 7.4 per cent.

20. Waltz and Fiere 2023.

21. *Parliamentary Papers II, 2023/24*, 30 950, no 354.

22. Netherlands Institute for Human Rights, *Institutional racism. Towards a human rights approach*. Utrecht: Netherlands Institute for Human Rights, p. 8.

23. J. Omlo et al, *Racisme bij het Ministerie van Buitenlandse Zaken*. An exploratory study. Utrecht: Bureau Omlo 2022.

24. S.G. van den Heuvel et al, *Nationale Enquête Arbeidsomstandigheden 2022*, Leiden/Heerlen: TNO/CBS 2023, p. 14.

25. OECD/European Commission, *Indicators of immigrant integration 2023: Settling In*, Paris: OECD Publishing 2023, p. 209.

26. Amsterdam Centre for Business Innovation, *The Global Gender Report 2023 - Key findings*. Amsterdam: University of Amsterdam 2023.



Men's income has increased more than women's income since 2021.²⁷ Women should have a level playing field in the labour market and be financially independent. The same applies to pension accrual, which is lower for women than for men.²⁸ Having a fair balance in the division of work and care is also important. After all, the ambition of gender equality is essential for a prosperous, inclusive and just society. NCDR believes that this ambition should take shape in a progressive agenda with a comprehensive approach to women's rights and gender equality to turn the tide.

The government aims to give people with disabilities a full place in society, where accessibility is the norm both in physical public spaces and online. Currently, people with disabilities still face structural disadvantages and exclusion in the labour market and other areas of society.²⁹ For example, people dependent on an assistance dog are still refused entry into shops and public buildings. This happens despite the law allowing assistance dogs to be brought in.³⁰

In healthcare, men (white, cisgender, heterosexual, average BMI, no disability) are still used as the implicit standard. This has detrimental effects on patients and clients who deviate from this norm because diversity is given little consideration in knowledge production, guidelines, technologies, medication and medical education.³¹

Polarization

Undesirable polarisation has taken hold in the Netherlands. The polarisation process threatens to lead to conflict between groups, segregation or the disappearance of space for nuanced opinions. Hate speech has broad appeal, as evidenced by the many incidents in society, including a sharp increase in verbal and physical violence against the LHBTIQ+ community.³²

The NCDR notes that public debate is sometimes laced with blatant racism and unsubtle bias, dismissing people as 'others' and literally shutting them out. The migration debate is a recent example of xenophobic starting points: figures on the asylum influx are overestimated by some and taken up in society.³³

Institutionalised mistrust leads to harsh measures that are based mainly on systemic thinking. This can cause misery for minority groups and reinforces distrust of the government. It contributes to a retreat from society. For example, the NCDR has heard this from the Roma and Sinti communities. Institutional mistrust also features in the Parliamentary Committee of Inquiry into Fraud Policy and Services investigation.³⁴

27. J. Van Muijen and E. Melse, National Salary Survey 2023, Amsterdam: DPG Recruitment 2023, p. 4.
28. S. Kali et al, Equal rights but not equal pensions: the gender gap in Dutch second-pillar pensions. Netspar Design Paper 178, September 2021.
29. S.G. van den Heuvel et al, Nationale Enquête Arbeidsomstandigheden 2022, Leiden/Heerlen: TNO/CBS 2023, p. 14.
30. KNGF 2023 KNGF | Accessibility for people with assistance dogs (guidedog.co.uk).
31. A. Helberg-Proctor, De doorwerking van het Trans-Atlantische slavernijverleden in de geneeskunde en zorg, in: *Doorwerking van het slavernijverleden. Essay collection commissioned by the State Commission Against Discrimination and Racism*. The Hague: State Commission against Discrimination and Racism 2023, p. 40.
32. R. van Dijk et al, 'Tijd voor geweld tegen deze lui', *De Groene Amsterdammer*, 6 September 2023.
33. De meeste migranten komen niet voor asiel, Blog post 5 February 2021.
34. Parliamentary Committee of Inquiry into Fraud Policy and Services, www.tweedekamer.nl/kamerleden_en_commissies/commissies/pefd.

1. Introduction

Caribbean Netherlands

Eliminate the differences between the Caribbean and European Netherlands in terms of human rights protection. That was the NCDR's plea in the National Programme in 2022.

Meanwhile, one of the 2022 policy enhancements has been picked up. A long-held wish from the Caribbean Netherlands - the introduction of equal treatment legislation in the Caribbean part of the Netherlands - is thus fulfilled. It has also become easier for students from the Caribbean Netherlands to obtain BSN (social security) numbers. This enables them to arrange all things that require a BSN online, such as applying for a DigiD or registering with a municipality.

Steps are also being taken to ratify the UN Convention on the Rights of Persons with Disabilities for the Caribbean Netherlands. The ratification of this treaty also requires other regulations to be amended. The State Secretary of Public Health, Welfare and Sports is preparing regulations in the field of social support and combating domestic violence and child abuse.

Many people are struggling in the Caribbean Netherlands: one in three lives in poverty. The report 'A dignified existence' of the Caribbean Netherlands Social Minimum Committee outlines how everyone in the Caribbean Netherlands can have a dignified existence.³⁵ That is why the government is taking steps now. Both on income, with the increase in minimum wage and benefits and extra

child benefits, and on costs such as electricity, water and internet. The islands' minimum wage will increase incrementally from 1 January 2024. Employer charges are being reduced to accommodate employers. Besides the minimum wage, benefits are also rising. Child benefits will go up by about \$90 per child per month on 1 January 2024, and welfare, AOV (state pension) and AWW (surviving dependants) will also rise.

The government has structurally released €32 million for the islands. The increase in benefits and child allowances will be paid from this. Also, the energy allowance of \$1,300 a year for low-income earners will remain, as will the reduction in the fixed electricity tariff. The rate of drinking water and the internet will be further reduced. The government will also provide free school meals in 2024 and make one million euros available in 2024 to support local poverty policy in the Caribbean Netherlands. €700,000 will also be made available for public transport on the islands.

We cannot get around history in this regard. The history of slavery permeates the daily existence of residents in the Caribbean Netherlands. The NCDR sees the need for developing a vision to counteract this knock-on effect and argues that the wishes of descendants of enslaved people from the Caribbean Netherlands should be taken seriously.

35. *Parliamentary Papers II 2023/24*
36 410 IV, no 7.

Tackling discrimination and racism

What does the above mean for tackling discrimination and racism in the Netherlands? Certainly, that the government should be there for all its citizens with a people-centred approach.

The above challenges make it necessary to formulate ambitions together. The 2022 National Programme Against Discrimination and Racism has begun to strengthen ongoing policies and regulations. The current programme describes measures that further shape this. People are at the heart of the choice of reinforcements in this National Programme. Four criteria determined that choice, among others: the signals from society raised by the NCDR, the seriousness of the situation for which the strengthening is deployed, whether other agencies are already picking up the issue, and the extent to which the strengthening is effective.

The fundamental right not to be discriminated against is enshrined in Article 1 of the Constitution. That legal standard takes precedence. The standard not only has significance for the government's actions, but is also the basis for action in society. The above shows that applying and enforcing the legal standard still needs a lot of attention. But also, the translation from the legal to the social standard "discrimination has no place in society" is not a matter of course.

Therefore, a key pillar in the approach in the National Programme 2023 is to promote that social standard in all parts of society.

In everyday life - on the street, at school, at work, on the internet - unfair and discriminatory treatment is commonplace. Expressions of racism, sexism, validism, LHBTIQ+ discrimination, anti-Semitism and Islamophobia often go unchallenged and are socially accepted in some circles.

A widely supported social norm is important to prevent racism and discrimination. The government, citizens, civil society organisations, employers and employees are responsible for propagating and adhering to that standard. For example, bystanders who intervene in discriminatory comments are found to be effective in supporting the victim and correcting the perpetrator. Everyone benefits from restoring social standards. If everyone contributes, we will move together towards a truly inclusive and just Netherlands.

However, an ad hoc approach does not work.³⁶ The Netherlands needs an effective, proven approach focused on the long term. It is the government's ambition to contribute to this effectively and quickly. This National Programme 2023 is another step towards a sustainable, effective approach to tackling discrimination and racism.

36. Parliamentary Committee of Inquiry Senate of the States General, 2022.

Reading guide

The reinforcements included in the National Programme 2023 come from discussions with experts by experience, professional experts and ministries. Not all issues raised in those talks resulted in reinforcements. Administrative agreement could not be reached when proposing these issues. The NCDR included some of these measures as a wish list in the National Programme Accompanying letter. These are therefore not the responsibility of the government. The National Programme 2023 is divided into Chapter 2 'Prevent', Chapter 3 'Support and assist' and Chapter 4 'Fight and sanction'. Finally, Chapter 5 presents the progress of the reinforcements of the National Programme 2022.



1.1 National Coordinator against Discrimination and Racism

Motto

Driven by equality. Together for inclusion.

Mission

The National Coordinator against Discrimination and Racism connects, drives and acts as a watchdog when it comes to combating discrimination and racism. The National Coordinator against Discrimination and Racism works for equality, justice and inclusiveness in the European and Caribbean Netherlands.

Vision

We want an inclusive society where no one is excluded.

We seek better cooperation and connection between government, politics and society in tackling discrimination and racism.

We campaign against discrimination and racism on all grounds and within all domains and for the equality of all those in the European and Caribbean Netherlands.

The NCDR engages with society, organisations, and relevant ministries as a connecting factor. In its role of promotor, the NCDR continues to put the issue of discrimination and racism on the government agenda and holds up a mirror to society. As a watchdog, the NCDR will oversee the achievement of the National Programme targets.

Remit

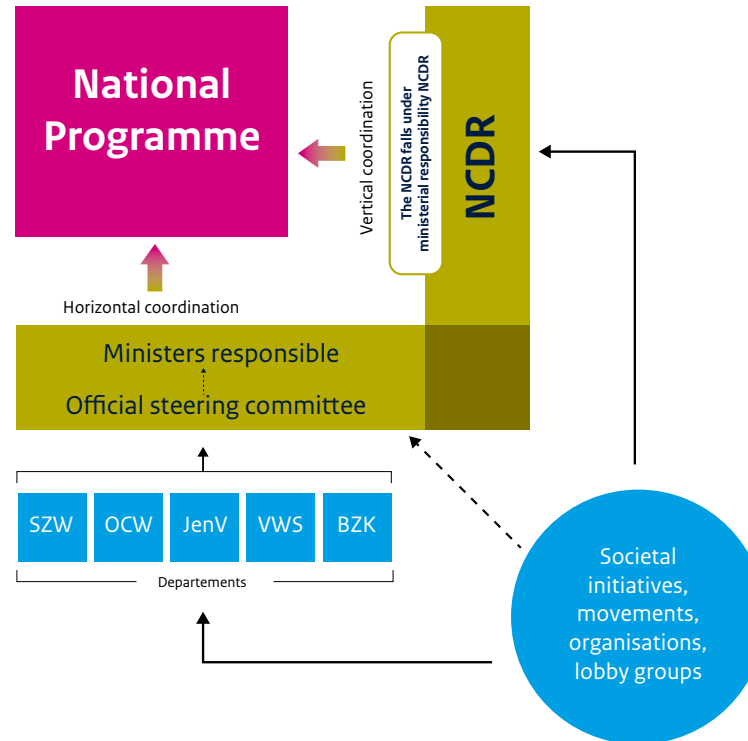
The NCDR falls under the responsibility of the Minister of the Interior and Kingdom Relations and also works with the ministries of Justice and Security (JenV), Social Affairs and Employment (SZW), Public Health, Welfare and Sport (VWS), Education, Culture and Science (OCW) and Finance. The ministers of these departments remain responsible for developing, setting and implementing policy.

The NCDR's mandate is:

1. Conduct consultations and maintain relationships with civil society initiatives, movements and interest groups, as well as with relevant governing bodies and companies
2. Prepare a National Programme consisting of a multi-year section and an annual action programme
3. Drive all stakeholders to achieve National Programme targets.

1. Introduction

The terms of reference include the flowchart below to illustrate the NCDR's mission.



Community sources: townhall sessions, the Social Inspiration Council and conferences

The NCDR also organised many town hall sessions (see Annex 1) in collaboration with civil society partners after the publication of the National Programme 2022. These sessions aimed to get society and experts to contribute ideas on possible reinforcements to complement existing anti-discrimination policies. This proved to be an excellent way to listen to unheard groups and to give organisations a chance to reflect on their diversity and inclusion policies. The NCDR was able to hear from lived experience where the pain of discrimination and racism is in society and where there are opportunities for reinforcements. The Social Inspiration Council (MIR), launched in 2023, firmly shapes civil society input into the work of NCDR.

The NCDR's two national congresses on education (November 2022) and labour market discrimination (May 2023) also proved valuable as input for reinforcements and as network meetings for people working on the issue of inclusion in the Netherlands. The first National Congress 'The Power of Difference' (September 2023) of the NCDR covered themes on discrimination and racism broadly and set the way here. Several prominent speakers from home and abroad gave their views on inclusion. Break-out sessions included discussions on solutions and current developments with more than 500 participants. It covered institutional racism, anti-black racism, discrimination in healthcare, sport, media and employment, discrimination against

LHBTIQ+ persons, Muslim discrimination and discrimination against people with disabilities. Another component was talks with the American AD King Foundation.

The sessions took place across the Netherlands, both online and physically. Numerous people and organisations - from educational institutions to lobby groups and from policymakers to (experiential) experts – joined in the talks. These reinforcements are outlined and explained in this National Programme.

The National Programme 2023

The reinforcements in this National Programme 2023 (NP 2023) are the outcomes of our discussions with society, ministries and politicians, as well as findings from studies and media reports. A co-creation session with the five ministries also contributed to this.

NP 2023 is the next phase of a growth model that started in 2022 with the first National Programme. The phase of pioneering now turns into establishing a lasting connection with society. Connecting, promoting and acting as a watchdog remain essential components of the NCDR's approach. The growth model also gives us room to improve. We therefore opt in this second NP for a future-proof format on which to build. Where 'people-centred' and 'intersectionality' are better reflected. Therefore, we will maintain the following format from now on: 'Prevent', 'Support and Assist' and 'Fight and Sanction'.

This focuses on people and the NCDR's main goal: an inclusive Dutch society where no one is excluded. We are working towards a society where discrimination and racism are things of the past. We are basing this on three pillars:

- **Preventing** discrimination and racism: this focuses on reinforcements that contribute to social standards and education. This includes measures that reinforce policies that contribute directly or indirectly to preventing discrimination as part of the government system.
- **Support and assist** people who have experienced discrimination and racism: this involves strengthening reporting and processing exclusion, discrimination and racism.
- **Combating and sanctioning** discrimination and racism: this involves proactively raising barriers to discriminatory and racist behaviour and institutional racism. Sanctioning is also needed to reduce discrimination and (institutional) racism.

1. Introduction

Tackling discrimination and racism requires a combination of these three pillars and better cooperation and connection between government, politics and society.

Discrimination must be fought on all fronts, so this programme focuses on the different grounds for discrimination and the domains in which discrimination takes place in society. The reinforcements in this National Programme are formulated SMART: specific measures that are measurable, acceptable, realistic and time-bound.





Robbert Dijkgraaf
Minister for Education, Culture and Science

‘Our society is not equal. We are now becoming increasingly aware of this. We now think it used to be unjust. But that is how people will judge 2023 in 50 years’ time. That is why we must fight for emancipation and inclusion. Overcoming barriers and ‘pushing back against the pushback’ are very important here.’

National Congress against Discrimination and Racism
Congress Centre De ReeHorst, Ede
28 September 2023



2. Prevent

2.1 Introduction *‘Diversity is a powerful remedy against discrimination. The more diversely we think and the more differences we allow, the less exclusion and the more creativity and talent utilisation.’³⁷*

(Dr Saniye Çelik)

37. Çelik, S. Diversiteit, de gewoonste zaak van de wereld? Lecture speech delivered on 19 June 2018, Leiden University of Applied Sciences, Leiden, Diversity Lectorate, Leiden University of Applied Sciences, Leiden 2018, p. 32.
38. Netherlands Institute for Human Rights, Vision document Institutional racism - towards a human rights approach. Utrecht: Netherlands Institute for Human Rights 2021.
39. See: U. Ikram, Social determinants of ethnic minority health in Europe, PhD thesis, Academic Medical Center, University of Amsterdam, the Netherlands 2016.
40. Ministry of the Interior and Kingdom Relations, Procurement with Impact, Strategy for sustainable, social and innovative procurement by the central government. The Hague: Ministry of Interior and Kingdom Relations 2019.

Discrimination adversely affects the people who experience it, their immediate setting and society as a whole. It makes people feel humiliated, unsafe and compromised. It increases the stigmatisation of various population groups. When negative prejudices and stereotypes about ethnic minorities play a role in the actions of (government) agencies, social and economic rights may also be compromised.³⁸ In addition, basic rights such as housing, work and equal pay may be compromised. Experiencing discrimination leads to stress and tension and can be associated with health problems, especially impaired mental health. This is reflected in several studies.³⁹ Discrimination is thus not only harmful to victims but can also negatively affect those around them. It is therefore important, first of all, to focus on discrimination prevention so that people do not encounter discrimination and racism at all.

Preventing discrimination and racism centres on operations that help strengthen the social and legal standard. That includes measures that strengthen policies and, as part of the government system, contribute

directly or indirectly to preventing discrimination. Stepping up diversity and inclusion policies is one example. Discrimination can also be prevented by making agreements, setting clear standards in laws and regulations and designing processes. Finally, we classify conducting research under ‘prevention’, as it contributes to knowledge and determining appropriate actions.

2.2 Reinforcements

2.2.1 Diversity and Inclusion

Diversity and inclusion are becoming more commonplace. One of the options the government has to broaden the non-discrimination standard is to impose conditions about diversity and inclusion on companies and organisations from which the government procures services and goods. This clarifies that companies and institutions should also apply the inclusion standard.

Diversity and inclusion in government purchases

The central government purchases over EUR 10 billion worth of goods and services from companies every year. That amount with other governments (municipalities, provinces, etc.) rises to around €73 billion.⁴⁰

Procurement is an effective tool to make a social impact that makes an important contribution to an inclusive Dutch society. The national government has an exemplary role in this; the national procurement

2. Prevent

strategy 'Purchasing with impact, Strategy for sustainable, social and innovative procurement by the national government' contributes to this. In addition, over 90 government organisations (including all ministries) and semi-government organisations have now signed the 'Socially Responsible Contracting and Procurement' (MVOI) manifesto.⁴¹ The manifesto focuses on encouraging ambitious, socially responsible procurement and contracting, where diversity and inclusion are integral.

Achieving social impact through procurement is not new for the central government. But there are still many opportunities in this area to impact diversity and inclusion more. Deploying purchasing power is not optional, and it should be a matter of course that the central government spends its money on, and does business with parties that endorse its (policy) goals, obviously within the legal frameworks of procurement and tendering. Conscious procurement is an explicit mandate for policymakers, clients and buyers in the central government to contribute to an inclusive Netherlands.

Reinforcement 1:

Diversity & Inclusion in government procurement

- In 2023/2024, the Ministry of the Interior and the Ministry of Economic Affairs will explore in which way the Gender Responsive Public Procurement (GRPP) provisions can serve as a starting point for (government) procurement policy (policy responsibility of the Interior) or in legislation (policy responsibility of the Ministry of Economic Affairs). This could include comparisons with other European countries. The Ministry of the Interior as coordinating ministry for national procurement will actively engage in discussions on this with the responsible policy departments and procurement implementing organisations, including the Ministry of Economic Affairs.
- The central government will evaluate the national procurement strategy 'Procurement with impact' in 2024. Based on the findings and recommendations, an update process will start in 2024. This will include the 'Socially Responsible Purchasing' D&I theme. The possibilities of establishing a policy framework for this topic are being explored at this stage. Parallel to this update process, opportunities to raise awareness of D&I within central government procurement are being examined. A first step towards this was taken at the Government Procurement Day of (9 October last), which was entirely dedicated to D&I. The day's output and learning points will of course be taken into account in this update process.

41. Manifesto 'Socially Responsible Contracting and Procurement', The Hague: Central government 2022.

As part of the update mentioned process mentioned above, coordinated by the Ministry of the Interior, a pilot will start in 2024 to ambitiously apply D&I in five promising (government) tenders.

Central government as an employer: the importance of diversity and inclusion

To function well, the state must be an organisation that knows what is happening in society and is always in touch with it. An organisation in which all employees are actively involved and feel free to voice their opinions. A series of incidents in recent years in central government showed that an inclusive (working) culture is not universally prevalent within the state. That underlines the urgency for more continuity and more commitment in the approach to greater diversity and inclusion within the state.⁴² A diverse workforce is about the visible and invisible differences between employees, and it is important that society can recognise itself in that workforce. The basis for this is a good mix of different team perspectives, backgrounds, orientations and knowledge. Furthermore, colleagues experience equal opportunities and can all contribute to the results with their individuality.

Diversity and inclusion is one of the focal points within the Strategic Human Resources Policy 2025.⁴³

‘The state as an inclusive organisation: commit to an inclusive government organisation with diverse teams and more diversity in higher salary scales in particular.’

Strengthening efforts: from ambition to impact

The central government is stepping up its efforts to promote diversity and inclusion and increase impact with a broad package of measures across the civil service. This package aims to organise the recruitment and selection process in a way that contributes to equal opportunities for entry and progression. In addition, the measures focus on setting a clear, government-wide social norm in favour of diversity and inclusion and against discrimination and racism in word and behaviour. Concrete measures have been taken. These focus on improving recruitment, selection, inflow, and outflow. And they promote a solid and concrete social norm for inclusive action. Diversity and inclusion also form part of learning, development and leadership programmes, and the *cross coaching* programme continues.

Specific targets for the Job Agreement have been set within the government-wide diversity and inclusion policy. The additional measures initiated in 2022 will continue to improve the sustainable inflow of people with labour disabilities who are on the target group register. In addition, the previously announced additional measures will be brought forward. These include central funding structures at ministries and a bundled supplier approach to Social Return, in the form of the ‘Network organisation’.⁴⁴

Besides (quantitative) diversity targets, the central government is also committed to an inclusive organisational culture. The situation will be examined in the coming years through a government-wide inclusion monitor that is still under development. An inclusive organisational

42. Letter 25 January 2023, *Parliamentary Papers II 2022/23*, 30 950, no 325.

43. Ministry of the Interior and Kingdom Relations, At the heart of public affairs. Strategic human resources policy Rijk 2025. The Hague: Ministry of Interior and Kingdom Relations 2018.

44. Letter 7 October 2022, *Parliamentary Papers II 2022/23*, 34 352 no 258.

2. Prevent

culture means all employees are actively involved and included in the group. That they can be themselves, feel free to express their opinions, and feel valued and respected. And they can develop in a safe learning environment with leaders who support them in this. In short, an organisational culture in which exclusion, discrimination, bullying and harassment are not tolerated. It is important to demonstrate this inclusive attitude from the very beginning of a relationship with a new employee.

Reinforcement 2:

Inclusive oath of office for civil servants

In 2024, options to make the oath of office for civil servants more religiously inclusive will be further elaborated and explored.

Approach in central government

Partly due to the benefits scandal, the government has become more aware of discriminatory effects in policy-making and implementation. In 2022, a government-wide strengthening of the approach to prevent and combat discrimination and racism within the central government was initiated under the banner 'A State for All'. Discrimination and racism within the central government is a serious problem that calls for a lot of extra effort. The exemplary role of the government is important, given the knock-on effect of prejudice, discrimination and racism from (state) officials towards citizens.

A key focus for the central government is to strengthen the approach to discrimination and racism from an intersectional approach. Awareness within the central government of the fact that gender, ethnicity and all other ordering mechanisms operate not separately, but simultaneously, is an important goal. To explore how civil servants can apply that perspective when dealing with discrimination and racism, the Expertise Centre for Diversity Policy (ECHO) conducted a pilot. Based on the outcomes, the ministries of OCW and SZW are examining how intersectional thinking and working can be even better embedded in policy.

Research shows that in 2021, some 9 per cent of central government employees experienced discrimination. And that 15 per cent of employees reported seeing discrimination in their work environment that year.⁴⁵ Moreover, institutional racism has been identified at the Tax Administration and the Ministry of Foreign Affairs (BZ). It is not implausible that this could be observed in other parts of the central government.

A new government-wide survey on perceived racism in the workplace will be conducted in 2023. As an extension, focus groups will be organised in 2024. These surveys aim to get a picture of (the extent of) perceived racism across the entire central government and how this has been, or is being, handled by the employees, managers and the organisation involved.

45. State Personnel Survey (PER) Integrity and Social Safety Report, February 2022.

'A State for All' efforts will be continued and strengthened with a coordinated interministerial approach. To this end, the Interministerial Network Against Racism (INAR) was established in 2023. Within this network, knowledge sharing, cooperation and coordination between ministries take place to promote tackling discrimination and racism in the workplace. In addition, the INAR advises the ministerial heads of member ministries on effectively tackling (institutional) racism in the workplace and the appropriate tools to do so. The INAR is critically supported and advised in its tasks by an INAR expert group. This consists of the NCDR, the State Commission against Discrimination and Racism, the Netherlands Institute for Human Rights and the Multicultural Network of Civil Servants.

In 2023 and 2024, 'A State for All', working closely with the INAR, focuses in particular on:

- The sharp, visible and active promotion of a clear standard against racism by the top and middle management of the central government
 - Providing a sustainable and (national) wide range of anti-racism-focused information and activities, such as a guide for managers, expert meetings and bystander training;
 - A less non-committal way of deploying provenly effective tools
- Government-wide monitoring of the problem of racism.

The NCDR will critically monitor and advise the INAR and call attention in advance to the capacity that will be needed in 'A State for All' to strengthen the approach to tackling discrimination and racism in the workplace of the central government.



SURAPATI

surapati

Surapati is a traditional form of puppetry from the Surabaja region of West Java, Indonesia. It is characterized by its unique puppets and elaborate costumes. The puppets are made of wood and are painted in bright colors. They are manipulated by a puppeteer who sits behind a screen. The puppets are brought to life by the puppeteer's movements and the sound of a traditional gamelan. Surapati is a popular form of entertainment in the region and is often performed during festivals and ceremonies.



Coherent diversity and inclusion policies combined with tackling racism and discrimination

The central government's Strategic Personnel Policy 2025 includes a coherent diversity and inclusion policy to increase the impact and recognition of the various efforts. In this policy, tackling racism and discrimination is linked to promoting a safe working environment and social safety. This includes developing inclusive leadership and having conversations within the organisations.

Case study in central government

ABD - Strong and diverse leadership

For some time, diversity and inclusion have been a focus for the Senior Civil Service (ABD). ABD is linked to the government-wide policy, but it also has started its own initiatives to establish and propagate D&I within top-level organisations. To make this concrete, measures have been taken following the NCDR's National Programme 2022 (see overview in chapter 5). For the coming year, the ABD is committed to the following measures:

- Exit interviews are conducted to gain more insight into the reasons for leaving the senior civil service
- There will be in-depth 'inclusive recruitment & selection' training courses for staff primarily involved in recruitment & selection
- All selection procedures to which a candidate with a migration background has been invited (appointed or not) are evaluated to draw lessons for future procedures

- More experiments with innovative forms of recruitment & selection will be carried out to attract more candidates from non-Western backgrounds to ABP positions. For example, by looking at whether *game-based assessment* can be used more widely and by participating in a pilot 'broad recruitment and objective selection'. Sessions will also be organised for both the internal ABD organisation and the ABD target group to share the outcomes of these experiments nationwide to inspire colleagues
- In cooperation with ministries, ways to encourage the internal flow of candidates from non-Western backgrounds into ABP positions are being explored.

Reinforcement 3:

Government-wide integrated D&I policy

A government-wide comprehensive D&I policy will focus on tackling discrimination and racism, setting standards, inclusive leadership and civil service professionalism. That includes government-wide communication and a dialogue process.

Case study in central government

A safe and inclusive living and working environment within correctional institutions

In the special context of the Custodial Institutions Agency (DJI), where detainees are at the mercy of the government's duty of care, countering discrimination and racism is essential for a safe and inclusive working and living environment. In 2023, DJI established a policy framework on discrimination and racism.⁴⁶ The intention is to embed this in the organisation over the next few years with overarching policies through the 'Social Safety Programme'. The programme is primarily aimed at executives within the DJI. A good example can only be set if clear decision-making and reflection processes follow signs of discrimination and racism. This can improve the climate in the institution. DJI is therefore committed to a support structure for managers. A structure that provides insight and support into forms of desirable and undesirable behaviour and offers enough appropriate action perspectives to work with. The programme is further committed to an ongoing moral learning process in which (training in) moral judgement is central.

Below are some action points arising from the line taken:

- Targeted steps for inclusive recruitment and selection and more diversity in higher wage scales
- Explicit focus on the code of conduct and combating discrimination and racism when new employees at DJI take the oath of office
- Make widely available tailor-made action perspectives and current examples for recognising and dealing with signals and incidents, also within the DJI training courses
- Facilitate reporting a potential integrity violation and a clear process description based on *good practices* for communicating about it and picking up and disposing of reports
- Strengthening periodic reports, employee and living environment surveys and monitors in social safety. After that, review the outcomes in context to better identify and recognise the patterns and support needs of the field
- Strengthening the independent Supervisory Committees with a social safety officer, who is also asked to record signs of discrimination and racism, communicate and take action where necessary.

46. Letter 29 March 2023, *Parliamentary Papers II 2022/23*, 30950/24587, no 336.

Inclusive employment conditions central government

An inclusive government also means looking closely at inclusive working conditions. For an inclusive workplace - which is safe, where everyone is welcome and can be themselves, and where everyone is rewarded fairly - inclusive working conditions for all employees - regardless of gender, age, cultural background, ability to work and sexual orientation, among others - are indispensable. The central government should lead the way.

Reinforcement 4:

Inclusive employment conditions

The central government pays attention to inclusive working conditions, such as transition leave and redeemable collective holidays. The issue of redeemable collective holidays will be included in the next collective bargaining round in 2024. This reinforcement is a starting point for growth towards a fully inclusive State Collective Bargaining Agreement.

Local policy

Combating and preventing discrimination is a task for every part of government, and municipalities also play a major role in this. Indeed, many forms of discrimination occur in people's home and immediate living environment. Currently, municipalities are only obligated to set up an ADV (antidiscrimination facility). A different set-up of the system of ADVs will undeniably have an impact on the role municipalities play in tackling discrimination because the set-up and

funding will then no longer go through municipalities. That said, municipalities still have their own responsibility to tackle discrimination. Research shows that only 35 per cent of municipalities have policies in place to combat discrimination.⁴⁷ This is therefore a reason to consider whether municipalities can be obliged to introduce anti-discrimination policies.

Reinforcement 5:

Study on the feasibility of a legal obligation for municipalities' local anti-discrimination policy

As part of the broader process to strengthen local approaches to discrimination - including through the restructuring of ADVs - the Ministry of the Interior examines the advantages and bottlenecks of a possible legal obligation for municipalities to combat discrimination. The broader process started with the delivery of Berenschot's report in spring 2023. The relationship between municipalities and ADVs is crucial. The aim is to gain clarity by the summer of 2024 on whether and how municipalities can be involved in tackling discrimination if the Municipal Anti-Discrimination Facilities Act is repealed. The outcomes of this sub-track will be discussed with relevant stakeholders, including the NCDR, to distil the implications.

47. K. Kros et al, Monitor local anti-discrimination policy 2022, Utrecht: KIS 2022.

2. Prevent

Media

NPO reports annually on diversity targets for the prioritised (sub) genres. In addition, NPO reports what audiences think about the reflection of women, people from bi-cultural backgrounds and with disabilities on the radio stations and in NPO's television offering.

The NCDR believes that further (performance) agreements should be made to ensure more concrete results and a more effective D&I policy, also regarding diversity at the top of public broadcasters. The NPO is urged to actively work to ensure more diversity and inclusion at top level where decisions are made through targeted recruitment and staffing policies.

Furthermore, the public broadcaster's statutory duty is to ensure that its programmes reflect the population and tell stories of beliefs, views, and interests held by the population, including those of the Caribbean part of the Netherlands.

The NCDR and the cabinet urge the NPO to take additional measures in the coming year that will realise the above ambitions.

Culture: Diversity & Inclusion Code

The NCDR and the cabinet call on the cultural sector to implement the Diversity & Inclusion Code further. Similarly, to promote diversity and inclusion in all parts of the organisation. It is also important to do this

at the top level, where decisions are made on greater diversity and inclusion through, for example, targeted recruitment and staffing policies or more diverse programming. This applies not only to boards of directors and executive boards, but also to supervisory boards.

People with disabilities: Accessible building

The rights of people with disabilities need ongoing attention. This group faces various forms of exclusion, such as lack of accessibility of public spaces and disadvantages in the labour market and education. As the coordinating ministry, the Ministry of Health, Welfare and Sport works with representative organisations, ministries, municipalities, companies and civil society organisations to implement the UN Convention on Disability. In 2023, the Minister for Long-Term Care and Sport, in response to the Werner et al. motion, developed the national UN Convention on Disability strategy. The national strategy sets out a government-wide task to work towards an accessible and inclusive society. This national strategy is expected to be sent to the House of Representatives by the end of 2023.

Wheelchair accessibility requirements are included in the Building Decree/Building Works Decree. These apply to new construction. In 2021, these requirements were further tightened and expanded as part of the Building Accessibility Action Plan and the implementation of the UN Convention on Disability.⁴⁸ For existing buildings, the

48. *Parliamentary Papers II 2017/18*, 33 990, no 63.

general principle is that conversions should not achieve a lower accessibility level than the original accessibility level ('the level obtained by right'). An "Accessible Construction" fact sheet explaining these requirements is being prepared on behalf of the Ministry of the Interior. This fact sheet will be published this autumn.

In addition, the Royal Netherlands Standardisation Institute (NEN) is developing a standard for easily accessible construction on behalf of the Ministry of the Interior and Kingdom Relations. This standard, which was announced in the 2022 National Programme against Discrimination and Racism, should provide clarity for everyone involved in the development and construction process as to when a building is appropriately accessible and what measures should be taken to achieve this. The NEN standard will be published in early 2024.

Reinforcement 6: Accessible building

The Ministry of the Interior is taking stock of the content of the NEN standard in all areas. This will clarify which parts are already regulated and which are not (yet). There will also be a focus on monitoring and enforcement of accessibility requirements. Evident matters from this inventory will be placed in building regulations after a two-year trial period; their application will then become mandatory.

The Ministry of the Interior supports communication and making the NEN standard available free of charge during the trial period. The Ministry of the Interior is taking stock of how the sector absorbs the voluntary standard and will assess the returns after two years.

2.2.2 Research

Recent years have seen research into the causes, nature and extent of discrimination and racism in the Netherlands.⁴⁹ Based on that knowledge, actions with concrete goals can be taken. This is reflected in the National Programme. Despite that, it appears that knowledge about discrimination and racism is still lacking in various sections of society. For instance, little is known about the nature, causes and extent of discrimination against people with Asian roots. Knowledge about the nature and extent of institutional discrimination and racism is also lacking, as are manifestations of discrimination in public places. Promoting the social norm that discrimination is unacceptable works in countering discrimination. But how should and can we promote this social norm? Research on the above phenomena contributes to achieving the government's goals.

49. For an overview, see: Parliamentary Committee of Inquiry Senate of the States General, 2022.

2. Prevent

Anti-Asian racism

Dutch people of Asian origin experience discrimination. Since the Covid-19 pandemic, discrimination based on ethnicity and descent of Dutch people from Asian backgrounds has surfaced more. In 2020, the corona pandemic led to a substantial increase in registrations of discrimination based on (East) Asian appearance, ethnicity or origin. The song ‘Voorkomen is beter dan Chinezen’ (‘Prevention is better than Chinese people’) generated a bulk notification (4,098) to ADVs, but the police, Meldpunt Internetdiscriminatie (formerly MiND) and the Netherlands Institute for Human Rights also received notifications and questions about it. There were also reports of people of East Asian appearance, for example, being spat at, ignored, ridiculed or subjected to violence.⁵⁰ Before the corona pandemic, there was already racism and discrimination against people of East and Southeast Asian origin.

KIS published ‘De stilte voorbij’ in 2021 - an exploratory study on the perceived discrimination of Dutch people from East Asian backgrounds. It shows that all participants face negative comments monthly or even weekly. This includes abusive language, name-calling in the street and harassment because of appearance and ethnicity. The corona pandemic has increased this perceived discrimination.⁵¹

50. Waltz and Fiere 2023.

51. R. Broekroelofs and J. Poerwoatmodjo, *The Silence Beyond. Exploration of discrimination experienced during the Covid-19 pandemic among Dutch people with an East Asian background.* Utrecht: KIS 2021.

52. Gijssberts, Huijnk, Vogels, 2011.

Little research has been done on perceived discrimination of (East/South-East) Asian Dutch, among others. Apart from the KIS survey, no (recent) research exists. In 2011, the Social and Cultural Planning Office (SCP) last researched this group, specifically Dutch people of Chinese origin. A quarter of Chinese Dutch people then said they occasionally experienced discrimination.⁵² These groups of Dutch citizens with a migration background are not explicitly included in, for example, reports by the SCP or other bodies. As a result, little is known about how Asian Dutch people fare in society, and there seem to be relatively few (visible) problems. As a result, no urgency is felt to develop specific anti-discrimination policies, for example.

The Ministry of SZW is implementing the motion of members Azarkan and Kathmann (2021), which requested a large-scale study on perceived discrimination of Dutch citizens of Asian origin.

Reinforcement 7:

Research & follow-up anti-Asian racism

In 2021, SZW commissioned the University of Amsterdam to conduct a large-scale study on the nature, extent, scope, and diversity of perceived discrimination against Dutch nationals of Asian origin. The results are expected by the end of 2023. Based on this, the need for specific measures will be reviewed in 2024. In the next periodic SCP survey on perceived discrimination in the Netherlands, the commitment is to include, specifically, the group of Dutch people of Asian origin.

Institutional

An equitable government needs to be self-reflective and periodically evaluate its actions or their effects. The government derives its legitimacy from the trust society has in it. For citizens, the premise of fair government is mainly related to equality and non-discrimination, according to research commissioned by the Ministry of the Interior and Kingdom Relations.⁵³ It is therefore good that the government is receptive to signals from society if there may be disadvantages to certain groups of people from legislation, policy or implementation and if it commissions research into this.

Reinforcement 8:

Research banks and payment institutions

The Ministry of Finance is commissioning a study on citizens' experiences of (structural) disadvantage on discriminatory grounds in, among other things, how banks and payment institutions detect money laundering, terrorist financing, fraud and sanction compliance to determine whether legislation, its implementation or supervision underlie possible discrimination.

In addition, DNB will start investigating whether banks are taking sufficient management measures to prevent discrimination as much as possible. Based partly on these studies, the ministry will identify the necessary follow-up steps.

Communicating social norm

An inclusive society is a society for and of everyone. This includes equality, equal opportunities, justice, being yourself and contributing to society. Commitment to preventing discrimination and racism is needed to achieve this. Social norms play an important role in this. Research shows that the social norms in their environment strongly determine how much people discriminate. People tend to conform to the social norm. If people think that others around them disapprove of racism or discrimination, they will discriminate less. Moreover, over time, internalisation of the social norm takes place so that it is 'owned' and not just followed by conformism.⁵⁴ Citizens, civil society organisations, schools, employers and governments - we all have a role to play in this.

53. P. Immerzeel and D. Bollen, Research on equitable government action among citizens. Utrecht: Market Response 2022.

54. See, for example: C.S. Crandall et al. 2002). Social norms and the expression and suppression of prejudice: the struggle for internalisation. *Journal of personality and social psychology*, 82(3), 359.

Reinforcement 9:**Research propagating a social norm**

SZW and BZK are conducting exploratory research in 2024 on how various parties can propagate a social norm in society for several years to prevent discrimination and racism. The exploration focuses on a possible approach, the involvement of parties and the required budget.

Reinforcement 10:**Discrimination in public spaces**

SZW commissions in-depth research on discrimination in public spaces. That research focuses on nature and scope, subdomains and specific contexts. But also on which parties can contribute to tackling discrimination in public spaces.

Reinforcement 11:**Rolling out pilot bystander interventions**

Regarding discrimination in one's own environment (neighbourhood and sports): Through this pilot, SZW wants to offer citizens of a number of municipalities action prospects to intervene when racism and discrimination occur in their own living environment, such as the neighbourhood or the sports club. Activating bystanders helps raise awareness about (unconscious) racist and discriminatory behaviour, stereotypes and prejudice among perpetrators. It also perpetuates and propagates the social norm that racism and discrimination are not accepted.⁵⁵

Reinforcement 12:**Local intermediaries Afro communities and municipalities**

As part of the UN Decade for People of African Descent, SZW will start a pilot in two municipalities in 2023 to appoint intermediaries for up to one and a half years. The aim is to establish a sustainable relationship between Afro-Dutch communities and municipalities. Components of the pilot: supporting municipalities to implement the UN Decade more locally, stimulating empowerment and organisational strength of Afro-Dutch communities, and contributing to an effective local approach to discrimination and racism, which connects to current needs and issues from Afro-Dutch communities.

55. KIS, Intervening in discrimination as a bystander: the usefulness, need and tips. Utrecht: KIS 2020.

2.2.3 Education and vocational training

Addressing non-discrimination and equal treatment in education and vocational training is a solid pillar in raising awareness and action perspectives among children, young people and future professionals.

Key objectives and quality framework for education

The government attaches importance to the shared past having a place in education. The history of slavery is therefore included as a topic in the current curriculum and in the canon. Schools base their history lessons on the curriculum and the canon. This shared past should be anchored even more firmly in education, partly in response to the apologies offered by the government, the Commemorative Year of the Slavery Past and the wish for this in the House of



The monument *Desenkadená (Denying)* in the *Parke Lucha pa Libertat (Park of the Freedom Struggle)* in Curaçao

Representatives. Stronger anchoring is also needed for migration history and education to combat racism, discrimination and anti-Semitism. A group of education professionals has been asked to advise on what that firmer anchoring should look like. This serves as input for the newly drafted core objectives on citizenship, history and the colonial past in primary and secondary education. These core objectives will be delivered in the summer of 2024.

Reinforcement 13:

Key objectives

With improved key objectives - with explicit proposals for the themes of racism, discrimination, colonial past and slavery past - updated teaching materials are being developed. Publishers are encouraged to include multiple perspectives. For example, by making available the stories of anti-colonial freedom fighters and resistance heroes (Simons motion). These core objectives will be delivered in the summer of 2024.

This goes hand in hand with another important strengthening of the quality framework around learning resources.

Reinforcement 14:

Quality framework

A quality framework is being developed together with educational publishers. This quality framework will help publishers make their teaching materials more effective and inclusive based on scientific principles. This framework will also help teachers make a more thoughtful choice for a type of learning tool. This quality framework will be available in the 2024/2025 school year.

Police education

The Police Academy's responsibilities include training cadets to become entry-level police officers. This gives the Police Academy an important responsibility to develop and strengthen, where not already present, the values of human dignity, non-discrimination and inclusion as part of the professional identity and professionalism in the training of aspiring police officers.

Since 2021, basic police training has changed dramatically. The qualification for basic police training states that a student must develop a professional identity. This includes teaching students to work with diverse professionalism, inclusion, safe teams, professional monitoring, discrimination and racism. The police attach great importance to this professional identity because it holds an important key to countering police discrimination and racism. In the curriculum of the new basic police training, this has been translated into an integral, continuous learning line of professional identity. Students carry out assignments and simulations using authentic professional situations to develop this identity. The lessons use a (digital) toolbox and appropriate teaching aids that align with current affairs and fit into the curriculum and examinations of basic police training.

The Justice and Security Inspectorate has a statutory duty to monitor the quality of police education and examination. It does this by providing insight into the quality of police education and its examinations, identifying risks and encouraging relevant organisations to improve. In doing so, the inspectorate helps ensure that trained police officers are able to perform their duties in police

practice properly. The letter on police education sent by the Minister of Justice and Security to the House of Representatives on 29 April 2022 indicated that the Justice and Security Inspectorate will come up with an initial assessment of the programme in early 2024. This study will start in the second half of 2023 and its approach was published on 11 July 2023.⁵⁶

Reinforcement 15: Basic police training

Based on the outcome of the Justice and Security Inspectorate's investigation into the quality of basic police training, the Minister of Justice and Security will determine in the first half of 2024 whether additional research is needed to get a picture of how professional identity is incorporated in the new basic police training, and whether improvements are needed here.

56. Justice and Security Inspectorate, PO21. Exploratory study on revamped Basic Police Education. The Hague: Justice and Security Inspectorate 2023.
57. Tailored healthcare alliance. Women's and men's health fact sheet. www.komteemensbijdedokter.nl. 2021.
58. T. van Loenen et al. Discrimination and health. On the impact of discrimination (in healthcare) on health inequalities and what we can do about it. Utrecht: Pharos 2022.

2. Prevent

Care

Everyone in the Netherlands has the right to access appropriate care and support. Despite that, this is sometimes different in practice. Consider the fact that heart disease goes unrecognised more often in women than in men⁵⁷. Or that symptoms on darker skin tones are less well or not recognisable due to the lack of diversity in diagnostics. As a result, the right care is not always provided. Improving inclusion in the healthcare domain is vital. Everyone should be able to rely on the right care. The publication 'Discrimination and health' by expertise centre health inequalities Pharos⁵⁸ outlines how healthcare discrimination can occur at different levels. Among healthcare providers and users, but also in the organisation, the healthcare system, research and society. Countering discrimination and racism is also a broad task in the healthcare domain. Inclusive practice must be applied, for example, in surveys for new medical equipment and using guidelines in the treatment room. Doctors and healthcare professionals want to provide the best care for their current and future patients and should be well-supported.

Reinforcement 16:

The themes of discrimination, racism, and inclusive and culture-specific care are included in the curriculum of training courses.

This is an appeal to educational institutions in collaboration with employers. Ensure subjects are people-centred and culturally sensitive with attention to diversity. Inclusive and culturally sensitive practices should be explicitly included in the learning objectives of each course.

Reinforcement 17:

Including inclusive care in the national Framework Plan for Physician Education

This is an appeal to the UMCs. The Framework Plan for Physician Education is drawn up under the direction of the Dutch Federation of University Medical Centres (NFU). Principles around the themes of diversity, inclusion, discrimination and racism must be embedded in the curriculum of training courses for future healthcare professionals and doctors. After all, this affects medical specialist training.

2.2.4 Laws and regulations

Laws and regulations set the standard for non-discrimination. The expansion of Article 1 of the Constitution to include the grounds of ‘disability’ and ‘sexual orientation’ confirms the social norm that equal treatment is the standard and discrimination is prohibited based on immutable personal characteristics. However, sometimes existing laws and regulations hinder the realisation of equal treatment and non-discrimination. For instance, the term ‘race’ in Article 1 of the Constitution and in the General Equal Treatment Act is considered by many to be improper. ‘Race’ is a social construct that has no relation to reality. There is only one human race. The term ‘race’ can be seen as a reference to the scientifically unproven existence of different human races. NCDR therefore supports research by the government into removing the term ‘race’ from the legislation and replacing it with a more relevant concept.

Strengthening Awgb and Wgbh/cz

The General Equal Treatment Act (Awgb) and the Equal Treatment based on Disability or Chronic Illness Act (Wgbh/cz) focus primarily on citizen-to-citizen relations. The laws apply in particular to employment relationships and the provision of goods and services, e.g. by shops, hospitals, educational institutions or insurers. Labour relations between civil servants and the government also fall within the scope of both laws. But all typical government acts in which the government unilaterally makes a decision that has legal consequences for citizens (‘unilateral government action’) do not fall under the protection of those laws. There is an important exception

to this: Section 7a of the Awgb prohibits discrimination based on ‘race’ in social protection, including social security and social benefits. This provision extends the Awgb’s protection for the ground ‘race’ to a large part of unilateral government action. This includes government decisions on benefits, social insurance, study financing, allowances and, in some cases, subsidies.

The NCDR, the Netherlands Institute for Human Rights and the State Commission against Discrimination and Racism have advised the government to extend the scope of the Awgb and the Wgbh/cz to all unilateral government action - i.e. not only when it comes to social protection and social benefits - and to apply that extension to all grounds. The three bodies also indicate that this extension of these laws’ scope still raises some legal issues. Consider the demarcation of the concept of ‘unilateral government action’, the assessment framework for interest considerations made by the government, and the relationship between various (complaint) procedures relating to government action. Another issue is where legal protection against potentially discriminatory government action is currently lacking despite existing procedural options. And how extending the jurisdiction of the Netherlands Institute for Human Rights could fill that gap.

Other discussions on the scope of the Awgb are ongoing, especially on the grounds for discrimination. The discussion includes rewording the ground ‘race’ and expanding the discrimination grounds to include education level or social origin/status. It is necessary to consider and advance the various discussions in their context.

2. Prevent

Maintaining a decisive government but also avoiding policies intended to help disadvantaged groups should be regarded as discrimination.

Reinforcement 18:

Investigation into unilateral government action in Awgb

The Ministry of the Interior and Kingdom Relations will therefore launch a study on the Awgb and the Wgbh/cz in autumn 2023. It will address these and any other issues about the scope and systemic nature of the law. In response to the NCDR's proposal from the National Programme 2022, to recalibrate the term 'race' in the Constitution, we will first consider whether there is cause to recalibrate the term 'race' in the Awgb. The intention is to have the study ready by autumn 2024.

Roma & Sinti: Framework convention on national minorities and statelessness

For the NCDR, interviews with Roma and Sinti communities, as well as reports from the Council of Europe Advisory Committee and the European Commission, show that these communities are socially disadvantaged and experience disadvantage and discrimination.⁵⁹ There is hardly any improvement in the labour market and education. And despite the adoption of a new policy framework in 2018, the number of traveller sites has barely increased.⁶⁰ People from these communities face prejudice, discrimination and racism daily. The feeling that the government is not there for them fuels distrust of agencies and reinforces distancing from society. People who are affected do not feel recognised. To give shape to such recognition, extending the scope of the Framework Convention for the Protection of National Minorities to include Roma and Sinti and related communities would be a step in the right direction. The decision for that expansion is ultimately up to parliament, and the Ministry of the Interior will take stock of how it would affect policy and legislation.

59. See: Advisory Committee for the Framework Convention for the Protection of National Minorities, Fourth opinion on the Netherlands. Strasbourg: Council of Europe 2023; European Commission, Assessment Report on Member States' National Roma Strategic Frameworks, COM (2023) 7 final, 9 January 2023 and Roma Civil Monitor 2022.

60. R. van Leer and A. Rottier, Residential caravan sites in the Netherlands. Repeat measurement 2023. Arnhem: Companen 2023.

Reinforcement 19:**Taking stock of the extension of the Framework Convention for the Protection of National Minorities**

The government is taking stock of the implications of extending the scope of the Framework Convention for the Protection of National Minorities (Treaty Series 1995, 197) with Roma and Sinti. This inventory will be completed after the summer of 2024.

Reinforcement 20:**Statelessness**

In addition, many people from Roma communities in particular do not have an established nationality. This causes problems with participation in society. NCDR therefore welcomes the introduction of a procedure to determine statelessness. These are people who are stateless but do not have documents proving it. Among them

are people from Roma backgrounds whose children were also born stateless in the Netherlands. Stateless people who cannot prove with documents that they are stateless can now ask the court to determine their statelessness. Stateless children born in the Netherlands can now opt for Dutch nationality after five years of actual residence, even if they do not reside lawfully in the Netherlands. However, many of these people can be registered in, for example, the Key Registration of Persons, where they are listed with the entry 'nationality unknown'. If statelessness is established, they can be registered as stateless. This has advantages, such as obtaining Dutch citizenship earlier and obtaining a foreigner's passport. The NCDR wants Roma and other affected groups to be facilitated as much as possible in the applicable procedure - with information, support and remission of applicable fees.





Sahar Noor

Researcher, writer, public speaker and journalist

‘What are you doing to combat racism and discrimination? Over dinner, on the football pitch and within your family? If we want change, acts of resistance are needed. The fight for justice is a collective struggle, even for those not discriminated against. The worst thing is to smile it off, look the other way and do nothing.’

National Congress against Discrimination and Racism

Congress Centre De ReeHorst, Ede

28 September 2023



3. Support and Assist

3.1 Introduction *‘It is not our differences that divide us. It is our inability to recognise, accept and celebrate those differences.’*

(Audre Lorde)

Victims and people who have faced discrimination must be heard and assisted. This leads to greater awareness of injustice. It increases the willingness to report, reduces underreporting and ultimately gives more visibility to reality.

It is therefore very important that people can report their experiences and that the report is followed up properly: listening and offering support, advising on possible next steps and acting with or on behalf of the reporter. Also for those who have or may have discriminated against someone.

3.2 Reinforcements

Victims of discrimination and racism, and any other people involved, have various ways of dealing with it. They employ various coping strategies. These range from ignoring it to downplaying it, running away, seeking support from bystanders and resisting.⁶¹ In dealing with discrimination and racism, individuals themselves need to be

able to report incidents and be guided in dealing with forms of overt and institutional discrimination. For policymakers and administrators, it is important to understand the nature and extent through the reports. The ADV, police, National Ombudsman, local ombudsman institutions, and the Netherlands Institute for Human Rights are essential in this regard. They offer support, provide information, handle complaints and can act against many forms of discrimination and racism.⁶²

Police complaint handling

A well-functioning complaints procedure is essential in a fair and transparent organisational system within the government. This is particularly true for enforcement agencies such as the police, where ensuring trust and accountability between the police and the community is essential. The police, where the state monopoly of violence is vested, should therefore ensure the proper and adequate handling of complaints about conduct of employees under the responsibility of the police. A truly effective complaints procedure thus allows citizens to raise potentially unjust behaviour and expose alleged wrongdoing. It is also a powerful tool for the police to strengthen integrity and promote society's trust in police enforcement of the law. And in particular Article 1 of the Constitution.

61. J. Omlo, Resist, avoid or change? Responding to discrimination and stigma. Rotterdam: Art.1 2020, p. 73 et seq.

62. M. Akkermans et al. Safety Monitor 2021. The Hague/Heerlen: CBS 2021.

Reinforcement 21: Complaint handling ethnic profiling

In response to advice from the National Ombudsman's report 'Discoloured images', pilots were launched at three police units. Based in part on the results of the pilot and the follow-up investigation by the Justice and Security Inspectorate in late 2023, the qualitative improvement of complaint handling and making the handling of complaints about ethnic profiling in the police more independent will be formed in 2024. This includes the advice that the employee under accusation must make a plausible case that there has been no ethnic profiling.

Aftercare for victims of discrimination and racism

In 2021, 11 per cent of Dutch residents aged 15 or above said that, in the 12 months prior to CBS's survey, they had felt discriminated against. That means over 1.6 million people have felt discriminated against.⁶³ The more people experience discrimination in multiple areas, the less they feel connected to society, and the more they withdraw socially.⁶⁴

Discrimination and racism literally make people sick. Perceived discrimination and racism increase the risk of physical and mental health conditions, such as cardiovascular disease, high blood

pressure, obesity, a less functioning immune system, depression, anxiety, chronic stress and poor sleep. When confronted with discrimination daily, even epigenetic changes (changes in DNA) can be triggered. This accelerates ageing processes and causes premature age-related diseases.⁶⁵ Finally, perceived discrimination also has negative economic and social consequences.⁶⁶

Dutch people also face discrimination online. Overall, 3 per cent said they had experienced discrimination in which they were victims of online threats or flaming. For example, people with disabilities experience more online discrimination than people without disabilities, LHBTIQ+ people are more likely to be discriminatorily abused via the internet or social media. This happens to young adults more often than older people.⁶⁷

The online environment should not be a sanctuary for discrimination and hate speech. Tackling online discrimination requires commitment from many parties in our society. From the central government side, this calls for an interministerial approach. The BZK, JenV, SZW, OCW and LZS ministers informed the House of Representatives about this approach on 22 February 2023. The parliamentary letter lists six policies on which policies will be intensified. These are currently being developed into concrete actions.

63. M. Akkermans et al. Safety Monitor 2021. The Hague/Heerlen: CBS 2021.

64. I. Andriessen et al. Perceived discrimination in the Netherlands II. The Hague: Social and Cultural Planning Office 2020, p. 52 et seq.

65. Van Loenen et al. 2022.

66. Broekroelofs and Poerwoatmodjo, 2022.

67. Andriessen et al. 2020, p. 88.

It is important to properly accommodate victims of (online) discrimination, racism and hate speech and provide adequate aftercare.

Reinforcement 22:

Assistance and/or aftercare for victims of discrimination and racism

- In 2024, it will be considered whether and to what extent it is possible in the new ADV system, whether or not in cooperation with other (civil society) organisations, to actively provide aftercare for people with discrimination or racism experiences that match their background and needs
- Online Discrimination. The exact support needs of victims of online discrimination will be explored in 2023/2024. On this basis, it will be considered whether additional actions are desirable to meet the support needs of victims of online discrimination.

Restructuring ADVs

From autumn 2023, the Ministry of the Interior will start a multi-year process to work towards firmly positioned, competent and widely deployable ADVs.⁶⁸ Among other things, this process should lead to the replacement of the Municipal Anti-Discrimination Facilities Act (Wga). In the amended law, ADVs are separate from municipal authorities, at the central and regional level and have an expanded remit that includes prevention activities.

Reinforcement 23:

Restructuring ADVs with the expansion of prevention tasks and monitoring for sufficient resources to expand tasks

The restructuring of ADVs involves a long-term process. But there is already a need to expand ADVs with a prevention task.

Therefore, the Ministry of the Interior will start preparing for that expansion as early as autumn 2023. A sum of €2.5 million has been set aside for this purpose, which will be earmarked for this task.

The Ministry of the Interior is monitoring whether ADVs will have a sufficient budget after the start of the expansion with prevention tasks to carry out their new prevention task with the extra 2.5 million euros. In future, funding for the ADVs will no longer be channelled through the municipalities, but will go directly to the ADVs. The Ministry of the Interior expects that the different funding method will also mean an increase in resources for the ADVs since not all the funds earmarked for this purpose currently reach the ADVs. It is important to test this expectation after introducing the new structure.

68. *Parliamentary Papers II, 2023/24, 30 950, no 354.*

3. Support and Assist

Caribbean Netherlands

For many people in the Caribbean Netherlands, Papiamentu (on Bonaire) and English (on Saba and St. Eustatius) are the native or main language. Dutch is a foreign language. This implies that government communication in Dutch is a barrier for many people. Government bodies in the Caribbean Netherlands therefore have a trilingual policy. Notices appear in Papiamentu and English in addition to Dutch. These languages may be used in education, in contact with public authorities, and in the administration of justice. Also, a governance agreement has enshrined the protection and promotion of Papiamentu for current and future generations of users on Bonaire.⁶⁹ Yet the government's effective use of these languages to citizens appears to leave much to be desired.

Reinforcement 24:

Effective communication government bodies Caribbean Netherlands

The NCDR believes it is important to tailor government communication to different population groups better. There is insufficient recognition of what it means to understand information not expressed in a native language. The extent to which the is understood will vary greatly. How language is used does not sufficiently align with the inclusive and equal desire to communicate from the government. The NCDR believes it is important that every notice is tested on the preconditions of comprehensibility and accessibility. The Rijksdienst Caribisch Nederland will test compliance in 2024.

69. Akuerdo inter-gubernamental pa idioma papiamentu na Boneiru (*Administrative Agreement for Papiamentu in Bonaire*), 11 March 2021.



King Willem-Alexander

‘There is still discrimination and racist exclusion in society. (...) When differences of opinion harden into unbridgeable contrasts, it inevitably erodes trust in our democratic institutions, and thus the social fabric that holds us together as a society.’

Speech from the Throne 2023

Koninklijke Schouwburg, The Hague

19 September 2023



4. Combating and sanctioning

4.1 Introduction *‘Change is made of choices, and choices are made of character.’*

(Amanda Gorman)

The capstone of countering discrimination and racism is combating overt and covert forms of it. Discrimination is not normal and should be strongly condemned. Not just with a frown or a comment, but with enforcement and sanctioning where necessary. The legislation in force offers several options for this, starting with the Constitution. The non-discrimination standard of Article 1 of the Constitution applies as a touchstone for the government. It is further developed in equal treatment legislation and criminal law. Compliance and enforcement of these laws could do with a push. After all, sanctioning discriminatory behaviour clearly sets the legal standard and sets an example. The reinforcements in this chapter are about enforcing existing standards and improving legal options to combat discrimination and racism.

4.2 Reinforcements

Police

The police play a crucial role in maintaining law and order. At the same time, this gives it an important role in ensuring equal treatment and protection of all citizens in society within the rules of criminal law. Citizens should be able to trust the police to work professionally and inclusively, both inside and outside the organisation. Tackling discrimination and racism within the police organisation is a big task for individual staff and the organisation. This sometimes goes well and sometimes not so well as we have unfortunately seen in incidents in the past year. The incidents receiving media attention reflect concerns about the performance of the police. But they also paint an increasingly transparent picture of how the force management is addressing errors in professionalism. The ‘plan to tackle exclusion, discrimination and racism’ now provides clear direction for the police. This plan focuses on standard setting, enforcement of the standard and sanctioning. The path of recognition and greater focus on combating discrimination, racism and exclusion, and redress is thus becoming clearer. This is of great importance, as society desperately needs the police to work together to promote a just and inclusive society.

Ethnic profiling and the police

While there are many efforts to tackle discrimination and racism within the police and improve professionalism, challenges that need attention remain. For instance, the prevention of ethnic profiling by the police, where citizens are selected for a police check based on their appearance or origin, deserves a strengthened approach. That is because ethnic profiling can lead to distrust, division and frustration within society and undermine trust, authority and legitimacy of organisations with public duties, such as the police.

Reinforcement 25:

Ethnic profiling

Ethnic profiling is not permitted. By 2024, the police will strengthen the already existing approach to ethnic profiling with the following measures:

- The police draw lessons from ruling on ethnic profiling in the Royal Netherlands Marechaussee. They adapt the professional policing framework and actively promote the adapted framework in 2024 within the police organisation
- The police will anchor the successful pilot with VR-goggles (which allow checks to be simulated and actively reflected on by employees and their superiors) and is expanding the number of VR-goggles within the police organisation;
- All (operational) managers of the basic teams in regional units (team chief, operational expert) take part in a training course with the VR-goggles once before the end of 2025.

Discrimination investigators police

In the context of the (criminal) approach to discrimination and racism in society, the Expertise Centre Approaching Discrimination Police (ECAD-P) now plays an important role. The centre of expertise started as a pilot in 2021 and has been developing ever since. There is close cooperation in the criminal law chain with the LECD-OM, the National Expertise Centre against Discrimination at the Public Prosecution Service. The ECAD-P also cooperates with network partners outside criminal law, such as the ADVs. The expertise centre has a national information and knowledge function for the police and its partners. It also fulfils the sizeable information need for discrimination reports, among others. The centre of expertise does this from its own organisation, politics, and society.

Reinforcement 26:

Discrimination investigators

By 2024, the police will strengthen their role in tackling discrimination and racism through further development of the Expertise Centre against Discrimination (ECAD-P) pilot project. This involves discrimination investigators, also in liaison with the units. The ECAD-P-pilot and discrimination investigators will be evaluated in 2024. Following and depending on the evaluation results, it will be decided whether and what possible structural embedding of the expertise centre and discrimination investigators will look like.

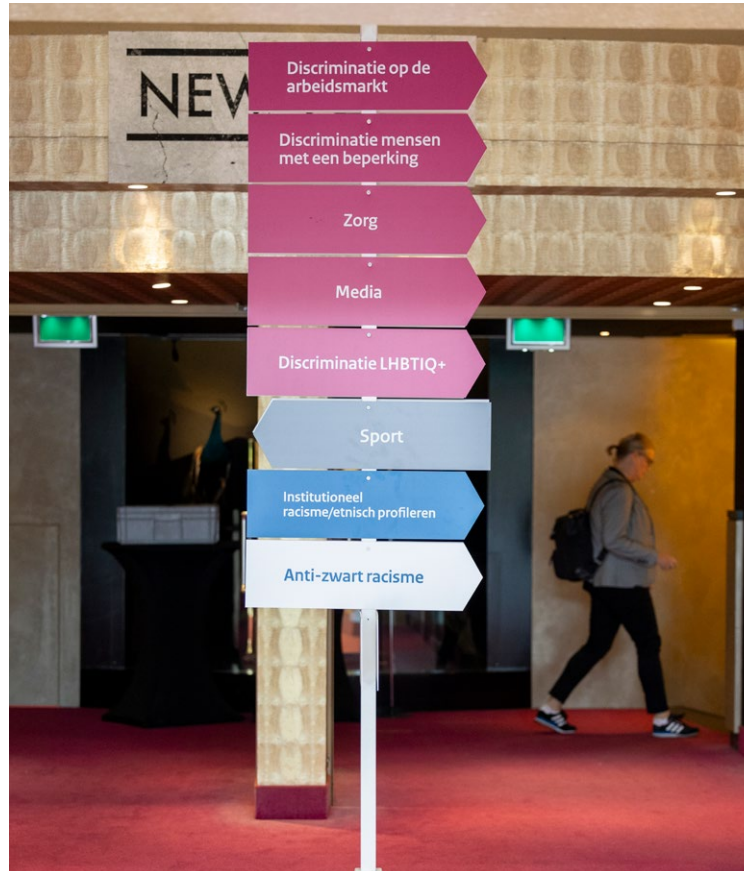
Adjustment of Section 8 of the Special Measures for Metropolitan Issues Act (Rotterdam Act)

In the National Programme against Discrimination and Racism 2022, the minister for housing and spatial planning expressed the intention to amend the Special Measures for Metropolitan Issues Act (Wbmgp) based on the national RIGO evaluation of this act.

In this National Programme 2023 context, this concerns amending Article 8 of the Wbmgp. This article allows municipalities to refuse housing permits for a certain vulnerable neighbourhood to house those seeking homes without income from work. The measure does not apply to some groups, e.g. pensioners and young people in education registered with DUO. Should a permit not be granted, the municipality can also use the hardship clause in this section of the law in exceptional cases.

With this measure, the government aims to achieve a more balanced population composition in socio-economically vulnerable neighbourhoods. The measure also aims to counteract severe income segregation. This contributes to mixed neighbourhoods with better prospects for residents and equal opportunities for children. Erasmus University research shows that growing up in a vulnerable neighbourhood gives people significantly fewer opportunities for the rest of their lives. It is important to note here that the European Court of Human Rights has ruled that this measure does not violate the

ECHR and that the “restriction on freedom of establishment is justified”. The State Council further states that “the measure is not discriminatory”.



Reinforcement 27:

Adjustment of Section 8 of the Special Measures for Metropolitan Issues Act (Rotterdam Act)

To qualify for a rental property in a designated neighbourhood, there is a distinction between house seekers (without income from work) who have lived in the region for six years or more and house seekers who have lived there for less than six years. This is in the current eligibility criteria of Article 8. Only the latter group is affected by the measure. This may also affect new entrants. In addition, as part of the law review, the municipalities concerned consider that Article 8 needs adjustment for more effective implementation. The Interior and Kingdom Relations minister is considering the above issues when amending Article 8 and has recently announced an amendment proposal. This change entails the following:

- The current six-year criterion will be dropped to apply equal access criteria to a designated neighbourhood. Not only for newcomers but also for house seekers who have lived in the region for a longer time
- The restriction for welfare recipients already living in a designated neighbourhood will be removed. Housing seekers without income from work will then no longer face a barrier to moving in that neighbourhood
- Furthermore, the exempted groups and the hardship clause in Article 8 remain in place.

Muslim discrimination

Muslim discrimination is a big problem in the Netherlands. The figures on discrimination and perceived discrimination against Muslims are worrying. ‘Chronic discrimination’ is the term the Social and Cultural Planning Office (SCP) gave to discrimination against Muslims in the Netherlands, among others, in a 2020 report.⁷⁰

- More than 55 per cent of Muslims in this country experience discrimination. If we include those who are still unsure whether they have been discriminated against because of their Islamic faith, we arrive at a figure of 69 per cent
- The most recent figures from ADVs also show that the vast majority of reports of religious discrimination involve Muslims. In 2022, that was 230 reports out of 299⁷¹
- In the police, 3 per cent of recorded discrimination is on the grounds of religion. Of those registrations, 93 per cent (161 incidents) involved discrimination against Muslims

The prosecution’s inflow figures for 2021 show that all (18) registered specific discriminatory offences and all (16) registered communal offences with a discrimination aspect based on religion/belief concerned Muslims. The 2022 figures show that 9 of the 11 specific religious/belief discrimination offences recorded concerned Muslims. In addition, all (13) recorded criminal offences with a discrimination aspect involved Muslims in the religion/belief category in 2022.

In the National Programme 2022, the NCDR expressed its desire for an independent national survey on Muslim discrimination. The NCDR is pleased to note that the Ministry of SZW has now launched a broad independent investigation into Muslim discrimination in the Netherlands.⁷² The ministry is doing this in response to Van Baarle’s amendment at the end of 2022. This in-depth study should indicate where and how the most impact can be made in tackling Muslim discrimination, where knowledge gaps remain, the specific situations in which Muslim discrimination occurs, and what additional measures are needed.

The State Commission on Discrimination and Racism has been mandated to look broadly at discrimination and racism. Not only their nature but also their scope and causes. Therefore, the State Committee also examines the effects of policies and regulations and their implementation by the (semi)government.⁷³ Recent examples show that certain government actions have discriminated against Dutch citizens because of their Muslim background.⁷⁴ This is done not only by agencies such as the Tax Administration but also possibly by financial institutions. The Ministry of Finance and De Nederlandsche Bank are now commissioning investigations into possible discrimination.

70. Andriessen et al. 2020, p. 52.
 71. Waltz and Fiere 2023, p. 18 and p. 258. Discrimination based on Jewish faith is not recorded under the religion/belief category.
 72. *Parliamentary Papers II*, 2022/23, 36 200 XV, no. 7.
 73. State Committee against Discrimination and Racism, Outline work programme. The Hague: State Committee against Discrimination and Racism 2023.
 74. Letter dated 30 May 2022 *Parliamentary Papers II* 2021/22 31 066, no 1030.

4. Combating and sanctioning

In recent decades, the mainly negative political and public discourse on Islam and Muslims has undeniably contributed to how we in the Netherlands, including its institutions, view this group of Dutch citizens.⁷⁵ According to the UN Special Rapporteur on freedom of religion or belief, since 9/11 there has been an “institutional suspicion and fear of Muslims, and this has grown to epidemic proportions”.⁷⁶

The trust of a large proportion of Dutch Muslims with a migration background in their own government is low.⁷⁷ There is a feeling that they should not and cannot belong because of their religious background. They experience double standards and are not seen by the government as Dutch citizens, but as security or integration issues. This feeling is especially strong among young Dutch Muslims born and raised here.⁷⁸

This is a problem, especially if there is a breach of trust. Article 1 of the Constitution should guide government action. Trust from citizens is essential for a democratic rule of law and institutions. The government should ensure this and at least acknowledge and rectify mistakes made. The NCDR has called for a National Dialogue on the position of Islam and Muslims in the Netherlands on the International Day against Islamophobia (instituted by the UN this year). This should

be linked to the restoration of trust between the government and Muslims. The first steps in this process have been taken. For instance, the Ministry of SZW organised several meetings to this end last year. These meetings aim to bring about the conditions for cooperation, reciprocity and a common agenda.

Reinforcement 28:

Dialogue meetings

The NCDR is organising dialogue meetings between government representatives and the Muslim community by the end of 2023. This should contribute to the process of restoring trust and connection.

Anti-Semitism

Anti-Semitism is proving to be a persistent problem in our society. Among Jewish Dutch people, 71 per cent sometimes avoid publicly disclosing their Jewish identity. They do this for safety reasons.⁷⁹ In recent years, partly as a result of the coronavirus period, many anti-Semitic conspiracy theories resurfaced. Flagrant examples of anti-Semitism are, unfortunately, still seen in many areas. Not only in public spaces but also, for example, in football stadiums, in education, in the media and online.

75. See, inter alia, E. Butter et al, Fourth Report Monitor Muslim Discrimination, 2021, p. 39ff and M. Berger, How Dutch security policy has become entangled with Islam, *Journal of Religion, Law and Policy*, 2023 (14) 1.
76. United Nations Human Rights Council, *Countering Islamophobia/anti-Muslim hatred to eliminate discrimination and intolerance based on religion or belief*, 13 April 2021, A/HRC/46/30.
77. J. Dagevos et al. Established, but not at home. The Hague: Social and Cultural Planning Office 2022, p.32.
78. NCDR town hall session Muslim discrimination 29 March 2023. See also: ‘Young Muslim is tired of discrimination’, *Trouw*, 6 April 2023 and A. Saidi, ‘The new generation of Dutch Muslims refuses to be a scapegoat any longer’, *De Correspondent* 6 January 2023.
79. European Agency for Fundamental Rights, *Experiences and perceptions of anti-Semitism/Second survey on discrimination and hate crime against Jews in the EU*. Vienna: European Agency for Fundamental Rights 2019.

In October 2022, the National Anti-Semitism Coordinator (NCAB) delivered its National Anti-Semitism Work Plan 2022-2025.⁸⁰ The NCAB acts as an advisor, promoter and connector regarding anti-Semitism. The work plan features three pillars to combat anti-Semitism: 1) monitoring and follow-up 2) education and prevention 3) remembrance and celebration.

The importance of awareness and education is partly reflected in the work plan. Education can be an important form of discrimination prevention. Educational programmes in schools, public campaigns and training for professionals, such as teachers and police officers, remain necessary in tackling anti-Semitism. Interfaith and intercultural initiatives are also relevant for increasing knowledge between communities and reducing prejudice. Besides awareness, a strong emphasis on law enforcement is essential. The Netherlands has laws prohibiting discrimination and hate crimes, including anti-Semitic expressions. The authorities should enforce these laws. That means taking reports, investigating and prosecuting if offences are involved. Combating online discrimination is an increasing challenge in this regard, requiring a targeted approach from the government and media companies, social media platforms and other organisations.

Despite efforts in combating anti-Semitism in the Netherlands, there is still work to be done. It requires a concerted effort by the government, civil society organisations and citizens to continue combating anti-Semitism.

Reinforcement 29: **Pilot interfaith dialogue**

The Ministry of SZW will start a one-year pilot at the end of 2023. In workshops, around 100 young people (from different religious and cultural backgrounds) engage in interfaith dialogue. The sessions aim to contribute to mutual understanding, more positive perceptions and break negative stereotypes among young people from different backgrounds. At least young people from Christian, Jewish and Muslim backgrounds will participate in the dialogue workshops.

80. National Anti-Semitism Coordinator (NCAB), Anti-Semitism Work Plan 2022-2025.



International Congress Against
Prostitution and Trafficking
in Persons
ACIP 2024

National
Dutch
The Netherlands



Mark Rutte
Prime Minister

‘For a long time, I thought it was not really possible to take responsibility in a meaningful way for something so long ago when none of us were there. So for a long time I thought the slavery past was history that is now behind us. But I was wrong. (...) Today, on behalf of the Dutch government, I apologise for the actions of the Dutch state in the past: posthumously to all enslaved people worldwide who suffered from those actions to their daughters and sons, and to all their descendants up to the here and now.’

Speech on the slavery past
National Archives
19 December 2022



5. Review and progress of the 2022 National Programme

5.1 Introduction *‘Injustice anywhere is a threat to justice everywhere.’*

(Martin Luther King)

Equal treatment is the basis, starting point and precondition for a just society. The first article of the Dutch Constitution is dedicated to the right to equal treatment and the principle of non-discrimination. The appointment of the NCDR after the Black Lives Matter protests and after the benefits scandal, is therefore necessary. The appointment was not an end point for strengthening the approach to tackling discrimination and racism in the Netherlands, but a starting point. A starting point for the government to take responsibility and take steps towards an effective and widely shared approach to tackling discrimination and racism. The ministries have worked on this jointly with the NCDR and under its coordination. That resulted in the first National Programme against Discrimination and Racism. The Interior and Kingdom Relations minister presented this National Programme to the House of Representatives in September 2022.⁸¹

The National Programme 2022 was based on a people-centred vision. The focus is on the person rather than the system. Much of the input goes back to the many conversations and meetings the NCDR had with people from wide sections of society. The first National Programme was presented as a ‘growth model’ on which to build. After all, tackling discrimination and racism takes staying power and perseverance. That also emerged from the roundtable discussion on the National Programme against Discrimination and Racism held by

the House of Representatives on 14 December 2022.⁸² This roundtable discussion also revealed that the NCDR’s efforts were seen as valuable in tackling discrimination and racism in the Netherlands.

Discussions with society also show that the NCDR has now secured its place. The NCDR places discrimination and racism on the agenda and combats it. Reinforcements from the National Programme 2022 have been positively received, including making name changes for descendants of enslaved persons free of charge, the call for the King’s presence at Ketikoti, strengthening ADVs with a preventive task and a broad national survey on Muslim discrimination.

81. 81 National Programme against Discrimination and Racism 2022

82. House of Representatives, Roundtable on National Programme against Discrimination and Racism, 14 December 2022.

5. Review and progress of the 2022 National Programme

5.2 Traffic light overview of reinforcements from the National Programme 2022

In its role as a 'watchdog', the NCDR continues to monitor the reinforcements included in the National Programme 2022. In many areas, the ministries have made good progress with implementing the reinforcements. However, some of them are unfortunately not keeping pace. The traffic light overview shows that 15 out of 61 reinforcements are green (= 24.6 per cent). These have (almost) been realised. 38 out of 61 reinforcements are amber (= 62.3 per cent). This is an overwhelming majority that has been initiated but not yet completed. 7 out of 61 are red (= 11.5 per cent). That means these reinforcements have not started or are not progressing as they should. Of the 61 reinforcements, 1 (1.6 per cent) was left blank because how the reinforcement was shaped changed substantially.

- G** The traffic light green stands for:
(almost) realised or irreversibly set in motion
- A** The amber colour means:
in progress, not yet completed
- R** The red colour stands for:
not started (yet), not running as it should.






Theme		Reinforcement, as mentions in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
1.	Racism	Activities regarding the International Day against Racism and Discrimination (21 March).	Ministry of the Interior/ NCDR	22	On 21 March several activities were organised by the NCDR (National Coordinator against Discrimination and Racism) in cooperation with anti-discrimination facilities and The Hague University of Applied Sciences (THUAS). The day ended with a theme meeting for young people in Jaarbeurs Utrecht.	G	
2.	Racism	Review of the term 'race' in the Constitution	Ministry of the Interior	22	That will be included in the study launched by the Ministry of the Interior this autumn into the possible expansion or modification of grounds and/or areas subject to the Equal Treatment Act currently under discussion. That study will at least include a review of the ground of race, possibly adding the grounds of education and social origin, and on the advice of the NCDR, the Netherlands Institute for Human Rights and the State Commission Against Discrimination and Racism, to extend the scope of the Equal Treatment Act to all unilateral government action. The Ministry of the Interior will also discuss that advice and the other research questions with the organisations concerned. The aim is to complete the study by autumn 2024.	A	
3.	Racism	Facilitate a free change of name for descendants of enslaved persons.	Ministry of Justice and Security	24	A temporary scheme allowing descendants of enslaved people to change their names free of charge is currently being shaped in anticipation of a structural scheme. This will in principle have an operating period of five years. The scheme will be reviewed after three years or as soon as deemed necessary. This review will consider whether there are any unintended obstacles in the scheme, the extent of the financial impact and depletion of available resources, and, if possible, investigate the possible unauthorised use of the scheme. The scheme has three guiding principles. The scheme: a) makes minimal demands on applicants, i.e., no heavy burden of proof and no expert testimony regarding psychological distress experienced; b) differentiates as little as possible between applicants' procedures. In principle, people with a migration background from former colonies where names have been registered very minimally should not bear a heavier burden of proof than people with a migration background from former colonies for which the registration of names is more complete.; (c) is responsibly feasible for Dienst Justis by conducting an implementation test in advance. The draft decision was presented for consultation on 6 October 2023. Citizens and organisations can respond until 17 November 2023. The draft decision is then prepared to be sent to the Council of State for its opinion, a fixed step in the process. The government aims to put the scheme into effect on 1 July 2024.	A	
4.	Racism	(Advise of the NCDR:) Make Ketikoti July 1 a national day of celebration and remembrance from 2023 and celebration in the presence of the head of state.	Ministry of the Interior	24	This is a complicated question that needs to be carefully thought through. The slavery past programme includes the establishment of a Remembrance Committee to shape the commemoration of the slavery past beyond the 2023 - 2024 year of remembrance. This committee's remit could include whether July 1 should become a national day of commemoration and remembrance. The government's aim is for the committee for it to be up and running by the summer of 2024. The committee's remit will be developed in a participatory process in which descendants and other stakeholders are actively involved at all stages of the process.	A	

5. Review and progress of the 2022 National Programme

Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light): R A G	Explanation of the NCDR assessment
5.	Racism	Increase knowledge and awareness of the slavery past in public spaces with information on statues, monuments and street names.	Ministry of the Interior	24	This is part of the process initiated with the apology for the slavery past. A sum of 200 million has been released for a grant scheme and policy measures; 100 million is available for each component. The government uses a number of guiding principles to substantiate the 100 million for policy proposals. Policy proposals should contribute substantially to at least one of the three objectives: knowledge and awareness, acknowledgement and commemoration' and 'impact and psychological processing. At the same time, there should be a geographical balance in the use of resources. Descendants and other stakeholders will also be given an active role in further developing the chosen measures. The plan is to hold a meeting phase from August to October, after which all the output will be written up from November to December 2023. This should lead to a supported and balanced package of policy proposals on 1 January 2024.	R	This particular issue regarding statues, monuments and street names has not yet been taken up within the process initiated with the apology for the slavery past.
6.	Institutional	The government does not or minimises the use of risk profiles with certain specific characteristics of people.	Ministry of the Interior	26	Using ethnicity, skin colour or religion in risk profiles is only allowed in highly exceptional circumstances. This applies both to risk profiles used by enforcement bodies such as the police or Royal Marachaussee and to risk profiles used for automated or non-automated decisions on which recipients of social benefits should be checked for possible fraud. The approach to this action is twofold. Firstly - to implement what is known as motion 21 - existing cases of unlawful use of nationality in risk profiles and other data processing are actively sought. Such use is stopped when unlawful use is established and data subjects are informed. Second, to prevent new cases, the Netherlands Institute for Human Rights (referred to below as "the Institute"), at the request of the Ministry of the Interior, has developed guidance on the use of origin and ethnicity in risk profiles. Under that review framework, this is allowed only exceptionally and only if it is not the sole or overriding criterion. When this is and is not the case has been fleshed out by the Hague Court of Appeal's ruling on risk profiling in border controls by the Royal Marachaussee. Following that ruling, the Institute is further adjusting its assessment framework. The Institute's assessment framework will be brought to the attention of national and municipal implementing agencies with an enforcement task through training (whether or not online) and information on behalf of the Ministry of the Interior.	A	
7.	Institutional	Public and private organisations using datasets and algorithms should repeatedly test them for discriminatory impact and inclusiveness.	Ministry of the Interior	26	The State Secretary for the Ministry of the Interior is preparing an implementation framework 'deployment of government algorithms' (IKA), which will provide an insight into key legislation on discrimination. This IKA also proposes management measures for compliance, such as conducting assessments and evaluations to identify potential bias and discrimination or tools to counter bias. That will also refer to the guide on non-discrimination by design. The first version of the IKA was sent to the House of Representatives on 7 July 2023. Bureau RADIO will use the non-discrimination guide to develop an e-learning module to be distributed to public and private parties.	A	

Theme		Reinforcement, as mentions in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
8.	Institutional	There will be an algorithm regulator as soon as possible	Ministry of the Interior	26	An algorithm regulator was established on 17 January 2023.	G	
9.	Structure	All municipalities will be made aware of guides on local anti-discrimination policy.	Ministry of the Interior	27	All municipalities received a letter from the Ministry of the Interior at the end of November 2022 urging them to develop discrimination policies if they have not already done so. Research by KIS from late 2023 shows that 37% of municipalities have policies to combat discrimination. But it also follows from that survey that 33% of municipalities are in the process of developing such policies. To encourage these municipalities, as well as those that are not yet doing so, to make policies to counter discrimination and promote inclusion of all persons in their municipalities (i.e. people with disabilities, the elderly, lhbtq+ persons), the Minister of the Interior referred in that letter to the municipalities to a number of guides intended to help municipalities in that process. Those guides have been brought together on the website www.discriminatie.nl , which also contains information on anti-discrimination facilities. Municipalities were also urged in that letter to make specific use of the knowledge and experience of those anti-discrimination facilities in shaping their policies. In addition, the Platform Municipalities and Human Rights of the Ministry of the Interior, the Netherlands Institute for Human Rights, and the Association of Dutch Municipalities held a big meeting for municipalities on 30 March 2023 to develop discrimination policies. Movisie, commissioned by the Ministry of the Interior, is also conducting a series of online workshops for municipalities on the same theme. Not only are officials being trained, but training is also being developed for municipal councillors who want to put the issue of discrimination on the agenda and are unsure how to do so. Finally, a knowledge centre will be set up on the website www.discriminatie.nl where municipalities can go for practical information on developing anti-discrimination policies.	G	
10.	Structure	Survey state of local anti-discrimination policies by municipalities by KIS.	Ministry of the Interior/ (Ministry of Social Affairs and Employment)	27	KIS surveyed the number of municipalities that have discrimination policies in place. This survey is a repeat of a previous one from 2017. In 2017, 35% of municipalities had policies against discrimination and for inclusion; by 2022, 37% had such policies. However, 33% of municipalities did indicate in 2022 that they were in the process of developing anti-discrimination policies. This is substantially more than in 2017. To assist those municipalities, the Minister of the Interior launched the process described above (action no. 9).	G	
11.	Structure	Ministry of the Interior study into municipalities without easily findable information on local anti-discrimination facilities	Ministry of the Interior	27	This ongoing study will be included in the path to stronger anti-discrimination facilities.	A	

5. Review and progress of the 2022 National Programme

Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light): R A G	Explanation of the NCDR assessment
12.	Structure	Strengthening anti-discrimination facilities by adding a preventive task.	Ministry of the Interior	28	The strengthening of the anti-discrimination facilities is a process in which, with the involvement of the entire field, we are working towards a specific aim in the form of independent, strongly positioned, knowledgeable and broadly operating anti-discrimination facilities that citizens can turn to with reports and their stories, who are a partner for the police, PPS, municipalities and organisations in their region. Several choices and questions need to be discussed and resolved to get there. But what is clear is that anti-discrimination facilities should be given a prevention task. This will be arranged as soon as possible in anticipation of further strengthening. For this additional task, the Ministry of the Interior has earmarked a structural increase in the current ADV budget of 2.5 million per year. That budget will not be added to the municipal fund like the regular budget for anti-discrimination facilities but allocated to municipalities in other ways with earmarking.		
13.	Muslim discrimination	Government continues to ensure connection and dialogue with Muslim community.	Ministry of Social Affairs and Employment	33	On 18 September 2023, the Minister of Social Affairs and Employment (Ministry of Social Affairs and Employment) presented the report on the reflection sessions with Muslim communities to the House of Representatives. It also informed the House about the process Ministry of Social Affairs and Employment has initiated to restore trust between Muslim communities and the government. Subsequently, Ministry of Social Affairs and Employment also discussed this with the House in the committee debate on 27 September. Ministry of Social Affairs and Employment is now following up the parliamentary letter, including research on Muslim discrimination and setting up a structural dialogue with Muslim communities.		
14.	Education (underadvising)	Combating underadvising everywhere in education. Will be taken up as a point of focus by teacher training colleges.	Ministry of Education, Culture and Science	38	Underadvising: Work has started on revising the generic knowledge base of the primary school teacher training sector (PABO), incorporating the topic of underadvising. The curriculum council will also address this topic after the summer of 2023. With the compulsory adjustment, which will apply from the 2023/2024 school year, we hope to start a downward trend in underadvising. There are also several measures by which we counteract (structural) underadvising. We raise awareness of this issue through the school counselling handbook and in information meetings on reconsidering and adjusting school recommendations. The inspectorate continues to monitor advancement including underadvising. We are currently looking into how to research structural underadvising in an intersectional approach. That way, the role of various student characteristics, such as migration background and socioeconomic status, can be examined, and how such factors together influence school counselling.		







Theme	Reinforcement, as mentions in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
15. Education (internship discrimination)	Educational institutions should take more control in finding student internships and should do matchmaking.	Ministry of Education, Culture and Science	39	<p>In higher education, it was decided not to make internship matching compulsory because internships are not present in all higher education programmes, especially in university education. In higher professional education, some programmes do pair students with regular clients, but students are mostly free to choose a placement that suits them.</p> <p>Following the signing of the manifesto and the Association of Universities of Applied Science's Position Paper where it has been one of the spearheads, internship discrimination is a hot topic within higher education institutions. It is also discussed within the national Diversity and Inclusion (D&I) consultation, in which best practices are shared and educational institutions learn from each other.</p> <p>From the work programme implemented by Echo, educational institutions/programmes are given support in helping students find internships more effectively. Despite that, it is important to bear in mind that within a lot of courses, internship (preparation) is given a lot of attention and teachers and students know how to contact each other in cases of not finding an internship or if there is discrimination prior to or during the internship.</p> <p>In short, the focus on internship discrimination is very sharp, but it remains an interplay between education, the field and students. See also our 2021 research findings in which this is confirmed by all actors (De Jong and Hermes, 2021).</p>	A	
16. Central government (Procurement)	The central government is rolling out the assurance of diversity and inclusion in socially responsible procurement policy government-wide.	Ministry of the Interior	43	The Ministry of the Interior will evaluate the central government's procurement strategy, Procurement with Impact, in 2023. The review looks at whether the Ministry of the Interior should develop policies for including Diversity & Inclusion in government procurement.	A	
17. Central government (Procurement)	In European tenders, diversity and inclusion are included in basic documents of the central government.	Ministry of the Interior	43	In European tenders, diversity and inclusion are included in the basic documents where legally possible.	A	
18. Central government (Procurement)	For procurement below €150,000, we are looking into how to include diversity and inclusion in the schedule of requirements package.	Ministry of the Interior	43	This investigation is ongoing.	A	

5. Review and progress of the 2022 National Programme

Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
19.	Central government (D&I)	A comprehensive approach is being organised to improve the inflow, throughput and retention of diverse or ethnic talent.	Ministry of the Interior	44	<p>The proportion of employees with a non-Western migration background increased slightly in 2022, while the proportion of employees with a Western migration background remained the same compared to 2021. By 2023, the focus within the central government's diversity and inclusion policy is on promoting cultural diversity, especially at the top, and promoting an inclusive working environment. To this end, additional measures to combat racism and discrimination and measures in recruitment and selection, among others, are being taken. Much attention is also paid to monitoring and research; for example, developing a government-wide inclusion monitor was started to gain a clear image of the level of inclusion among current employees within organisational units and better understand which interventions work.</p> <p>Work has also been done on the Jobs Agreement (Banenafpraak). Since the NP2022, additional efforts and measures have been taken, including establishing central funding of jobs within departments and creating a Social Return Network Organisation. Furthermore, in addition to the ongoing activities, interministerial work is underway on a government-wide plan of action, intending to deploy additional people from the target group Banenafpraak substantially and sustainably.</p>	A	
20.	Central government (D&I-Senior Civil Service)	Advice NCDR: experiment with introducing the Rooney rule for positions in higher scales. The ABD (Senior Civil Service) is intensifying efforts to increase the number of candidates and inflow of diverse talent into the higher scales.	Ministry of the Interior	44	<p>The ABD is taking various measures to increase the number of candidates and the influx of diverse talent into the higher scales. The selection committees will be as diverse as possible, at least always including at least one woman.</p> <p>Employees of the ABD's Management Development Consultancy are required to undergo diverse recruitment and selection training. The ABD's policy director is holding talks with other ministries on the inflow of diverse talent into the ABD. Candidates with a non-Western migration background who apply will be invited by the Search team for an (exploratory) interview. The ABD actively searches to find people from outside the central government and candidates from non-Western backgrounds. That means actively searching for potential candidates in ABD vacancies and alerting people to the vacancy. An external recruitment agency will be engaged if it is expected to add value. Or vacancies will be published in national media. There is also an "open application button" on the ABD website where people can apply to meet one of the consultants. The ABD additionally operated three months of game-based assessment for bias-free selection. This led to selection of a few different candidates than usual and a different view on the (relative) value of a CV.</p>	A	

Theme		Reinforcement, as mentions in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
21.	Structure	There will be a study on the organisation, remit and financing of anti-discrimination facilities.	Ministry of the Interior	58	<p>People who feel discriminated against can report discrimination to the anti-discrimination facilities and go to them for advice and assistance. This is an important element in tackling discrimination. Currently, not all anti-discrimination facilities meet the requirements for this. Also, the legal tasks of the anti-discrimination facilities do not (or no longer) align well with what reporters of discrimination expect from an anti-discrimination facility. Above all, many reporters want their incident to lead to some form of prevention for others to learn from it. However, prevention activities do not fall under the anti-discrimination facilities' statutory duties. Finally, the funding of anti-discrimination facilities through the Municipal Fund leads to large differences between municipalities regarding the level of contribution to their anti-discrimination facilities. Commissioned by the Ministry of the Interior, research firm Berenschot mapped out the scenarios for strengthening anti-discrimination facilities in these areas. The survey was sent to your House on 31 March 2023. The government wants to work towards enabling all anti-discrimination facilities to play a robust pivotal role in the local and regional approach to discrimination. Citizens must be able to find anti-discrimination facilities and go to them for advice, assistance and a listening ear. All anti-discrimination facilities should participate in regional discrimination consultations with police and the PPS. Anti-discrimination facilities must also be given a prevention task, i.e. they can provide municipalities, employers and institutions (e.g. sports associations and the catering industry) with advice, information or training. To fulfil this role, the Municipal Anti-Discrimination Facilities Act (Wga) system will be abandoned, and the government wants to work towards a new system, including better-secured financing of the anti-discrimination facilities. How that new system can best be shaped is something the Ministry of the Interior will further develop in the coming period, together with anti-discrimination facilities, municipalities, chain partners and interest groups. Working towards the specific target in the form of a new system will be a multi-year plan. In the meantime, it is important to strengthen anti-discrimination facilities as much as possible without hindering that process. That is why the government plans to expand the current tasks of anti-discrimination facilities as soon as possible with a prevention task, for which additional funding of 2.5 million will also be made available. These funds must benefit the prevention task of the anti-discrimination facilities. How this can best be arranged is currently under review. The government will also facilitate the national association of anti-discrimination facilities, Discrimination.nl, to publicise, through a campaign, the decision of the association's members to continue under one name from 1 January 2024. Although not all anti-discrimination facilities are members of the association, anti-discrimination facilities that the association represents do cover some 17 of the 18 million inhabitants of the Netherlands. In anticipation of the broad public campaign that will follow the system change, this campaign will increase the recognition and raise the profile of the anti-discrimination facilities, which will be sorely needed in the coming years, even during the system change.</p>	R A G G	

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Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light: )	Explanation of the NCDR assessment
22.	Structure	The Ministry of the Interior will work with the sector association of anti-discrimination facilities to explore options for strengthening the association.	Ministry of the Interior	59	The industry association has received a grant from the Ministry of the Interior to strengthen the internal governance of its member anti-discrimination facilities, knowledge and skills. This grant and the corresponding track will run until the end of 2023. A new grant has been awarded for the period autumn 2023 to spring 2024, for further strengthening the association and the underlying infrastructure behind the anti-discrimination facilities.		
23.	Structure	Together with the anti-discrimination facilities and other reporting bodies, Ministry of the Interior will organise a national day on willingness to report (late 2022/early 2023).	Ministry of the Interior	59	This topic was included in the working conferences organised by the Ministry of the Interior in November 2023 to gather input for restructuring the anti-discrimination facility system. The willingness to report and the alignment of the various reporting processes were also on the agenda. The discussion outcomes will be taken into account in the follow-up process.		The activities listed have not addressed the underlying goal of increasing willingness to report. Currently, the focus is still on the reporting processes.
24.	Structure	Talks will be started with the anti-discrimination facilities to introduce a single national name in 2023 to improve awareness and visibility.	Ministry of the Interior	60	The sector association's member anti-discrimination facilities have agreed that from 1 January 2024 they will use one name when carrying out their statutory duties. The Ministry of the Interior has awarded the industry association a grant to raise awareness of the name change among municipalities and citizens.		
25.	Structure	A major general campaign is being initiated to increase citizens' willingness to report.	Ministry of the Interior	60	The campaign has been postponed until after the restructuring of the system of anti-discrimination facilities. However, a campaign will be held in early 2024 to publicise the name change of anti-discrimination facilities.		
26.	Structure	Registration of Muslim discrimination and discrimination against transgender people based on their gender identity should be taken up by various discrimination reporting bodies that do not yet do so, such as the police and the Netherlands Institute for Human Rights.	Ministry of the Interior/ (Ministry of Justice and Security/ Ministry of Social Affairs and Employment)	62	The Ministry of the Interior has set up a working group that will work on improving registration in general and some specific wishes regarding registration and reporting of discrimination. The working group started an investigation into the differences in the registration methods used by the police and anti-discrimination facilities. The police (Pilot Expertise Centre for Tackling Discrimination) add specific information to current reports and reports in the basic police system when discrimination is involved from the perspective of criminal law. For example, an indication is then added when there is Muslim discrimination. The purpose of this is to further improve that registration.		



Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
27.	Muslim discrimination	Due to the considerable under-reporting of discrimination among Muslims, the planned public campaign will focus explicitly on discrimination among Muslims.	Ministry of the Interior/ (Ministry of Social Affairs and Employment)	62	This will be included in the broad public campaign in due course.	A	
28.	Muslim discrimination	An independent national enquiry into Muslim discrimination in the Netherlands should be completed within two years.	Ministry of Social Affairs and Employment	62	In the NP 2022, the NCDR expressed the need for an integrated, comprehensive study on the extent to which Muslim discrimination occurs, in which situations and domains (such as the housing market, healthcare, public space, and financial services). An amendment to this effect, tabled by DENK (Van Baarle), was adopted during the Ministry of Social Affairs and Employment budget discussion, requesting that this research mentioned in the NP be carried out and that €250,000 be earmarked for it. The National Survey on Muslim Discrimination was prepared by the Ministry of Social Affairs and Employment in 2023 in coordination with the Ministries of the Interior, Ministry of Education, Culture and Science, Ministry of Justice and Security, Ministry of Welfare, Health and Sport and Finance, and the NCDR. Muslims who experience discrimination will be closely involved in the study. A tender process is currently underway. The study is expected to start in December 2023. The first results are expected in late 2024/early 2025. Ahead of this, the Ministry of Social Affairs and Employment has commissioned an in-depth study on labour market discrimination against Muslim women. The results of this are expected by the end of 2023. The National Survey on Muslim Discrimination takes an in-depth look at experienced discrimination in different social (sub) domains, by mapping the nature of the discriminatory acts and specific contexts and situations of experienced discrimination to ultimately determine whether and what additional measures are needed.	G	
29.	Muslim discrimination	The Face-Covering Clothing Act will be reviewed in 2023.	Ministry of the Interior	62	The review of the Face-Covering Clothing (Partial Ban) Act will start in late 2023. The results of the review are expected in the spring of 2024.	A	
30.	Muslim discrimination	An exploratory study will be conducted on using the Public Administration (Probity Screening) Act (Wet Bibob) during the establishment of religious institutions.	Ministry of Justice and Security	62	In the first quarter of 2023, attention was drawn to the NCDR report via the newsletter of the National Bibob Office (with a reach of about 900 employees working in the Bibob domain at administrative bodies). Attention was also drawn to the signals received by the NCDR on the use of the Wet Bibob in the establishment of religious institutions. The newsletter also launched a wide-ranging anonymous survey asking, among other things, about how municipalities use the Wet Bibob to establish religious institutions and whether municipalities recognise the signals. The response rate to this survey was low. To follow up on these first steps, consideration is now being given to whether an (exploratory) study, via a concrete research question can be used to seek alignment with the already planned WODC (Research and Documentation Centre) study that will evaluate the most recent amendments to the Wet Bibob (from 2020 and 2022). Preparations for this study are being made this autumn. The aim is for the study to start in 2024.	A	

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Theme	Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
31.	Education The internship discrimination hotline in secondary vocational education SBB should pay more attention to and offer more support to the 'victim' of discrimination.	Ministry of Education, Culture and Science	63	<p>For the MBO sector, agreements were made in February in the MBO Internship Pact with a broad coalition of parties, including education, business and teachers, to improve student internships and combat internship discrimination. The internship pact agreed that every school should provide an accessible place in school for students to report internship discrimination, follow up on the report, and provide aftercare and support for the student. That will organise reporting closer to the student. With the student's consent, the school may report the complaint to SBB. SBB then investigates and acts accordingly by withdrawing recognition of learning companies.</p> <p>In addition, the school informs the student where they can report outside the school if the student wishes (e.g. at an ADV).</p>		This reinforcement has not been assigned a colour because a different approach has been adopted over the course of the past year. The internship pact agreed that every school should provide an accessible place in school for students to report internship discrimination. The NCDR is closely monitoring the new approach and its outcome.

Theme	Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
32.	Labour market	Employers are challenged to report on diversity and inclusion efforts in annual and board reports.	Ministry of Social Affairs and Employment/ (Ministry of the Interior)	<p>63</p> <p>CSRD A reporting requirement on anti-discrimination has been included in the negotiations on the Sustainability Reporting Review Directive (CSRD).The directive published on 16 December 2022 includes a requirement for large and listed companies to report on their policies on equal opportunities for all, including gender equality and equal pay for equal work, inclusion of people with disabilities and diversity.The Netherlands will implement this directive in Dutch law. The deadline for this is 6 July 2024.</p> <p>Corporate Governance Code The Ministry of Economic Affairs revised the Corporate Governance Code at the end of 2022. This update focused, among other things, on diversity and inclusion.- The Corporate Governance Code 2022 contains the following provisions on diversity and inclusion:</p> <ul style="list-style-type: none"> • Management board, supervisory board and executive committee (if any) are composed in such a way that there is a degree of diversity appropriate for the company (principle 2.1). o The company has a D&I policy. This policy will in all cases set concrete, appropriate and ambitious targets to achieve a good balance in gender diversity and other aspects of D&I relevant to the company as regards the composition of the management board, supervisory board, executive committee (if any) and a category of employees in managerial positions to be determined by the management board (principle 2.1.5). • The corporate governance statement explains the D&I policy and its implementation (principle 2.1.6). • The plan for the succession of executive and supervisory directors is aimed at balancing the required expertise, experience and diversity on the management and supervisory boards (principle 2.2.4). <p>Furthermore, the importance of diversity in the composition of company bodies is mentioned in several places in the explanatory statement, and reference is made to the SER's guidance on promoting diversity and inclusion. The corporate governance code focuses on encouraging good governance in listed Dutch companies. The Code is an instrument for self-regulation by market operators. Statutory enshrinement obliges listed companies to comply with the Code.</p>	<p>A</p>	
33.	Local enforcement	Enforcement and sanctioning options for municipalities to tackle "incitement to discrimination" will be explored.	Ministry of the Interior/ (Ministry of Justice and Security)	<p>66</p> <p>That is part of an interministerial project examining how to shape this jointly. This process will take further shape from autumn 2023 onwards.</p>	<p>R</p>	<p>This reinforcement has not yet yielded results.</p>

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Theme	Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:)	Explanation of the NCDR assessment
34.	Care (NCDR opinion) The NCDR believes further qualitative research should be conducted on the scope of discrimination in healthcare.	Ministry of Welfare, Health and Sport	66	<p>The Ministry of Ministry of Welfare, Health and Sport commissioned an exploratory study by Movisie and the Verwey Jonker Institute on discrimination within Ministry of Welfare, Health and Sport policy areas. The focus is on which forms of (institutional) discrimination are already known (from previous surveys, citizen letters, case files) and which forms are not yet known (blind spots). The result is an exploratory report with an overview of knowledge gaps/bottlenecks in the Ministry of Welfare, Health and Sport policy areas.</p> <p>This exploratory research shows that there is not yet a well-founded understanding of the extent to which discrimination occurs in health, welfare and (amateur) sport. Available studies are mainly qualitative; little is known about prevalence. Furthermore, the publications found deal mainly with discrimination between people and much less with institutional discrimination. That is why the Ministry of Welfare, Health and Sport-wide Approach to Discrimination and Equal Opportunities is commissioning a broad prevalence study on discrimination in the various sectors in the Ministry of Welfare, Health and Sport area.</p> <p>This prevalence study focuses on the nature, extent, causes and impact of discrimination and unequal opportunities in health, welfare and sport on grounds of at least ethnicity, religion and belief, disability, gender, sexual orientation and age, and where evident also on other grounds.</p> <p>Given the size of this study, a European tender process will be launched. The desired term is nine months, in the period from around 15 January 2024 to 15 October 2024. The final version of the study report should be completed by the first quarter of 2025.</p>	 	

Theme		Reinforcement, as mentions in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:)	Explanation of the NCDR assessment
35.	Care	The NCDR recommends that when combating discrimination in healthcare, the NCDR looks at appointing discrimination awareness officers within healthcare institutions and working in a more person-centred and culture-sensitive way.	Ministry of Welfare, Health and Sport	66	<p>Employers are responsible for providing a healthy and safe working environment for their employees; here there is no place for discrimination. Therefore, the decision to appoint officers for this purpose is a matter for employers within the health and welfare sector. The Ministry of Health, Welfare and Sport is conducting an exploratory study to provide employers with tools to prevent, deal with and counter discrimination against healthcare staff.</p> <p>The House of Representatives was briefed on person-centred and culture-sensitive working in December 2022 and March 2023. Culturally sensitive means that care workers are aware of cultural differences between themselves and others. Culture is often linked to a migrant background, but every person carries their own cultural identity. Culture-sensitive working requires an open attitude and asking questions without adding one's own input on which cultural elements are important for someone's quality of life. The House of Representatives was informed in December 2022 and March 2023 on the subject of person-centred and culture-sensitive working. Culturally sensitive means that care workers are aware of cultural differences between themselves and others. Culture is often linked to a migrant background, but every person carries their own cultural identity. Culture-sensitive working requires an open attitude and asking questions, without adding one's own input on which cultural elements are important for someone's quality of life. That makes cultural sensitivity part of person-centred care. Culturally sensitive care contributes to an inclusive form of healthcare delivery. It counteracts segregating mechanisms and creates an environment where everyone feels safe, heard and welcome. The policy note on culturally sensitive care therefore lists five measures that are currently being implemented: 1. Knowledge exchange between culture-generated and specific healthcare; 2. Strengthening the voice of clients and patients. Regarding this point, we can also report that a Parliamentary letter on this has been issued. See here: https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2023Z08950&did=2023D21453 ; 3. An approach to dealing with the issue of interpreters; 4. A culture-sensitive approach in training and the labour market; 5. Promoting and increasing awareness of the urgency of a culture-sensitive approach by the Ministry of Health.</p>		
36.a	Care	A separate research programme on specifically female diseases should also be established.	Ministry of Welfare, Health and Sport	66	The Ministry of Welfare, Health and Sport is working to disseminate knowledge of women-specific disorders through the Gender and Health Task Force carried out by ZonMw (the Netherlands Organisation for Health Research and Development). As a result, generating more knowledge on women's specific disorders is routinely included in other research programmes. In addition, a programme has been launched to break the taboos surrounding menopause and menopause symptoms. Work is also underway to develop a research, implementation, and social agenda for women-specific disorders, including prioritising the associated activities. Results are expected to be delivered in late 2023/early 2024. ZonMw is also working to provide sound information on endometriosis.		

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Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
36.b	Care	There also needs to be more knowledge in the training of healthcare professionals about cultural, gender and sex differences, as well as discrimination in general and unconscious discrimination of professionals.		66	From the Toekomstbestendige Arbeidsmarkt Zorg en Welzijn (TAZ) programme, a core group has been formed around the themes 'competent is employable' and 'lifelong development', in which agreements are made with the education sector (MBO Council, Association of Universities of Applied Sciences,, NFU, NVZ, NRTO), the professional field, RegioPlus and the Ministry of Education, Culture and Science about (even) better securing the structural dialogue about the link between education and the labour market and the necessary adjustments to the curricula. These include, for example, embedding major topical issues such as prevention and sustainability, but also culture- and gender-sensitive healthcare and discrimination in the curriculum of all healthcare training programmes. As much as possible, this will use (existing) national and regional consultation tables to conduct this dialogue. See the parliamentary letter progress report programme Future-proof Labour Market Care and Welfare.		
37.	Online Discrimination	MiND needs to be better known and easier to find as a central hotline for online discrimination.	Ministry of Justice and Security	67	The Internet Discrimination Hotline has changed its name since last August and is now called Meld. Online Discrimination. In the coming period, the hotline is working on generating more attention and becoming easier to find.		
38.	Online Discrimination	For an even better and more comprehensive insight into all online discrimination reports (from MiND, Police and anti-discrimination facilities, among others), it is being explored how this can be collected, merged, and included in the annual reporting on discrimination figures.	Ministry of the Interior/ (Ministry of Justice and Security)	67	Ministry of Justice and Security: To report the annual discrimination figures (MAR) for the year 2022, additional analysis was conducted among the police regarding incidents concerning online discrimination. Ministry of the Interior: This is part of the ongoing maintenance of annual reporting on discrimination rates. Whether the right data is recorded and collected is evaluated each year. The 2023 review will take this into account.		
39.	Online Discrimination	More attention will be paid to strengthening and professionalising knowledge at the other hotlines where online discrimination can be reported, such as the police and anti-discrimination facilities.	Ministry of the Interior/ (Ministry of Justice and Security)	67	Ministry of Justice and Security: The police are looking at options for this within the Expertise Centre Approach to Discrimination-Police pilot. Ministry of the Interior: As far as anti-discrimination facilities are concerned, this will include increasing anti-discrimination facilities' knowledge and skills as part of strengthening anti-discrimination facilities.		

Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
40.	Online Discrimination	Exploring how to set up a knowledge base to bring together online discrimination knowledge and good practices	Ministry of Social Affairs and Employment/ Ministry of Justice and Security	67	An interministerial working group has launched an exploration to see how and where knowledge about online discrimination can best be secured. A coordinator was appointed in autumn 2023, who will turn the exploration into concrete actions. The first focus is on identifying the support needs of victims of online discrimination.	A	
41.	Online Discrimination	Further research is underway to determine whether peer-to-peer education can be used to counter online discrimination and online hate speech.	Ministry of Social Affairs and Employment/ Ministry of Education, Culture and Science	67	Within the interministerial intensification process regarding online discrimination, peer-to-peer education is included as an effective mechanism when setting up new preventive interventions.	A	
42.	Police	(Opinion NCDR) The NCDR believes it is essential that Roze in Blauw's national telephone number is well established so that it can be easily reached and reports can be followed up.	Ministry of Justice and Security	71	There is an ongoing inquiry into whether and, if so, how the national phone number of Roze in Blauw can be better embedded in the absence of Roze in Blauw members when members are not available. For instance, the existing redirection to Rotterdam's Regional Service Centre (RSC) is being considered for further nationwide extension to other RSCs. See the first half-year police report for 2023. Decision-making will take place in 2024.	A	
43.	Police	The NCDR will engage with all concerned parties and stakeholders regarding the issue of neutrality and dress code.	NCDR	72	NCDR is organising several dialogue sessions on neutrality and inclusion in government in June and November 2023.	A	
44.	Police	A broad study is being conducted by an independent scientific institute with the police on discrimination and racism within the organisation, partly aimed at the effectiveness of the police's anti-discrimination policy.	Ministry of Justice and Security	73	A study is being rolled out within the police organisation, conducted by Erasmus University and Deloitte, in phases and at the unit level. Preparations for this study are underway. A WODC study on Diversity and Inclusion is scheduled to understand the effective mechanisms in interventions to promote diversity and inclusion. That includes looking at how the police are doing. This study is expected to be completed in Q4 2024. The Ministry of Justice and Security is in discussion with the Justice and Security Inspectorate to see if the mechanism of standard setting, compliance and monitoring of the approach to exclusion, discrimination and racism can be monitored (periodically) for the police organisation.	A	

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Theme		Reinforcement, as mentions in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
45.	Justice	It should be investigated whether perpetrators of discrimination and racism can be punished not only with a fine or prison sentence but also with possible community service (or, for juveniles, a learning order punishment). An "Educational Measure on Discrimination" could be introduced as an alternative learning order punishment.	Ministry of Justice and Security	73	The possibilities of such a measure are being further explored in a process in cooperation with various stakeholders and the Centre for Crime Prevention and Safety.	A	
46.	Institutional	A form of constitutional review of formal laws should be considered.	Ministry of the Interior	74	The coalition agreement indicates that the government will take up the elaboration of constitutional review. In July 2022, an outline letter on constitutional review was sent to the Senate and the House of Representatives, in which the government indicated a preference for staggered, ex-post judicial review of formal laws against classic freedoms, resulting in legally binding judgments. That was debated with the House of Representatives in April. During the debate, the Minister of the Interior and the Minister for Legal Protection indicated that they would submit a bill for consultation before the end of 2023.	A	
47.	Institutional	This takes stock of the potential practical effects that the Prevention of Money Laundering and Financing of Terrorism Act (Wwft).	Ministry of Finance/ Ministry of Justice and Security	74	Primarily Finance (according to Ministry of Justice and Security) - The adopted Azarkan motion of 30 March 2022, which called for a short-term investigation into risk selections used by banks to implement the Wwft, will be included in research that Finance will conduct into possible discriminatory elements in tackling money laundering, terrorist financing and fraud. (Parliamentary Questions reply 21 June 2023)	A	
48.	Institutional	A general guide on institutional discrimination for inspections is being developed.	Inspection Council	74	The Inspection Council has placed the issue on the agenda. No concrete agreements yet	A	



Theme		Reinforcement, as mentions in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
49.	Validism	NCDR calls for early signing of the optional protocol UN Convention on Disability.	Ministry of Welfare, Health and Sport	77	In line with the motion of member de Kort (Parliamentary paper 24 170, no. 278, adopted during the plenary debate of 22 December last), the Ministry of Health, Welfare and Sport, together with other responsible ministries, following and prompted by the information of the Council of State, worked on a government decision regarding the ratification of the Optional Protocol to the UN Convention on Disability, as well as the International Convention on the Rights of the Child and International Covenant on Economic, Social and Cultural Rights. The government has decided, in principle, to ratify the optional protocols to the UN Convention on Disability and the UNCRC. The ratification process for the UN Convention on Disability has begun. The launch of the Optional Protocol to the UNCRC will take place after the ratification process of the Protocol to the UN Convention on Disability, with another explicit weighing moment concerning the Protocol to the UNCRC. See the government Parliamentary letter on the protocols UN disability convention, UNCRC and UNESCO.	G	
50.	Validism	There will be a voluntary standard for accessible construction.	Ministry of the Interior	77	On behalf of the Ministry of the Interior, the Netherlands Standardisation Institute (NEN) is working on a voluntary NEN standard based on the European standard for accessibility of structures and various guidelines and frameworks from industry associations and construction parties. The Ministry of the Interior expects NEN to publish a draft version by the end of this year. This NEN standard gives builders tools to make buildings even more accessible. The Ministry of the Interior is warmly welcomes this development.	A	
51.	LGBTQI+	(NCDR opinion) The NCDR calls on parliament to embrace the initiative bill to criminalise conversion acts in the European and Caribbean Netherlands.	NCDR	78	An amended private member's bill was tabled on 11 October 2023 following advice from the Council of State.	R	The process is ongoing but does not seem likely to be completed in the short term even though it is part of the coalition agreement.

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Theme	Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment	
52.	LGBTQI+	Discrimination against non-binary, intersex and transgender people is currently not explicitly prohibited in the Penal Code. Furthermore, the terms 'heterosexual or homosexual orientation' are not inclusive. The law should use the term 'sexual orientation'. It should also be examined whether the terms gender characteristics, gender identity and gender expression should be added.	Ministry of Justice and Security	79	A bill is being prepared to amend two laws: the General Equal Treatment Act (Awgb) and the Penal Code. Both laws propose to replace the term "heterosexual or homosexual orientation" with the term "sexual orientation". It is also proposed to add a paragraph to Article 90quater of the Penal Code expressing that the discrimination ground "sex" includes gender characteristics, gender identity and gender expression. Furthermore, Articles 137c and 137e add the ground "sex" to the grounds of discrimination. With the entry into force of the Clarification of the Legal Status of Transgender and Intersex Persons Act on 1 November 2019, the Equal Treatment Act already includes the explicit stipulation that discrimination based on sex must also be understood as discrimination based on gender identity, gender expression and sexual characteristics. Since the proposed amendments to the Equal Treatment Act and the Penal Code are closely related, the amendments have been included in one bill. The Advisory Division of the Council of State has issued an opinion and a further report is in preparation.	A	
53.	LGBTQI+	The NCDR believes it should be made as simple as possible to have official gender registration crossed out with an 'X' without court intervention.	Ministry of Justice and Security/ (Ministry of Education, Culture and Science)	79	On 27 October 2023, member of the House of Representatives Van Ginneken submitted for consultation the private member's bill on simplifying non-binary gender disclosure. Ministry of Justice and Security provided official assistance on this private member's bill. The end date of the consultation is 8 December 2023. On July 7, 2023, the Parliamentary letter on gender designation ""X"" was sent to the House of Representatives by the Minister of Legal Affairs, also on behalf of the Minister of the Ministry of Education, Culture and Science and the State Secretary of the Interior. It contains the results of the surveys on the impact of the introduction of gender reference ""x"". The results provide an initial picture of the impact of introducing gender disclosure ""x"" on laws and regulations, implementation and potential costs. This letter also offered the research report by the Rutgers expertise centre on how many people would like to change the gender listing in government registrations to a non-binary option.	A	
54.	Living	The Minister for Housing and Spatial Planning intends to amend the Urban Areas (Special Measures) Act (Rotterdam Act) based on its evaluation, which will be reported this year.	Ministry of the Interior	84	Pending decision of the Minister for Housing and Spatial Planning.	A	

Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light:) R A G	Explanation of the NCDR assessment
55.	Local approach	(Opinion NCDR) Local politicians can mobilise human and financial resources to improve care for victims of discrimination and racism.	Ministry of the Interior	85	On behalf of the Ministry of the Interior, the Netherlands Institute for Human Rights is training municipalities on recognising what constitutes discrimination. Movisie also provides training courses and workshops to municipalities on how they could make discrimination policies. Part of this includes training municipal councillors to put this issue on the agenda so that resources and manpower can be mobilised for it.	R	Efforts do not yet focus on mobilising human and financial resources for victims of discrimination and racism at the local level
56.	Local approach	The Ministry of the Interior will map whether, how and to what extent anti-discrimination policies feature in municipal coalition agreements.	Ministry of the Interior	85	The survey of municipal coalition agreements has not yet started. However, the Ministry of the Interior offers municipalities, regardless of whether or not they pay attention to tackling discrimination in their coalition agreement, training courses and online information on how to tackle it in their municipality.	R	The investigation has not yet started.
57.	Caribbean NL (Wga)	Prompt implementation of the Municipal Anti-Discrimination Act in the Caribbean Netherlands is a requirement.	Ministry of the Interior	88	This process is ongoing. With the letter about the inquiry of the Thodé Commission of 23 January 2023, the responsible ministers announced that the equal treatment legislation should become applicable in the Caribbean Netherlands. The bill went into consultation on 1 June 2023, the results of which have been incorporated. On 10 November 2023, the Council of Ministers decided that equal treatment laws should henceforth apply to Bonaire, St Eustatius and Saba and chose to submit the bill to the Council of State. Meetings (online) were held for interested parties and stakeholders on the islands about the proposals to involve them in the legislative process and consultation. Simultaneously, it will look into how to set up discrimination hotlines on the islands and how the Netherlands Institute for Human Rights on the islands can shape its judgement role.	G	
58.	Caribbean NL (law and treaties)	The NCDR calls for an urgent removal of the formal and actual difference in human rights protection between the European and Caribbean Netherlands.	Ministry of the Interior	89	The government agrees with the NCDR that there should be no difference in formal and actual human rights protection between the Caribbean and European Netherlands. Therefore, efforts are underway to introduce or implement various human rights treaties in the Caribbean Netherlands. Several ministries are responsible for this. Each process has its own pace since the treaties call for very different implementation paths.	A	

5. Review and progress of the 2022 National Programme

Theme		Reinforcement, as mentioned in the NP against Discrimination and Racism 2022	Ministry	Page no. NP '22	Ministry progress/status	Assessment (traffic light: R A G)	Explanation of the NCDR assessment
59.	Caribbean NL (LGBTQI+)	The rights of LGBTQI+ persons in the Caribbean Netherlands should be placed on par with existing rights in the European Netherlands. (e.g. adoption and partner's pension)	Ministry of Justice and Security/ Ministry of Social Affairs and Employment (Ministry of Education, Culture and Science/ Ministry of the Interior)	89	<p>Introduce transgender law in the Caribbean Netherlands Currently, transgender people only have the option to make gender registration adjustments in the European Netherlands, following the Dutch procedure, and then have it registered in the BES. The government has pledged to consider how the proposed legislative amendment to the Transgender Act could be extended to the BES Civil Code (See Parliamentary Papers II 2021/22, 35 825, no. 7, p. 31). The way civil status is organised in the BES differs from the set-up of civil status in the Netherlands. That means that the introduction of the Transgender Act in the Caribbean Netherlands requires a separate preparation and separate legislative process. That will also involve the Minister for Legal Protection's consideration of the bill's outcome to amend the Transgender Act in the European Netherlands. It is not yet known within which timeframe such a legislative process will start.</p> <p>Enable adoption by same-sex couples in the Caribbean Netherlands Article 227 of the Civil Code BES stipulates that a child can only be adopted by a different-sex couple (and a single person). The Ministry of Justice and Security is revising the Adoption Act, including changes to the BES Civil Code.</p> <p>Same-sex partner pension to be regulated for the Caribbean Netherlands The NCDR is currently investigating whether it is true that a same-sex partner pension is not possible within the current legislation for the Caribbean Netherlands. The Ministry of Social Affairs and Employment is unaware of any such arrangement in the Caribbean Netherlands. It has also been asked by the Ministry of Education, Culture and Science to investigate this in legal terms.</p>		There seems to be no movement or progress for this reinforcement.
60.	Caribbean NL (LGBTQI+)	NCDR calls for core citizenship objectives on sexual diversity to also apply in Caribbean NL.	Ministry of Education, Culture and Science/ (Ministry of the Interior)	89	Curriculum: The current core objectives for sexual diversity apply to CN. See WPO BES (No 44) and WVO 2020(No 43): Pupils in Bonaire, Sint Eustatius or Saba learn about similarities, differences and changes in culture and philosophy of life, learn to relate their own and others' lifestyles to these, learn to see the significance for society of respect for each other's opinions and lifestyles, and learn to deal respectfully with sexuality and diversity within society, including sexual diversity. The draft core citizenship objectives will be delivered by the end of this year and then tested. Entry into force has yet to be decided.		



Rikkie Kollé
Miss Nederland 2023

‘I want more recognition in society for transgender people. I want more people to recognize themselves and dare to take steps that they may not have dared to take before. In addition, I would like to draw attention to transgender care. There, the waiting lists are more than two years. It’s not like you’re waiting at the dentist, no, you’re taking a step to become who you are. I really want to support those people so that they can keep their spirits up. I can imagine that otherwise you quickly think: it’s not worth it for me.’

Excerpt from interview in Dutch newspaper NRC
4 november 2023



Annex 1.
Townhall sessions
and meetings
overview

Overview of townhall sessions and other meetings in 2022 and 2023

The NCDR 'on tour'

The NCDR organises townhall sessions and other meetings across the Netherlands in collaboration with civil society partners. These meetings aim to allow society and experts to contribute ideas on

possible ways of strengthening existing anti-discrimination policies. The input was taken into account in creating the National Programme against Discrimination and Racism. This applies to this year's edition (2023) and last year's (2022).

Given below is an overview of the townhall sessions and meetings from early 2022 to early 2024:



No.	Date:	Type of meeting and subject	Location
1.	13 January 2022	Roundtable discussion on discrimination in healthcare	online
2.	11 March 2022	Townhall session with young people	Utrecht
3.	21 March 2022	Townhall session on institutional racism and ethnic profiling	The Hague
4.	21 March 2022	Townhall session on anti-black racism	Amsterdam
5.	23 March 2022	Townhall session on discrimination against LHBTI+ persons	Ede
6.	28 March 2022	Townhall session on labour market discrimination	Vlissingen
7.	29 March 2022	Townhall session on institutional racism	Rotterdam
8.	30 March 2022	Townhall session on disability discrimination	online
9.	31 March 2022	Townhall session on Muslim discrimination	Zaandam
10.	6 April 2022	Townhall session on housing discrimination	Groningen
11.	7 April 2022	Expert meeting on intersectionality	The Hague
12.	7 April 2022	Townhall session on diversity & inclusion in central government	The Hague
13.	8 April 2022	Townhall session on discrimination in education	The Hague
14.	9 April 2022	Townhall session with the Caribbean community in the Netherlands	Eindhoven
15.	13 April 2022	Townhall session on housing discrimination in Rotterdam	Rotterdam
16.	14 April 2022	Townhall session on gender equality	Amsterdam
17.	14 April 2022	Townhall session with young people (combined with Iftar)	Utrecht
18.	10 May 2022	Townhall session on online discrimination	Utrecht
19.	18 May 2022	Townhall session with members of Rotary International	online
20.	19 May 2022	Townhall session on anti-Asian racism	Amsterdam
21.	15 September 2022	Working visit in the context of internship discrimination	Nijmegen
22.	29 September 2022	Working visit to Police Expertise Centre (tackling discrimination)	Amsterdam
23.	11 October 2022	Townhall session on discrimination in sport	Heerenveen
24.	07 November 2022	Working visit in the context of labour market discrimination and working agenda Further Integration in the Labour Market	Almere
25.	17 November 2022	Working congress on inclusive education	Amsterdam
26.	22 November 2022	Townhall session on discrimination in the media	Amsterdam
27.	1 December 2022	Expert meeting on General Equal Treatment Act (Awgb) and unilateral government action	Utrecht

No.	Date:	Type of meeting and subject	Location
28.	07 December 2022	Townhall session on diversity and inclusion in the media	Rotterdam
29.	17 January 2023	Expert meeting on institutional racism	Amsterdam
30.	19 January 2023	Diner pensant with Muslim community representatives	The Hague
31.	24 January 2023	Townhall session on diversity and inclusion in the media	Almelo
32.	07 February 2023	Working visit in the context of discrimination in sport	Zeist
33.	14 February 2023	Working visit to the European Commission and Dutch Permanent Representation in Brussels	Brussels
34.	23 February 2023	Social Inspiration Council	The Hague
35.	16 March 2023	Working visit to the Police Academy	Leusden
36.	21 March 2023	Working visit as part of International Day against Racism and Discrimination targeting young people	Maastricht
37.	21 March 2023	Working visit as part of International Day against Racism and Discrimination targeting young people	The Hague
38.	21 March 2023	Working visit to Neude Library as part of International Day Against Racism and Discrimination	Utrecht
39.	21 March 2023	Congress on impact of discrimination and racism on young people	Utrecht
40.	29 March 2023	Townhall session on Muslim discrimination and young people	Utrecht
41.	04 April 2023	Townhall session on diversity in public broadcasting	Hilversum
42.	11 April 2023	Social Inspiration Council	The Hague
43.	10 May 2023	Townhall session on anti-Asian racism	Leiden
44.	12 May 2023	Townhall session at TU Delft on gender and social safety	Delft
45.	16 May 2023	Working visit in the context of discrimination Roma and Sinti	Amsterdam
46.	17 May 2023	Working visit to the Judicial Institutions Department on spiritual care	Rotterdam
47.	25 May 2023	Congress on labour market discrimination	Arnhem
48.	06 June 2023	Diner pensant with experts on discrimination and racism	The Hague
49.	08 June 2023	Townhall session on discrimination in the media	Hoofddorp
50.	14 June 2023	Roundtable discussion on discrimination in healthcare	Utrecht
51.	15 June 2023	Social Inspiration Council	The Hague
52.	20 June 2023	Townhall session on neutrality & inclusion	Haarlem
53.	6 July 2023	Diner pensant on religion and LHBTIQ+	Amsterdam

No.	Date:	Type of meeting and subject	Location
54.	21 September 2023	Social Inspiration Council	Amstelveen
55.	28 September 2023	National Congress against Discrimination and Racism	Ede
56.	28 September 2023	Breakout session at National Congress on anti-black racism	Ede
57.	28 September 2023	Breakout session at National Congress on Muslim Discrimination	Ede
58.	28 September 2023	Breakout session at National Congress on institutional racism and ethnic profiling	Ede
59.	28 September 2023	Breakout session at National Congress on discrimination against LHBTIQ+ persons	Ede
60.	28 September 2023	Breakout session at National Congress on disability discrimination	Ede
61.	28 September 2023	Breakout session at National Congress on labour market discrimination	Ede
62.	28 September 2023	Breakout session at National Congress on Discrimination in Healthcare	Ede
63.	28 September 2023	Breakout session at National Congress on Discrimination in Sport	Ede
64.	28 September 2023	Breakout session at National Congress on discrimination in the media	Ede
65.	28 September 2023	Breakout session at National Congress with students	Ede
66.	06 October 2023	Expert meeting on Afrophobia	Rotterdam
67.	19 October 2023	Working visit to Police Financial Intelligence Unit Netherlands	Zoetermeer
68.	31 October 2023	Social Inspiration Council in conversation with Top Management Group within central government	The Hague
69.	06 November 2023	Townhall session on government & inclusion (neutrality and inclusion)	The Hague
70.	09 November 2023	Townhall session on anti-black racism	Amsterdam
71.	30 November 2023	Dialogue meeting (1st session) between government and Muslim community	Rotterdam
72.	4 December 2023	Townhall session on inclusive education	Utrecht
73.	7 December 2023	Townhall session themed 'A Society in Transition'	Capelle aan den IJssel
74.	09 December 2023	Expert meeting on discrimination and racism in relation to children's rights (with young people and children)	The Hague
75.	13 December 2023	Expert meeting on discrimination and racism in relation to children's rights (with adults)	Leiden
76.	13 December 2023	Dialogue meeting (2nd session) between government and the Muslim community	The Hague
77.	14 December 2023	Townhall session on discrimination against Roma communities	Breda
78.	09 January 2024	Townhall session with Dutch-Turkish community	
79.	17 January 2024	Townhall session on the slavery past and everyday racism	Hoorn



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