



## European network of legal experts in gender equality and non-discrimination

### NEWS REPORT

<b>Country:</b>	The Netherlands
<b>Title:</b>	Statistics on discrimination published, only a fraction of discrimination cases taken on by Public Prosecution Service
<b>Date:</b>	22 April 2015
<b>Expert:</b>	Rikki Holtmaat
<b>Context</b>	
<b>Issue at stake:</b>	Equality bodies publish statistics on discrimination; Public Prosecution Service only takes on a fraction of discrimination cases reported to the police.
<b>Ground of discrimination:</b>	All grounds
<b>Source:</b>	Miscellaneous
<b>Field:</b>	All fields

### Content

**Policy development:** In the Netherlands two types of equality bodies exist. First there is the Netherlands Institute for Human Rights (NIHR), a quasi-judicial body that has been assigned with the tasks of hearing complaints about unequal treatment (which result in a non-binding Opinion), drafting reports, giving advice to the government and investigating possible instances of structural discrimination. Secondly there are Anti-Discrimination Bureaus ('anti-discriminatievoorzieningen', ADVs), which have a legal basis in the Act on Local Anti-Discrimination Bureaus. All 393 municipalities are obliged to install and subsidise an ADV. The ADVs work together in the National Association of Anti-Discrimination Bureaus ('Landelijke Vereniging ADB's') and are supported by expert institute 'Art.1'.

Recently, both Art. 1 and the NIHR have published new statistics on discrimination. Art. 1 released a press message pointing to a large increase of complaints about discrimination to ADVs in 2014 (from 6.186 complaints in 2013 to 9.714 in 2014). However, the press release highlights that, if it is taken into account that over 4.500 of these complaints concerned *one* incident, namely Wilders' remarks on less Moroccans (see flash reports 1228-NL-88 and 1330-NL-99), then actually there has been a substantial decrease in the number of complaints lodged to the ADVs. Most complaints concern discrimination on the ground of race/ethnic origin.

The NIHR, in its annual report on 2014, has also presented numbers of complaints that it has received. The body has, as compared to 2013, received fewer questions about equal treatment as well as fewer requests for opinions. In contrast to this general trend, the NIHR has however received more questions and requests pertaining to the non-discrimination ground race/ethnic origin, which points to the increased saliency of this

non-discrimination ground in the Netherlands. The NIHR emphasises that in 83% of the cases, measures were taken by the defendant as a result of the Opinion, as compared to 70% in 2013.

Finally, an internal report of the National Expertise Centre Discrimination, which forms part of the Public Prosecution Service, has been released by television show De Monitor. The report discusses the handling of discrimination cases by the Public Prosecutor, and its conclusions are worrying: out of 1600 cases of discrimination reported to the police in 2013, only 83 were taken on by the Public Prosecutor – the lowest number since registration began in 1998, while there is no reason to assume that the actual prevalence of discrimination is lower than before. Again, most cases concern the non-discrimination ground race/ethnic origin.

**Key points of analysis:** Equality bodies publish statistics on discrimination; Public Prosecution Service only takes on a fraction of discrimination cases reported to the police.

**Internet link source:** Art. 1's press release on the overview of complaints as compiled by the National Association of Anti-Discrimination Bureaus (Landelijke Brancheorganisatie van ADB's):

[http://www.art1.nl/artikel/10777-Forse stijging aantal discriminatieklachten](http://www.art1.nl/artikel/10777-Forse_stijging_aantal_discriminatieklachten)

The NIHR's annual report is available (in Dutch):

<https://mensenrechten.nl/publicaties/detail/35410>

NRC on the handling of discrimination cases by the Public Prosecution Service:

<http://www.nrc.nl/nieuws/2015/03/29/aangifte-van-discriminatie-belandt-vaak-niet-bij-om/>

The Minister's letter to Parliament may be accessed here:

<http://cmsawt.ncrv.nl/data/files/data/files/images/Van%20der%20Steur.pdf>

(All last accessed 22 April 2015)