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NETHERLANDS

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Human rights and racism in the Netherlands

In the past few years the human rights issues in the Netherlands have focused on three themes related to racism:

1. Police violence and ethnic profiling
2. The campaign against the abolition of Black Pete.
3. Violence and islamophobia

1. Police violence and ethnic profiling

According to [Control Alt Delete](#), an organization that organizes and campaigns against ethnic profiling and police violence and collects data, between 2016 and 2020, 50 people died in police custody. In 62% of the cases the cause according to the police was erratic behavior. In 2020, Control Alt Delete asked 16 different cities to provide figures on the number of cases of complaints against the police. Their survey showed that in the space of four years, 722 complaints for the use of force by officers and 34 complaints for discrimination were filed. Only four officers were convicted of violence, with sentences ranging from a fine to disciplinary action. This means that 99% of the reports against agents were dismissed by the Prosecution.

An exceptional case was the police killing of Mitch Henriquez in The Hague on 27 June 2015. Henriquez, a black person from the Caribbean, was arrested after an altercation with the police. He was restrained by five police officers and was choked to death. According to the police he died in hospital. standers who had filmed the incident put the videos on social media. This led to violent demonstrations and four days of violence against the police that subdued only after the city of The Hague imposed a ban on public assembly. Two police officers were brought to trial and were convicted to six months in prison. On appeal, one sentence was repealed and the other upheld. At the final court of appeal, the Supreme Court, the remaining sentence was upheld in 2021.

In response to these protests the Dutch government submitted a bill to parliament to lower sentences for police officers who are convicted of excessive violence. A cop involved in violence with a fatal outcome is often prosecuted for manslaughter, which carries a maximum sentence of 15 years in prison. The cabinet wants a new provision for these officers: violating official instructions. This will result in a maximum of three years in prison. In May 2021 the Dutch parliament approved the bill.

The [Council of Europe](#) defines ethnic profiling as *"the use by the police, with no objective and reasonable justification, of grounds such as race, colour, languages, religion, nationality or national or ethnic origin in control, surveillance or investigation activities."* In 2020 Control Alt Delete carried out a survey among 2,000 respondents in Amsterdam on ethnic profiling by the police. It shows that 41 percent of men of colour in Amsterdam were approached by the police over the course of the year, compared to 22 percent of white men. In addition, the first group was checked twice as often by the police.

In 2021 Control Alt Delete, Amnesty International, the Dutch Committee of Human Rights Jurists, the anti-discrimination institute RADAR and two individual persons of colour brought a case to the Dutch court regarding ethnic profiling by customs officers. They used ethnic profiling in Mobile Surveillance Security. On September 22, 2021, the court ruled Dutch customs was allowed to use ethnic profiling because it was not discriminatory. The denunciation of the verdict by activists led to a policy change by the customs department. Two months later it [announced](#) that despite the Court's ruling they would stop ethnic profiling.

Control Alt Delete was established by activists who made collecting data a priority. This data is used to create awareness among the general population. At the same time, they

engage in discussion with government officials on how to change policy and use the courts as an instrument where they are needed.

2. The campaign against the abolition of Black Pete

The annual celebration of the children's feast of Saint Nicolas on December 5 is a huge cultural phenomenon in Holland. Children are taught to believe that on this day they receive presents from Saint Nicholas who is accompanied by a black servant called 'Black Pete'. During the months prior to this date, adults will dress up as Saint Nicholas and Black Peter (a white person painted in black face), and visit children and adults at schools and offices. Every city holds annual parades that welcome the arrival of Sint Nicolas and his black servants. There is a national parade that is covered live on national television. On December 5, families exchange presents, sing songs and write poems for each other. This tradition is well entrenched in Dutch culture and has been observed for 150 years.

In the black community there have been critics of the racist stereotype of Black Face. In 2011 two black activists, Quinsy Gario and Jerry Afriyie, took the critique on the streets during the national parade in the city of Dordrecht where they wore T-Shirts with the slogan "Black Pete is racism". They were violently arrested by the police. It set in motion a trajectory where since 2014 anti-racist activists mobilized to protest against Black Pete at the national parades. The parades became the venue where pro and anti Black Pete activists confronted each other. In 2014 in Gouda, around 100 activists were arrested. In 2015 in Meppel, extreme right wing activists threatened to physically attack the anti-Black Pete activists, who were protected by the police. In 2016 in Maassluis, the city put an emergency regulation in force that enabled the police to arrest everyone who threatened public order. In 2017, white activists stopped a bus on the highway of anti-Black Pete activists travelling to Dokkum to protest at the national parade. Since 2018 the protests were not only at the national parade, but also in selected cities where local parades were organized. In 2019 white activists mobilised in The Hague during the local parade to protest against the black protest. In 2020 white activists attacked the police who were protecting anti-racist activists in Maastricht.

The demonstrations created a national climate of intense discussion on whether Dutch society was inherently racist. The discussion was on a grand scale: in the media especially social media, at school, at the kitchen table, on social media, at the level of local and national politics. The pro Black Pete movement organized a counter campaign via social media. On October 23, 2013 a Facebook page under the name *Pietitie* (combination of Pete and petition) asked visitors to like the page which argued against changing the Black Pete tradition. On the first day it attracted one million likes and the second day two million likes. Dutch public figures spoke out against Black Pete. In October 2014 the well-known tv crime journalist Peter R. de Vries spoke out against Black Pete and received multiple death threats.

Apart from demonstrations at the national and local parades and engaging in heated public discussion the black community activists also use the courts as an instrument of struggle. In June 2014 long time activist Perez Loy Young sued the Amsterdam municipality for promoting negative stereotyping of black people by giving permits for the local parade. The court agreed with him, but the municipality appealed the decision. The verdict of the appeal was in favor of the city of Amsterdam. The city could continue offering permits for the parades.

The public discussion about Black Pete had its impact on the population. This was shown in the polls. An [annual survey](#) shows that in 2013, 89% of the Dutch population was against changing the role of Black Pete in the Saint Nicolas festival. In 2020 this number had dropped to 55%. Within a few years many institutions took a position on Black Pete. It was banned by many major supermarket chains, Schiphol airport, municipalities, universities and even in secondary and primary schools.

The movement against Black Pete always made the link with institutional racism in public debates. The link was enforced by the impact of the international Black Lives Matter

movement in the Netherlands. In June 2020 - during the midst of the pandemic - 50.000 demonstrators took to the streets in the Netherlands after the death of George Floyd at the hands of the police in America. At the end of June 2020, the government acknowledged that there is a problem with institutional racism and invited activists for a dialogue. The anti-racist movement had begun to crystallise into different organizations working together, notably Kick Out Zwarte Piet (KOZP), Stichting Nederland Wordt Beter and Black Archives. The movement developed a Black Manifesto with a program of demands that was handed to the government. It is currently part of the discussion with different ministries. On October 15, 2021, the government appointed former alderman of the city of The Hague, Rabin Baldewsingh, as the national coordinator against racism and discrimination. His task is to develop a long-term program to fight discrimination and racism.

In a relatively short time, the movement against Black Pete managed to abolish a long standing racist tradition in Dutch culture and put institutional racism on the political agenda. It managed to do so because it combined tactics of confrontation with tactics of dialogue and position Black Pete in the context of institutional racism.

3. The campaign against Islamophobia

On February 1, 2022, the Netherlands had a population of 17.5 million, of which 2.5 million (14%) has a non-Western cultural background. Around 5% (880.000) are Muslims.

Islamophobia has been part of Dutch society for a long time. In 1976, a mosque was set on fire for the first time in the Netherlands. This was long before the 9/11 attack on the Twin Towers in New York in 2001, which dramatically changed the position of Muslims in Europe. It led to the rise of extreme right parties who openly campaigned on Islamophobic tickets. Before 9/11 Pim Fortuyn, a right-wing professor, openly started to campaign for parliament on an Islamophobic ticket arguing to stop the Islamization of the Netherlands. He called Islam a backward culture. On May 6 2002, a week before the parliamentary elections, he was murdered by a Muslim fanatic. His party, Lijst Fortuyn, managed to become the second largest party at the elections, winning 26 of the 150 seats and forming a government with other parties. Without Fortuyn as a leader his party was deteriorating to the extent that it didn't have any seats in parliament. His ideological legacy was carried on by Partij Voor de Vrijheid (Freedom Party) led by Geert Wilders and other new parties on the extreme right, notably Forum voor Democratie and JA21. Since the elections of 2021, together they have 28 seats in parliament, two more than Fortuyn had 20 years ago.

The impact of these parties on the public discussion of Islam and the way the Dutch public views Islam is huge. It is seen in the rise of hate crimes against Muslims on three levels.

First there is a [rise](#) in hate crimes against mosques (there are 450-500 mosques in the Netherlands). It is expressed in arson attacks on mosques, graffiti on mosques with swastikas and statements such as "Fuck Allah" and "Allah mus die", smashing windows of mosques, throwing Molotov cocktails into mosques, hanging a decapitated head of a pig with blood on the doors of a mosque and other violent attacks. This creates a climate of fear in the Muslim community.

Second, there is a rise in hate crimes against individuals, especially against Muslim women. [Meldpunt Islamofobie](#) is an independent, women-led citizens' initiative that documents these crimes that organizes the fight against Islamophobia. The project came about in 2015, when the team observed a surge in acts of violence against Muslims in the aftermath of the Charlie Hebdo attack in Paris. These incidents were not isolated but were legitimized by the increasing stigmatization of Muslims in political and media discourse. However, structural data on Islamophobia was lacking. Moreover, the existence of Islamophobia was not recognized in the Netherlands, let alone as forms of exclusion and discrimination associated with other forms of racism. Victims remained

invisible. Their report in 2015 registered 104 incidents of Islamophobia against individuals of which 89% were against women, especially women wearing a hijab. These incidents involved physical and verbal abuse and took place in public venues (public transportation, on the street). The physical abuses involve kicking, hitting, spitting and forcible removal of the headscarf. The report gives examples of buses that refused to take Muslim women with a hijab or even kicked women off the bus. Verbal abuse involved insults and threats. In 2020 the House of Representatives adopted a motion by the PVV to ban the wearing of an Islamic headscarf in all government buildings. In December 2021 another motion by PVV got adopted that forbids so called BOA's (extraordinary investigating officer who is an official with specific investigative powers) from wearing a headscarf.

Third, there is rise of hate crimes against social groups. The report of Meldpunt Islamophobia mentions six cases in which white men attacked houses of Muslims (breaking windows, throwing fireworks in the home). In sport there are incidents in which parents, trainers and players have used physical and verbal violence against Muslim players and their parents.

This climate of hate has a negative influence on the social and economic position of Muslims. [Emcemo](#) regularly reports on the problems students in vocational education have in finding internships during their study. They typically have a hard time in finding companies and institutions to hire them as an intern. In these reports Emcemo mentions also mentions the problem of finding a job once they finish their education. This is reflected in the [statistics](#) on unemployment. In 2015, 15.2 percent of the non-western immigrant labor force was unemployed compared to 5.6 percent of Dutch natives. Of the non-western immigrants in the working population, Moroccans are the most likely to be unemployed, at 18.2 percent. At 17.0 percent, unemployment is also relatively high among Antilleans. At 14.2 percent, Turks are less often unemployed than other non-western immigrants, but this is still 2.5 times as many as natives.

There is a push back against the climate of hate. The Muslim community is organizing in different way to counter the climate of hate. The mosques are engaging the local and national authorities in programs against violence. In 2016 a working group was established to tackle this problem. It includes representatives of the Islamic community, the National Coordinator for Security and Counterterrorism, the police and the Ministry of Social Affairs and Employment. In 2018 the group [published](#) a manual for a safe mosque. The manual provides tips for prevention (organization and communication structures, preparation for incidents, security measures) and handling of incidents (registration and communication, prevention of escalation).

Muslim women have organized in collectives such as [Meldpunt Islamophobia](#) and [S.P.E.A.K.](#). Muslims are very active on social media (Whatsapp, Facebook, Instagram, Tiktok). [Emcemo](#) organizes an annual conference on Islamophobia. Holland is probably the only country in Western Europe with two political parties in parliament that explicitly have a social base in the communities of color. DENK (Dutch for "think" and Turkish for "equal" or "balanced") has three seats in parliament with a social base in the Muslim community. BIJ1 ("Together") has one seat in parliament and has a social base in the black community.

Every time there is a major incident in the world involving the Muslim community and the West there is a backlash on the Muslim community in the Netherlands. But in recent decades the community has been able to develop an infrastructure for fighting back.

This report was written on the basis of information that IZI Solution, the Black Archives and Emcemo have provided.