

REPORT

(anti)discrimination, ideological extremism and xenophobia in the Netherlands 2018-2020

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Foreword

This report provides an overview of the major manifestations of ideological extremism in the Netherlands, drawing on events from 2018 through 2020. The first part presents key changes in anti-discrimination laws and summarises efforts to limit discrimination by law enforcement agencies (ethnic profiling). The second part offers brief overview of recent survey research on attitudes towards minorities, followed by statistics on discriminatory incidents targeting members of minorities. In the third part the focus shifts to different radical groups and crimes with terrorist intent. The concluding part is dedicated to recommendations.

Equal treatment and prohibition of discrimination

According to Article 1 of the Dutch Constitution and the Equal Treatment Act, discrimination based on race, sex, hetero- or homo-sexual orientation, political opinion, religion, belief, disability or chronic illness, civil status, age, nationality, working hours or type of contract is prohibited in the Netherlands. Prohibition of discrimination assures the right to equal treatment, which requires that in a situation involving equal circumstances, people have to be treated the same way.¹ To this end, several agencies, such as the Public Prosecution Service and the antidiscrimination bureaus, are involved in the fight against discrimination. The Netherlands Institute for Human Rights is an independent body that provides various parties, including the government, with solicited and unsolicited advice on issues relating to equal treatment.

(Better) registration of discrimination complaints

The Municipal Antidiscrimination Services Act ensures that everyone has the opportunity to report (alleged) discrimination in their own place of residence. The Public Prosecution Service (OM) has set up the special National Discrimination Expertise Centre. In recent years the improvements have been made in the registration of discrimination complaints (NJCM, 2018).² Every municipality has antidiscrimination bureau, which is responsible for registering and processing discrimination complaints. These bureaus cooperate with the Public Prosecution Service and the police, but also with schools and businesses. Moreover, the Public Prosecution Service operates an integrated database of criminal cases (GPS), which can be used to register all discrimination-related crimes (such as arson attacks on mosques or desecration of Jewish cemeteries). In recent years the Public Prosecution office has demanded heavier penalties for violent offences involving discrimination. Yet, in 2019 less than two percent of the discrimination reports led to a lawsuit.³

¹ <https://www.government.nl/topics/discrimination>

² <https://njcm.nl/actueel/briefing-of-the-european-commission-against-racism-and-intolerance-ecri-of-the-council-of-europe-in-view-of-its-fifth-report-on-the-netherlands/>

³ <https://www.oneworld.nl/lezen/discriminatie/racisme/waarom-gaan-racisten-in-nederland-zo-vaak-vrijuit/>

(Limitation of) freedom of expression

Freedom of expression is guaranteed by Article 7 of the Dutch Constitution. This freedom may be limited by Article 1, which guarantees the constitutional prohibition of discrimination. For example, freedom of expression must not be used to incite hatred against minority groups based on the grounds of religion or belief, ethnic origin, sexual orientation, gender, skin colour, race, civil status, disability or chronic illness, or age. Hate speech is penalized in the Dutch Criminal Code.⁴ It refers specifically to group defamation and incitement of discrimination, hate or violence (See Table 1).

Table 1 Hate speech in the Dutch Criminal Code

Article 137c
<ul style="list-style-type: none">➤ Any person who in public, either verbally or in writing or through images, intentionally makes an insulting statement about a group of persons because of their race, religion or beliefs, their hetero- or homosexual orientation or their physical, mental or intellectual disability, shall be liable to a term of imprisonment not exceeding one year.
<ul style="list-style-type: none">➤ If the offence is committed by a person who makes a profession or habit of it or by two or more persons in concert, a term of imprisonment not exceeding two years.
Article 137d
<ul style="list-style-type: none">➤ Any person who publicly, either verbally or in writing or through images, incites hatred of or discrimination against persons or violence against their person or property because of their race, religion or beliefs, their sex, their hetero- or homosexual orientation or their physical, mental or intellectual disability, shall be liable to a term of imprisonment not exceeding one year.
<ul style="list-style-type: none">➤ If the offence is committed by a person who makes a profession or habit of it or by two or more persons in concert, a term of imprisonment not exceeding two years.
Article 137f
<ul style="list-style-type: none">➤ Any person who takes part in, or who extends financial or other material support to activities, aimed at discrimination against persons because of their race, religion or beliefs, their sex, their hetero- or homosexual orientation or their physical, mental or intellectual disability, shall be liable to a term of imprisonment not exceeding three months.
Article 137g
<ul style="list-style-type: none">➤ Any person who, in the exercise of his office, profession or business, intentionally discriminates against persons because of their race shall be liable to a term of imprisonment not exceeding six months.
<ul style="list-style-type: none">➤ If the offence is committed by a person who makes a habit of it or by two or more persons in concert, a term of imprisonment not exceeding one year.

According to legal scholars, online harassment falls under the same punishment as their real-life counterparts.⁵ Content-related offences are punishable regardless of the medium in which the content has been published. Article 137e criminalises the publication of discriminatory statements as well as dissemination or stocking for dissemination purposes of carriers with discriminatory utterances, if done otherwise than for the purposes of professional reporting.

⁴ http://www.ejtn.eu/PageFiles/6533/2014%20seminars/Omsenie/WetboekvanStrafrecht_ENG_PV.pdf

⁵ Koops, B. J. (2010, March). Cybercrime legislation in the Netherlands. In *BJ Koops, Netherlands Reports To The Eighteenth International Congress Of Comparative Law* (pp. 595-633).

A central motivation for making discriminating forms of speech punishable under criminal law was to combat negative portrayal/representation amongst wider public, and therewith to combat the phenomenon that people are being put at a disadvantage on the basis of their characteristics. Dutch courts can prohibit and dissolve organisations the activities of which violate 'public order', which is the case when activities include inciting hatred. During recent years, some legal scholars have called for additional legislation to tackle situations that are seen as relevant (for example with regards to political parties expressing anti-democratic values).⁶ Noteworthy judgments include: (a) Holocaust denial, provided that the expressions are evidently intended to insult or to incite hatred, discrimination or intolerance; (b) Intolerance (because of race, religion, etc.); (c) Insults/'insultingly': an expression is insulting according to case law when it is defaming people in public.⁷ Additionally, the subject of the expressions must be a group of people or their common characteristics.

Action against discrimination

When confronted with discrimination, people are encouraged to submit a complaint. Complaints can be submitted directly to employers, landlords, educational institutions or transport companies. All public institutions and companies must have a complaints officer or a complaints committee. It is also possible to seek advice from a municipal antidiscrimination bureau. The antidiscrimination bureau provides assistance and advice and registers the complaints. There is also the national discrimination helpline to contact discrimination reporting offices. The Netherlands Institute for Human Rights assesses whether equal treatment laws have been violated. A civil or administrative court is required to take the institute's findings into account in its decision making. However, it is possible to apply to the courts without first contacting the institute. A criminal complaint can be submitted to the police in case of discrimination incidents (harassment, intimidation and violence) on the grounds of race, gender, religion, belief, sexual orientation or disability. Discriminatory statements on the internet can be reported to the internet discrimination hotline (MiND Nederland). The internet discrimination hotline registers and processes these reports. The hotline evaluates reports of discrimination on the Dutch part of the internet. If MiND believes that a particular statement is unlawful, it issues a request for the removal of that statement. In exceptional cases it contacts the police. Discrimination can also be reported anonymously to the police by phone, dialling the number of Bel M. (0800 7000).

⁶ Van Noorloos, M. (2018). Het strafrecht tussen waarheid en leugen: Over Holocaustontkenning en andere memory laws. *Ars Aequi*, 2018(10), 1010-1015.

⁷ <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBAMS:2018:3931>

(Higher) punishment for offences with a discrimination aspect

According to the new directives on discrimination from the Public Prosecution Service, which came into effect on 1 January 2019, the emphasis is on prosecuting offenses with a discrimination aspect, instead of specific discriminatory offenses such as group insults and incitement to hatred, discrimination and violence.⁸ Gender identity is recently added as a discrimination aspect on the basis of which an increase of the punishment can be demanded. Courts can already increase sentences if they find a crime to be discriminatory, but in practice this rarely happens. In 2019 Dutch courts convicted defendants of discrimination in just 47 cases.⁹

Some legislative initiatives trigger grievances

Several legislative initiatives have been perceived (and criticized) by minority representatives as discriminatory towards ethnic and religious groups. Most notably, “Act Partially Prohibiting Face-Covering Clothing,” also known as the “Burqa Ban”¹⁰ triggered grievances among Muslim population.¹¹ The Act prohibits the wearing of clothing that completely or partially conceals the face in spaces where people are expected to communicate with each other. Thus, face-covering clothing is banned on public transportation and in educational, governmental, and nursing care institutions, but is still allowed in such public spaces as on train platforms. The ban applies to burqas, niqabs, full-face helmets, balaclavas, and masks, but not to headscarves. Article 1 of the Act provides that individuals who violate the face-covering regulations are to be made aware of the law and given the opportunity to remove the piece of clothing or leave the premises. If the individual refuses, the police can issue a fine of €150–€410.

Parliamentary debates on tightening hate speech legislation were triggered by and focused on hate speech of a radical imam, but did not cover in a similar way hate speech of public figures from the majority population.¹² In a similar vein, the debates on a possible law on transparency of foreign financing focused on foreign funding of mosques, but not of other religions’ places of worship.¹³

Efforts to reduce ethnic profiling

According to the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance (2019), there has been substantial evidence of ethnic profiling by the Dutch police and the Royal Netherlands Marechaussee in recent years.¹⁴ Ethnic profiling refers to the actions and behavior of law enforcement that are triggered by (unconscious) discriminatory bias. It is common in the situations that require prompt decision-

⁸ Kruize, P., Gruter, P., & Suchtelen, T. V. (2020). *Discriminatieaspect als strafverzwarende omstandigheid*. Ateno.

⁹ <https://www.dutchnews.nl/news/2020/06/cu-and-groenlinks-want-tougher-sentences-for-hate-crimes/>

¹⁰ <https://wetten.overheid.nl/BWBR0041161/2019-08-01>

¹¹ <https://rm.coe.int/fifth-report-on-the-netherlands/168094c577>

¹² <https://zoek.officielebekendmakingen.nl/h-tk-20172018-68-35.html>

¹³ https://www.tweedekamer.nl/kamerleden_en_commissies/commissies/pocob

¹⁴ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25100&LangID=E>

making and prioritizing of threats, such as identity checks, traffic control, preventive searches and border-stops.

The police and the Minister of Security and Justice have developed measures to prevent ethnic profiling by increasing diversity within the police, conducting training and awareness-raising for police officers, investing in police-community relations, and making it easier to file complaints about ethnic profiling. Also, at the end of 2017, the police published a new policy document setting the professional standards for proactive police stops. In the first months of 2018 the police started a pilot (called MEOS pilot) aimed at registering the frequency of traffic stops and ID-checks relating to one person or car and at measuring various effectiveness criteria.¹⁵ In June 2020 MPs voted in favour of calls to require the police to keep an active register of the number of people who die during or after being arrested each year. It also includes the number of police officers who were prosecuted for violence as well as the number of police officers who are aware of the measures and tools to counter ethnic profiling.

The 2019 ECRI Report on the Netherlands

According to the European Commission against Racism and Intolerance (ECRI), the four notable improvements in 2018 have been made in the Netherlands in the field of LGBTI rights, the civic education, integration policy, and traditional Roma camps.¹⁶ The first improvement refers to the 2018 emancipation memorandum, which includes concrete measures for the emancipation and promotion of social security and acceptance of LGBTI people. The second refers to the nation-wide antidiscrimination campaign in 2018, which included public events, such as the commemorations of the abolition of slavery, and educational measures to promote tolerance and equality at schools as mandatory part of civic education. The third improvement is related to broadening of integration policies on national level, which resulted in intensified assistance to immigrants and refugees in Dutch municipalities. The fourth improvement is defined in terms of ‘discontinuation of national policy of reducing the number of traditional Roma camps’. It refers to a Guide on Anti-Discrimination in 2018, which includes a specific Section addressing travellers’ camps policies.

Attitude towards ethnic and religious minorities

Xenophobic and racist statements by politicians

According to the latest Report of the European Commission against Racism and Intolerance (2019), the mainstream political discourse and media reporting in the Netherlands “continue to

¹⁵ <https://njcm.nl/wp-content/uploads/2018/06/Submission-NJCM-on-ECRI-CoE-5th-monitoring-round-Netherlands-20180615.pdf>

¹⁶ <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/netherlands>

be strongly influenced by a xenophobic, fear-fuelling rhetoric and politicians have openly expressed racist beliefs of biological superiority".¹⁷

According to official sources,¹⁸ several xenophobic incidents took place during the campaign for the municipal elections in March 2018. For example, the Freedom Party (PVV) broadcasted a promotional video on 15 March during the airtime of political parties, which caused a lot of commotion. The spot started with the text "Islam is ...", followed by words such as: "discrimination", "violence" and "terror". In the closing sentence "Islam kills" blood drips from the letters. The broadcasting led to public outrage and criminal charges were pressed against party leader Geert Wilders for discriminatorily insulting Muslims and inciting hatred and discrimination against Muslims. The court ruled that the statement was not punishable, because the campaign spot was directed against a religion and not against a group of people. This decision was challenged by several human rights organizations that filed a complaint to the court against the decision not to prosecute. On December 18, 2018, the court declared the complaint unfounded.

Also, controversial statements about alleged relationship between human "races" and differences in IQ by prominent members of another right-wing party, Forum for Democracy (FvD), triggered heated public debate about racism in politics. As a consequence, FvD was not accepted as a coalition partner by any other participating parties.

Demonstrations against Black Pete (and counter-demonstrations)

Protests against the caricature of Zwarte Piet (a black-face character traditionally accompanying St Nicholas [Sinterklaas] during public celebrations of this national holiday) led to various confrontations with counter-protesters, at many different local Sinterklaas tours in 2018. In several cities, football hooligans sought to confront protesters. For this reason, in Nijmegen and Zwolle the demonstrations were banned in advance. In Eindhoven, the anti-Black Pete demonstrators were attacked by a group of 200 opponents who threw objects at them and shouted racist and sexist slogans. In Rotterdam and Groningen there were incidents of violence between proponents and opponents of Zwarte Piet. The police have arrested people involved in the disturbances in various places. The events sparked a public debate about freedom of demonstration, as well as formal complaints to the relevant mayors about restricting, breaking down or banning anti-Black Peter demonstrations.

Love your neighbour: xenophobia in the housing sector

In March 2018, the weekly magazine De Groene Amsterdammer published the results of research demonstrating that those with migrant background seeking housing had less chance of securing a rental agreement than people with Dutch background. On behalf of two fictitious prospective renters (Rachid el Haddaoui and Jaap van de Ven), the journalists responded to 250

¹⁷ <https://rm.coe.int/fifth-report-on-the-netherlands/168094c577>

¹⁸ <https://www.rijksoverheid.nl/documenten/rapporten/2019/04/16/discriminatiecijfers-in-2018>

advertisements for rental properties throughout the country. Jaap received 162 positive responses, Rachid 116.

Another experiment showed that 92% of rental agents were happy to agree with the request of a (again fictitious) landlord not to nominate tenants with migrant background. These research results came as an unpleasant surprise for some people; for others they confirmed their suspicions or indeed personal experience. As a result of this research and the responses to it in the Lower House, the Minister of the Interior and Kingdom Relations held a meeting with various parties in the rental sector about the way in which discrimination in the housing market can be tackled.

Government started a campaign to increase the awareness of xenophobia in housing sector and provided training to real estate agents and landlords.

Majority of Dutch have positive attitudes towards minorities

In spite of accumulated xenophobic and racist incidents in public sphere, recent sociological polls show that majority of Dutch share positive views about ethnic and religious minorities. Attitudes towards Roma As of 2019, the majority of people interviewed in the Netherlands as a part of the survey on global attitudes indicated that they had a positive attitude towards Roma. 64% of respondents indicated that they had a very favourable or mostly favourable opinion of people who belong to the Roma ethnic group. However, in the same year, the share of respondents who had unfavourable opinions of Roma was 30% in total.¹⁹

Attitudes towards Muslims Close to three quarters of people surveyed in the same year indicated that they had very favourable or mostly favourable opinions of Muslims, while the share of respondents who held unfavourable opinions of Muslims was just below 30% in total.²⁰

Attitudes towards Jews In 2018, 65% of Dutch respondent agreed with the statement that anti-Semitism is a problem in the society and 55% thought that anti-Semitism is on rise.²¹ Over 90% of people surveyed in 2019 indicated that they had a very favourable or mostly favourable opinion of Jewish people, while the share of respondents who held unfavourable opinions of Jewish people was 5% in total.²²

Attitudes towards non-Western immigrants In 2018, 50% of Dutch had favourable views about non-Western immigrants. Paradoxically, 55% believed that immigrants increased risk of terrorism in their country.²³

¹⁹ <https://www.statista.com/statistics/1087369/attitudes-towards-roma-in-the-netherlands/>

²⁰ <https://www.statista.com/statistics/1087378/attitudes-towards-muslims-in-the-netherlands/>

²¹ https://data.europa.eu/euodp/en/data/dataset/S2220_90_4_484_ENG

²² <https://www.statista.com/statistics/1087359/attitudes-towards-jews-in-the-netherlands/>

²³ <https://www.pewresearch.org/global/2019/03/14/around-the-world-more-say-immigrants-are-a-strength-than-a-burden/>

Social media (in the times of corona)

According to recent sociological studies, limited intergroup contact and negative media (and social media) representation of migrants and refugees have played an important role in shaping majority attitudes towards these groups.²⁴ It appears that many prejudiced people have little personal contacts with other cultures. Nevertheless, they perceive this 'otherness' as threat because of frequent exposure to negative (social) media representation of those groups. Online news websites play the biggest role in decreasing positive attitudes. They provide an easy access to unchecked information, fake news and conspiracy theories, thus fuelling intergroup anxiety and polarisation.²⁵

In the aftermath of COVID-19 outbreak, online platforms became overflowed with conspiracy theories.²⁶ Like in most of Europe, Dutch radical groups exploit uncertainty and fears related to the pandemic to promote extreme ideology. It includes overt racist and antisemitic narratives, such as the claim that the virus is a hoax engineered by "Jewish elites" or intent on implementing a vaccine either for profit or to eradicate the white race.²⁷ Extreme right-wing platforms such as Café Weltschmerz, Ongehoord Nederland, and the Jensen Show have not missed any opportunity to question the seriousness of the virus. Robert Jensen, for example, claims in countless videos on YouTube that Covid-19 is nothing more than a simple flu. This flu, says Jensen, is being abused by "globalists" who want to rob "the Dutch people" of their rights and subject them to a dark, hidden agenda.

Discrimination incidents (including hate crimes)

Perceived discrimination

A quarter of inhabitants of the Netherlands experienced one or more incidents in 2018 which they perceived as discrimination.²⁸ Dutch citizens with Moroccan or Turkish background and Muslims (groups that overlap to some degree), encounter a great deal of both negative attitudes and unequal treatment. They are heavily stigmatised in Dutch society and are perceived as threatening by a proportion of the majority group. This perceived threat is based mainly on a cultural interpretation, for example a perceived conflict in values or fear of losing a particular cultural identity or the way of life (Andriessen 2019). People with a Surinamese or Antillean background and people from Central and Eastern Europe experience slightly less discrimination.

²⁴ van Beers, L., & van Klingereren, M. (2020). Direct en indirect contact: Hoe persoonlijk contact en mediacontact hun weerslag hebben op houdingen ten opzichte van verschillende migrantengroepen. *Mens en maatschappij*, 95(2), 83-111.

²⁵ Hameleers, M. (2020). Populist disinformation: Exploring intersections between online populism and disinformation in the US and the Netherlands. *Politics and Governance*, 8(1), 146-157.

²⁶ <https://en.unesco.org/themes/gced/thinkbeforesharing>

²⁷ <https://www.volkskrant.nl/nieuws-achtergrond/antisemitisme-op-sociale-media-groeit-corona-is-de-schuld-van-joden-en-zionisten~b6b42528/>

²⁸ [Ervaren discriminatie in Nederland II | Publicatie | Sociaal en Cultureel Planbureau \(scp.nl\)](#)

Registered discrimination incidents from different sources

The following paragraphs are based on four different registers. They all include discrimination ground (e.g. Anti-Semitism, origin, sexual orientation) in their description of cases. Different registers contain overlapping but also different type of cases. For example, police register distinguishes case according to legal typology of crime (e.g. verbal and violent insults). Anti-discrimination bureau is mainly concerned with discrimination incidents in the fields of education, work, housing etc. MiND registers discrimination on the internet and College of Human Rights is focussed on protection of human rights of victims of discrimination. With exception of the College of Human Rights, these sources show an observable increase in discrimination incidents in 2019 in comparison to 2018 (Table 1).

Table 1 Discrimination incidents reported to different instances per year ²⁹

Discrimination incidents	2018	2019
Police	3299	5487
Anti-discrimination bureau	4320	4382
MiND	583	692
College of Human Rights	3678	3529
Total	11880	14090

Overview of registered discrimination cases in 2018

In 2018, origin was the most common ground of discrimination. In police registration, 1442 cases were motivated by discrimination based on origin. According to Anti-discrimination bureau, 1494 cases concerned origin. College of Human Rights registered 730 discrimination incidents based on origin, and MiND registered 151 cases.

A quarter of cases in police register concerned sexual orientation (847 registrations), particularly homosexuality. The Anti-discrimination bureau received 193 reports of discrimination based on sexual orientation (which is 4% of the total). The College of Human Rights registered 57 cases on this ground.

8% of total discrimination cases registered by the police concerned anti-Semitism (275 registrations). 145 reports of Internet discrimination are related to anti-Semitism. The word "Jew" is often used as a pejorative when addressing police officers or supporters of Ajax. There were 29 registrations of anti-Semitic graffiti: for example, swastikas and anti-Jewish texts were inscribed on Jewish monuments and on the letterbox of a Jewish family. A few cases included violence. The Anti-discrimination bureau received 48 reports of anti-Semitism (1% of the total) and MiND registered 145 reports of anti-Semitism (25% of the total).

²⁹ Source: <https://hatecrime.osce.org/netherlands>

Police registered 151 incidents of religious discrimination (of which 91% related to Islamophobia). Anti-discrimination bureau received 304 reports of religious discrimination, two-thirds of which are directed against Muslims. The College of Human Rights reported 163 cases of religious discrimination.

Overview of registered discrimination cases in 2019

Origin remained the most common ground of discrimination.³⁰ Police registered 2156 cases (39% of the total) on this ground. Anti-discrimination bureau registered 1922 cases on discrimination based on origin (44% of the total). Origin was also the most common ground of discrimination reported to MiND (264). Most of the people were discriminated based on the skin colour and origin (in particular: African, Turkish, Moroccan and Asian).

The police also registered increase of discriminatory incidents based on sexual orientation (1,603, of which 17% referred to violent incidents) and anti-Semitism (768). The most cases reported to the College of Human Rights in 2019 concerned discrimination based on disability/chronic illness (134 requests).

Anti-Semitism was related to 14% of the total discrimination cases registered by police and 2% of cases registered by Anti-discrimination bureau. According to the police register, 768 incidents can be roughly divided into four categories: anti-Semitic swearing (against employees with public job, especially police officers or scolding with the word "Jew" by citizens among themselves); graffiti with swastikas in a clear anti-Semitic context; anti-Semitic statements and violence directed against Jewish persons or institutions. 148 incidents of anti-Semitic daubing and vandalism have been registered (including display of swastikas and anti-Jewish slogans on cars, business premises, schools, monuments, and other objects). A part of these incidents was related to tensions between football fans and shouting anti-Semitic slogans during competitions. For example, after a football match anti-Semitic texts were written at various locations in the city of Amsterdam. In some case, vandalism is explicitly directed at Jewish institutions or people (for example when anti-Semitic symbols are placed nearby a synagogue or a house of a Jewish person). 45 cases of anti-Semitism involved violence, including 4 incidents in the context of demonstrations about the conflict between Israel and Palestine. Anti-discrimination bureau registered 78 cases of discrimination against Jewish persons. The College of Human Rights does not register anti-Semitism as a specific form of discrimination. MiND registered 75 cases of anti-Semitism (11% of the total). It is much less than in 2018 when 25% of all cases were related to Anti-Semitism.

Notably, the Israel Information and Documentation Centre (CIDI) registered a total of 182 anti-Semitic acts in 2019, excluding online anti-Semitism.³¹ According to CIDI, 61 reports, or 34%, concern "real-life incidents" including swearing or threatening in the public space. On top of the

³⁰ <https://www.rijksoverheid.nl/documenten/rapporten/2020/04/28/discriminatiecijfers-in-2019>.

³¹ <https://www.cidi.nl/wp-content/uploads/2020/03/Monitor-antisemitische-incidenten-in-Nederland-2019.pdf>

182 in the offline world, CIDI recorded 127 cases of online anti-Semitism, especially on social media, forums and anti-Semitic websites.

According to police registers, there was an increase in the number of incidents related to religious discrimination (225) in 2019, in comparison to 2018 (173). Anti-discrimination bureau however recorded 279 cases in 2019, which is 25 less than in 2018. Police records cannot be broken down by the specific religion; however, case description indicates that a large part concerns people of Islamic faith. This includes, for example, women who are offended because they wear a headscarf. Islamophobic motive often triggers vandalism (30 incidents, which is 13% of the total). This involved various incidents involving destruction at a place of worship (e.g. smashing windows at a mosque). Antidiscrimination bureau reported similar trend, 192 of the total 279 cases of religious discrimination involved hostile treatment of Muslims (which amounts to 69%). 135 cases registered by the College of Human Rights and 64 cases registered by MiND involved religion. The last two did not differentiate among different religious groups.

Radical groups and ideologies

Islamic extremism

Islamic extremism is inspired by jihadism, extremist ideology with the glorification of the violent jihad (holy war). The Dutch jihadist movement is relatively hidden from public life. This is due to organisational and ideological discord as well as a lack of hierarchy and leadership within the community.

In addition to jihadism there are other forms of extremism where supporters use their religious conviction to justify their democracy-undermining activities. This is the case for Salafism which stands for a literal return to the 'pure Islam' of the religion's early days. Salafist imams usually belong to a younger generation of preachers, often born in the Netherlands, who received extracurricular education from an older generation of radical Salafists. Some of them then went to the Gulf region to study religion. Salafists are engaged in educational and political activities. 13 per cent of the Islamic schools in The Netherlands is connected to a salafist organization. In some schools Salafist teachers provide extracurricular education (on Islam and Arabic language) to children. One of the schools, Amsterdam Cornelius Haga Lyceum, was excluded from Government funding in 2019 after the rumours that one of board members was accused of showing support for ISIS on social media.³²

Political Salafists are active within the organisation Stichting Muslim Rights Watch Nederland (MRWN), which acts as a 'watchdog for the Islamic community'. The MRWN publicly supported

³² <https://www.trouw.nl/nieuws/coordinator-terrorisbestrijding-waarschuwt-voor-islamitische-school-in-amsterdam~b045b5a6/>

the dismissed former principal of the Cornelius Haga Lyceum (CHL) secondary school in Amsterdam, but also controversial ‘hate imam’ of the as-Soennah mosque in The Hague.³³

Social-psychological pathways of Islamic radicalisation

Recent research shows that many Dutch foreign fighters in Syria and Iraq have been members of (or affiliated with) criminal youth gangs.³⁴ Most of them grew up in disadvantageous neighborhoods, were uneducated, jobless and involved in various violent and property crimes prior to radicalization.³⁵ Research also revealed that socio-psychological aspects of Islamic radicalization, such as search for identity, lack of coping strategies and perceived victimhood of social injustice. Interviews with detainees in a terrorist unit indicate that actual involvement in terroristic activity can be attributed to psychopathology and narcissism, but more often to emotional ‘triggers’, such as traumatic life events.³⁶ Psychological problems were especially common among lone actors. Social network played an important role, particularly among delinquent youth, who became radicalized within a radical network with a ‘charismatic leader’.

In development of Islamic extremism, religious beliefs are formed by powerful representation of the Salafi - Jihadi discourse on the internet and contacts with radical imams. The spreading of fake news, conspiracy theories, undemocratic state propaganda from Arabic news channels

Table 2 Socio-psychological pathway to violence among Dutch terrorist suspects and detainees³⁷

	<i>Threat triggers</i>	<i>Cognitive and emotional response</i>	<i>Behavior response</i>
<i>Distal international factors</i>	Military interventions, ethnic conflicts abroad	Grievances, conformational bias	Seeking contact with like-minded persons, political activism, humanitarian work
<i>Distal national factors</i>	Discrimination, relative deprivation, segregation	Resentment, ‘ingroup love and outgroup hate’	Separation from mainstream society, breaking rules, criminality

³³ The imam attacked Rotterdam mayor Ahmed Aboutaleb in a sermon calling him an apostate Muslim and an enemy of real Islam. No legal action was undertaken because the Public prosecution department found no convincing evidence that imam intended to incite violence against the mayor. <https://www.dutchnews.nl/news/2018/03/imam-who-attacked-rotterdam-mayor-is-not-breaking-the-law-public-prosecutor/>

³⁴ Neve, R. J., Weerman, F. M., Eris, S., & van Prooijen, J. W. (2020). Radicalisation and travelling to Syria among delinquent youths: A case study from the Netherlands. *Journal for Deradicalization*, (22), 249-286.

³⁵ Ljujic, V., Versteegt, I., Weerman, F., Thijs, F., van Prooijen, J. W., el Bouk, F., & van de Weijer, S. (2020). Testing a Threat Model of Terrorism: A multi-method study about socio-economic and psychological influences on terrorism involvement in the Netherlands. In *Understanding Recruitment to Organized Crime and Terrorism* (pp. 147-171). Springer, Cham.

³⁶ Ibid.

³⁷ Ljujic, V., Versteegt, I., Weerman, F., Thijs, F., van Prooijen, J. W., el Bouk, F., & van de Weijer, S. (2020). Testing a Threat Model of Terrorism: A multi-method study about socio-economic and psychological influences on terrorism involvement in the Netherlands. In *Understanding Recruitment to Organized Crime and Terrorism* (pp. 147-171). Springer, Cham.

<i>Proximal personal factors</i>	Socio-economic status, disruptive experiences	Loss of significance, violence permissive attitudes	Crimes with terrorist intent
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Islamic extremist groups

The ‘homegrown’ jihadist networks in the Netherland have been focussed to getting people to join the Islamic State. Accordingly, the crimes they committed as a network concerned terrorist recruitment and inciting hatred rather than involvement in actual attacks. A recent attack in Utrecht was committed by a lone wolf. According to European Centre for Counterterrorism, Islamic extremist groups are involved in different activities, including recruiting and brainwashing young Muslims and financing jihadism (Table 3).³⁸ Security concerns are particularly linked to the Muslim Brotherhood. Financial support from Doha authorities, enabled the Brotherhood to buy four properties in Amsterdam, Rotterdam and The Hague for at least € 5 million in a short period. According to Dutch intelligence service, the group’s activities could, in the long term, pose a risk to the democratic legal order in the Netherlands.³⁹

Table 3 Islamic extremist groups in the Netherlands⁴⁰

The Muslim party Nida
it was established by Nourdin el-Ouali, who affiliated to the Muslim Brotherhood. The party participated in the municipal elections of March 20, 2019, for the first time for North of Netherlands. The party intended to gradually widespread and expansion in every Dutch province.
Group of Arnhem jihadists:
led by a 34 years old Iraqi decent person from <i>Arnhem</i> city in the East of the country. He was convicted in 2018 of trying to join ISIS. The group was plotting a terrorist attack using bomb vests and Kalashnikov AK-47’s. In addition to another attack at the same time using a car bomb. Seven of them lived in <i>Arnhem, Rotterdam and Hausen</i> .
The Hofstad Group
The Hofstad Group was a network led by “Mohammed Bouyeri” a Dutch national of Moroccan decent, who murdered filmmaker Theo van Gogh in 2004. It was a Jihadi Salafist Cell, composed largely of young Muslim Dutch of North Africa decent, it located in in The Hague.
Radical Mosques
The El Tawhid Mosque in Amsterdam, is viewed as a haven of terrorists who are active in recruitment of youth to join the extremist groups. Also affiliated to extremist Salafism are Sunna mosques in The Hague, the network of Salam family in Tilburg, and Furqan Mosque in Eindhoven.
Muslim Brotherhood
Many Islamic centers and mosques are affiliated with Muslim Brotherhood and under its direct control. In Rotterdam, they include the Essalam Islamic Cultural Centre (EIIC); the Centrum de Middenweg (CDMW), whose name is a reference to Yusuf al-Qaradawi’s al-Wasattiyah movement; and a former school building purchased by the Foundation Social Cultural Center in the Netherlands, which is the social and cultural arm of the MB.

³⁸ <https://en.europarabct.com/>

³⁹ Ibid.

⁴⁰ Ibid.

Right wing extremism

Right wing groups consist of persons and groups who (covertly) carry out violent and non-violent actions based on one of the following ideas: hatred of foreigners, hatred of a foreign culture and ultranationalism. Right wing groups are diverse, fragmented and often overlap with other groups (e.g. farmers' interest groups or football hooligans). According to recent research Dutch right wing extremists are primarily focused on "on capitalising on current social trends",⁴¹ by organizing the anti-establishment and anti-lockdown demonstrations, but also by facilitating counter response to anti-racism demonstration (such as Black Lives Matter). Several times this has led to (a threat of) violent action in which the home addresses of anti-racism activists were published and visited, or in which anti-Black Pete protesters were beset by right-wing extremists, sometimes joined by groups of football hooligans. In addition to these groups which use undemocratic means to achieve undemocratic goals, Dutch alt-right movement Erkenbrand tries to further its undemocratic political agenda⁴² without explicitly breaking any laws.

Security concerns related to right-wing extremism are however primarily linked to lone actors who radicalised online (via channels such as Telegram, Instagram and Discord) and whose terrorist intent may stay undetected by the law enforcement agencies. Societal unrest and anxiety related to the pandemic may amplify perceived threat to personal and group interests and accelerate process of violent radicalisation.

Identity-based extremism

Since 2019 new forms of extremism emerged in the Netherlands: anti-government extremism and identitarian extremism. Central to anti-government extremism is the rejection of the government, government policy, and/or democratic procedures. This is not for ideological reasons, but because of experienced or perceived injustice and indignation. According to NCTV (2020), identity-based extremism occurs when members of a disadvantaged group feel that they are being ignored or discriminated against on the basis of their identity (e.g. race, sexual orientation, gender, religion, etc.).⁴³ Identity extremism can be triggered by a deepening of existing polarisation, as well as by events at home and abroad. Recent research shows that anti-racism groups take action on the basis of their own identity against what they see as colonial and racist elements in Dutch society.

⁴¹ <https://english.nctv.nl/themes/counterterrorism/news/2020/11/03/nctv-terrorist-threat-assessment-an-attack-is-conceivable-with-the-threat-posed-mainly-by-lone-actors>

⁴² The ultimate goal of realising an authoritarian political system in which the civil rights of only white (male) citizens are safeguarded.

⁴³ <https://english.nctv.nl/themes/counterterrorism/news/2020/11/03/nctv-terrorist-threat-assessment-an-attack-is-conceivable-with-the-threat-posed-mainly-by-lone-actors>

Threat of terrorism

Terrorist threat assessment

National Coordinator of Counterterrorism and Security defines extremism as “the active pursuit of drastically disruptive changes to society that could jeopardise the democratic rule of law, possibly using undemocratic methods that could seriously impact the smooth functioning of our democratic legal order. Undemocratic methods such as these can be violent or non-violent, and the most extreme of the violent undemocratic methods is terrorism”.⁴⁴ Dutch law on terrorism (Wet Terroristische Misdrijven) contains an extensive package of measures, including the criminalisation of conspiring to commit terrorism, recruiting for “armed conflict”—jihad—and participating in or cooperating with terrorist training.

The Netherlands makes use of a system of threat levels indicating the likelihood of a terrorist attack in or against the Netherlands. Since December 2019, national threat level has decreased from “substantial”, to “significant”. According to the National Coordinator for Security and Counterterrorism, the main threat is Islamist terrorism, followed by violent “right-wing extremism.”⁴⁵ The government is also alert to terrorist threats posed by left-wing extremists and by animal rights activists. Threat of Islamic terrorism is related to growing up or socializing into jihadist environment. It may be linked to foreign fighters who have strong commitment to ISIS ideology, but also to a few hundred jihadist couples in the Netherlands and dozens of families where one parent holds jihadist views. According to the 2020 threat assessment, the threat of violence from right-wing extremists is less acute.⁴⁶ Online activities are a special case in this regard, however, as digital platforms offer ample opportunity for lone actors to potentially become radicalised through contact with like-minded individuals. A right-wing extremist attack remains conceivable primarily due to online developments.

Crimes with terrorist intent (criminal proceedings)

Several crimes related to terrorism took place in 2019.⁴⁷ On March 18, 2019, a man shot random passengers on a tram in Utrecht, killing four and seriously wounding two. In a hand-written note left at the scene of the attack and in later police interviews, he cited religious reasons for his actions, including perceived mockery of Islam. Immediately following the attack, the government briefly raised the threat level to “critical,” the highest level, though only locally in order to enable diverting resources to the manhunt. The prosecutor charged the man, Gokmen Tanis, with multiple counts of murder with terrorist intent.

⁴⁴ <https://www.nctv.nl/onderwerpen/dtn/definities-gebruikt-in-het-dtn>

⁴⁵ <https://english.nctv.nl/topics/terrorist-threat-assessment-netherlands/news/2019/07/04/attack-in-utrecht-and-arrests-confirm-threat>

⁴⁶ <https://english.nctv.nl/topics/terrorist-threat-assessment-netherlands/news/2020/11/03/nctv-terrorist-threat-assessment-an-attack-is-conceivable-with-the-threat-posed-mainly-by-lone-actors>

⁴⁷ <https://english.nctv.nl/topics/terrorist-threat-assessment-netherlands/news/2020/11/03/nctv-terrorist-threat-assessment-an-attack-is-conceivable-with-the-threat-posed-mainly-by-lone-actors>

On July 23 2019, the district court in The Hague convicted Oussama Achraf Akhlafa, a returned Dutch FTF, for committing a war crime in Syria. The suspect had his picture taken while posing next to a crucified corpse, thereby degrading the personal dignity of the victim. The court sentenced the suspect to seven-and-a-half years in prison.

On October 14, 2019, the district court of Amsterdam convicted 20-year-old Jawed Sultani for stabbing two U.S. tourists in Amsterdam central station on August 31, 2018. The court convicted him on two counts of attempted murder with terrorist intent and sentenced him to 26 years and 8 months in prison (the maximum under the charges) and a payment of almost \$3.5 million in damages to the victims. Sultani, born in Afghanistan and residing in Germany as an asylum seeker, travelled to the Netherlands for the attack because he believed the politician Geert Wilders insulted his religion.

On November 18, 2019, the district court of The Hague convicted 27-year-old Pakistani national Junaid Iqbal for planning a terrorist attack on politician Geert Wilders and sentenced him to 10 years in prison. Iqbal traveled to The Hague in August 2018 and posted a video on Facebook threatening to kill Wilders, following Wilders' announcement of organizing a Muhammad cartoon competition.

On November 25, 2019, police arrested two men on suspicion of planning a terrorist attack in the Netherlands. The investigation began in October and was based on information obtained from the General Security and Intelligence Services that the individuals wanted to learn how to make explosives. The individuals reportedly told undercover agents they intended to commit a terrorist attack against an unknown target in the Netherlands before the end of the year using car bombs or suicide vests.

In addition to the above, Dutch courts convicted seven persons in 2019 for financing terrorism in Syria and issued sentences of up to nine months in prison. As of December 2019, the government's national terrorist watch lists include 139 individuals and four organizations whose assets have been frozen.⁴⁸

Foreign fighters

Security concerns are particularly related to foreign fighters, namely Dutch citizens who travelled to a jihadist conflict zone with jihadist intentions, of whom it has been established that they reached the conflict zone, and who are returning to the Netherlands. This also includes jihadists who travelled to the conflict area from a location other than the Netherlands and then travel from the conflict area to the Netherlands. In 2019 around five persons with a Dutch background returned from the conflict area in Syria and Iraq to the Netherlands or another Western European country. In late 2019 some 120 jihadists with a Dutch background were still in Syria and Iraq. This number excludes minors of Dutch descent in this area. For each returnee, the AIVD assesses what kind of threat they pose. Returnees have a higher threat

⁴⁸ Ibid.

profile than jihadists who did not travel to the conflict area. This is mainly the case with men, because they have often had combat and explosives training, combat experience, and a network of (international) jihadist contacts.

Preventive measures against radicalization and terrorism

The Netherlands' 2016-2020 National Counterterrorism Strategy⁴⁹ contains measures to strengthen communities, strengthen resilience against radicalization and prevent terrorist financing. The strategy identifies five activities and areas for intervention: 1) procure (i.e. in a timely way gather and assess intelligence about [potential] threats to Dutch national security and national interests abroad); 2) prevent (i.e. prevent and disrupt extremism and foil terrorist attacks before they occur); 3) protect (i.e. protect people, property and vital processes from extremist and terrorist threats, both in the physical and virtual domains); 4) prepare (i.e. prepare optimally for extremist and terrorist violence and its consequences); and 5) pursue (i.e. enforce the law in the face of extremism and terrorism).⁵⁰ The strategy prioritizes prevention. To this end, the government has opted for a local, multidisciplinary approach for prevention and is developing tailored plans of action to intervene against suspected radicalization.

Terrorists go through a radicalisation process before turning to violence. Teachers and youth workers try to recognise this and report their suspicions to the police and criminal justice authorities, if necessary. Community police officers are the cornerstone of the local approach to prevention. Other stakeholders include local governments, with the support of the Office of the National Coordinator for Security and Counterterrorism, the public prosecutor's office, social workers, child protection services, educators, and community leaders. This approach prioritizes the use of preventative measures, including mentoring, counselling, access to vocational training programs and other social services. Similar programs are aimed at rehabilitation of former terrorists. To counter terrorist messaging, local governments are working with community and religious leaders to bolster alternative and more credible voices.

Conclusions for the period

During the period under review, there has been a concerted effort to introduce policies and laws that reduce discrimination against minorities in the Netherlands. The Government has provided comprehensive information about discrimination and where victims can go for support. It includes heavier penalties for violent offences involving discrimination and efforts to fight ethnic profiling by the police. Notable improvements have also been made in the registration of discrimination complaints (municipal antidiscrimination bureaus and the Public Prosecution' database on discrimination-related crimes). In order to increase willingness among victims of discriminatory violence to report incidents or lodge a criminal complaint, the

⁴⁹ <https://www.government.nl/topics/counterterrorism-and-national-security/counterterrorism>

⁵⁰ Bellasio, J., Hofman, J., Ward, A., Nederveen, F., Knack, A., Meranto, A. S., & Hoorens, S. (2018). *Counterterrorism evaluation*. Rand Europe.

police are focusing on measures to support victims who report an incident or lodge a criminal complaint, and on increasing knowledge and expertise by making use of internal police networks.

Like in most of Europe, Dutch right-wing exploit uncertainty and fears related to the pandemic to promote extreme ideology. It includes overt racist and anti-Semitic narratives, such as the claim that the virus is a hoax engineered by "Jewish elites" or intent on implementing a vaccine either for profit or to eradicate the white race. In spite of accumulated xenophobic and racist incidents in public sphere, recent sociological polls show that majority of Dutch share positive views about ethnic and religious minorities. There has been increase in discrimination incidents, but it could be (partly) attributed to the increasing awareness and better registration of discrimination incidents in recent years. Origin remains the most common ground for discrimination.

Right wing and Islamic extremism are viewed by security services as potential sources of terrorism. Right wing extremism is mostly active online, but is becoming more visible in 'anti-establishment protests' and (counter)demonstrations (as reaction to Black Lives Matter, for example). Threat of Islamic extremism is related to jihadism (e.g. foreign fighters) and Salafism ('hate imams').

Recommendations:

- The Government should include skin colour, language, national or ethnic origin as separate grounds of discrimination in its criminal legislation.
- The Government should provide explicitly in the Criminal Code that racist motivation constitutes an aggravating circumstance for any ordinary offence.
- The Government should develop and adopt codes of conduct that explicitly prohibit hate speech.