

Framet national contribution to the Fundamental Rights Report 2025

Part 1: Political participation and equality in elections

Part 2: Protecting women victims of violence

The Netherlands

Disclaimer

This document was commissioned under contract as background material for a comparative analysis by the European Union Agency for Fundamental Rights (FRA) for the project 'FRA Fundamental Rights Report 2025'. The information and views contained in the document do not necessarily reflect the views or the official position of FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

Frans national contribution to the Fundamental Rights Report 2025

Political participation and equality in elections

The Netherlands

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1. Inclusiveness of the 2024 elections

Awareness of the 2024 European Parliament elections

On 8 April 2024, a survey on voters' experiences during the 2023 House of Representatives Elections¹ held in November 2023 among a representative sample (3,230) of eligible voters was submitted by the Minister of Interior and Kingdom Relations to the House of Representatives². In this survey participants were asked whether they were aware of the 2024 European Parliament elections. 63% were unaware of the 2024 European Parliament elections. Voters without starting qualification (66%) and voters with practical education (65%) were more likely to say they do not know that the European elections are coming up than those with theoretical education (56%). This was also true for women (71%) compared to men (55%). 49% of voters older over 65 were aware of the 2024 European Parliament elections, among other age groups this percentage is lower (34% to 35%).³

Turnout among voters with a migration background

In 2024, a new edition of the Dutch Parliamentary Election Studies (DPES) was published, a series of national studies conducted under the auspices of the Dutch Election Research Foundation (SKON).⁴ These studies have been conducted since 1970. This 2024 edition is based on a general survey conducted among 2,294 voters who

¹ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Experience voters during 2023 House of Representatives Elections ([Ervaring kiesgerechtigden bij Tweede Kamerverkiezing 2023](#)), Amsterdam, Ipsos I&O.

² The Netherlands, Minister of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), 'Evaluation of House of Representatives elections 22-11-2023' (['Evaluatie Tweede Kamerverkiezing 22-11-2023'](#)), Letter to the House of Representatives, 8 April 2024.

³ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Experience voters during 2023 House of Representatives Elections ([Ervaring kiesgerechtigden bij Tweede Kamerverkiezing 2023](#)), Amsterdam, Ipsos I&O.

⁴ Spierings, N. & Vermeulen, F. (2024), ('Voters with migration background') 'Kiesgerechtigden met een migratieachtergrond', in: Voogd, R. et al (eds.), '2023 Elections. From Undercurrent to Breakthrough: Discontent and Migration' (['De verkiezingen van 2023. Van Onderstroom naar Doorbraak: Onvrede en Migratie'](#)), Nijmegen / Utrecht, SKON, pp. 101–106.

participated in the 2023 Dutch House of Representatives elections and a special survey conducted among 1,119 voters with a migration background who participated in the 2023 Dutch House of Representatives. This study shows that there was no difference in turnout between voters with a migration background from Africa, Asia and Latin America on the one hand and voters without a migration background on the other. In the 2021 House of Representatives, turnout among voters with a migration background was lower than among voters without a migration background. However, the 2024 edition of the Dutch Parliamentary Election Studies (DPES) shows that political trust, perceptions of the functioning of democracy and perceptions of representation are lower or more negative among voters with a migration background from Africa, Asia and Latin America.⁵

Accessibility of polling stations

On 22 February 2024, the Disabled People's Organisation (DPO) 'Ieder(in)' published a report on the special telephone hotline it opened before, during and after the House of Representatives (*Tweede Kamer*) elections of 22 November 2023.⁶ From 13 to 29 November 2023, it was possible to report experiences with the (lack of) accessibility of the voting process for people with a disability to this hotline. The hotline handled 384 reports. 47% of the reports were about a positive experience, 29% were about a negative experience and 24% were neutral. The reports pertained to the accessibility of polling stations, the assistance provided and the ballot paper.

- Reports on the accessibility of polling station were mostly positive. The facilities that take into account (different) disabilities are appreciated. Among other things, people point to the presence of a sign language interpreter, good facilities for people with visual impairments (such as the voting template or '*stemmal*' for people with a visual disability), chairs to wait your turn and good lighting in the voting booths. At the same time, in several places access to the polling station is insufficient. For example, it regularly happens that people cannot open access doors independently. The information provision about accessibility appears not to have been correct all the time. Furthermore, there is uncertainty about the accessibility of the polling station and the polling booths for people using mobility scooters. Several people expect to be able to vote from their mobility scooter which is not always possible.
- The experiences with assistance provided in the polling booth vary. Aside from some positive experiences, there are also some reports that polling station staff are not aware that people with a physical or visual disability are allowed to

⁵ Spierings, N. & Vermeulen, F. (2024), ('Voters with migration background') 'Kiesgerechtigden met een migratieachtergrond', in: Voogd, R. et al (eds.), '2023 Elections. From Undercurrent to Breakthrough: Discontent and Migration' (['De verkiezingen van 2023. Van Onderstroom naar Doorbraak: Onvrede en Migratie'](#)), Nijmegen / Utrecht, SKON, pp. 101–106.

⁶ The Netherlands, Ieder(in) (2024), Hotline unlimited voting. February 2024. Report of the reporting campaign on accessibility ([Rapportage van de meldactie over toegankelijkheid van de Tweede Kamer verkiezingen 2023](#)).

receive assistance in the polling booth (even from someone they choose themselves). This led to discussions and in a few cases the assistance was ultimately not permitted.

- Many reports concern the large size of the ballot paper. This makes the paper difficult to handle and prevents some people from being able to vote independently. The small font size makes the form difficult to read for some people.

The DPO 'Ieder(in)' formulated a series of recommendations as a result of this reporting campaign.⁷ The most important recommendation is to involve trained experiential experts with various disabilities in the preparations for upcoming elections. Furthermore, Ieder(in) calls for a better facilitation of voting from a mobility scooter.

On 30 September 2024, the DPO 'Ieder(in)' published a report on the special telephone hotline it opened before, during and after the European parliament elections of 6 June 2024.⁸ From 29 May 2024 to June 2024 it was possible to report experiences with the (lack of) accessibility of the voting process for people with a disability to this hotline. The hotline handled 320 reports. 57% of the reports were about a positive experience, 26% were about a negative experience and 17% were neutral. This seems to point to a positive trend, according to Ieder(in). As of 2022, the special hotline had been open for four consecutive elections. The percentage of negative experiences is decreasing, and the percentage of positive experiences is increasing. The reports concern accessibility of polling stations, facilities within polling stations and ballot papers.

- Many reports were received about access to the polling station. The majority of these were positive about the (wheelchair) accessibility of the polling station. Other reports show that not all polling stations are accessible. Ramps are sometimes too steep and at some polling stations there are thresholds and access doors cannot be opened independently.
- There is much appreciation for good facilities that consider (various) disabilities. Mentioned are, among other things, good facilities for people with a visual impairment (such as the voting template) and an accessible toilet. Chairs at the waiting line are sometimes, but not always available. There are also many positive reports about the help and information provided by members of the polling station.
- The opinions on the size of the ballot paper diverge. A number of people noted that the paper was smaller than in the 2023 House of Representatives elections (because fewer parties participated in the 2024 European parliament elections than in 2023 House of Representative elections). This made it easier for some people to handle. But that certainly did not apply to everyone. Many persons

⁷ The Netherlands, Ieder(in) (2024), Hotline unlimited voting. February 2024. Report of the reporting campaign on accessibility ([Rapportage van de meldactie over toegankelijkheid van de Tweede Kamer verkiezingen 2023](#)).

⁸ The Netherlands, Ieder(in) (2024), Report Hotline unrestricted voting European Elections. September 2024. ([Rapport Meldpunt onbeperkt stemmen Europese verkiezingen 2024, September 2024](#)).

had problems with the unfolding and folding, the small font size and the large amount of text.

The Disabled DPO *Ieder(in)* formulated a series of recommendations as a result of this reporting campaign.⁹ One of these recommendations is that the relevant authorities should adopt a learning approach. This involves continuous improvement of the accessibility of polling stations and the voting process. To achieve this, it is necessary - also at local level - to involve persons with various disabilities in the preparations and assessment of elections. Furthermore, *Ieder(in)* calls for the inclusion of persons with a disability in the staffing of polling stations.

A survey commissioned by the Electoral Council (*Kiesraad*) among the municipal civil servants responsible for the organisation of the 2024 European Parliament Elections in their municipality, shows that 75% of the municipalities did not identify any inaccessible polling stations inside their municipal borders and did not have to report polling stations that were not accessible.¹⁰ The remaining 25% did report inaccessible polling stations. On average, municipalities reported 3.8 inaccessible polling stations. Response to the survey was 76%. Under article J4 of the Electoral Act municipalities must ensure that all polling stations are located and equipped in such a way that voters with physical disabilities can cast their votes independently as much as possible.¹¹ Where polling stations do not comply with this, the municipal government must report the reasons for this to the municipal council. For the 2023 House of Representatives Elections a quarter of municipalities (25%) made a report about non-accessible polling stations. On average they reported on 3.1 non-accessible polling stations per municipality.¹²

On 8 April 2024, an assessment¹³ of a random sample of 120 polling stations during the 2023 House of Representatives elections (held on 22 November 2023) was submitted by the Minister of Interior and Kingdom Relations to the House of Representatives¹⁴.

⁹ The Netherlands, *Ieder(in)* (2024), Report Hotline unrestricted voting European Elections. September 2024. ([Rapport Meldpunt onbeperkt stemmen Europese verkiezingen 2024. September 2024](#)).

¹⁰ The Netherlands, Electoral Council (*Kiesraad*) (2024). Assessment 2024 European Parliament Elections ([Evaluatie Europees Parlementsverkiezing 2024](#)), Amsterdam, Ipsos I&O.

¹¹ The Netherlands, Electoral Act (*Kieswet*), [Article J 4](#).

¹² The Netherlands, Electoral Council (*Kiesraad*) (2024). Assessment 2024 European Parliament Elections ([Evaluatie Europees Parlementsverkiezing 2024](#)), Amsterdam, Ipsos I&O.

¹³ The Netherlands, Ministry of Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Sample accessibility polling stations. 2023 House of Representatives Elections ([Steekproef toegankelijkheid stemlokalen. Tweede Kamerverkiezing 22 november 2023](#)), Eindhoven, Bureau Ongehindert.

¹⁴ The Netherlands, Minister of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), 'Evaluation of House of Representatives elections 22-

All 120 polling stations in this sample were designated by the responsible municipality as being accessible. This assessment¹⁵ shows that 69% of these ‘accessible’ polling stations in the sample did not in fact meet all accessibility criteria. During the 2023 Provincial Councils and Water Board Elections (held on 15 March 2023), 79% of the ‘accessible’ polling stations in the sample did not meet all accessibility criteria.¹⁶

On 8 April 2024, a survey on the experiences of voters during the 2023 House of Representatives Elections¹⁷ held among a representative sample (3,230) of eligible voters was submitted by the Minister of Interior and Kingdom Relations to the House of Representatives¹⁸. 97% of the voters who cast their vote at the polling station, during the 2023 House of Representatives elections (held on 22 November 2023), indicated that they did not experience any problems with the accessibility of the polling station (98%) or with casting their vote (97%).¹⁹ Those who did experience problems almost always called them ‘minor problems’. Those who experienced problems with the accessibility of the polling station (45 persons) were asked about the problems they experienced. They indicated that there were problems with the accessibility of a mobility scooter or walker, with tables that were too small or with the availability of parking spaces. In addition, a substantial number indicated that the walking route was unclear, that the doors were not open or that there were too many (high) thresholds or other obstacles. 7% of voters checked in advance whether the

11-2023’ ([‘Evaluatie Tweede Kamerverkiezing 22-11-2023’](#)), Letter to the House of Representatives, 8 April 2024.

¹⁵ The Netherlands, Ministry of Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Sample accessibility polling stations. 2023 House of Representatives Elections ([Steekproef toegankelijkheid stemlokalen. Tweede Kamerverkiezing 22 november 2023](#)), Eindhoven, Bureau Ongehinderd.

¹⁶ The Netherlands, Ministry of Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2023), Sample accessibility polling station. Provincial and Water Board Elections 15 March 2023 ([Steekproef toegankelijkheid stemlokalen. Provinciale Staten- en Waterschapsverkiezingen. 15 maart 2023](#)), Eindhoven, Bureau Ongehinderd.

¹⁷ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Experience voters during 2023 House of Representatives Elections ([Ervaring kiesgerechtigden bij Tweede Kamerverkiezing 2023](#)), Amsterdam, Ipsos I&O.

¹⁸ The Netherlands, Ministry of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), ‘Evaluation of House of Representatives elections 22-11-2023’ ([‘Evaluatie Tweede Kamerverkiezing 22-11-2023’](#)), Letter to the House of Representatives, 8 April 2024.

¹⁹ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Experiences of voters during 2023 House of Representatives Elections ([Ervaring kiesgerechtigden bij Tweede Kamerverkiezing 2023](#)), Amsterdam, Ipsos I&O.

polling station was accessible for voters with physical disabilities. Voters for whom it is personally (very) important that polling stations are easily accessible did so more often (13%) than voters for whom it is not so important (3%).²⁰

On 8 April 2024, a report²¹ on the 2023 House of Representatives elections by the Democracy Volunteers was submitted by the Minister of Interior and Kingdom Relations to the House of Representatives²². The report is based on the observations made by observers of Democracy Volunteers at a random sample of 143 polling stations across 34 municipalities during the 2023 House of Representatives elections (held on 22 November 2023).²³ Accessibility for voters with a disability was very good in 116 of the 143 polling stations observed. In some stations it was unclear how voters with a disability would access the building. Some observers noted that in some cases the ramp access was poor. Some observers identified narrow entrances which could lead to wheelchair access being impeded and some ramps not being signposted.²⁴

Experiment with new ballot paper

During the European Parliament Elections on 6 June 2024 an experiment with a new ballot paper was held in five municipalities (Alphen aan den Rijn, Boekel, Borne, Midden-Delfland and Tynaarlo).²⁵ The experiment was based on the Temporary

²⁰ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Experiences of voters during 2023 House of Representatives Elections ([Ervaring kiesgerechtigden bij Tweede Kamerverkiezing 2023](#)), Amsterdam, Ipsos I&O.

²¹ Democracy Volunteers (2024), [Netherlands Parliamentary General Election. 22nd November 2023. Final Report on Election Observation.](#)

²² The Netherlands, Ministry of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), 'Evaluation of House of Representatives elections 22-11-2023' (['Evaluatie Tweede Kamerverkiezing 22-11-2023'](#)), Letter to the House of Representatives, 8 April 2024.

²³ Democracy Volunteers (2024), [Netherlands Parliamentary General Election. 22nd November 2023. Final Report on Election Observation.](#)

²⁴ Democracy Volunteers (2024), [Netherlands Parliamentary General Election. 22nd November 2023. Final Report on Election Observation.](#)

²⁵ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), '5 municipalities vote with smaller and more manageable ballot paper during European elections' (['5 gemeenten stemmen met een kleiner en handzamer stembiljet tijdens de Europees Parlementsverkiezing'](#)), 11 March 2024, News Release.

Experiments Act on New Ballot Papers (*Tijdelijke experimentenwet nieuwe stembiljetten*)²⁶.

On 11 March 2024, the Ministry of Interior and Kingdom Relations published in a news release²⁷ that a new ballot paper is necessary, as the current ballot paper is large and therefore difficult to read and handle for voters, as well as for polling officials. The new ballot paper is much smaller and easier to use. The new ballot paper is also more accessible for voters with a visual impairment, because it can be used better in combination with an aid, such as a voting template and audio support. In addition, displaying the logos of parties on the ballot paper also promotes accessibility.²⁸

On 22 April 2024, the Minister of Interior and Kingdom Relations informed parliament about how the evaluation commissioned by the Ministry of the Interior and Kingdom Relations will take place.²⁹

Besides the evaluation commissioned by the Ministry of Interior and Kingdom, evaluations of the new ballots were carried out by several bodies involved in the electoral process. On 2 August 2024, the Electoral Council (*Kiesraad*) sent its findings on the experiment to the Minister of Interior and Kingdom Relations.³⁰ The Electoral Council states that surveys conducted during the experiment show that voter responses are positive or very positive about the new ballot paper. Also, voters generally seem to understand the new ballot paper well. Nevertheless, the number of invalid votes in the five municipalities is higher than in the other municipalities. On average, in the municipalities in which the experiment took place 0.74% of the votes cast were declared invalid. In the other municipalities the average was 0.18%. In the

²⁶ The Netherlands, Temporary Experiments Act on New Ballot Papers (*Tijdelijke experimentenwet nieuwe stembiljetten*), [1 January 2023](#).

²⁷ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), '5 municipalities vote with smaller and more manageable ballot paper during European elections' ('[5 gemeenten stemmen met een kleiner en handzamer stembiljet tijdens de Europees Parlementsverkiezing](#)'), 11 March 2024, News Release.

²⁸ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), '5 municipalities vote with smaller and more manageable ballot paper during European elections' ('[5 gemeenten stemmen met een kleiner en handzamer stembiljet tijdens de Europees Parlementsverkiezing](#)'), 11 March 2024, News Release.

²⁹ The Netherlands, Minister of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), 'Design assessment experiment with new ballot paper during European Elections of 6 June 2024', ('[Opzet evaluatie experiment met een nieuw stembiljet bij de Europees Parlementsverkiezing op 6 juni 2024](#)'), Letter to House of Representatives, 22 April 2024.

³⁰ The Netherlands, Electoral Council (*Kiesraad*) (2024), 'Assessment Temporary Experiments Act on New Ballot Papers' ('[Evaluatie Tijdelijke experimentenwet nieuwe stembiljetten](#)'), Letter to the Minister of Interior and Kingdom Relations, 2 August 2024.

five municipalities used as a reference in the assessment 0.16% of the votes cast were declared invalid. The Electoral Council concludes that the new ballot paper responds to a great need and that a smaller ballot paper makes the voting and counting process easier in many ways. The Electoral Council attaches great value to a careful introduction of the new ballot paper (in design and education) to ensure that the number of votes declared invalid will be lower.³¹

On 1 September 2024, the Dutch Association for Civil Services (*Nederlandse Vereniging voor Burgerzaken*) submitted an assessment of the experiment in a letter to the Minister of Interior and Kingdom Relations.³² The Minister had asked the Association to share its views and the signals it received from municipalities. The Dutch Association for Civil Services states in its letter that the new ballot paper is easier to use by visually impaired voters. It turns out that visually impaired voters are better able to handle the voting template independently. This makes it easier to insert and remove the ballot paper from the template independently. In addition to making the process more accessible, this also safeguards the secrecy of the vote.³³

Family voting and gendered proxy voting

On 8 April 2024, a report³⁴ on the 2023 House of Representatives elections by the Democracy Volunteers was submitted to the House of Representatives by the Minister of Interior and Kingdom Relations.³⁵ The report is based on the observations made by observers of Democracy Volunteers at a random sample of 143 polling stations across 34 municipalities during the 2023 House of Representatives elections (held on 22

³¹ The Netherlands, Electoral Council (*Kiesraad*) (2024), 'Assesment Temporary Experiments Act on New Ballot Papers' (['Evaluatie Tijdelijke experimentenwet nieuwe stembiljetten'](#)), Letter to the Minister of Interior and Kingdom Relations, 2 August 2024.

³² The Netherlands, Dutch Association for Civil Services (*Nederlandse Vereniging voor Burgerzaken*) (2024), 'NVVB Assessment of European elections' (['Evaluatie NVVB Europese Parlement verkiezingen'](#)), Letter to the Minister of Interior and Kingdom Relations, 1 September 2024.

³³ The Netherlands, Dutch Association for Civil Services (*Nederlandse Vereniging voor Burgerzaken*) (2024), 'NVVB Assessment of European elections' (['Evaluatie NVVB Europese Parlement verkiezingen'](#)), Letter to the Minister of Interior and Kingdom Relations, 1 September 2024.

³⁴ Democracy Volunteers (2024), [Netherlands Parliamentary General Election. 22nd November 2023. Final Report on Election Observation.](#)

³⁵ The Netherlands, Ministry of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), 'Evaluation of House of Representatives elections 22-11-2023' (['Evaluatie Tweede Kamerverkiezing 22-11-2023'](#)), Letter to the House of Representatives, 8 April 2024.

November 2023).³⁶ A total of 5,889 voters were observed. The report points to some instances of family voting and gendered proxy voting.

Family Voting was identified by the observers at 21% (30 of 142) of polling stations, affecting 43 voters out of 5,889 observed. Family Voting is a practice whereby one member of a family or group influences or guides another on how to cast their vote and is described by the OSCE/ODIHR as an unacceptable practice.

The data collected by the observer team showed that 55% of those acting as proxies were male, with just 45% being cast by females, showing that this methodology of voting can be a gendered process, with men more likely to be acting as proxies. This imbalance is an ongoing cause for concern, as the wide use of proxy voting could lead to Family Voting.³⁷

Bill on assistance in the polling booth

On 19 June 2024, the Minister of Interior and Kingdom Relations submitted a memorandum on a bill regulating assistance in the polling booth to the House of Representatives.³⁸ Under the Election Act, only voters who are unable to vote independently due to a physical disability can get assistance at the polling booth.³⁹ Voters with intellectual disabilities or those who are low literate are not entitled to assistance. The objective of the bill is that anyone who wishes to receive assistance at the polling booth will be assisted by a polling station member. Persons with a physical disability, however, will retain the right to bring someone of their choice for assistance into the polling booth with them.⁴⁰ This may be a polling station member, but also a family member or acquaintance. The bill distinguishes between persons with and without physical disability. The bill is under review of the Advisory Division of the Council of State (*Afdeling adviserend Raad van State*) and is not published yet.

³⁶ Democracy Volunteers (2024), [Netherlands Parliamentary General Election. 22nd November 2023. Final Report on Election Observation](#), London, Democracy Volunteers.

³⁷ Democracy Volunteers (2024), [Netherlands Parliamentary General Election. 22nd November 2023. Final Report on Election Observation](#). London, Democracy Volunteers.

³⁸ The Netherlands, Ministry of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Outline Bill on assistance in the polling booth. Notitie ([Hoofdlijnen wetsvoorstel bijstand in het stembokje. Notitie](#)).

³⁹ The Netherlands, Electoral Act (*Kieswet*), [Article J 28](#).

⁴⁰ The Netherlands, Ministry of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Outline Bill on assistance in the polling booth. Notitie ([Hoofdlijnen wetsvoorstel bijstand in het stembokje. Notitie](#)).

2. Violence and intimidation during 2024 elections

No incidents of violence and intimidation took place during the European Parliament Elections held on 6 June 2024. On 2 August 2024, the Electoral Council (*Kiesraad*) published its general assessment about the 2024 European in which no incidents of violence and intimidation were reported.⁴¹ The Electoral Council concludes that the elections went smoothly, resulting in reliable results. The Electoral Council based this evaluation on its own findings as central electoral committee during the election process and on signals received from municipalities, voters, political parties and the media.

On 14 May 2024, the Minister of Interior and Kingdom Relations to the House of Representatives submitted a study on online aggression against local and regional female politicians to the House of Representatives.⁴² This study is based on a survey held in 2022. 3,033 political office holders (2,175 men and 857 women) in the municipalities, provinces and water boards) answered questions in this monitor. 47% of female politicians in the 12 months prior to the survey experienced online aggression or violence compared to 36% of the male politicians. The authors of this study conclude that female politicians on a local and regional level are significantly more often victims of online aggression and violence than their male colleagues. Experiencing online aggression and violence, as well as the risk of it, has real consequences on their behaviour and functioning, and on their social media use in particular. Also, the dealing with (online) aggression and violence by their professional environment does not match as well with the needs of female politicians: female politicians are less satisfied with the way their organisation deals with incidents of aggression and violence.⁴³

⁴¹ The Netherlands, Electoral Council (*Kiesraad*) (2024), Evaluation advice EP24: Election went smoothly ([Evaluatieadvies EP24: Voorspoedig verlopen verkiezing](#)), 23 September 2024.

⁴² The Netherlands, Ministry of Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Go peel potatoes: Research into the extent, nature and consequences of online aggression and violence against female politicians in the Netherlands (*Ga maar aardappelen schillen : Onderzoek naar de omvang, aard en gevolgen van online agressie en geweld tegen vrouwelijke politici in Nederland*), Amsterdam, Atria.

⁴³ The Netherlands, Ministry of Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Go peel potatoes: Research into the extent, nature and consequences of online aggression and violence against female politicians in the Netherlands (*Ga maar aardappelen schillen : Onderzoek naar de omvang, aard en gevolgen van online agressie en geweld tegen vrouwelijke politici in Nederland*), Amsterdam, Atria.

3. Attempts at online and offline disinformation and manipulation of voters during 2024 elections

On 8 April 2024, in a letter to parliament, the Minister of the Interior and Kingdom Relations concludes that there are no indications that large-scale disinformation campaigns took place before, during and after the House of Representatives (*Tweede Kamer*) elections of 22 November 2023.⁴⁴ The Minister based this conclusion on reports from the media, from fact checkers and from other government bodies. However, the Ministry of the Interior and Kingdom Relations did use X's Urgent Escalation Channel once because of reports of a message spread on X that might incite voters to cast an invalid vote. It concerns a message that states that people who want to vote for the GroenLinks/PvdA party, should check two boxes on the ballot: one for a GroenLinks candidate and one for a PvdA candidate. GroenLinks/PvdA is a combined list. Checking two boxes would have led to a vote being invalid. A report was written on how the ministry received, processed, and reported these messages to X.⁴⁵ The report of the ministry states that the message on X may have been intended as a joke or satire. The message was in the Dutch language. The report does not state whether the origins of the message on X were domestic or foreign.

No attempts at online and offline disinformation and manipulation of voters during the 2024 European elections in the Netherlands were found or reported.

Newspaper *The Guardian* reported on a study on disinformation on platform X before the 2024 European Parliament elections in France, Italy, Germany in the Netherlands.⁴⁶ It was commissioned by the Dutch parties in the Progressive Alliance of Socialists and

⁴⁴ The Netherlands, Ministry of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), 'Evaluation of House of Representatives elections 22-11-2023' (['Evaluatie Tweede Kamerverkiezing 22-11-2023'](#)), Letter to the House of Representatives, 8 April 2024.

⁴⁵ The Netherlands, Ministry of the Interior and Kingdom Relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Report Deployment of Trusted Flagger Status Ministry of the Interior. House of Representatives Elections 22 November 2023 (['Rapport - Inzet Trusted Flagger Status BZK. Tweede Kamerverkiezing 22 november 2023'](#)).

⁴⁶ O'Carrel, L. (2024), '[Disinformation networks 'flooded' X before EU elections, report says'](#), *Guardian*, 12 June 2024.

Democrats in the European Parliament and carried out by the Dutch-based consultancy firm Trollrensics. The consultancy firm used specialist software to study 2.3 million posts from 468,000 accounts on X in Germany, France, Italy and the Netherlands. From that dataset, it identified 50,000 accounts that spread disinformation. In the Netherlands, it found no organised disinformation networks. In France, it found that 20% of the 127,000 posts mentioning Éric Zemmour, founder of the far-right political party Reconquête, originated from disinformation accounts. In Germany, 10% of posts about the party *Alternative für Deutschland* came from these kinds of accounts. The accounts it studied in Italy were less concerned with the EP elections and more with controversies over migration or vaccination.

Parliamentary questions were asked about the Trollrensics study. In answering these questions, the Minister of the Interior and Kingdom Relations outlines the national policy response to disinformation during the campaign for the 2024 European Parliament elections.⁴⁷ The minister states that the national government took the standard measures to reduce the effects of disinformation networks. This primarily pertains to providing comprehensible and transparent information about the election process and voting procedure. In addition, the Ministry of the Interior and Kingdom Relations organised special meetings for representatives of municipalities, the Electoral Council (*Kiesraad*) and a number of national actors (National Police, the Public Prosecution Service, the Netherlands Authority for Consumers and Markets (ACM) and the relevant ministries, where possible risks undermining the election process were discussed. Furthermore, the Ministry organised a webinar for municipal officials specifically addressing the countering of disinformation.

⁴⁷ The Netherlands, Ministry of the Interior and Kingdom Relations (*Minister van Binnenlandse Zaken en Koninkrijksrelaties*) (2024), Response to Parliamentary questions 2024Z11988 on the study by Trollrensics on disinformation networks during the EU elections ([Beantwoording Kamervragen 2024Z11988 over het onderzoek van Trollrensics over desinformatienetwerken tijdens de EU verkiezingen](#)), 2 October 2024.

Annex 1 – Promising practice

Promising practice	
Title (original language)	Inclusieve Stembureaus
Title (EN)	Inclusive polling stations
Organisation (original language)	Stichting Prokkel
Organisation (EN)	Prokkel Foundation
Government / Civil society	Civil society
Funding body	National government
Reference (incl. URL, where available)	Prokkel Foundation (<i>Stichting Prokkel</i>) (2024), 'Inclusive polling stations' ('Inclusieve Stembureaus'), Web page.
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2021-
Type of initiative	Support
Main target group	Persons with an intellectual disability
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	During this campaign volunteers at a polling station with an intellectual disability are coupled with volunteers without an intellectual disability. These couples of volunteers support people with an intellectual disability in the polling stations. The first time this campaign was implemented was in 2021. During the European elections held on 6 June 2024 the campaign was again implemented. 400 couples were active on this day. Foundation Prokkel supports the volunteers by providing informative leaflets.

Promising practice	
Highlight any element of the actions that is transferable (max. 500 chars)	The whole practice is transferable.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Since 201, the practice has been implemented during all elections in the Netherlands.
Give reasons why you consider the practice as having concrete measurable impact	Because it is implemented by an organisation (the Prokkel Foundation) which has much experience in implementing programmes which aims to connect people with and without intellectual disabilities.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	Because in all Members States voters with an intellectual disability are in need of support during the election process.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice	The campaign was implemented by an organisation (the Prokkel Foundation) that has extensive experience in implementing programmes aimed at connecting people with and without intellectual disabilities.
Explain, if applicable, how the practice provides for review and assessment	The volunteers participating in the practice are asked about their experiences by the Prokkel Foundation.

Franel national contribution to the Fundamental Rights Report 2025

Effectively protecting women victims of violence

The Netherlands

Contractor's name: Art.1 - Dutch Knowledge Centre on
Discrimination

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Disclaimer: This document was commissioned under contract by the European Union Agency for Fundamental Rights (FRA) as background material for the project 'FRA Fundamental Rights Report 2025'. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

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1. Legal and Policy measures to address violence against women including its criminalisation

If relevant, please describe what measures were taken to ratify or implement the Istanbul Convention or prepare for the transposition of the VAW Directive. If relevant, please describe particular aspects of these measures relating to:

- a. Technology-facilitated gender-based violence, specifically non-consensual sharing of intimate or manipulated material (Art. 5 VAW Directive), cyber stalking (Art. 6 VAW Directive), cyber harassment (Art. 7 VAW Directive) and cyber incitement to violence or hatred (Art. 8 VAW Directive).
- b. Reporting crimes of violence against women, including third party reporting and/or the use of technology to report (online or in-app reporting) (Art. 14(1) VAW Directive).
- c. Secondary victimization (e.g. negative treatment of victims by the police/criminal justice system) and repeat victimisation (e.g. common in intimate partner relationships), including adoption of immediate response measures such as barring orders (Art. 50 - 52 of the Istanbul Convention and Art. 16 (5) and 19 VAW Directive), restraining and protection orders (Art 53 Istanbul Convention and Art. and 19 VAW Directive), and other measures such as protecting victims against intimidation (Art. 56 Istanbul Convention and Art. 18, 20 and 21 VAW Directive).
- d. Women victims of violence who are public representatives, journalists or human rights defenders (for example allowing this to be regarded as an aggravating circumstance, Art. 11 (n) VAW Directive).

Table 1 – Legislative and policy measures

Legislative act / Policy measure (including web-link)	Specific provision / paragraph / page	Briefly describe the specific focus on women as victims of violence (including specific aspects asked about in a-d)
Sexual Offences Act (Wet seksuele misdrijven).	The Netherlands, Criminal Code (<i>Wetboek van Strafrecht</i>), Article 240 .	As of 1 July 2024, the Sexual Offences Act took effect. This Act amends several existing articles in the Criminal Code and introduces several new articles. One of these new articles is article 240. Article 240 criminalises negligent sexual assault (<i>schuldaanranding</i>). The act of sexual assault consists of all sexual acts except for sexual penetration which is covered by two separate articles (242 and 243)

		that criminalise rape. Negligence is described as having a substantial reason to suspect that the sexual acts were against the victims will. The explanatory memorandum to the Sexual Offences Act ¹ states that this article together with articles 241 sub 1, 242 and 243, sub 1 implements article 36 of the Istanbul Convention.
Sexual Offences Act (Wet seksuele misdrijven).	The Netherlands, Criminal Code (Wetboek van Strafrecht), Article 241 .	As of 1 July 2024, the Sexual Offences Act took effect. This Act amends several existing articles in the Criminal Code and introduces a several new articles. One of these new articles is article 241. Article 241, sub. 1 criminalizes intentional sexual assault (<i>opzetaanranding</i>). The act of sexual assault consists of sexual acts except for sexual penetration which is covered by two separate articles (242 and 243) that criminalize rape. Intentionality is constituted by performing sexual acts while the offender knew they were against the victims will. Article 241, subsection 2 stipulates that a person who commits the offence described in the first subsection, preceded, accompanied by, or followed by coercion, violence, or threat, is guilty of aggravated intentional sexual assault. The explanatory memorandum to the Sexual Offences Act ² states that article 241, sub 1 together with articles 240, 242 and 243, sub 1 implements article 36 of the Istanbul Convention.

¹ The Netherlands, Minister of Justice and Security (*Minister van Justitie en Veiligheid*), Explanatory Memorandum. Sexual Offences Act ([Memorie van Toelichting. Wet Seksuele Misdrijven](#)).

² The Netherlands, Minister of Justice and Security (*Minister van Justitie en Veiligheid*), Explanatory Memorandum. Sexual Offences Act ([Memorie van Toelichting. Wet Seksuele Misdrijven](#)).

<p>Sexual Offences Act (Wet seksuele misdrijven).</p>	<p>The Netherlands, Criminal Code (<i>Wetboek van Strafrecht</i>), Article 242.</p>	<p>As of 1 July 2024, the Sexual Offences Act took effect. This Act amends several articles in the Criminal Code. One of the articles amended is article 242. The old article criminalised rape (<i>verkrachting</i>). The new article 242 criminalises negligent rape (<i>schuldverkrachting</i>). Negligence is described as having a substantial reason to suspect that the sexual acts with another person involving or including the sexual penetration of the body, were against the victims will. The explanatory memorandum to the Sexual Offences Act³ states that this article together with articles 240, 241 sub 1 and 243, sub 1 implements article 36 of the Istanbul Convention.</p>
<p>Sexual Offences Act (Wet seksuele misdrijven).</p>	<p>The Netherlands, Criminal Code (<i>Wetboek van Strafrecht</i>), Article 243.</p>	<p>As of 1 July 2024, the Sexual Offences Act took effect. This Act amends several articles in the Criminal Code. One of the articles amended is article 243. Sub. 1 of the new article 243 criminalises intentional rape (<i>opzetverkrachting</i>). Intentional rape is constituted by performing sexual penetration while the offender knew they were against the victims will. The amendment makes it possible that victims of rape can report rape in more cases. In order to prove rape, it is no longer necessary to prove that there was coercion, for example because violence was used, or violence was threatened. Someone is punishable if they continue sexual penetration, while there are clear signs that the other person does not consent. Article 243 subsection 2 stipulates that a person who commits the offence described in the first subsection, preceded, accompanied by, or followed by coercion, violence, or threat, is guilty of aggravated</p>

³ The Netherlands, Minister of Justice and Security (*Minister van Justitie en Veiligheid*), Explanatory Memorandum. Sexual Offences Act ([Memorie van Toelichting. Wet Seksuele Misdrijven](#)).

		intentional rape. The explanatory memorandum to the Sexual Offences Act ⁴ states that this article together with articles 240, 241 sub 1 and 242 implements article 36 of the Istanbul Convention.
Sexual Offences Act (Wet seksuele misdrijven).	The Netherlands, Criminal Code (<i>Wetboek van Strafrecht</i>), Article 244 .	As of 1 July 2024, the Sexual Offences Act took effect. This Act amends several existing articles in the Criminal Code and introduces several new articles. One of these new articles is article 244. Article 244 stipulates that for the application of the offences described in articles 240 to 243, a person shall be deemed to lack the will to engage in sexual acts if that person is, in any case, in a state of unconsciousness, reduced unconsciousness, physical incapacity, or has a psychological disorder, psychogeriatric condition, or intellectual disability to such an extent that this person is unable or only partially able to determine a will regarding sexual acts or to resist them.
Sexual Offences Act (Wet seksuele misdrijven).	The Netherlands, Criminal Code (<i>Wetboek van Strafrecht</i>), Article 429ter .	As of 1 July 2024, the Sexual Offences Act took effect. This Act amends several existing articles in the Criminal Code and introduces several new articles. One of these new articles is article 254b. This article criminalises sexual harassment in public places, both offline and online.
Sexual Offences Act (Wet seksuele misdrijven).	The Netherlands, Criminal Code (<i>Wetboek van Strafrecht</i>), Article 251 .	As of 1 July 2024, the Sexual Offences Act took effect. This Act amends several existing articles in the Criminal Code and introduces several new articles. One of these new articles is article 251. This article criminalises sexchatting between adults and children younger

⁴ The Netherlands, Minister of Justice and Security (*Minister van Justitie en Veiligheid*), Explanatory Memorandum. Sexual Offences Act ([Memorie van Toelichting. Wet Seksuele Misdrijven](#)).

		<p>than 16 years old. Sexchatting is specified in this article as: (1) intrusively approaching someone sexually, either verbally or in writing, in a manner that may be considered harmful to children under the age of sixteen; (2) witnessing an act or a visual representation of a sexual nature or with an unmistakably sexual intent in a manner that may be considered harmful to children under the age of sixteen; (3) proposing an encounter for sexual purposes and taking any action to bring about that encounter.</p>
<p>Together we draw a line (Met elkaar trekken we de grens).</p>	<p>The Netherlands, National Government (<i>Rijksoverheid</i>), Together we draw a line (Met elkaar trekken we de grens), Website.</p>	<p>National public campaign that informs the general public about the Sexual Offences Act that took effect on 1 July 2024. It informs about which forms of sexual violence and sexually transgressive behaviour are punishable from 1 July. The campaign emphasises that sexual contact should always be voluntary and equal.</p>
<p>Extension of Victims' Rights Act (Wet uitbreiding slachtofferrechten)</p>	<p>The Netherlands, Code of Criminal Procedure (<i>Wetboek van Strafvordering</i>), Article 258a.</p>	<p>On 1 July 2024, the Extension of Victims' Rights Act took effect. The act added article 258a to the Dutch Code of Criminal Procedure. This article obliges the accused of serious crimes (including serious sexual crimes) to attend the hearing of their criminal case in court. Victims have already the right to present a Victim's statement. Victims will now have the chance to tell the accused what the crime in question has done to them. The Court may decide (ex officio or on request of the victim, or the accused or the Public Prosecution Service), that the compulsory appearance of the accused is not required in connection with compelling interests of the accused, the victim or one of the other participants in the proceedings or in the event that none of the participants in the proceedings deem the compulsory appearance desirable or necessary.</p>

<p>Aanwijzing seksuele misdrijven (2024A005) (Aanwijzing seksuele misdrijven [2024A005])</p>	<p>The Netherlands, Public Prosecution Service (<i>Openbaar Ministerie</i>) (2024), Sexual Offences Instruction [2024A005]) (Aanwijzing seksuele misdrijven [2024A005])</p>	<p>On 1 July 2024, the Sexual Offences Instruction of the Public Prosecution Service replaced the older Sexual Offences Instruction (Aanwijzing Zeden). Both instructions indicate the way in which the Public Prosecution Service should act in cases of sexual violence. The safety of the victim and stopping (the threat of) sexual violence and abuse are paramount. Victims' personal data shall be handled with care and, where possible, measures shall be taken to prevent the identity of victims from becoming known outside the circle of parties involved in criminal proceedings. To prevent secondary victimisation predictable action is taken by all relevant agencies and the victim has control over what happens. The Public Prosecutor acts with this in mind whenever possible. The victim interview is a tool for this and can be conducted at any time when it can contribute to predictability and the victim's sense of control.</p>
<p>Extra funds for Sexual Assault Centres (Extra geld voor Centrum Seksueel Geweld).</p>	<p>The Netherlands, Ministry of Health Welfare and Sport (<i>Ministerie van Volksgezondheid, Welzijn en Sport</i>) (2024), Extra funds for Sexual Assault Centre (Extra geld voor Centrum Seksueel Geweld), News release, 15 January 2024.</p>	<p>Over the next 3 years (2023-2025), the annual government subsidy to the Sexual Assault Centre will be raised to more than €1.1 million. That is a doubling of the basic amount of 2023. At the Sexual Assault Centre, a team of doctors, nurses, police officers, psychologists, social workers and sex therapists work together to provide specialist care to victims of sexual assault and rape.</p>
<p>Stop femicide. Plan of action to prevent deadly violence against women and girls by (ex-)partner</p>	<p>The Netherlands, Ministry of Health Welfare and Sport</p>	

or family. ([Stop femicide. Plan van aanpak om dodelijk geweld tegen vrouwen en meisjes door \(ex-\) partner of familie te voorkomen](#)).

(Ministerie van Volksgezondheid, Welzijn en Sport) (2024), Stop femicide. Plan van aanpak om dodelijk geweld tegen vrouwen en meisjes door (ex-) partner of familie te voorkomen ([Stop femicide. Plan of action to prevent deadly violence against women and girls by \(ex-\)partner or family](#)).

Action plan of the national government to prevent lethal violence against women and girls by (ex-)partners or family. This two-year, 10-point plan tries to identify and prioritise risks, such as stalking and threatening behaviour and provide more targeted help. The project involves professionals, the police, relatives of women who were killed and potential victims. The 10 points in this plan are: promoting equality between men and women; raising awareness about femicide in society; increasing the expertise of professionals; identifying the nature of violence; investigating how safety and risk assessment can be improved; improving the criminal justice approach to psychological violence; improving the protection of victims; conducting research into better assistance for perpetrators; gathering knowledge about femicide and gender-based violence; conducting research into strengthening national coordination. The plan was submitted to parliament on 7 June 2024 by the then caretaker cabinet. Funds for the plan have to be made available by the new cabinet.

2. Standing of victims of gender-based violence during criminal proceedings

Please briefly elaborate on the standing of victims of gender-based violence in 2024 during criminal proceedings (as witness, civil party, damaged party, auxiliary prosecutor or party to the proceedings).

The standing and rights of victims (including victims of gender-based violence) during criminal proceedings are laid down in the Code of Criminal Procedure and subsidiary legislation. There are no specific provisions for victims of gender-based violence.

Reporting a criminal offence

A victim may report a criminal offence to the police.⁵ There are several ways to report a criminal offence - via the Internet or by telephone. If the Public Prosecution Service decides that there will be no criminal proceedings the victim can lodge a complaint with the Court of Appeal that would then decide whether the Public Prosecution Service has to prosecute the suspect after all.⁶

Information

Article 51ab of the Dutch Code of Criminal Procedure stipulates that the police and the public prosecutor shall during the first contact inform the victim about his or her rights as a victim.⁷ Article 51ac of the Dutch Code of Criminal Procedure stipulates that the public prosecutor shall at the victim's request keep the victim informed about the start and the progress of the proceedings and inform the victim about the (conditional) release, parole or escape of the suspect or offender and about measures taken to protect the victim's interests.⁸ Article 51b of the Dutch Code of Criminal Procedure stipulates that at the victim's request, the public prosecutor or the court of first instance shall grant permission to the victim to inspect the case files.⁹ Moreover, the

⁵ The Netherlands, Code of Criminal Procedure (Wetboek van Strafvordering), [Article 161](#).

⁶ The Netherlands, Code of Criminal Procedure (Wetboek van Strafvordering), [Article 12](#).

⁷ The Netherlands, Code of Criminal Procedure (Wetboek van Strafvordering), [Article 51ab](#).

⁸ The Netherlands, Code of Criminal Procedure (Wetboek van Strafvordering), [Article 51ac](#).

⁹ The Netherlands, Code of Criminal Procedure (Wetboek van Strafvordering), [Article 51b](#).

victim has the right to add documents to the file under article 51b of the Code of Criminal Procedure.¹⁰

Support

The Police and the Public Prosecution Service are obliged to refer victims to a victim support organisation.¹¹ The general support organisation in the Netherlands is Victim Support Netherlands.¹² It provides support free of charge. It provides emotional support to the victim, support to get compensation for any damages, and support to the victim in the criminal justice process. For victims of sexual violence there is the Sexual Assault Centre.¹³ At the locations of this Centre a team of doctors, nurses, police officers, psychologists, social workers and sex therapists work together to provide specialist care to victims of sexual assault and rape.

Interpretation and translation

A victim who has no insufficient command of the Dutch language may invoke the assistance of an interpreter¹⁴ and may translate the trial documents¹⁵. The costs for the assistance of the interpreter and translation are carried by the authorities.¹⁶

Legal counsel and representation

Victims may be represented by a lawyer, for example when a victim reports to the Police or during the criminal hearing.¹⁷ In a number of cases (including sexual

¹⁰ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51b](#).

¹¹ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51aa, subsection 2](#).

¹² The Netherlands, Victim Support Netherlands (*Slachtofferzorg Nederland*) (2024), '[Victim Support Netherlands is there for you](#)', Webpage ; The Netherlands, Crime Victims Decree (*Besluit slachtoffers van strafbare feiten*), [Chapter 2](#).

¹³ The Netherlands, Sexual Assault Center (*Centrum Seksueel Geweld*) (2024), '[About the Sexual Assault Center](#)', Webpage.

¹⁴ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51c, subsection 5](#).

¹⁵ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51ca](#)

¹⁶ The Netherlands, Wet Tarieven in Strafzaken (Act on Fees in Criminal Cases) , [Article 1, Subsection 5](#).

¹⁷ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51c, subsection 1 & subsection 3](#).

violence), legal aid is free of charge.¹⁸ If a victim wants someone else to represent him or her, for example a friend, a family member, or a staff member of a support organisation, the victim can ask the Police or the Public Prosecutor. The Police or the Public Prosecutor may refuse this if this is in the interest of the criminal investigation or in the interest of the victim.¹⁹

Statement during court sessions

Under article 51e of the Code of Criminal Procedure, a victim or relative of the victim may exercise the right to make a verbal statement at a court session if the offence as charged in the indictment is a serious offence which carries a statutory term of imprisonment of at least eight years.²⁰ The right to speak is unlimited, meaning that victims could state their views not only about the consequences of the crime but also about the evidence, the culpability of the accused and appropriate sentencing.

On 1 July 2024, the Extension of Victims' Rights Act²¹ took effect. The act added article 258a to the Dutch Code of Criminal Procedure.²² This article obliges the accused of serious crimes (including serious sexual crimes) to attend the hearing of their criminal case in court. Victims will now have the chance to tell an accused what the crime in question has done to them.

Witness

During the criminal trial, the judge questions the suspect and, potentially, questions the victim in their role as a witness.

Protective measures

The Police is obliged at first contact with the victim to make an individual assessment of the victims' risk and the need for protection (orders) in close consultation with the

¹⁸ The Netherlands, Legal Aid Act (*Wet op de Rechtsbijstand*), [Article 44, subsection 4](#).

¹⁹ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51c, subsection 4](#).

²⁰ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51e](#).

²¹ The Netherlands, Minister for Legal Protection (*Minister voor Rechtsbescherming*) (2024), Decree of 3 June 2024 determining the time of partial entry into force of the Victims' Rights Extension Act ([Besluit van 3 juni 2024 tot vaststelling van het tijdstip van de gedeeltelijke inwerkingtreding van de Wet uitbreiding slachtofferrechten](#)).

²² The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 258a](#).

victim.²³ Victims do not officially apply for the protection order, but they can inform the police or prosecution that they need such an order. At later stages, all actors involved (the Public Prosecution Service, the judiciary, the Probation Services and Victim Support) continue to assess the vulnerability of each victim and to determine whether protective measures are necessary during the criminal proceedings.²⁴ The Public Prosecution Service in its Sexual Offences Instruction²⁵ refers in its paragraph on victim protection to secondary victimisation, repeat victimisation, intimidation, retaliation and protection of personal data.

Compensation

Under article 51f of the Code of Criminal Procedure, a victim or relative of the victim has the right to claim compensation.²⁶ The Public Prosecutor or the Judge will decide whether the offender has to compensate the victim for the damage. The state executes court-awarded compensation from the offender. In serious cases, the Criminal Injuries Compensation Fund (*Schadefonds Geweldsmisdrijven*) pays victims compensation for the damage suffered.

Restorative justice

Restorative justice facilities can be applied at all stages of the criminal justice process. Restorative justice facilities have a legal basis in Article 51h of the victim title of the Code of Criminal Procedure.²⁷ The Public Prosecution Service should promote mediation between victim and accused; when mediation leads to an agreement, this should be taken into account when imposing a penalty or measure.

²³ The Netherlands, Crime Victims Decree (*Besluit slachtoffers van strafbare feiten*), [Article 10](#).

²⁴ The Netherlands, Crime Victims Decree (*Besluit slachtoffers van strafbare feiten*), [Article 10, subsection 6](#).

²⁵ The Ne Netherlands, Public Prosecution Service (*Openbaar Ministerie*) (2024), Sexual Offences Instruction [2024A005] ([Aanwijzing seksuele misdrijven \[2024A005\]](#)).

²⁶ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51e](#).

²⁷ The Netherlands, Code of Criminal Procedure (*Wetboek van Strafvordering*), [Article 51h](#).

3. Annex 1 – Promising practice

Promising practice	
Title (original language)	Chat Centrum Seksueel Geweld
Title (EN)	Chat Sexual Assault Centre
Organisation (original language)	Centrum Seksueel Geweld
Organisation (EN)	Sexual Assault Centre
Government / Civil society	Civil Society
Funding body	National government
Reference (incl. URL, where available)	The Netherlands, Sexual Assault Centre (<i>Centrum Seksueel Geweld</i>) (2024), Chat with the Centre for Sexual Violence, ' Chat met het Centrum Seksueel Geweld ' .
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2018-
Type of initiative	Victim support-
Main target group	Victims of sexual violence
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	Victims of (online) sexual violence can (anonymously) share their story via the chat of the Sexual Assault Centre. A professional counsellor listens, provides information and offers concrete help. This help ranges from psycho-education modules to e-health. The chat is open Monday to Friday from 4 p.m. to 6 a.m. and on Saturday, Sunday and holidays from 8pm to 6am.
Highlight any element of the actions that is transferable (max. 500 chars)	The whole practice is transferable.

Promising practice	
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Because it is a practice of maintained by the Sexual Assault Centre. A centre subsided by national government and that is active in the whole country.
Give reasons why you consider the practice as having concrete measurable impact	Because it targets the victims of sexual violence directly.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	Because in all Member States victims of sexual violence need support.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice	This Sexual Assault Centre maintains the practice. At the Sexual Assault Centre, doctors, nurses, police officers, psychologists, social workers and sex therapists work together to provide specialist care to victims of sexual assault and rape.
Explain, if applicable, how the practice provides for review and assessment	The Sexual Assault Centre reports each in its annual report about the number of chats it handled.

4. Annex 2 - Case law

Case law	
Deciding body (in original language)	Rechtbank Rotterdam
Deciding body (in English)	District Court Rotterdam
Case number (also European Case Law Identifier ECLI , where applicable)	ECLI:NL:RBROT:2024:9612
Parties	Public Prosecution Service vs man
Decision date	2 October 2024
Web link to the decision (if available)	https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBROT:2024:9612
Which fundamental rights were referred to in the case?	The court stated in this case that sexual harassment often leads to adaptive behaviour. People go to other places or start dressing or behaving differently. Public life is affected. People should be protected against sexual harassment in public places.
Key facts of the case (max. 250 words)	A man harassed a woman on the streets of Rotterdam: he grabbed the woman by the hips and held her. This harassment was witnessed by members of a special undercover team of investigative officers that looked out for catcalling and harassment. They told the court they had watched the woman react with shock and fear to the man's actions before she rushed away. The man was convicted and fined 100 euros, with an additional 180 euros to pay if he reoffends. The use of undercover surveillance in this case had been justifiable, the court stated. This is the first time a person was convicted under article 429ter of the Criminal Code. This article came into effect on 1 July 2024 as part of the Sexual Offences Act. This article criminalises sexual harassment in public places, both offline and online. The court stressed in its ruling the wider impact of harassment in public places: "Sexually harassing someone on the streets like that makes people feel unsafe and prevents them from being themselves in public."

Case law	
<p>The key legal question raised by the Court</p>	<p>The courts specially addressed the use of undercover investigative officers. A number of special investigating officers were involved in investigating the sexual harassment in this case. During their investigative activities, they were undercover and thus without it being known that they were acting as investigating officers. This way of acting is not detailed in the law or regulations based on it. For this reason, the court looked at the proportionality and subsidiarity (can it be done differently?) of this</p> <p>The court considered the use of undercover investigative officers as justified. If the investigative officers were present in uniform, their presence might prevent sexual harassment, but detection would not be an issue. The potential perpetrators of sexual harassment would be too wary because of that conspicuous presence. The enforcement action of plainclothes or undercover officers is also proportionate. Not being recognisable as an investigating officer is not very drastic for the accused and it (virtually) does not affect his defence rights. For other people present in public spaces, the mere presence of an undercover investigative officer as an observer only marginally violates their privacy.</p>
<p>Result of the case in terms of factual outcome, and in terms of assessment of the legal question raised</p>	<p>This the first time that a court in the Netherlands convicted a man for sexual harassment in public spaces. The witnesses statements by the special undercover investigative officers were instrumental in bringing about this conviction. The court considered the use of the special undercover investigative officers in detecting harassment as reasonable and admissible.</p>