

**Convention Against Torture and other Cruel, Inhuman or
Degrading Treatment or Punishment**

Eighth Periodic Report

**Annexe to the Response of the Kingdom of the Netherlands to the
list of issues (CAT/C/NLD/QPR/7) transmitted to the State Party
under the optional reporting procedure (A/62/44, paras. 23 and
24)**

THE KINGDOM OF THE NETHERLANDS

Issue 6.**Table 6.A. Domestic and gender-based violence**

The Dutch police does not register sex or ethnicity in domestic violence cases.

	2019	2020	2021¹
<u>Domestic violence</u>			
Incidents (notifications and police reports)	104 810	99 950	91 870
Police report filed	15,963	14,725	n/a
Criminal offences (automatic)*	5,269	5,166	n/a
Suspect questioned	12,101	10,853	n/a
Suspect arrested	10,035	9,249	n/a
<u>Child abuse</u>			
Incidents (notifications and police reports)	44 765	49 835	47 535
Police report filed	1,073	1,019	n/a
Criminal offences (automatic)	582	531	n/a
Suspect questioned	671	576	n/a
Suspect arrested	598	527	n/a
<u>Total</u>			
Prosecuted	5,595	5,300	n/a
Convictions	4,225	3,790	n/a
Monetary punishment	350	240	n/a
Community service	2,230	1,955	n/a
Custodial sentence	1,645	1,595	n/a

Table 6.B. Trafficking in persons

Please refer to the table below for figures on the number of victims disaggregated with respect to sex, age, nationality and various forms of exploitation, in 2019 and 2020. Numbers for 2022 are not available yet.

	2019	2020
Total # victims	1334	984
Sex		

¹ Only the first half of 2021.

	Male	643	420
	Female	687	547
	Unknown	4	17
Age			
	Minor	108	68
	Adult	1226	914
	Unknown	0	2
Nationality			
	Netherlands	244	155
	EU (excl. NL)	205	350
	Africa	791	322
	Asia	57	74
	Latin-America and the Caribbean	27	65
	Other	2	3
	Unknown	8	15
Form of exploitation			
	Sexual internal	181	119
	Sexual transnational	668	289
	Labour	228	432
	Criminal	196	97
	Unknown	61	47

Table 6.C. Police complaints and reports

Please refer to the table below for figures on complaints lodged and reports registered by the police regarding trafficking in persons, the number of those that were investigated, how many led to prosecutions and convictions and the punishment imposed in these cases. This data is derived from CoMensha's annual report and sets out cases of suspected victims registered with CoMensha. No registration of the outcome of the criminal case is made.

		2019	2020	2021
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Total number individuals/cases investigated		145	187	190
Total number of prosecutions		120	101	242 (of which 109 have been dismissed)
Total number of convictions²		84	53	84
Type of punishment³	Jail sentences	n/a	30	73
	Community service	n/a	6	9
	Fine	n/a	1	0

Issue 9.

National data protection legislation prevents the registration of ethnicity. Data regarding the age and sex of the persons concerned also is not available. Furthermore, the system used by the Immigration and Naturalisation Services does not record the exact grounds that have led to a positive decision on an individual's application for asylum. The Netherlands is therefore unable to provide exact data on how many asylum residence permits were granted under the principle of *non-refoulement*. It is also not possible to reproduce data on the number of appeals filed against expulsion decisions.

Please see the tables for the information that is available and an explanation of the figures.⁴

Between 2018 and 2021 there were 80 expulsions based on an extradition request, counted at the Repatriation and Departure Service (DT&V).

First asylum applicants 2018-2021:

- In 2018, the influx of first asylum applicants was 20.350
- In 2019, the influx of first asylum applicants was 22.530
- In 2020, the influx of first asylum applicants was 13.670
- In 2018, 3.170 first asylum applications were granted.
- In 2019, 4510 first asylum applications were granted.

² In the data system we have to search by article of law. In the Netherlands we have in the criminal law article SR 273f, human trafficking is covered by that article. However article SR 273f includes more, exploitation is also covered by this article. Besides that, we cannot make a proper distinction between forced labor crimes and sex trafficking crimes with only this article of law. We have therefore combined the article with the "social classification" in the data system. We used the social classification "Mensenhandel arbeid/ diensten (niet seksueel)" (corresponding to forced labor crimes) and "Mensenhandel seksuele uitbuiting" (corresponding to sex trafficking crimes). This social classification field in the data system is usually filled in by the office of the prosecution (OM), but not in all cases this field is filled in.

³ A combination of jail time and community service occurs in certain cases.

⁴ Source: IND and DT&V, Numbers have been rounded to the nearest 10. Numbers between 1 and 4 are indicated as <5 (less than 5). It is possible that data is amended retroactively, therefore reported numbers can differ between reference dates.

- In 2020, 8470 first asylum applications were granted.
- In 2021, 11.750 first asylum applications were granted.

TABLE 9.A

Influx					
	Asylum unaccompanied minor				
Sex	2018	2019	2020	2021	Total
Man	1010	900	860	1910	4670
Unknown				<10	<10
Female	220	150	130	280	770
Total	1230	1050	990	2190	54450
Nationality	2018	2019	2020	2021	Total
Afghan	30	60	50	90	220
Albanian	30	10	<10	<10	59
Algerian	60	70	60	70	260
American citizen		<10			<10
Angolan	<10	<10	<10		<10
Armenian	<10	<10			<10
Belarussian				<10	<10
Bengal			<10		<10
Beninese	<10				<10
Citizen of Bosnia and Herzegovina			<10		<10
Citizen of Congo	<10	<10	<10	<10	10
Citizen of Dem. Rep. Congo	<10			<10	<10
Burkinese				<10	<10
Central-African				<10	<10
Chinese	<10				<10
Colombian			<10		<10
Comorese		<10			<10
Egyptian	<10		<10	<10	<10
Eritrean	430	110	80	240	860
Ethiopian	<10	<10		<10	<10
Gambian	30	20	10	<10	70
Georgian		<10		<10	<10
Ghanaian		<10	<10	<10	<10
Guinea-Bissau	<10	<10	<10		<10
Guinean	60	30	10		90
Haitian				<10	<10
Indian	<10	<10		<10	<10
Iraqi	70	60	20	160	320
Iranian	30	20	<10	<10	50

Italian		<10		<10	<10
Ivorian	<10	<10	<10	<10	10
Yemeni	10	20	20	70	120
Cape Verdean	<10				<10
Cameroon	<10	<10	<10		<10
Kenyan				<10	<10
Kosovar		<10	<10		<10
Libanese			<10		<10
Liberian	<10	<10			<10
Libyan	20	10	<10	<10	40
Malinese	<10	<10	<10	<10	<10
Moroccan	150	160	140	140	590
Mauritian				<10	<10
Moldovan		<10			<10
Mongolian		<10			<10
Nicaraguan	<10				<10
Nigerian	<10	<10	<10	<10	20
Ukrainian		<10			<10
Unknown	30	30	30	70	160
Pakistani		<10	<10	<10	10
Palestinian	<10	<10		<10	<10
Polish	<10				<10
Russian		<10			<10
Salvadoran		<10			<10
Senegalese	<10	<10			<10
Serbian		<10			<10
Sierra Leonean	<10	<10	<10	<10	30
Sudanese	30	10	20	10	70
Somali	10	30	30	190	250
Spanish	<10				<10
Sri Lankan		<10			<10
Stateless	<10	<10		<10	<10
Syrian	170	310	450	1080	2000
Tanzanian			<10		<10
Chadian	<10	<10	<10	<10	<10
Tunesian	20	10	10	<10	50
Turkish	<10	<10	<10	<10	10
Ugandan		<10	<10		<10
Determined non-Dutch		<10			<10
Venezuelan	<10	<10	<10		<10
Vietnamese	10	<10	<10		30
Zambian				<10	<10

South Sudanese				<10	<10
Total	1230	1050	990	2190	5450

TABLE 9.B

Influx					
	Temporary residence permit asylum				
Sex	2018	2019	2020	2021	Total
Man	13450	15190	9690	17000	55330
Unknown	<10	<10	<10	<10	30
Female	5670	6300	2990	5490	20440
Total	19130	21490	12690	22490	75800
Nationality	2018	2019	2020	2021	Total
Afghan	290	380	340	2920	3940
Albanian	520	180	80	50	830
Algerian	1210	1140	930	1030	4320
American citizen	30	20	10	10	60
American national			<10	<10	<10
Angolan	30	60	10	<10	100
Armenian	60	70	30	30	190
Australian	<10	<10	<10	<10	<10
Azerbaijani	240	360	120	80	810
Bahamian	<10				<10
Bahrain	<10	<10	<10	<10	10
Barbadian				<10	<10
Belarussian	250	170	80	90	590
Belgian	<10	<10	<10		<10
Bengal	20	20	20	10	70
Benin	10	<10	<10	<10	20
Bolivian				<10	<10
Brazilian	<10	<10	20	20	50
British citizen	<10	<10	<10	<10	10
British national	<10				<10
Bulgarian	<10		<10		<10
Citizen of St. Vincent & Grenadines		<10			<10
Citizen of Rep. North-Macedonia		120	50	20	190
Citizen of Saint Kitts and Nevis				<10	<10
Citizen of Antigua and Barbuda	<10				<10
Citizen of Federal Rep. Germany	<10	<10	<10	<10	30
Citizen of Bosnia and Herzegovina	50	70	10	<10	140
Citizen of Congo	30	40	10	20	100
Citizen of the Soviet Union	<10				<10

Citizen of Dem. Rep. Congo	10	10	<10	10	40
Citizen of Dominica		<10			<10
Citizen of Timor Leste		<10	<10		<10
Citizen of Trinidad and Tobago	20	10	<10	<10	50
Burkinese	<10	<10	<10	<10	30
Burundian	10	<10	<10	<10	20
Cambodian	<10	<10			<10
Canadian	<10	<10	<10	<10	<10
Central African				<10	<10
Chilean	<10		<10		<10
Chinese	160	160	60	150	530
Colombian	40	160	110	190	490
Comorese			<10	<10	<10
Costa Rican	<10		<10		<10
Cuban	160	20	<10	20	210
Djiboutian	<10	<10		<10	10
Dominican	<10	<10	<10	<10	20
Ecuadorian	<10	<10	<10		<10
Egyptian	150	190	100	150	580
Eritrean	860	390	290	530	2070
Estonian		<10	<10		<10
Ethiopian	50	90	40	150	340
Philippine	<10	<10	<10	<10	20
Finish	<10				<10
French	<10	<10	<10	<10	10
Gabonese		<10	<10	<10	<10
Gambian	320	520	190	130	1160
Georgian	350	330	160	190	930
Ghanese	80	90	40	40	250
Grenadian		<10			<10
Greek	<10	<10	<10		<10
Guatemalan	<10	<10		<10	<10
Guinea-Bissau	20	30	<10	<10	50
Guinean	190	170	100	80	530
Guyanese	<10	<10		<10	<10
Haitian		<10	<10	10	20
Honduran	<10	10	<10	<10	30
Hungarian	<10	<10	<10	<10	10
Irish				<10	<10
Indian	<10	<10		<10	<10
Indonesian	<10	<10	<10	<10	30
Iraqi	670	560	320	580	2120
Iranian	1840	1520	370	240	3980

Italian	<10	<10	<10	<10	20
Ivorian	40	50	30	10	130
Jamaican	20	20	<10	20	60
Japanese		<10	<10	<10	<10
Yemeni	510	620	390	1120	2650
Yugoslav		<10	<10		<10
Jordan	70	120	60	20	260
Cape Verdean			<10	<10	<10
Cameroon	30	50	30	20	130
Kazakh	20	40	30	10	90
Kenyan	20	<10	10	<10	30
Kyrgyz	10	20	<10	<10	30
Kuwaiti	<10	<10	<10	<10	20
Kosovar	40	50	40	20	150
Croatian	<10	<10		<10	<10
Laotian	<10				<10
Latvian	<10		<10	<10	<10
Lebanese	70	120	90	70	350
Liberian	20	30	10	10	70
Libyan	450	290	180	120	1040
Lithuanian		<10	<10	<10	<10
Macedonian	90	170			260
Malagasy		<10			<10
Malawian			<10	<10	<10
Maldivian	<10	<10		<10	<10
Malaysian	<10		<10	10	10
Malinese	40	40	20	20	120
Moroccan	920	900	630	770	3220
Mauritian	<10	10	10	<10	40
Mauritian	<10	<10	<10	<10	<10
Mexican	<10	<10	<10	20	30
Moldovan	830	1210	30	40	2110
Mongolian	20	10	10	<10	60
Montenegrin	<10	20	<10	<10	30
Mozambican	<10		<10		<10
Myanmarese	30	30	20	20	90
Namibian	<10	<10	<10		<10
Nauruan		<10			<10
Dutch	<10	<10	<10	<10	10
Nepalese	<10	<10	<10	<10	10
Nicaraguan	30	40	<10	<10	70
Nigerese	0	60	30	20	120
Nigerian	550	2100	630	420	3700

North Yemeni	<10			<10	<10
North Korean	<10	<10		<10	<10
Norwegian		<10			<10
Ukrainian	300	130	40	70	550
Uzbek	10	<10	10	20	50
Omani	<10	<10	<10	<10	<10
Unknown	640	830	550	760	2770
Austrian	<10	<10			<10
Pakistani	310	400	260	440	1400
Palestinian	80	40	20	20	150
Panamanian	<10			<10	<10
Peruvian	<10	10	<10	<10	30
Polish	<10	<10	10	<10	29
Portuguese	<10	<10		<10	<10
Qatari		<10			<10
Romanian	<10		<10	<10	<10
Russian	290	400	180	210	1070
Rwandan	20	<10	<10	<10	40
Saint Lucian	<10	<10	<10		<10
Salvadoran	20	30	30	30	120
Saudi Arabian	10	20	<10	30	120
Senegalese	60	110	50	40	250
Serbian	130	320	80	30	560
Sierra Leonean	80	100	50	60	290
Slovak	<10	<10			<10
Sudanese	220	190	140	120	670
Somali	120	200	180	720	1210
Spanish	<10	<10	<10	<10	10
Sri Lankan	30	60	20	20	130
Stateless	50	40	30	40	160
Surinamese	<10	<10	20	<10	30
Swazi		<10			<10
Syrian	2870	3370	3580	7240	16970
Tajik	180	110	20	20	320
Taiwanese		<10	<10	<10	<10
Tanzanian	<10	10	20	<10	40
Togolese	<10	10	<10	<10	30
Chadian	40	20	10	20	80
Czech	<10	<10	<10	<10	10
Tunisian	370	280	230	260	1140
Turkmen	10	<10	<10	20	40
Turkish	1300	1250	990	2460	5990
Ugandese	150	220	80	60	510

Uruguayan			<10		<10
Determined non-Dutchman	10	<10	<10	<10	30
Venezuelan	150	180	80	70	480
Vietnamese	30	40	10	10	100
Zairean			<10		<10
Zambian	<10		<10		<10
Zimbabwe	<10	20	10	<10	40
South African	<10	<10	<10	<10	30
South Korean		<10	<10	<10	10
South Sudan	<10	<10	<10	10	30
Swedish			<10		<10
Total	19130	21490	12690	22490	75800

TABLE 9.C - Number of returns to country of origin in 2018-2021 (excl. Dublin returns and miscellaneous returns).

Country of origin	2018	2019	2020	2021
Afghanistan	50	40	10	10
Albania	990	740	410	640
Algeria	40	60	20	10
Angola	10	<5	<5	<5
Armenia	60	70	30	30
Antigua and Barbuda	0	0	<5	0
Argentina	<5	<5	<5	<5
Armenia	60	70	30	30
Australia	10	<5	<5	<5
Azerbeidzjan	150	260	80	40
Bahrein	<5	0	0	0
Bangladesh	<5	<5	<5	0
Belarus	70	110	40	20
Belgium	10	10	<5	10
Benin	<5	0	<5	0
Bolivia	10	<5	<5	<5
Federal Republic of Germany	20	10	10	10
Bosnië-Herzegovina	40	70	30	20
Brazil	80	80	190	80
Bulgaria	10	10	10	20
Burkina Faso	<5	<5	0	0
Burundi	<5	<5	0	<5
Canada	<5	<5	<5	<5
Central-African Republic	<5	0	0	0
Chili	20	20	20	<5
China	70	70	60	50

Colombia	60	80	50	70
Comores	0	<5	0	0
Congo	0	0	<5	0
Costa Rica	0	<5	0	0
Cuba	60	10	<5	10
Democratic Republic Congo	<5	<5	<5	<5
Denmark	0	0	0	<5
Dominican Republic	10	10	10	10
Ecuador	10	<5	0	10
Egypt	40	20	20	20
El Salvador	<5	<5	<5	0
Eritrea	10	10	<5	<5
Estonia	<5	<5	10	<5
Ethiopia	20	10	10	<5
Philippines	50	60	40	40
Finland	<5	<5	<5	<5
France	10	10	10	10
French-Guyana	0	0	0	<5
Gabon	0	<5	0	0
Gambia	10	10	<5	10
Georgia	130	250	130	110
Ghana	20	40	20	30
Greece	<5	<5	<5	<5
Great-Britain	10	10	10	20
Guatemala	0	<5	<5	<5
Guinea	10	10	<5	<5
Guyana	<5	0	0	<5
Honduras	<5	<5	0	10
Hungary	10	20	20	10
Ireland	<5	0	<5	<5
Iceland	0	0	0	<5
India	60	20	20	20
Indonesia	80	100	110	80
Iraq	150	90	70	70
Iran	70	110	70	40
Israel	<5	10	0	<5
Italy	10	10	10	10
Ivory Coast	0	<5	0	<5
Jamaica	10	10	0	10
Japan	<5	10	<5	<5
Yemen	0	0	0	<5
Jordan	10	20	10	10
Cape Verde	<5	<5	0	0

Cameroon	10	<5	<5	0
Kazakhstan	10	10	10	10
Kenya	<5	<5	<5	<5
Kyrgyzstan	<5	10	0	10
Kuwait	<5	<5	0	0
Kosovo	20	20	10	20
Croatia	<5	<5	<5	<5
Latvia	20	20	20	30
Lebanon	10	20	10	<5
Liberia	10	<5	<5	<5
Libya	10	30	<5	10
Luxembourg	0	<5	0	0
Lithuania	10	30	20	30
Macedonia	60	50	0	0
Malawi	0	0	0	<5
Maldives	<5	0	0	0
Malaysia	<5	<5	<5	<5
Mali	<5	<5	0	<5
Malta	<5	0	0	0
Morocco	80	70	30	30
Mauritius	<5	0	0	0
Mauritius	0	<5	0	0
Mexico	10	10	10	20
Moldova	280	420	210	50
Mongolia	20	10	10	10
Montenegro	10	<5	10	<5
Mozambique	<5	<5	0	0
Myanmar	<5	10	<5	0
Namibia	0	0	0	<5
Nepal	10	<5	<5	<5
Nicaragua	<5	0	<5	19
New-Zeeland	0	<5	0	<5
Niger	0	0	<5	<5
Nigeria	30	60	40	30
Norway	<5	<5	0	<5
Ukraine	140	200	80	60
Uzbekistan	10	20	20	20
Austria	0	0	0	<5
Pakistan	20	30	20	10
Palestinian authorities	0	<5	0	0
Panama	0	<5	0	0
Paraguay	<5	<5	<5	0
Peru	10	20	10	10

Poland	90	120	170	210
Portugal	<5	19	19	19
Puerto Rico	0	<5	0	0
Republic Northern-Macedonia	0	110	110	30
Romania	30	60	70	80
Russia	40	40	20	30
Rwanda	0	<5	<5	<5
Saudi-Arabia	<5	<5	<5	<5
Senegal	10	<5	<5	<5
Serbia	90	160	70	60
Sierra Leone	<5	10	0	<5
Singapore	0	<5	0	<5
Slovenia	0	<5	<5	<5
Slovakia	<5	0	<5	<5
Sudan	20	10	20	20
Somalia	10	10	<5	<5
Spain	10	10	10	10
Sri Lanka	10	10	<5	<5
Suriname	160	110	70	60
Syria	50	10	10	10
Tadzhikistan	110	100	20	50
Taiwan	<5	<5	0	0
Tanzania	<5	<5	10	<5
Thailand	<5	<5	<5	10
Togo	<5	0	<5	0
Chad	<5	<5	0	<5
Czech Republic	<5	<5	<5	<5
Czech Republic	<5	<5	10	10
Tunisia	10	20	10	10
Turkey	70	60	70	40
Turkmenistan	0	<5	0	0
Uganda	10	10	10	20
Uruguay	<5	0	0	0
Venezuela	20	20	10	20
United Arab Emirates	<5	0	0	<5
United States of America	20	20	10	10
Vietnam	10	20	10	10
Zambia	0	<5	0	<5
Zimbabwe	<5	<5	<5	<5
South-Africa	<5	10	10	<5
South-Korea	10	<5	<5	10
Sweden	10	<5	<5	<5
Switzerland	0	0	<5	<5

Total	4.060	4.450	2.820	2.640
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TABLE 9.D

Granted Applications					
	Asylum unaccompanied minor				
	Granted				
Sex	2018	2019	2020	2021	Total
Man	250	420	350	740	1760
Female	90	130	80	120	410
Total	330	550	240	860	2170
Nationality	2018	2019	2020	2021	Total
Afghaanse	10	<10	10	30	60
Burger van Congo	<10	<10		<10	<10
Burger van Dem. Rep. Congo				<10	<10
Burundese				<10	<10
Chinese	<10				<10
Colombiaanse				<10	<10
Eritrese	160	250	70	120	590
Ethiopische	<10	<10		<10	<10
Gambiaanse		<10	<10	<10	<10
Guinee-Bissause				<10	<10
Guinese	<10	<10	<10	<10	20
Iraakse	10	40	40	20	110
Iraanse	<10	<10	<10	<10	10
Ivorianaanse	<10	<10	<10	<10	<10
Jemenitische		20	20	20	60
Kameroense			<10		<10
Libische				<10	<10
Malinese		<10			<10
Marokkaanse				<10	<10
Nigeriaanse	<10				<10
Unknown	10	20	20	30	80
Pakistani				<10	10
Palestinian		<10			<10
Sierra Leonean	<10	<10	<10		<10
Sudanese	20	10	<10	<10	40
Somali	<10	<10	<10	40	50
Stateless	<10		<10		<10
Syrian	110	170	230	580	1100
Tunisian		<10			<10
Turkish	<10	<10	<10	<10	10

Ugandan		<10			<10
Total	330	550	420	860	2170

Issue 11.

Table 11.A. Statistical data since 2018 regarding detention

Gender	2018	2019	2020	2021
Male	10.624	11.066	10.510	10.735
Female	627	627	514	574
Total	11.251	11.693	11.024	11.309
Age	2018	2019	2020	2021
Minor	117	128	161	147
Adult	11.251	11.565	10.863	11.162
Total	11.251	11.693	11.024	11.309
Title	2018	2019	2020	2021
Preventive	4.234	4.574	4.536	4.039
Sanctioned	7.017	7.119	6.488	7.270
Total	11.251	11.693	11.024	11.309
Nationality	2018	2019	2020	2021
Country unknown	410	466	475	570
Netherlands (incl. Antilles/Aruba)	8.542	8.832	8.152	8.368
Other Nrth, Wst, Sth Europe	255	258	247	292
Eastern Europe and Russia	804	843	930	823
Morocco	332	343	283	317
Other Africa	284	279	277	272
North America	14	12	8	12
Other Midd America & Caribbean	38	37	44	58
Suriname	146	172	154	128
Other Sth America	109	103	94	80
Turkey	132	144	143	151
Midd-East	95	109	105	121
Indonesia	7	5	10	8
Australia, New Zealand	0	4	2	1
Other Asia	74	83	98	103
Stateless	8	3	2	5
Total	11.250	11.693	11.024	11.309

Average immediately deployable capacity per year				
	2018	2019	2020	2021
Total	10.757	10.172	10.669	10.670
Note: capacity includes PPC (at prison) and concentration vacancy, but excludes rentals, tribunals, reserve and maintainable capacity and excl police cells				
Average occupancy per year				
	2018	2019	2020	2021
Total	10.262	10.839	10.433	10.540

Issue 14.

All detainees, including detainees in the Terrorist Unit, have the possibility to lodge complaints against decisions made by the director regarding their detention with the Supervisory Committee and appeal to the Council for the Administration of Criminal Justice and Protection Juveniles (RSJ) about decisions made by the director. There is no central registration per regime on the number, subject and outcome per complaint. Rulings by the RSJ are published and the Supervisory Committee publishes an annual report for each facility that addresses the number and nature of the number of complaints.⁵

Issue 15.

Table 15.A

Violence between litigants, 2020 until 31 May 2022				
	Prison	Immigration detention	Hospital order (TBS)	Juvenile correctional institution
2018	7	0	8	12
2019	8	2	10	14
2020	11	1	15	8
2021	12	0	2	8
2022	1	0	0	3

Table 15.B

Suicide, 2020 until 31 May 2022				
	Prison ⁶	Immigration detention	Hospital order (TBS)	Juvenile correctional institution
2018	10	0	3	0
2019	10	1	2	0
2020	12	0	1	0

⁵ [Raad voor strafrechtstoepassing en jeugdbescherming \(overheid.nl\); Jaarverslagen 2021 | Over DJI | dji.nl](#)

⁶ Excl. 1 suicide NIFP/PBC 2021.

2021	12	0	1	0
2022	5	0	0	0

Table 15.C

Deaths (natural and unnatural), 2020 until 31 May 2022				
	Prison	Immigration detention	Hospital order (TBS)	Juvenile correctional institution
2018	23	0	8	0
2019	10	0	10	0
2020	15	0	13	0
2021	13	0	17	0
2022	5	0	6	2

GW/VB (Prisons and Immigration Detention)

In 2018, there were 23 cases regarding death of litigants (one death as a possible complication of gunshot wounds sustained during arrest; one death as a result of fall in water during leave) and no special incident reports (MBVs) regarding death of litigants for Immigration Detention.

In 2019, there were 10 cases regarding death of litigants (one litigant with an ISD order (an order to stay in an institution for systemic offenders) was found in a ditch where there was a probable case of drug psychosis/delirium as a result of which the person had suffered cardiac arrest) and no MBVs regarding death of litigants for Immigration detention.

In 2020, there were 15 cases involving the death of individuals (14 natural causes of death and 1 unnatural cause of death: individual was hit by a bicycle while on leave and died as a result) for the Prison Service and no MBVs involving the death of individuals (natural cause of death) for Immigration Detention.

In 2021, 13 MBVs on death of inmates (11 natural cause of death, 1 unknown cause of death and 1 euthanasia) were registered for the Prison Service and no MBVs on death of inmates for Immigration Detention.

In 2022 (up to 1 June), there were 5 MBVs registered regarding death of litigants (3 natural cause of death, 1 unknown cause of death and 1 accident: where the litigant presumably fell backwards down a flight of stairs, landed on his mobility scooter and died as a result) for the Prison Service and no MBVs regarding death of litigants for Immigration Detention.

ForZo/ JJI (TBS and Juvenile Institutions):

In 2018, 8 MBVs were registered regarding the death of litigants (one probationer died due to complications during surgery following fluid behind the lungs; one cases involved euthanasia) for the TBS and no MBVs regarding the death of litigants for the juvenile correctional institutions.

In 2019, 10 MBVs were registered regarding deaths of litigants (no particulars) for the TBS and no MBVs regarding death of litigants for the juvenile correctional institutions.

In 2020, there were 13 MBVs registered regarding death of individuals (12 natural causes of death and 1 unnatural (police shooting)) for the TBS and no MBVs regarding deaths of individuals for the juvenile correctional institutions.

In 2021, 17 MBVs were registered regarding deaths of individuals (15 natural cause of death, 1 euthanasia and 1 fall bathroom) for the TBS and no MBVs regarding deaths of individuals for the juvenile correctional institutions.

In 2022 (up to 1 June), 6 MBVs were registered regarding death of litigants (5 natural causes of death and 1 euthanasia) for the TBS and 2 MBVs regarding death of litigants for the juvenile correctional institutions (unnatural cause of death 2: Litigant killed in stabbing incident and during police shooting incident).

Issue 18.

The numbers below relate to influx.

TABLE 18.A

Age	2018	2019	2020	2021
<i>Accompanied minors</i>	Number	Number	Number	Number
0-5 years old	60	80	40	90
6-10 years old	50	50	30	20
11-15 years old	30	40	20	20
16-18 years old	10	10	10	10

TABLE 18.B

Age	2018	2019	2020	2021
<i>Unaccompanied minors</i>	Number	Number	Number	Number
10 years old	<5	0	0	0
12 years old	<5	0	0	0
14 years old	<5	<5	0	0
15 years old	<5	10	0	0
16 years old	10	<5	<5	<5
17 years old	30	20	10	<5
Total	40	30	10	10

TABLE 18.C

Gender	2018	2019	2020	2021
<i>Accompanied minors</i>	Number	Number	Number	Number
Boy	80	100	60	70
Girl	70	80	30	70
Total	150	170	90	140

TABLE 18.D

Gender	2018	2019	2020	2021
<i>Unaccompanied minors</i>	Number	Number	Number	Number
Boy	40	30	10	10
Girl	<5	<5	<5	0
Total	40	30	10	10

TABLE 18.E

	2018		2019		2020		2021	
Nationality	Acc. Minor	UA M	Acc. Minor	UA M	Acc. Minor	UA M	Acc. Minor	UA M
Afghan	20	<5	20	10	<5	<5	0	<5
Albanian	10	10	10	10	<5	0	0	<5
Algerian	0	10	0	<5	<5	<5	<5	<5
American	0	0	0	0	0	0	<5	0
Angolan	10	0	0	0	<5	0	0	0
Armenian	<5	0	10	0	<5	0	<5	0
Azerbaijan	10	0	10	0	<5	0	<5	0
Belarusian	0	0	0	0	0	0	10	0
Brazilian	0	0	<5	0	0	0	0	0
British	0	0	0	0	0	0	<5	0
Chilean	0	0	0	0	0	<5	0	0
Colombian	<5	0	<5	0	0	0	0	0
Congolese	<5	0	0	0	0	0	0	0
Egyptian	10	<5	0	0	0	0	<5	0
Eritrean	<5	10	10	0	<5	0	10	0
Ethiopian	<5	<5	<5	0	<5	0	0	0
Gambian	<5	0	<5	0	<5	0	<5	0
Georgian	<5	0	10	0	<5	0	<5	0
Guinean	0	0	<5	<5	0	0	<5	0
Indian	0	0	0	<5	0	0	<5	0
Iraqi	10	0	10	0	10	0	0	0
Iranian	<5	0	10	<5	<5	0	0	0
Ivorian	0	0	<5	0	0	0	<5	0
Jordanian	0	0	0	0	<5	0	0	0
Kazakh	0	0	0	0	0	0	<5	0
Kosovar	<5	0	0	0	0	0	0	0
Lebanese	<5	<5	0	0	0	0	0	0
Libyan	<5	<5	<5	0	0	0	<5	0
Moroccan	<5	10	<5	<5	<5	0	<5	<5
Moldavian	<5	0	0	0	<5	0	0	0
Mongolian	<5	0	<5	0	0	0	0	0

Myanmarese	10	0	0	0	<5	0	0	0
Nigerian	<5	0	10	0	30	0	50	0
Nigerien	0	0	0	0	0	0	<5	0
North. Macedonian	<5	0	<5	<5	<5	<5	<5	0
Ukrainian	10	<5	20	0	<5	0	<5	0
Pakistani	<5	0	0	0	0	0	10	0
Russian	10	0	<5	0	10	0	<5	0
Rwandan	<5	0	0	0	0	0	0	0
Serbian	10	0	10	0	<5	0	<5	0
Sierra Leonean	0	0	<5	0	<5	0	<5	0
Sudanese	0	<5	<5	<5	0	0	<5	0
Somalian	0	<5	0	0	0	0	<5	0
Sri Lankan	0	0	0	0	<5	0	0	0
Syrian	20	0	30	<5	20	<5	10	0
Tanzanian	0	0	<5	0	0	0	0	0
Tajikistan	0	0	0	0	<5	0	0	0
Tunisian	0	0	<5	0	0	0	0	0
Turkish	<5	0	0	0	<5	0	0	0
Ugandan	0	0	0	0	0	0	<5	0
Venezuelan	<5	0	<5	0	0	0	<5	0
Vietnamese	0	0	0	<5	0	0	0	0
Stateless	0	0	10	0	10	0	0	0
Unknown	<5	0	0	0	0	0	<5	0
Total	150	40	170	30	90	10	140	10

Issue 20.

TABLE 20.A - Annual overview 2018 sector Detention centers (immigration detention) by subject with disposal modality

Detention centers 2018	Total	Founded	Partially founded	Unfounded	Inadmissible	Withdrawn	Withdrawn to treatment	Transferred	Settlement after	Not written off in
Activities	0									
Activities (labour)	22					3				19
Activities (miscellaneous)	30					5	1			24
Activities (residing in open air)	8					4				4

Activities (sports)	15				6	2	1			6
Physical treatment	1					1				
Mental treatment	83				12	15	17			39
Freedom of movement within the establishment	1						1			
Compensation	0									
Contact with the outside world (calling)	18			2		5	2			9
Contact with the outside world (visitors)	52					19	4			29
Contact with the outside world	0									
Contact with the outside world (post)	19					6	1			12
Contact with the outside world (media)	1						1			
Check-up	13					2	2			9
Daily programme and tailored security and supervision	0									
Disciplinary penalty	117				2	12	7	2		94
Return and departure service (DT&V)	2						1	1		
Violence	6					1				5
Informatie/procedure	26					8	5	1		12
ISD (interventions + treatment)	0									
Still unknown	15					4	4			7
Order measures	13			1		2		2		8
Personal items	96				1	25	7	2		63
Regime	13				1	4				8
Current account/pocket and clothing money	26			2		8	3			13
Rogatory application	22								4	18
Damages	4					1				3
Selection/transfer (external)	17		1			2	1	2		11
Selection/transfer (internal)	22				1	2	3	1		15
Selection/transfer	0									
Time-out	0									
Returning officer	0									
Supervision	1									1
Transport	17					3				14
Leave	13					2	1			10
Care	0									

Care (various)	21					1	4			16
Care (religion, philosophy of life)	1						1			
Care (medical)	39					2	9	19		9
Care (personal)	58			1		11	6			40
Totals	794		1	6	23	150	82	30	4	498

TABLE 20.B - Annual overview 2019 sector Detention centers (immigration detention) by subject with disposal modality

Detention centres 2019	Total	Founded	Unfounded	Partially founded	Transferred	Inadmissible	Withdrawn	Withdrawn after mediation	Withdrawn at the hearing	Settlement after rogatory application	Grievance settled	Not written off in Klaver
Activities (labour)	3		1			1	1					
Activities (miscellaneous)	14		5	2		5	1	1				
Activities (residing in open air)	56	11	7	2		31	4	1				
Activities (sport)	7		3			1	2	1				
Physical treatment	1		1									
Mental treatment	34		1		1	18	5	9				
Compensation	1						1					
Contact with the outside world (calling)	6		1			3		2				
Contact with the outside world (visitors)	7		2			3	2					
Contact with the outside world (mail)	6		2		1	2	1					
Check-up	17	3	5			5	1	2	1			
DT&V	4				2		1	1				
Disciplinary penalty	164	15	77			36	36					
Demands residency	4					3	1					
Violence	6	1	3			1	1					

Information	63	4	23		3	27	3	2	1			
Unknown	11					5	5	1				
Order measures	96	14	42	4		29	3	3	1			
Personal items	58	7	11			12	20	8				
Regime	6		2			1	2	1				
Account/pocket money	13	1	3			6	1	2				
Rogatory application	5									5		
Selection/transfer (external)	4		1					2	1			
Selection/transfer (internal)	30	2	10			5	10	2	1			
Transport	22	5	6			9	1	1				
Leave	1					1						
Care (div)	18		2		1	5	8	2				
Care (religion)	4		1			3						
Care (medical)	34		5		11	3	4	11				
Care (personal)	41	1	14		1	14	7	4				
	736	64	228	8	20	229	121	56	5	5		

TABLE 20.C - Annual overview 2020 sector Detention centers (immigration detention) by subject with disposal modality

Det.Centrum 2020	Totaal	Founded	Unfounded	Partially founded	Transferred	Inadmissible	Withdrawn	Withdrawn after mediation	Withdrawn at the hearing	Settlement after rogatory application	Grievance settled	Not written off in Klaver
Activities	1					1						
Activities (div)	16		3			8	5					
Activities (residing in open air)	42	1	26			11	4					
Activities (sport)	36		24		1	9	2					
Mental treatment	49		3		1	37	7	1				

Compensation	1		1									
Contact (phone)	6		2				4					
Contact (visitors)	15	3				5	5		2			
Contact (mail)	2					1	1					
Daily programme	1	1										
DT&V	4				3		1					
Disciplinary penalty	60	9	16	3		15	17					
Demands residency	1	1										
Violence	3		1			1	1					
Information	98		29			47	21	1				
Unknown	14					2	12					
Order measure	34	6	15	1		7	4	1				
Personal items	29	3	2		1	6	11	6				
Regime	11		4			6	1					
Account/pocket money	5				1		1	2	1			
Rogatory application	2						1			1		
Selection/transfer (ext)	1						1					
Selection/transfer (int)	15	1	7			4	2	1				
Transport	2			1		1						
Leave	1					1						
Care (div)	11	1	2			6	1	1				
Care (medical)	18	1	1		11	1	3		1			
Care (personal)	58	4	19			22	12		1			
	536	31	155	5	18	191	117	13	5	1		

TABLE 20.D - Annual overview 2021 sector Detention centers (immigration detention) by subject with disposal modality

Detention centres 2021	Totaal	Founded	Unfounded	Partially founded	Transferred	Inadmissible	Withdrawn	Withdrawn after mediation	Withdrawn at the hearing	Settlement after rogatory application	Grievance settled	Not written off in Klaverr
Activities (labour)	2							2				
Activities (div)	15					5	10					
Activities (residing in open air)	9	2	3			2	1		1			
Activities (sport)	1							1				
Mental treatment	26					9	9	2			6	
Compensation	1					1						
Contact (phone)	10	1	2			1	5	1				

Contact (visit)	3						2	1				
Contact (mail)	2					1	1					
Check-up	7	2	3			1	1					
Daily programme	1					1						
DT&V	1				1							
Disciplinary penalty	35	7	5			8	13	1	1			
Demands residency	6		3			2		1				
Violence	2						1				1	
Information/procedure	39	4	4			13	14				4	
Unknown	7						6				1	
Order measure	25	13	4			2	5				1	
Personal items	42		1	1	1	12	22	2	1		2	
Regime	5		1		1		3					
Account/pocket-money	11	1	2		1	2	5					
Rogatory application	3									3		
Selection/transfer (ext)	2				2							
Selection/transfer (int)	8	1	2				3	1	1			
Transport	4				3	1						
Leave	3						1	2				
Care (div)	8	1				2	2	1			2	
Care (medical)	22	1	1		13		6				1	
Care (personal)	10	2	4		1		1	1			1	
	310	35	35	1	23	63	111	16	4	3	19	

TABLE 20.E - Annual overview 2021 sector Detention centers (immigration detention) by subject with disposal modality

Detention centres 2022	Totaal	Founded	Unfounded	Partially founded	Transferred	Inadmissible	Withdrawn	Withdrawn after mediation	Withdrawn at the hearing	Settlement after rogatory application	Grievance settled	Not written off in Klaverr
Activities (div)	2		1			1						
Activities (residing in open air)	1										1	
Mental treatment	1										1	
Contact (phone)	1					1						
Contact (visit)	1										1	
Check-up	2	1				1						
Disciplinary penalty	6		1									5
Information/procedure	8						2	1			4	1
Unknown	2					1						1
Order measure	7		1			3						3
Personal items	2					1		1				
Regime	1										1	
Account/pocket money	2							1				1
Care (div)	3		1			1	1					

Care (medical)	3					1				2	
Care (personal)	1					1					
	43	1	4			9	5	3		10	11

Issue 22.

The Instructions for Investigating Police Use of Force (Aanwijzing handelwijze geweldsaanwending (politie)ambtenaar; Government Gazette 2006, 143), issued by the Public Prosecution Service, establish the procedure to be followed in response to the use of firearms by investigating officers resulting in bodily injury or death, or any other use of force by officers resulting in serious bodily injury or death.⁷ The National Criminal Investigation Department (Rijksrecherche) is responsible for investigating such incidents, under the authority of the public prosecutor. The Investigation Department falls directly under the authority of the Board of Procurators General – part of the Public Prosecution Service and not of the police organisation – and is therefore completely independent of the police in its investigations.

The Investigation Department's inquiries can in certain cases lead to prosecution of the police officer(s) in question by the Public Prosecution Service. Under section 124 of the Judiciary (Organisation) Act (Wet op de rechterlijke organisatie), the Public Prosecution Service is responsible for upholding the legal order through the criminal law and for other statutory duties. Under article 9, paragraph 1 of the Code of Criminal Procedure, the public prosecutor is responsible for instituting criminal proceedings. The Public Prosecution Service is the only body in the Netherlands that can institute such proceedings.

The Public Prosecution Service can, however, dispose of less serious offences through other forms of settlement. Some cases referred by the police to the Public Prosecution Service are not prosecuted because there is not enough evidence or the act committed is not a criminal offence. If the Public Prosecution Service decides not to prosecute a police officer, parties with a direct interest can submit a complaint to the Court of Appeal under article 12 of the Code of Criminal Procedure (Wetboek van Strafvordering) if they disagree with the public prosecutor's decision not to prosecute. If such a complaint is upheld by the appeal court, the public prosecutor has to carry out further investigations of the case or to prosecute the officers in question.

In 2017 the National Criminal Investigations Department investigated 23 shooting incidents in which the police had used firearms in the conduct of their duties. In these incidents 20 people were injured and 3 were killed. In 2018 there were 27 shooting incidents with 26 people injured and three killed. In 2019, 16 shooting incidents were investigated, in which 12 people had been injured and 4 killed. In 2020 the number of investigated shooting incidents was 22, with 18 people injured and 5 killed. The National Criminal Investigations Department investigated 21 shooting incidents in 2021, in which 25 people were injured and 2 killed.

There are no detailed, year-by-year figures available in the category "*bodily injury as a result of a confrontation of a confrontation with police, other than by the use of firearms*". However, a

⁷ Gedurende de rapportageperiode gold de Aanwijzing handelwijze bij geweldsaanwending (politie)ambtenaar, (Government Gazette 2006, 143). Sinds 1 juli 2022 is deze vervangen door de Aanwijzing geweldsaanwending opsporingsambtenaar (2022A005), Government Gazette 2022, 16635.

scientific study on the victims of 50 fatal police incidents in the period 2016-2020 was commissioned by the national police and the National Criminal Investigation Department in 2021.⁸ In that context, the investigation files of the National Criminal Investigation Department related to the incidents in question were analysed. Six of the 50 incidents did not involve the use of force. In the remaining 44 incidents, an average of 1.8 means of violence were applied. This involved control techniques (55 percent of the incidents), hitting, kicking or working to the ground (50 percent), and the use of firearms (41 percent). In addition, pepper spray (20 percent), a truncheon (11 percent), a police dog (11 percent) or an electroshock weapon (5 percent) were used.

During the reporting period, criminal courts have ruled several times in cases where the prosecution had prosecuted a police officer for use of force.

The Arnhem-Leeuwarden Court of Appeal acquitted a police officer who had shot at a moving scooter in 2019. The prosecution had prosecuted the policeman for attempted manslaughter and for attempted intentional infliction of grievous bodily harm, but the court ruled that the intent required for a finding of proof was lacking.⁹

The Hague District Court acquitted a police officer in 2020 of (among other things) assaulting a suspect during an arrest.¹⁰ The court found that the officer had not exceeded the limits of proportionality and subsidiarity with the acts of violence used (including hitting the suspect with his first hand with a baton and using pepper spray).

In 2020, the Supreme Court upheld the conviction by the Arnhem-Leeuwarden Court of Appeal of a police officer who, during an arrest in 2014, shot a suspect who fled on foot after previously driving his car into officers.¹¹ The Supreme Court found that the trial court had been allowed to rule that the officer could not invoke the 'statutory requirement' ground for punishment. The Supreme Court had the same opinion in 2021 in a case in which a suspect had died after the police applied a neck clamp for a long time during an arrest. The Supreme Court's decision made the conviction of the police officer concerned irrevocable.¹²

In 2021, the Hague Court of Appeal convicted a police officer for using disproportionate force during the arrest of a suspect.¹³ The officer had punched the suspect hard in the face, causing serious physical injuries.

Issue 23.

Compensation victims of ill-treatment in psychiatric settings

The person concerned (or their representative or next of kin) or the healthcare provider may, following a decision of a complaint committee, lodge an appeal with the court. This is a procedure based on Article 10:7 Wvvgg. The applicant can also submit a request for compensation to the court (Article 10:11 Wvvgg). The table below shows the number of rulings following appeals and requests for compensation. For article 9:10 Wvvgg, it concerns patients with a criminal title.

⁸ [Fatale politie-incidenten - Bureau Beke](#)

⁹ ECLI:NL:GHARL:2019:4781.

¹⁰ ECLI:NLRBDHA:2020:7032.

¹¹ ECLI:NL:HR:2020:1488.

¹² ECLI:NLHR:2021:211.

¹³ ECLI:NL:GHDHA:2021:717.

N.B. it concerns judgments, which do not all have to be positive. In the case of judgments for damages, for example, these may also not have been awarded.

Table 23.A - Number of judgments appeals damages 2020

Ruling appeals and damages	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
Appeals following complaint procedure		9	16	20	45
Appeals following complaints procedure art. 9:10 Wvvggz			<10	<5	10
Appeal against crisis measure	37	22	19	21	99
Compensation	18		25	26	86

Table 23.B - Number of judgments appeals damages 2021

Ruling appeals and damages	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
Appeals following complaint procedure	23	23	26	22	94
Appeals following complaints procedure art. 9:10 Wvvggz	<5	<5	<5	<5	<10
Appeal against crisis measure	20	32	17	22	91
Compensation	64	50	250	37	201

Issue 24.

The police register on the basis of the criminal grounds for discrimination. A separate category has been created for anti-Semitism because it involves both the ground of origin and the ground of religion.

In 2021, one specific act of discrimination was recorded that was committed by an investigating officer. In 2020, this number was higher (5) because a case with multiple suspects was ongoing at that time. In 2019, the number was zero. As for the commutable offenses with a discrimination aspect, in 2021 it was recorded once that the suspect was an investigating officer. In 2020, it was recorded twice and in 2019, zero times.

TABLE 24.A - Discrimination incidents by grounds of discrimination from police records

	2018	2019	2020
Religion	137	225	180
Origin	1442	2156	2657

Anti-Semitism	275	768	517
Sexual orientation	847	1603	1981
Gender	28	38	41

TABLE 24.B - Discrimination incidents by mode of discrimination from police records

	2018	2019	2020
Violence	38	27	40
Violence and utterance	408	667	659
Expression	1767	3225	84
Destruction	279	430	3924
Daubing	258	248	210
Spitting	22	12	43
Threatening	306	632	638

TABLE 24.C - Number of CODIS-offences¹⁴ and specific discrimination cases¹⁵ in the Public Prosecution Service in the Netherlands (inflow numbers)

	2019	2020	2021
Homicide	2	0	0
Physical assault	24	22	20
Theft	1	0	0
Burglary	0	0	0
Arson	0	1	0
Damage to property	11	3	11
Desecration of graves	0	0	0
Disturbance of peace	19	24	15
Threats/threatening behavior	32	29	42
Other CODIS-offences	122	173	240
Specific discrimination cases	123	157	157

¹⁴ CODIS-offences are offences whereby a discrimination aspect has played a role as motive or reason or whereby a discrimination aspect has been used in order to make the offence in a more invasive manner (e.g. assault).

¹⁵ These are offences that are registered and on which a decision is taken on the grounds of one of the discrimination sections from the Dutch Criminal Code: Section 137c, 137d, 137e, 137f, 137g or 429quater.

TABLE 24.D - Number of registrations¹⁶ of the different discriminatory grounds in the specific discrimination cases in the years 2019-2021 (inflow numbers).

	2019	2020	2021
Race	61	111	82
Anti-Semitism	60	38	58
Religion or belief	6	25	18
Heterosexual or homosexual orientation	14	11	16
Gender	3	2	1
Handicap	5	6	5
Other grounds	1	0	4
Transgender individuals	-	3	1
Total	150	196	185

TABLE 24.E - Number of registrations of the different discriminatory grounds in the CODIS-offences in the years 2019-2021 (inflow numbers).

	2019	2020	2021
Race	166	162	184
Anti-Semitism	27	27	27
Religion or belief	29	11	16
Heterosexual or homosexual orientation	46	83	126
Gender	3	0	0
Handicap	3	5	8
Other grounds	6	0	0
Transgender individuals	-	6	14
Total	280	294	375

¹⁶ The PPO registers the discrimination ground(s) in a case. It is possible that they register more than one ground. Due to that reason, there will often be more registered discrimination grounds, than discriminatory cases in a year.