

AMNESTY INTERNATIONAL NETHERLANDS

PRESS RELEASE

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Netherlands: Amnesty starts legal proceedings against Municipality of Amsterdam over ban on public protests following Ajax and Maccabi Tel Aviv clashes

A six-day citywide ban on protests in Amsterdam in November 2024, represented an excessive restriction of the right to protest, said Amnesty International Netherlands as they and six individuals announced that they are taking the Municipality of Amsterdam to court for this unlawful general prohibition of all assemblies.

On 8 November 2024, the Mayor of Amsterdam issued two emergency ordinances to impose a pre-emptive blanket ban on assemblies. They were issued in reaction to the multiple incidents and disturbances connected with the football match between Ajax and Maccabi Tel Aviv.

“A blanket ban on protests should be a last resort. Never before in recent decades has an pre-emptive blanket ban been imposed in the Netherlands for such a long period,” said Dagmar Oudshoorn, Director of Amnesty International Netherlands.

The blanket ban on assemblies remained in force in the capital from 8 to 14 November 2024. In the first three days, no assemblies were permitted under any circumstances; in the following three days, permission to protest could only be acquired by applying for an exemption to the ban – in its communications, however, the Municipality failed to inform the public of the option to apply for such an exemption.

According to Dutch law and international human rights standards, the government is obligated to protect and facilitate assemblies. The core principle is that each protest must be assessed individually, and only when strictly necessary and proportionate may a particular protest be restricted or, as a last resort, prohibited.

Unnecessary and disproportional – the protest bans were unlawful

Amnesty is taking this matter to court to make clear that, given the circumstances, such a sweeping ban can never be justified. The Public Assemblies Act (*Wet openbare manifestaties*) provides no legal basis for a total ban on assemblies. Any pre-emptive,

citywide ban on *all* protest is disproportional. Furthermore, this ban was unnecessary in light of the circumstances.

“There was no question of administrative force majeure,” said Dagmar Oudshoorn: “There were enough police officers to disperse the demonstrations, so wouldn’t there have been enough police to facilitate assemblies? What’s more, the violent incidents in the city were unrelated to any protests. Never before was a blanket ban on assemblies introduced in response to disturbances connected with a football match.”

Amnesty International Netherlands [previously voiced concerns](#) about mayors using emergency powers to ban protests – while the right to peaceful protest should be especially facilitated in times of social tension

The claimants

Amnesty Netherlands is not bringing this case alone: six individuals, all of whom were affected by the ban, are joining the proceedings. Their experiences illustrate the ways in which protest bans undermine the right to protest. Four of them were on Dam Square, Amsterdam, while the emergency ordinances were in force.

On Wednesday 13 November 2024, co-claimant Mohamed, 25, protested peacefully against both the genocide in Gaza and the protest ban. The police apprehended him along with the other protesters, and transferred them to the city’s western docklands (*Westelijk Havengebied*), where he was the victim of excessive use of force by the police. “The municipality claims the protests were deemed risky,” said Mohamed, “But my question is: Risky in what way? Peaceful protest has never posed a risk to society.”

Another co-claimant wanted to demonstrate but decided against it. She had previously spoken out, on multiple occasions, against the genocide in Gaza and the failure to implement measures against Israel. But as a result of the ban, for fear of the potential legal consequences and police actions she ultimately chose not to protest.

“The unlawful actions of the Municipality discourage citizens from participating in protests,” said Dagmar Oudshoorn. “This puts the right to protest under serious pressure.”

Amnesty and the co-claimants are being represented by PILP, whose lawyers Jelle Klaas and Merel Hendrickx are handling the case.

“Never before has a court ruled on such a sweeping ban on assemblies,” said Jelle Klaas. “This is a clear violation of the right to protest that should be addressed by a court of law. We are confident of a positive outcome.”

Ajax v Maccabi Tel Aviv

The serious incidents connected with the Ajax v Maccabi Tel Aviv football match placed the Municipality of Amsterdam under huge domestic and international pressure, and there was considerable public concern. However, social unrest does not justify such a severe violation of the right to protest. Moreover, the unrest was already over by the early morning of 8 November 2024. Given these facts, which were known at the time, it was unnecessary to pre-emptively ban any and all assemblies for multiple days.

The Municipality could have chosen to implement less sweeping measures. Provided there was appropriate justification, a ban could have been applied to assemblies on specific locations within the city, on a specific day, or in the case of very large-scale protests.

“Mayors can also expect something from society at large,” said Dagmar Oudshoorn “The public, commentators, politicians and government representatives must uphold the right to protest. Particularly in times of severe (international) pressure, it is of crucial importance that they give mayors their full support and give ample space for peaceful protest.”

The right to protest is not a privilege

Amnesty International Netherlands and the co-claimants are seeking a court ruling that the Municipality of Amsterdam acted unlawfully by imposing the blanket ban on assemblies – to prevent it happening again in the future. “Protesting is a right, not a privilege. And a right cannot be switched on and off at will – either now or in the future,” said Dagmar Oudshoorn.