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Freedom House (Author)

Freedom in the World 2023 - Netherlands

FREE

97

/ 100

Political Rights 39 / 40

Civil Liberties 58 / 60

LAST YEAR'S SCORE & STATUS

97 / 100 Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

Overview

The Netherlands is a parliamentary democracy with a strong record of safeguarding political rights and civil liberties. Nevertheless, Muslims and people with a migrant background experience harassment and discrimination. Harsh asylum policies are a source of controversy. Polarization around cultural, social, and economic policies has increased, with distrust in government higher than in the past. Corruption, prison conditions, and asylum policies are of concern on the six Caribbean islands for which the Netherlands government has varying degrees of responsibility.

Key Developments in 2022

- A new government took office in January, following March 2021 parliamentary elections and months-long coalition talks. Prime Minister Mark Rutte, the incumbent since 2010, faced skepticism about his government's capacity to deal with policy challenges including a child-care allowances scandal, which had led to the resignation of his previous government, and a heated dispute about environmental adaptation and land use.

- Farmers mounted a series of midyear protests against planned government restrictions on agricultural pollution, using tractors to block roads and entrances to buildings. The police were accused of failing to intervene, in contrast to earlier protests against COVID-19-related restrictions, during which officers were criticized for using more aggressive tactics.
- The country accepted close to 87,000 Ukrainian refugees outside of the standard asylum process during the year, but other asylum seekers continued to face a lack of housing and slow processing of their cases.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Netherlands is a parliamentary constitutional monarchy, with King Willem-Alexander playing a largely ceremonial role. The government is formed by the parliament after elections.

In January 2022, a fourth consecutive government headed by Prime Minister Mark Rutte took office, based on an agreement negotiated after the March 2021 parliamentary elections. The governing coalition consisted of Rutte's center-right People's Party for Freedom and Democracy (VVD), the liberal Democrats 66 (D66), the Christian Democratic Appeal (CDA), and the smaller Christian Union (CU).

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral States General consists of the 75-seat First Chamber or Senate, elected indirectly by members of the 12 provincial councils, and the 150-seat Second Chamber or House of Representatives, members of which are directly elected to serve four-year terms, using a system of proportional representation without a minimum vote threshold. A total of 17 parties won seats in the March 2021 Second Chamber elections, led by the VVD with 34, D66 with 24, the right-wing populist Party for Freedom (PVV) with 17, and the CDA with 15.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections are administered by the Electoral Council, which works impartially and professionally.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, 4 / and is the system free of undue obstacles to the rise and fall of 4 these competing parties or groupings?

Political parties operate freely. The Elections Law does not impose any undue restrictions on the registration of candidates for elections.

Government funding is granted to all parties with at least 1,000 members and at least one seat in the parliament. Draft legislation that was proposed in December 2022 would also extend funding to parties active at the provincial or municipal level, and allow the courts to ban parties that attempt to weaken the rule of law.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its 4 / support or gain power through elections? 4

The composition of ruling coalitions regularly changes after elections, drawing some parties into government and leaving many others in opposition.

The record 17 parties that entered the Second Chamber following the March 2021 elections included four new parties. Further splits after the elections led to a total of 20 parliamentary factions.

B3 0-4 pts

Are the people's political choices free from domination by forces 4 / that are external to the political sphere, or by political forces that 4 employ extrapolitical means?

Voters and candidates are free to make their own political choices without undue pressure from democratically unaccountable groups. However, a media investigation in 2022 found that many politicians have faced threats and intimidation from extremist groups or citizens with policy grievances, causing some to self-censor their public speech.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, 4 / religious, gender, LGBT+, and other relevant groups) have full 4 political rights and electoral opportunities?

All citizens formally enjoy equal political rights. Women, LGBT+ people, and members of racial and other minority groups participate freely in the political process. Several parties cater to the perceived interests of specific religious communities or ethnic minority populations. Women held about 39 percent of the Second Chamber seats after the 2021 elections.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Government policies reflect the choices of freely elected members of the parliament.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 4 / 4

The Netherlands has low levels of corruption, and anticorruption mechanisms are generally effective. The Second Chamber created a code of conduct in 2020 to limit conflicts of interest among its members, and an independent complaints body was established to address violations of the code.

In a scandal that continued to receive considerable attention in 2022, a former CDA activist and his business partners faced investigations into suspected fraud, money laundering, and embezzlement related to their 2020 sale of face masks to the government.

C3 0-4 pts

Does the government operate with openness and transparency? 3 / 4

Laws recognizing the right to request government information are generally enforced, although government agencies frequently miss official deadlines in responding to requests.

The Open Government Act (WOO), which requires the government to make documents available online proactively, rather than by request, entered into force in May 2022, but a number of key provisions would be implemented gradually. The quality of the government archival system was questioned, and an October report from the Information and Heritage Inspectorate revealed that only a limited number of the prime minister's online chat messages were archived properly.

A scandal centered on the Tax and Customs Administration (Belastingdienst), which had improperly punished thousands of families from 2012 to 2019 for allegedly defrauding a system of child-care allowances, persisted in 2022 amid limited progress on reparations, revelations about the discriminatory basis of the tax service's practices, and the separation of over 2,000 children from families that had been affected by the unjust enforcement measures. In July, an appellate court confirmed that the Belastingdienst itself could not be prosecuted for discrimination and extortion, but criminal complaints filed against specific tax officers, for discrimination and extortion as well as for perjury they may have committed during a 2020 parliamentary investigation into the scandal, were still pending at year's end.

The coalition agreement undergirding Rutte's new government in 2022 included plans to improve government transparency and accountability, in part by making state inspectorates more independent. In April, the parliament adopted a motion calling on the government to require human rights impact assessments before a public institution could use algorithms to make official decisions about people.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 4 / 4

The country hosts a free and independent press, with a variety of print, broadcast, and online outlets providing news and information to the public. However, PersVeilig, an initiative by the media sector and law enforcement bodies aimed at increasing journalists' safety, stepped up its activities in 2022 amid reports of growing harassment by hostile individuals. In December, the initiative noted that 80 percent of female journalists have experienced intimidation, threats, or aggression.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, which is generally respected in practice.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely upheld in the Netherlands.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no restrictions on freedom of speech or personal expression, apart from the criminalization of hate speech, threats, and incitement to illegal acts.

A leader of protests against COVID-19 policies was arrested in early 2022 for inciting illegal acts on social media; a verdict in the case was pending at year's end.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and generally respected by authorities, and any improper restrictions are publicly debated and adjudicated through the legal system. In several court cases during 2022, plaintiffs won judgments against local governments that were found to have placed undue limitations on the right to assembly in past years.

In early 2022, as in 2020 and 2021, temporary government restrictions on gatherings and movement in response to a rise in COVID-19 transmission triggered large protests by opponents of such policies. The use of force by police and especially the employment of police dogs led to a heated controversy about law enforcement tactics. Criminal charges were filed against some officers and protesters for their respective roles in the confrontations.

Separately, toward the middle of the year, farmers mounted a series of protests against government proposals to limit nitrogen emissions generated by agricultural activity near nature conservation areas. Farmers used tractors to block highways and access to government and other buildings, and police drew criticism for failing to intervene and manage the protests effectively. In November, police were also accused of failing to adequately protect protesters opposed to a blackface holiday character, Zwarte Piet, from violent counterprotesters.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

NGOs operate freely and without interference from the government or nonstate actors. A draft bill allowing local authorities and prosecutors to scrutinize NGOs' funding sources, first proposed in 2020 and amended in 2021, made no further progress in 2022. However, it was reported that governmental pressure to combat terrorism financing had prompted banks to close the accounts of some Islamic organizations or place them under review, despite a lack of evidence that they had links to terrorism.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers' rights to organize, bargain collectively, and strike are protected.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 4 / 4

The judiciary is generally independent in law and in practice.

A committee of administrative judges evaluated the judiciary's role in the child-care allowances scandal, concluding in October 2022 that the courts had been unduly strict toward people accused of fraud and had too often deferred to the assertions of the tax service.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 4 / 4

The right to a fair trial is legally guaranteed and respected in practice, and safeguards against arbitrary arrest and detention are generally upheld.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Residents are generally free of major threats to their physical security, and prison conditions mostly meet international standards. However, substandard detention conditions continued to be reported on Caribbean islands under the jurisdiction of the Netherlands.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The legal framework includes significant protections against discrimination on various grounds, but some forms of bias and disparity persist in practice. A December 2022 report commissioned by the Ministry of Foreign Affairs exposed racist practices and attitudes within the institution. Also that month, the government formally apologized for the Netherlands' historical participation in slavery and the slave trade and announced a program to address that legacy.

Open expression of anti-Muslim and xenophobic views was not uncommon during the year. Muslims and people with a migrant background experienced harassment and intimidation, and far-right soccer fans and social media users promoted antisemitic tropes. Labor-market discrimination based on people's ethnicity, age, pregnancy, or disabilities continued to be documented, and a number of high-profile cases drew attention to sexual violence and harassment—particularly against women—in the workplace.

Dutch asylum policies have long drawn criticism for being unduly harsh. Throughout 2022, dozens to hundreds of asylum seekers had to sleep in the open air outside an application center in the village of Ter Apel due to a combination of case backlogs, housing shortages, and lack of flexibility in creating emergency shelters. A district court in The Hague ruled in October that the government must urgently act to bring the situation of asylum seekers into line with international standards.

At the same time, almost 87,000 Ukrainian refugees were registered in the country during 2022. They were not included in the ordinary asylum procedure, instead receiving residency and work permits under a special arrangement.

The Caribbean islands that are part of the Kingdom of the Netherlands lack well-developed asylum procedures. NGOs have called for more government action to support Venezuelan refugees on Aruba and Curaçao. In March 2022, the government of Curaçao stated that it was not bound by international refugee law.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Residents generally enjoy freedom of movement and the ability to change their place of residence, employment, and education. Though the government has periodically implemented movement restrictions to curb the spread of COVID-19 since 2020, such regulations were largely in line with expert guidance on public health.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Property rights are legally protected and generally upheld in practice.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are largely respected. Domestic violence is a persistent problem despite government efforts to address it.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

While legal protections against labor exploitation are generally enforced, exploitative working and housing conditions for migrants, particularly in the agricultural and meat-processing sectors, continued to be reported in 2022. The new government announced plans to combat such abuses, and in December it endorsed a draft bill to require official certification of temporary employment agencies.

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