



Document #2108057

Freedom House (Author)

Freedom in the World 2024 - 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 2023

- Provincial elections in March led to major changes in the First Chamber of parliament. Governmental stability suffered, and the cabinet resigned in July over a disagreement on asylum policies. The government continued in caretaker mode and early elections for the Second Chamber of parliament were scheduled for November.
- In November elections, the far-right Freedom Party (PVV) surged from 17 to 37 representatives in the 150-seat Second Chamber, and

became the largest party in the parliament. Preliminary talks between the PVV and three other right-leaning parties on forming a government started in December, but the road to a coalition was uncertain, with a major issue being concerns among the potential coalition partners that the PVV would not operate in line with constitutional standards and the rule of law.

- Throughout the year, climate activists used blockades as a tactic to push for acceptance of their demands. This led to extensive discussion about the response of police and the prosecution service to such protests.
- In September, the number of Ukrainian refugees residing in the Netherlands outside of the standard asylum process grew to over 100,000. Asylum seekers from elsewhere who had to go through the ordinary procedures continued to face a lack of housing and slow processing of their applications.

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.

The governing coalition, which remained in power in a caretaker capacity from July 2023 onward, consisted of the center-right People's Party for Freedom and Democracy (VVD) of Prime Minister Mark Rutte, the liberal Democrats 66 (D66), the Christian Democratic Appeal (CDA), and the smaller Christian Union (CU). At year's end, negotiations were ongoing to form a new government following snap November elections.

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 politically dominant 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.

March 2023 elections for provincial councils led to a First Chamber in which the new Farmers Citizens Movement (BBB) obtained a plurality (16 out of 75 seats).

Early elections called for the Second Chamber in November 2023 led to the far-right PVV of veteran politician Geert Wilders becoming the biggest party in the Second Chamber, with 24 percent of the vote and 37 seats. The leftist combined list of Labour and Green Left (GroenLinks-PvdA) earned 16 percent and 25 seats, and the center-right VVD 15 percent and 24 seats. Taking part for the first time, former Christian Democrat Pieter Omtzigt's New Social Contract party (NSC) obtained 13 percent, making it the fourth-largest faction, with 20 seats.

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, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

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 under consideration would also extend funding to parties active at the provincial or municipal level, and allow courts to ban parties that attempt to weaken the rule of law; in August 2023, the country's Council of the Judiciary expressed concern that the proposal for banning parties was overly vague.

B2 0-4 pts

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

The composition of ruling coalitions regularly changes after elections, drawing some parties into government and leaving many others in opposition. In the last four nationwide elections for provincial councils or the Second Chamber, a different party earned a plurality of votes—the Forum for Democracy (FVD) in 2019 provincial council elections, the VVD in 2021 Second Chamber elections, the BBB in the March 2023 provincial council elections, and the PVV in November 2023 Second Chamber elections.

In December 2023, talks on the formation of a new governing coalition started between the PVV and three other right-leaning parties (the VVD, the NSC and the BBB). Guarantees for operating in line with constitutional standards and the rule of law was first on the agenda, a subject on which the NSC in particular has been critical of the PVV. This discussion was ongoing at year's end. While the goal of limiting migration is shared by all four parties, they are less unified on how this should be achieved. On many other issues, large differences of view and approach seem to exist among the four parties in negotiations.

B3 0-4 pts

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

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, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

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.

A perceived "toxic political climate" remained a problem, particularly affecting female politicians and reportedly contributing to a number of them not standing as candidates for a new mandate. However, 40 percent of the Second Chamber seats after the 2023 elections were held by women, a stable share from the previous election. Regional representation from inside the Netherlands increased, as did diversity of educational background.

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. The political custom of requiring close alignment by governing parties to the provisions of the agreement underlying the coalition is generally considered to unduly limit the critical role of parliamentarians as

a check on government. The new party the NSC, among other voices, has proposed alternative structures for the cabinet.

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 April 2023, two aldermen of the city of The Hague were acquitted in a major corruption trial; in June, the prosecution announced it would appeal the acquittal. Anticorruption advocates argued that the noncriminalization in the Netherlands of influence peddling, internationally recognized as a form of corruption, makes some convictions for presumed improper deals difficult.

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. In May 2023, a court ordered nine ministries, a provincial government, and a municipal government to work toward compliance with a request by investigative journalists to see documents connected to the government's relations with the energy company Shell. The ruling was made in an appeal to the court by the journalists after four years of refusals and delay from the government bodies.

The scandal centered on the Tax and Customs Administration (Belastingdienst), which had improperly punished thousands of families between 2012 and 2019 for allegedly defrauding a system of child-care allowances led to a formal investigation by parliament. Hearings in the investigation were conducted in September and October 2023, with a final report set to be released in 2024. Testimony during the hearings from former Tax and Customs Administration officials and government officers produced new information on how considerations of fairness and established procedures had been ignored. In April, a court ruled against the government for the first time in a civil case claiming that families affected by the scandal had been deprived of their rights. Progress toward reparations for the scandal's victims continued at slow speed, with a new approach announced during the year.

Another major parliamentary investigation concluded in February 2023 with a report condemning governmental approaches to structural damage to buildings resulting from decades of natural gas extraction in

the province of Groningen. The report concluded that repair processes had been dominated by the government and gas companies trying to minimize their responsibility and financial consequences.

In 2023, a number of reforms aimed at improving openness and transparency were enacted, partly in response to the European Commission for Democracy through Law (Venice Commission) 2021 Opinion on the Legal Protection of Citizens. In January, the civil servants' oath of office was changed to make a clearer reference to the common good and to principles of justice and respect; the same month, a new Algorithm Coordination Directorate was formed at the Dutch Data Protection Authority to oversee the government's use of algorithms; and in May, improvements in citizen complaint procedures were adopted.

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. In 2023, 214 instances of threats, intimidation, or violence were reported to PersVeilig, a journalists' safety initiative run by the media sector and law enforcement bodies, an increase of 8 percent over 2022.

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. Muslim organizations and individuals expressed fears that their religious practice would be limited following the November electoral success of the PVV. PVV leader Wilders had announced before the elections that he would shelve anti-Muslim parts of his political platform in order to pursue other goals, and parties involved in coalition talks with the PVV said they would insist that constitutional standards of equal treatment and freedom of religion be upheld.

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.

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.

Increased use of blockades of highways and buildings by climate protesters led to public debate about the extent of the governmental duty to facilitate demonstrations. In most cases, protesters were removed by police and arrested but not prosecuted; however, a number of presumed organizers of a high-profile August highway blockade in The Hague were convicted and sentenced to community service for sedition. They appealed the sentence. Police were accused by protestors of deliberately inflicting severe pain in the process of removing people engaged in blockades.

In November, the Inspectorate for Justice and Security concluded that Staphorst municipal authorities had failed in 2022 to protect protesters from violent counterdemonstrators; the original protesters were opposing a blackface holiday character, Zwarte Piet. In a similar situation in De Lier in November 2023, heavy police presence enabled the anti-Zwarte Piet protest to take place.

Meanwhile, there had not been a full and public evaluation of controversial law enforcement strategies used against demonstrations opposing COVID-19 policies during the 2020–22 period. In January 2023, William Engel, a leader of those protests, received a suspended prison sentence on one count of incitement to criminal behavior in issuing a call to take part in a prohibited assembly. Both Engel and the prosecutor appealed the sentence.

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, was amended once again in May 2023 to include more safeguards. There were reports 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 conditions were reported on the Caribbean islands of Aruba, Curaçao, and Sint Maarten, which were under the jurisdiction of the Netherlands. In December 2022, Sint Maarten and the UN Office for Project Services (UNOPS) signed an agreement on the building of a new detention facility on the island.

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.

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. The October 7 attack by Hamas on Israel and Israel's large-scale armed response led to a major surge in expressions of antisemitism and Islamophobia, and Jewish

and Muslim groups both reported significant threats and discrimination against the populations they worked with.

Labor-market discrimination based on people's ethnicity, age, pregnancy, or disabilities continued to be documented, and further 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 restrictive. In the November 2023 parliamentary election campaign, the number of migrants became a central issue. Even though many parties had immigration proposals that included a broad range of migrants, in particular labor migrants and students, most attention went to asylum seekers, who made up only around 15 percent of total arrivals. Over the last three years, between about 37,000 and 49,000 asylum seekers have registered per year, and the majority of them ultimately received a temporary residence permit. Parties favoring steps to further restrict the number of arrivals gained a majority of seats in the elections.

Unlike in 2022, at the application center in the village of Ter Apel, asylum seekers did not have to sleep outside, but the center continued to be filled beyond capacity, with hygiene breaking down toward the end of the year. Petty criminality near the application center reportedly surged. Lack of capacity for processing claims by the immigration service, difficulties in expelling asylum seekers whose claims had been turned down, and housing shortages for asylum seekers contributed to the process getting clogged.

The controversial so-called dispersal legislation to oblige municipalities across the country to provide space for asylum seekers remained under consideration at year's end. At the same time, the number of Ukrainian refugees registered in the country grew to over 100,000 over the course of 2023. They were not included in the ordinary asylum procedure, instead receiving residency and work permits under a special arrangement. Many of them have been placed in temporary accommodations and questions on how to house them longer-term started to arise.

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 arriving in Aruba and Curaçao.

G Personal Autonomy and Individual Rights

G1 0-4 pts

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

Residents generally enjoy freedom of movement and the ability to change their place of residence, employment, and education. COVID-19 restrictions on movement no longer applied in 2023. In May, parliament adopted a law regulating the imposition of possible future restrictive measures for reasons of 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 2023. A comprehensive government program to counter these abuses had launched in 2020 and a related bill was set to be debated in parliament in 2024.

An action plan on human trafficking covering actions by several government bodies was presented to parliament in October 2023 but was criticized as inadequate and in particular lacking penalties for the clients of exploited sex workers.

ecoi.net description:

Annual report on political rights and civil liberties in 2023

Country:

Netherlands

Source:

[Freedom House](#) (Author)

Published:

2024

Original link:
<https://freedomhouse.org/country/netherlands/freedom-world/2024>

Document type:
Periodical Report

Language:
English

Available on ecoi.net since:
25 April 2024

Document ID:
2108057

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ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

