



Netherlands Report

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Sustainable Governance
Indicators 2017

Executive Summary

The quality of Dutch democracy remains above average. However, the stability of the democratic system appears to be decreasing. The continuing economic and global political uncertainties have produced an inward-looking and volatile electorate. Since late 2010, governments have no longer been assured of a solid majority in the bicameral States General. Since 2012, the Netherlands has been governed by a minority coalition cabinet (Rutte II) made up of ideological rivals, namely the conservative-liberal People's Party for Freedom and Democracy (VVD) and the Labor Party (PvdA). With its majorities varying on a case-by-case basis, the Rutte II cabinet has nevertheless been able to garner sufficient parliamentary support to pass an agenda of neoliberal legislative reforms softened by social-democratic measures. Providing grounds for more serious concern, the political parties and government bureaucracy have shown a decrease in respect for rule-of-law requirements, for legislative and administrative details, and for the management of the judicial infrastructure itself.

Policy performance is average, but still satisfactory. Economic policies have been successful in the last two years, especially in the budgetary and accounting spheres. Even unemployment rates have diminished, but youth unemployment rates remain of particular concern. In 2015 and 2016, the government announced tax cuts intended to increase consumption spending, with the broader aim of strengthening the economic recovery. The Dutch are still doing well in most areas of social sustainability. The crisis in education has been acknowledged. Though policy interventions remain incremental, first steps toward needed system reform have been taken. Social-inclusion policies have not prevented more families from falling into poverty. In the realm of health policy cost increase has been prevented, but the health care inspectorate does not seem up to its task of monitoring and supervising a hybrid public/private health care system facing serious loss of legitimacy. In the domain of integration both the refugee influx (although smaller than expected) and continued high unemployment among immigrant young people are reasons for concern. Overall, almost all institutions comprising the safety and security, and judicial branches of the Dutch government are facing substantial challenges and under increasing stress. This densely populated country scores low with regard to environmental sustainability. However, after the Paris Agreements, climate-change policy is back on the political agenda.

The Dutch government apparatus struggles to muster reasonable levels of executive capacity and accountability. There are clear and increasing implementation problems, indicating that the “lean” government may find itself overburdened with intractable problems. Monitoring and coordination efforts are substandard, both with regard to interministerial and agency monitoring. There are increasing problems with the country’s public ICT systems, and large-scale rail and road infrastructure. Regarding water management, a traditionally strong area of Dutch governance, administrative reforms are implemented smoothly. The overhasty devolution of central-government functions with concomitant social-security budget cuts may threaten the long-term decentralization of welfare policies to local governments. In the area of public safety and security, a contrary trend toward rapid centralization has led to problems in policing and the judiciary infrastructure (with regard to the court system generally, the management of judges and access to the judiciary).

Recently, the influx of refugees and increased threat of terrorism has pushed the country’s political mood toward an inward-looking xenophobia. In the realm of executive accountability, weak intra-party democracy and a lack of citizen policy knowledge are causes for concern. At the local level, there is some evidence that opportunities for more inclusive participatory and deliberative policymaking are increasing.

All in all, Dutch politics and policies remain generally sustainable. Some challenges have accumulated, however. For example, the government should seek to untangle policy deadlocks over attempts to address socioeconomic inequalities, integrate citizens more deeply into the policymaking process, set goals and priorities in the areas of environmental and energy policy, restructure policies, solve the looming policing and judicial system crises, and enhance local government and citizen participation in the implementation of policies.

Key Challenges

The 2016 Dutch throne speech concluded with “the Netherlands is a strong country in an unstable world.” However, this is more of an aspiration than an observation. The long-term viability of the Dutch polity depends on the way the governance system deals with a number of challenges.

The first challenge is the overdue reform of some traditional state functions. The Dutch have eagerly reaped the peace dividend after the fall of socialism, in line with traditionally strong pacifist and anti-military undercurrents. In view of perceived threats from Russia and Turkey in at least parts of eastern Europe, and a less certain American commitment to NATO, the Dutch (along with other EU member states) are supposed to upgrade their military capacity and spending in a relatively short time. Intended reforms in the police, the judiciary and public prosecution (Ministry of Safety and Justice) have run into implementation, expertise and integrity problems. This might result in the problems becoming structural instead of occasional. Government tasks in the domain of (public) finances need to guarantee the continuity of expertise in the tax apparatus, while attempting to overcome the country’s damaging reputation as a tax haven for large foreign companies.

The second major task for Dutch politics is to help design and facilitate a new “business model” for the Dutch economy, given the world’s current pace of transition, toward a sustainable global economy. The Dutch can no longer permit themselves to fall behind the rest of Europe in climate change (mitigation and adaptation) policies. In view of mid-term exhaustion of their own natural gas resources, a new robust energy policy for substituting fossil fuel for renewable energy sources is imperative. Public investment in transportation and infrastructure, and water management can no longer be postponed due to looming transportation congestions and climate change challenges. In view of foreseeable technological innovations (e.g. digitization, big data and robotification) reforms of the educational system and the labor market are necessary. Labor market policies face a difficult balancing act between promoting flexible labor relations, guaranteeing decent wages and supporting a work-family balance for precarious workers. With a view to an aging population, sustainable economic growth should allow for an accessible and efficient (health) care system, a reformed pension system that fairly balances the interests of young and old, and solidarity and individual choice.

The most difficult task for longer-term Dutch politics is striking a viable balance between emergent and ever more manifest identity politics, and continuing globalization. The political and economic atmosphere in the Netherlands is permeated by a profound sense of uncertainty and fear of loss of until recently taken-for-granted “entitlements” of living in the Netherlands. This translates into fear of developments abroad (e.g. Russia/Ukraine, ISIS/Middle East, EU-Brexit, a Trumpist USA and an expansionist China). Politically, this leads to a stalemate, and a divided and increasingly polarized electorate along two parallel cleavages, namely levels of education, and attitudes toward Europe and the outside world. Highly educated “universalists” prefer the traditionally open Dutch borders, show high levels of social and political trust and confidence, and have a positive attitude toward (more) European integration. By contrast, lower-educated “particularists” prefer closed borders, demonstrate political and social distrust, and a lack of (self)-confidence, and tend to be euro-skeptics (and sometimes anti-Islam as well).

The fierce debate about keeping “Black Pete” (an icon of Dutch traditional values), occasionally violent protests to prevent public deliberation about refugee settlements, and widespread and stable support for an openly xenophobic and anti-Islamist political party (typically securing 15% to 20% in parliamentary elections and 23 to 29 parliamentary seats) are all signs of the political alienation of a significant part of the Dutch population. The digitization of public databases (e.g. tax forms, identity papers, applications for social benefits, communications with local governments and train tickets), frequently without citizens’ prior knowledge or consent, creates an image of a corporate-government world of Orwellian data-driven “big brother.” For many Dutch citizens, especially the “particularists,” the care provided by the welfare state has increasingly been replaced by “responsibility” requirements and the prying eyes of a stern government presiding over punitive societal interventions. Moreover, citizens’ opportunities for genuine political participation are limited.

Objectively, for an open economy like the Netherlands, cooperation in Europe is crucial, as economic growth and job creation depend on it. The Dutch economy simply cannot prosper without a stable euro, a well-functioning banking union, and a strong and honest internal market with equal pay for equal work. Therefore, Dutch politicians must publicly insist that the “I-want-to-eat-my-cake-and-have-it-too” attitude of a large part of Dutch citizens vis-à-vis the European Union is politically irresponsible and against their informed self-interest.

The country’s new political cleavages – between “particularist” and “universalist” citizens, between adherents of neoliberal and neo-structural

economic thought, between freedom for corporations and stricter disciplinary political interventions for ordinary citizens, and between top-down expert governance and bottom-up citizen political participation – must ultimately be overcome if a viable democratic and sustainable Dutch society is to be created.

Citation:

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E. Engelen, 2014. De schaduwelite voor en na de crisis - niets geleerd, niets vergeten, Amsterdam University Press

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C. Teulings and R. Baldwin (eds.), 2014. Secular Stagnation: facts, causes and cures, CEPR Press

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Rathenau Instituut (A. Edwards en D. de Kool), Kansen en dilemma's van digitale democratie, Den Haag, 2015

<https://www.cpb.nl/sites/default/files/omnidownload/CPB-Policy-Brief-2016-05-Juniraming-2016.pdf>

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 9

After a long period of recession, the Dutch economy recovered in 2015 and 2016, later than many other European countries. Economic activity, exports, consumption, investment and employment levels are all up, while the housing market has also performed strongly. Since 2014, GDP is back at its pre-crisis level. Inflation rates are exceptionally low, as are interest rates. This is largely due to external circumstances such as low oil prices, low interest rates thanks to European Central Bank (ECB) policies, and a cheaper euro.

The comparative international situation of the Dutch economy improved, with the Netherlands ranked 4 out of 138 countries in the Global Competitiveness Index 2016-2017, overtaking Germany. The Netherlands scores highly for higher education and training, world-class infrastructure, health and primary education, goods-market efficiency, and technological readiness. The World Economic Forum praises the country for its new Work and Security Act, which attempts to improve the position of flexible workers and simplifying dismissal procedures. However, there is still fierce political and policy debate in the Netherlands about the success or failure of this new act.

In sum, although the Netherlands was caught in a long-term slump, strong recovery has now occurred. A very different interpretation of the same state of affairs suggests that in spite of having followed neoliberal economic policies, traditional cycles of economic growth and recovery are no longer to be expected. Therefore, the Scientific Council for Government Policy (WRR) has urged the government to rethink the Netherlands' long-term economic structure by investing in future earning capacity so as to expedite innovation and make the economy more resilient in terms of labor productivity and transnational value chains.

Citation:

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Labor Markets

Labor Market
Policy
Score: 8

In September 2016, 5.7% of the working population was unemployed. Youth unemployment was 10.5%, the lowest level in five years. Yet, some consider youth unemployment a serious threat to long-term prospects, as economic independence among 20 to 25 year olds has fallen from almost 50% in 2000 to 27.2% in 2016. There are still some weak spots in the labor market situation: relatively low labor-market participation among migrants, especially youth; a low average number of hours actually worked by international comparison (despite high levels of labor productivity); a growing dual labor market that separates (typically older) “insiders” with high levels of job security from (both old and young) “outsiders,” who are often independent workers without employees and little to no job security; relatively high levels of workplace discrimination; and high levels of workplace pressure. In terms of labor-market governance, political conflicts between the conservative and progressive liberal parties (VVD and D66) and the labor-affiliated parties (PvdA, SP, PVV) have prevented the passage of any genuinely breakthrough policies. The new Work and Security Act phased in since 1 January 2015 aims to strengthen the position of temporary workers, ease dismissal procedures, and shorten the duration of maximum unemployment benefits from 38 to 24 months. At the time of writing, the jury is still out on whether or not the first two measures have been a success or a failure.

Citation:

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“Jongeren van nu zijn verliezende generatie”, in NRC Handelsblad, 31 March 2015

Vragen van het lid Klein aan de Minister van Sociale Zaken en Werkgelegenheid, dd. 10 oktober 2016 (rijksoverheid.nl, accessed 31 October 2016)

Taxes

Tax Policy
Score: 7

Taxation policy in the Netherlands addresses the trade-off between equity and competitiveness reasonably well. There is horizontal equity in that the taxes levied do not discriminate between different societal groups – especially men and women. The system is fully individualized. The Netherlands has a progressive system of income taxation which contributes to vertical equity. In general, income tax rates range between 30% and 52%. There is a separate tax for wealth. Indirect taxes and local taxes hit lower income groups most. Yet, tax pressure for every income group, from low to high, is approximately 37%. Yet, partly as a result of ad hoc measures to alleviate crisis impacts, the tax system loses credibility because of its increasingly unequal treatment of different groups. For example, between self-employed and employed workers, between entrepreneurs operating as sole traders or private limited companies, between single-parent families and families where both parents earn a living, and between small savers and the very wealthy.

The Dutch state is taking a number of measures designed to ease budget pressures, including a gradual decrease in allowable mortgage-interest deductions, a decrease in health care and housing-rent subsidies, and a gradual increase of the pension-eligibility age to 67. Under strong pressure from opposition parties, the Rutte II cabinet intended to further simplify the tax system. However, this plan was postponed until after the next elections, after the political parties supporting the present tax system (which include both government and opposition parties) gained additional seats in elections for the upper legislative house. Due to the considerable increase in local governments' implementation responsibilities, a possible shift from national to local taxes has been added to the tax-reform agenda.

Corporate income tax for foreign companies – an aspect of the trade-off between horizontal equity and competitiveness – has also come under political scrutiny. An extensive treaty network that encompasses 90 tax treaties aims at protecting foreign companies from paying too much tax, effectively making the Netherlands a tax haven. After tax scandals involving Google and Starbuck, and increasing pressure from the OECD and the European Commission to reduce treaty shopping and transfer pricing, the Dutch government will gradually have to change these corporate-tax laws for foreign companies.

Citation:

CBS, Nederland in 2016. Een economisch overzicht, Den Haag/Heerlen, 2015, pp.31ff
"Meer belasting gemeenten kan en helpt de democratie, in NRC-Handelsblad, 9 April 2015
NRC- Handelsblad, 'We hebben een geloofwaardig stelsel nodig'
Date: 17 September 2016

Budgets

Budgetary Policy
Score: 9

Budgetary policy was sound prior to 2008. The economic crisis, however, has put severe pressures on the government budget. In 2012 the government came €0.10 short on every €1 of expenditure. The national balance switched from a surplus in 2008 to a deficit of 4.1% of GDP in 2012, 0.3% higher than expected. Between 2008 and 2014, the Dutch government followed neoliberal austerity policies to the letter, carrying out several series of tax increases followed by expenditure cutbacks. From 2015 to 2016, the Dutch budget deficit decreased from -2.2% to -1.5% of GDP. During the same period, government debt decreased slightly to 66.2% of GDP, well above the EU recommended ceiling of 60%, but better than the euro zone average debt. All in all, the sustainability of state finances has considerably improved over the last few years. Although state income from gas exploitation decreased even more, higher tax and premium income compensated for this loss. For the first time in years, no further austerity measures were announced in September 2014. In 2016, the government allocated €5 billion to reduce taxes on labor to reduce the difference between labor costs for an employer and net income for the employee. These measures proved controversial, as some political parties and experts advocate priority for debt relief over economic stimulation by tax relief. Austerity measures are expected to be reintroduced in 2017 after the elections.

Citation:

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R. Gradus and R. Beetsma, Bezuinigingen voor volgend kabinet zijn onontkoombaar, *Me Iudice*, 7 July 2016

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Research and Innovation

R&I Policy
Score: 9

In 2016, the European Innovation Scoreboard had the Netherlands as an innovation leader, ranked among the top-six countries (jointly with Switzerland, Denmark, Germany, Finland and Sweden). The Netherlands ranked 4 out of 138 economies in the World Economic Forum's Global Competitiveness Report 2016-2017 and the second most competitive economy in Europe. This achievement is attributable to, among other things, improvements in the country's innovation climate. On the specific issue of sustainable competitiveness, in 2015 the Netherlands was given sixth place.

The Netherlands scores above average in terms of open, excellent and attractive research systems, as well as in scientific-publication output, finances and support, and intellectual aspects such as number of patents. Its weakness is in financial market development, with low scores for perceived efficiency, and confidence and trust in the financial sector. It is unclear whether this national R&D performance is really due to government policies (coordinated by the Ministry of Economic Affairs). The country's policymakers aim to secure the Netherlands a place as one of the top five global knowledge economies, and to increase public and non-public R&D investments to 2.5% of GDP (€50 billion). However, the most recent figures, compiled by the Rathenau Institute, forecast a decrease in total government R&D expenditures to €5.5 billion, a decline of 7.7%, by 2019. Part of the budget for R&D in the Netherlands is shifting to the EU level, especially through the Horizon 2020 program.

Dutch policies used to focus on the reduction of coordination costs in creating public/private partnerships. In addition, there were substantial amounts of money in innovation credits for start-up companies and R&D-intensive SMEs – four to five times as much as for larger companies. SMEs struggle with obtaining access to bank credits and navigating their way through a maze of regulatory details in obtaining state funds for innovation. Since 2011, national R&D has focused on nine economic sectors identified as a top priority. A special innovation fund for SMEs remains in place.

Citation:

Rathenau Instituut, Totale investeringen in Wetenschap en Innovatie, www.RATHENAU, 2015

European Commission, Innovation Union Scoreboard 2016 (ec.europa.eu, accessed 1 November 2016)

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Global Financial System

Stabilizing
Global Financial
Markets
Score: 7

The Intervention Bill, which came into effect in June 2012, includes new powers for the Netherlands' central bank and minister of finance. The bill grants the former the power to oversee the transferal of a bank or life-insurance company experiencing serious financial difficulty to a third party and grants the latter the authority to intervene in the affairs of financial institutions in order to maintain systemic stability. As a result, the capital ratio of the four largest Dutch banks has gradually moved toward compliance with the new European capitalization requirements. Following a parliamentary

inquiry into the country's handling of the banking crisis, the Center for Economic Policy Analysis now annually produces a risk report on financial markets. Internationally, though, the Netherlands is slowly but surely losing its position among the important bodies that together shape the global financial architecture, like the G-20, the International Monetary Fund (IMF), the World Bank and the European Union. Since November 2010, the Netherlands has no longer been formally represented within the G-20. The United States allows the Netherlands to participate in the G-20 on the condition of continued Dutch involvement in Afghanistan. Other G-20 members are looking for better geographical representation and for emerging economies to replace the "usual suspects" like the Netherlands. In the IMF, the Netherlands shares its position with Belgium, but in this institution as well as in the World Bank the Dutch will be sidelined in favor of countries representing more important emerging economies. In the European Union, the Netherlands is skeptical about stronger financial governance authority for the European Union in the sphere of financial support (emergency fund) and bank oversight. On the other hand, as a small but internationally significant export economy, the Dutch have a substantial interest in a sound international financial architecture. However, given the new wave of political skepticism toward international affairs, as exemplified by a no-vote in the 2016 Ukraine referendum, the Dutch should be regarded more as reluctant followers than as proactive initiators or agenda setters. In addition, the government has been hesitating to deal with gross inequalities in the fiscal treatment of foreign and domestic capital. This may indicate a return to a financial policy agenda driven more by national interests than by broader concern with global financial safety.

Citation:

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II. Social Policies

Education

Education Policy
Score: 6

In terms of quality, the average education attainment level for the population is high, somewhat exceeding the OECD average in 2015. School dropout rates have been on the decline for years, and the number of those entering the labor market with an education certification ("basiskwalificatie," or "basic

qualification”) has been on the rise (71.9% in 2000, 76.2% in 2007). The student/teacher ratio is somewhat lower than the OECD average for primary education, but considerably higher for secondary education. Teacher salaries are higher than average on all levels. Net teaching time in primary and upper secondary schools is considerably higher than OECD averages. Similar to UK schools, Dutch schools are afforded a high degree of autonomy. However, a recent trend toward school mergers and reorganized school-governance systems has eroded the autonomy of individual schools. Nationwide performance testing across all school levels and instituted by the School Inspectorate has compelled many schools to introduce standardization methods. Most recently, proposals to introduce a basic math-skills test within secondary education, as well as in primary- and secondary-level teacher-training programs, proved controversial. The international PISA test’s comparative school-performance scores (corrected for economic, social and cultural background) rank the Netherlands consistently above the OECD average. Though for mathematics, the Netherlands’ relative performance has declined in recent years. For a country that determines future educational tracks at age 12 and allocates 60% of its children to the lower-categorized school types, it is not surprising that differences in performance arise from differences between (not within) schools (which are far above OECD averages). School performance in the Netherlands has not declined, but there is also no internationally measured progress. The Ministry of Education follows a policy in which individual schools publish their pupils’ performance (as measured by the School Inspectorate), enabling parents to choose the best or most appropriate school for their children on the basis of comparative performance data. Quality-improvement policies – including CITO testing, performance monitoring, efforts to intensify and improve teacher professionalization programs, better transition trajectories between school types, and quality-management systems at school level – do not yet appear to be effective.

The Netherlands continues to struggle with achieving equity in educational access. Although the school performance of pupils of non-Dutch origin has improved over time (in part due to a rise in non-native adults’ educational achievements), these children on average do far less well in science, reading and math than their Dutch-origin peers. Moreover, the gap in this regard is considerably larger than the average within OECD countries. For all pupils, socioeconomic/cultural background determines school performance to a degree above OECD averages; this is particularly true for secondary education, (i.e., after pupils have been tracked at age 12). At the tertiary level, the system of equal access through study grants has been abolished, and every student now pays for university education through low-interest loans. Calculations suggest this will result in an average lifetime income loss of -

0.2% for tertiary-level students. The deterrent effect of the new study-loan system will be more substantial among lower-income and ethnically non-Dutch families. All in all, equity in educational access for ethnic groups has not been achieved, and is diminishing at the university level. Also, there remain considerable gender gaps in education. The teaching work force is primarily female, excluding tertiary education. Levels of women studying science, technology, engineering and mathematics, manufacturing and construction are low, and women are overrepresented in education, health and welfare.

The Dutch school system is relatively efficient in terms of resource allocation. Expenditure for education is below average for OECD countries, but the rise since 1996 (in costs per pupil and in average salaries for teachers) is above the OECD average. Average education level and school performance are supposed to have a positive influence on a country's competitiveness. Relatively high levels of education attainment and school performance in the Netherlands should theoretically have a positive impact on the country's competitiveness. And although the Netherlands remains competitive in certain areas, the country's track-based school system makes it difficult for the education system to adapt quickly to changing labor market needs. As a result, the Netherlands faces a skilled technical labor shortage.

In January 2016, the national dialogue on a reformed "curriculum for the future" for primary and secondary education received substantial input. The idea is to have a core curriculum (Dutch, English, arithmetic and math, digital literacy, and citizenship), specialization in one of three knowledge domains (individual and society, nature and technology, and language and culture), and multidisciplinary teaching in learning-how-to-learn, design, critical thinking, problem solving and collaboration. Over the next few years, these ideas will be systematically integrated into primary and secondary education policymaking. In higher professional training and university education, there are signs of a retreat from New Public Management-style policymaking.

Citation:

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Social Inclusion

Social Inclusion
Policy
Score: 7

Income inequality in the Netherlands produces a score of between 0.28 and 0.29 on the Gini Index, and has not changed since 2007. In 2015, highest incomes (top ten percent) were 4.5 times larger than the lowest incomes (lowest ten percent). However, wealth inequality has a Gini coefficient of 0.894 and has increased since 2008, largely because of a decrease in the value of housing stock. In 2014, 6% of total wealth was owned by the lowest income group, while the highest owned 35%. Of the country's home-owning households, almost 1.4 million (32%) had mortgage debts higher than the market value of their house. This number is now rapidly declining due to a rise in house prices. Levels of health inequality in the Netherlands are high; wealthier and comparatively highly educated people live longer (on average seven years compared to low-income and less-educated populations), with healthier lives. Gender-based income inequality is high: on average, personal incomes among men (€40,200) are much higher than personal incomes among women (€23,800). The risk of long-term poverty has risen again since 2011, with a sharp increase in 2012. The number of households with a consistently very low income (i.e., a low income for more than 4 years) has generally decreased since 1996, though it rose from 2.4% in 2011 to 3.3% in 2014. The percentage of households with an income lower than the low-income threshold increased from 7.7% in 2011 to 9.4% in 2012 to 10.3% in 2014. Observers expect that this represents a peak, and 2015 will have marked the beginning of a decline in the poverty rate.

Compared to other EU countries, the number of households at risk of social exclusion or poverty is still extremely low. Since 2008, the beginning of the economic crisis, poverty in the Netherlands has increased by one-third. Single-parent families, ethnic-minority families, migrants and those dependent on social benefits are overrepresented in this poverty-exposed income bracket. Of young people under 18 years old, 17% were at risk of poverty and/or social exclusion. Elderly people, until recently rarely exposed to poverty (with the exception of single women), were also affected by growing poverty rates due to a policy-triggered reduction in the purchasing power of pensions. All in all, the long economic crisis has manifested in higher levels of poverty. However, the risk of poverty and social exclusion in the Netherlands is just 15% (comparable to Sweden only). It should also be noted that the poverty threshold in the Netherlands is far higher than in most other EU countries (Luxembourg excepted). Responsibility for poverty policy in the Netherlands is largely held by municipal governments. Given the budgetary side effects of other decentralization policies, there are clear signs of risk for poverty policy too; for example, local governments have increasingly been tempted to require performance of unskilled labor (street cleaning, park maintenance, etc.) in

return for assistance benefits. Moreover, they (too) easily punish benefit recipients for (alleged) fraud and abuse, and sometimes exclude illegal aliens from assistance benefits.

Citation:

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“Dat opjagen van werklozen maakt armen steeds armer”, in NRC.nl, 10 April 2015

Health

Health Policy
Score: 6

The Netherlands' hybrid health care system continues to be subject to controversy framed as a power conflict between insurers and providers. A decline in consumer trust in insurers threatens the legitimacy of the reform. Although the health care system's expenditure-growth rate fell to a 15-year low from 2012 to 2013, the WHO's Europe Health Report 2015 shows the Netherlands as the continent's highest spender on health care, expending 12.4% of GDP. However, Dutch care does not achieve the highest scores in any of the easily measured health indicators. The health care system, in which a few big health insurance companies have been tasked with cost containment on behalf of patients (and the state), is turning into a bureaucratic quagmire. Psychotherapists, family doctors and other health care workers have rebelled against overwhelming bureaucratic regulation that cuts into time available for primary tasks. Family doctors, paradoxically, were first sued by the Inspectorate for Financial Markets (AFM) because their collaborative, organized resistance against unreasonable tariff demands and administrative duties by the insurance companies was interpreted as illegal “cartelization”; however, they later won this legal fight. With individual obligatory co-payment levels raised to €75 (including for the chronically ill), patients are demanding more transparency in hospital bills; these are currently based on average costs per treatment, thereby cross-subsidizing costlier treatments through the overpricing of standard treatments. The rate of defaults on health care premiums to insurance companies and bills to hospitals and doctors is increasing rapidly. All this means that the system's cost efficiency is coming under serious policy and political scrutiny. Nevertheless, in terms of quality and inclusiveness, the system remains satisfactory.

Mortality as a result of cardiovascular diseases has increased slightly in recent years. While deaths from cancer have increased somewhat, preventive breast-cancer screening for women is nearly universal. Some 4% to 5% of the Dutch population suffers from diabetes. Average life expectancy (79.1 years for

males, 82.8 for women) and health-status self-evaluations have remained constant; there are fewer heavy smokers and drinkers, and obesity seems to have stabilized. Patient satisfaction is high (averaging between 7.7 and 7.9 on a 10-point scale), especially among elderly and lower-educated patients. Patient safety in hospitals, however, is a rising concern both for the general public and for the Health Inspectorate. In 2014, the Borstlap Commission's report clearly revealed that the Health Inspectorate was not adequately performing its regulatory and oversight tasks. The Inspectorate's independence, information and personnel management has been undermined by scandals, and its organizational culture has proven resistant to criticism.

The level of inclusiveness is very high for the elderly in long-term health care, while the number of drug prescriptions issued is much lower for high-income groups than for low-income groups. However, there is a glaring inequality that the health care system cannot repair. In terms of healthy life years, the difference between people with high and low-income levels is 18 years. Recent research has also revealed considerable regional differences with regard to rates of chronic illnesses and high-burden diseases; differences in age composition and education only partially explain these differences.

In terms of cost efficiency, according to the new System of Health Accounts, the Dutch spend 15.4% of GDP for health care, or €5,535 per capita. This is largely due to the relative amount spent on long-term care – hence the concern among policymakers. On the plus side, it should be mentioned that care costs in 2012 rose by 3.7% – a lower rate of increase than during the previous decade, but higher than in the 2010 – 2011 period. Moreover, the number of people employed in health care was lower than in previous years. Labor productivity in health care rose by 0.6% on an annual basis, with the gains coming virtually entirely in hospital care, with little in long-term care. Profits for general practitioners, dentists and medical specialists in the private sector increased much more than did general non-health business profits. Part of the costs for health are simply transferred to individual patients by ever increasing obligatory co-payment clauses in health insurance. A means of increasing patients' cost awareness is through increased transparency within health institutions (e.g., rankings with mortality and success rates for certain treatments per hospital). More patients are going to independent treatment centers (ZBC's) that have an increasing diversity of health care specialties.

Citation:

Maarse, H., Jeurissen, P. and D. Ruwaard, Results of the market-oriented reform in the Netherlands: a review. *Health Economics, Policy and Law* (http://journals.cambridge.org/abstract_S1744133115000353)

Commissie Borstlap, Het rapport van de onderzoeksc commissie intern functioneren NZa, 2 September, 2014

"We vertrouwen de dokter blind en de zorg voor geen meter. Hoe komt dat?", in *De Correspondent*, 10 August 2015

“Toezicht op de zorg is een flipperkast”, in NRC-Handelsblad, 24 September 2015

“Waarom zijn tarieven van ziekenhuizen nog geheim?”, NRC-Handelsblad, 27 August 2016

Families

Family Policy
Score: 8

Family policy in the Netherlands is formally characterized by the need to recognize a child’s best interests and to provide support for the family and the development of parenting skills. In practice, however, child support for families is an instrument designed to improve parents’ labor-market participation. Enabling a work-family balance is less of a guiding policy principle. All Dutch families receive child allowance depending on the number of children. In 2013, child allowances were not indexed for inflation. In 2015, one in 10 Dutch children lived in poverty, leading to social exclusion due to the lack of money for items such as sports-club memberships, musical education or scouting events. According to EU-28 data, the Dutch spend approximately 32% of GDP on social protections (health care, old age, housing, unemployment, family), just 4% of which spent on family costs (compared to an EU-28 average of 8%). Day care centers for young children are becoming a luxury item, as they are not directly subsidized and parents face a steep increase in costs based on higher contributions for higher taxable income. The government has established an extensive system of child protection through its policy of municipally based “close to home” youth and family centers (almost all of which had commenced operation by 2012), which are tasked with establishing a system of digital information related to parenting, education and health for every child. Nevertheless, parents complain about lack of access and lack of information to youth and family centers. Local governments have in some cases violated decision-making privacy rules in the allocation of youth-care assistance. In recent years, there were several scandals involving the death of very young children due to parental abuse undetected as a result of uncoordinated and/or belated interventions by youth-care organizations. Devolution of powers in youth health care to local government in 2016 resulted in cases where necessary psychiatric care was withheld due to a lack of financing. Beginning in January 2009, parental leave for mothers was extended from 13 to 16 weeks. Parental leave for fathers is two days, the lowest such benefit in Europe after Ireland and Albania. In the case of divorce, parents are obliged to submit a parenting plan to the court with agreements on the division of child care tasks. This appears to have raised the share of acrimonious divorces. According to the OECD, around two-thirds of Dutch working women (including many with high levels of education attainment) choose part-time jobs, which brought down the country’s average working time to one of the lowest such levels in

the OECD. Full-time female labor-force participation is hindered mainly by a high marginal effective tax burden on second earners, reflecting the withdrawal of social benefits according to family income. Consequently, in the World Economic Forum's Global Gender Gap Index 2016, the Netherlands ranked 16 out of 144 countries, having ranked 9 out of 130 countries in 2008.

Citation:

Nederlands Jeugd Instituut. Kennis over jeugd en opvoeding, nji.nl (consulted 2 November 2016)

"Ons vaderschapsverlof is hopeloos ouderwets", in NRC-Handelsblad, 28 August 2015

<http://www.elsevier.nl/Carriere/blogs/2013/5/Minister-Bussemaker-heeft-gelijk-eigen-carriere-is-goed-voor-een-vrouw-1252837W/>

<http://www.cbs.nl/nl-NL/menu/themas/arbeid-sociale-zekerheid/publicaties/arbeidsmarkt-vogelvlucht/structuur-arbeidsmarkt/2006-arbeidsmarkt-vv-participatie-art.htm>

<http://www.cpb.nl/publicatie/ex-post-analyse-effect-kinderopvangtoeslag-op-arbeidsparticipatie>

World Economic Forum, Global Gender Gap Index, 2016

Macht gemeenten ondermijnt jeugdzorg, NRC-Handelsblad, 5 November 2016

Pensions

Pension Policy
Score: 8

The pension age has increased from 61 years in 2007 to 64 years and 9 months in 2016. In that year, 73,000 people stopped working in order to draw pensions. The Dutch pension system is based on three pillars. The first pillar is the basic, state-run old-age pension (AOW) for people 65 years and older. Everyone who pays Dutch wage tax and/or income tax and who is not yet 65 pays into the AOW system. The system may be considered a "pay-as-you-go" system. In comparison to other European countries, this pillar makes up only a limited part of the total old-age pension system in the Netherlands. Because the current number of pensioners will double over the next few decades, the system is subject to considerable and increasing pressure. The second pillar consists of the occupational pension schemes which serve to supplement the AOW scheme. The employer makes a pension commitment and the pension scheme covers all employees of the company or industry/branch. The third pillar comprises supplementary personal pension schemes that anyone can buy from insurance companies.

Although the system is considered the best after those in Denmark and Australia, like most European systems, it is vulnerable to a rise in the aging population and disturbances in the international financial market. As of 2013, the government will gradually increase the age AOW pension eligibility to 66 by 2018 and 67 by 2021. For supplementary pension schemes, the retirement age rose to 67 in 2014. As a result of the financial crisis and very low interest

rates, pension fund assets have been shrinking. At the same time, however, the liquidity ratio of pension funds must be maintained at a minimum of 105%. The timeframe for recovery after a decrease of the minimum liquidity ratio was increased by the Dutch national bank from three to a maximum of five years. In spite of this, quite a few pension-insurance companies had to lower benefits from 0.5% to as much as 7% per year. Interim framework bills for strengthening the governance of pension funds (conditions for indexation of pension benefits, pensioners in the government board, oversight commissions, comparative monitoring) were adopted by parliament in the summer of 2014. A more definitive reform of the Dutch pension system will be proposed following a website-facilitated national dialogue in 2014 on pensions in four deliberative meetings between the government and all stakeholders. Debate focused on the re-distributive impacts (on the poor and rich, young and older, high and low education) and on the creation of more flexible pension schemes that give individuals more choice opportunities versus retaining collectively managed pension schemes. At the time of writing, the government is still deliberating (Perspectiefnota Toekomst Pensioenstelsel, Kamerbrief 8 July 2016). Meanwhile, the government has decreased pension premiums (increasing disposable income for the working population), and has made pensions over €100,000 fully dependent on voluntary agreements between employers and employees.

Citation:

Ministerie van Sociale Zaken en Werkgelegenheid (2014), Toekomst Pensioenstelsel (www.Rijksoverheid.nl/onderwerpen/pensioen/toekomst-pensioenen)

CBS (2016), Pensioenleeftijd voor negende jaar omhoog (www.cbs.nl, consulted 2 November 2016)

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Den Butter, F., Pensioenadvies SER blind voor ongelijkheid, MeJudice, 18 February 2015

Integration

Integration Policy
Score: 8

In 2011, the Netherlands ranked fifth in the Migrant Integration Policy Index, which compares 37 industrial countries; in 2015, the country ranked 15th (on a self-compiled composite index with eight equally weighted criteria). The country scores relatively high on measures of labor mobility and access to citizenship for migrants; but low on measures of access to family reunions and permanent residence. It attains average scores for criteria including education, anti-discrimination policy, health and political participation.

In a 2016 public opinion poll, immigration and integration issues, especially the refugee crisis, contributed to about 30% of the “problem awareness” of Dutch respondents, while 65% of respondents stated at least one immigration or integration issue that was of public concern. As 4% of the population is foreign-born, the Netherlands is a sizable immigration-destination country, with a considerable integration task. Integration policy was a political bone of contention until 2008, and has since become a less contested policy field. In view of occasional riots and disturbances at municipal council meetings on the location of refugee settlements, integration issues may flare up again in the near future. Since 2009, all non-EU nationals who immigrate to the Netherlands are required to learn the Dutch language and develop knowledge about Dutch society. The Civic Integration Abroad policy requires obligatory integration tests in the country of origin for family reunion applicants. However, Human Rights Watch stated that this poses some concerns because it clearly applies only to family migrants from certain nationalities, mainly from non-Western countries. The number of applications decreased and further financial restrictions (€350 for each time the test is taken) infringed upon the right to family life. After one family applicant successfully brought a case before the European Court of Justice in March 2010, family-reunion policy became more clear and coherent.

Compared to other countries, immigrants benefit from several measures targeting employment security and labor market integration. Nevertheless, unemployment rates among non-Western migrants are three times as high (16%) as among nationals (5%). This difference is somewhat less pronounced within the 15- to 24-year-old age group (19.9% vs. 8.9%). One in three migrant youths without a formal school qualification is jobless. Obviously, disadvantages increase in pace with economic decline; employers can be more selective under conditions involving a larger supply of job seekers, affording greater space for prejudice and discrimination. Prime Minister Rutte prompted considerable criticism when he publicly stated that the government can do little to fight discrimination, and appealed to younger migrants to simply do better and work harder. Minister for Social Affairs Asscher announced special efforts to tackle unemployment among migrant youths. In November 2015, having adopted the City Deal Approach, several cities have committed to supporting unemployed migrant young people identify appropriate education paths, match their skills with job opportunities, overcome discrimination in finding internships and fight stigmatization. In terms of political participation, the Netherlands performs well with regard to the liberty afforded to immigrants in forming associations and political parties. Nonetheless, applicants for national citizenship can be rejected for not participating in the mandatory Naturalization Day ceremony.

Citation:

T. Huddleston et al., Migrant Policy Integration Index (2011) (www.mipex.eu)

Migrant Integration Policy Index 2015. Integration Policies: who benefits? (moped.eu, consulted 7 November 2016)

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Nederlands Jeugdinstituut, Jeugdwerkloosheid nji.nl, consulted 7 November 2016)

Aanpak Jeugdwerkloosheid, Samen met de steden (aanplakjeugdwerkloosheid.nl, consulted 7 November 2016)

Brandbom tegen moskee Enschede is terreurdaad, NRC-Handelsblad, 28 October 2016

Additional references:

http://www.scp.nl/Publicaties/Terugkerende_monitors_en_reeksen/Monitor_Integratie

http://www.scp.nl/Publicaties/Alle_publicaties/Publicaties_2012/Jaarrapport_integratie_2013

Safe Living

Safe Living
Conditions
Score: 7

Since 2010, opinion polling has shown that confidence in the police is consistently high and satisfaction regarding policy performance is fairly high (28% of those polled express that they are “very satisfied”). Research shows that this is independent of actual conduct and performance of police officers.

In 2015, the Dutch government spent €10 billion (down €3 billion from 2010) on public order and safety (police, fire protection, disaster protection, judicial and penitentiary system) – an amount that has been approximately stable since 2008. The Integral Safety Monitor for 2010 reported that the one in four people among the population aged 15 years and over claimed to have been the victim of commonly occurring crimes (such as vandalism, fraud or violence). In 2015, this had decreased to one in five (18%). The longer-term trend (2005 – 2014) shows a decrease in self-reported victimhood by one-third. However, less than 40% of all crimes committed are actually reported to the police; indeed, citizens likelihood of reporting crimes is decreasing. Cybercrime rates (hacking, internet harassment, commercial and identity fraud) continue to increase. The dissemination of illegal cryptographic software and phishing have become standard in the cybercriminal business model. While no exact data exists, experts estimated that in 2013, 12% of Netherlands residents older than 15 were victims of cybercrime; among the 15- to 25-year-old age cohort, this rate was estimated at 20%. In research commissioned by McAfee, the American Center for Strategic and International Studies estimated that cybercrime creates damage to the Dutch economy totaling approximately €8.8 billion per year (or 1.5% of GDP). Recent studies conclude that the Dutch police lack the technical expertise to effectively tackle cybercrime.

Since 2008, the feeling of vulnerability among the public is slightly decreasing; however, younger women in particular report feeling feelings of vulnerability and fear on a regular basis. Per case prosecution costs have declined, while victim-support expenses have gone up considerably. Officially reported crime has declined. Moreover, since 2007, an average of one in four reported crimes has led to the identification and/or arrest of perpetrators.

Since 2011, the Dutch government has been implementing an EU-coordinated National Cybersecurity Strategy that prioritizes prevention over detection. Regarding terrorism threats, the intelligence services (Nationale Coördinator Terrorismebestrijding, established 2004) appear able to prevent attacks. Fighting terrorism, extremism and anticipating political radicalization and transboundary criminality have increased in priority. The policies of the present government focus on cost reduction and the centralization of the previously strictly municipality- and region-based police, judicial and penitentiary systems. Recent reports signal serious problems in implementing these reforms, with policy officers claiming severe loss of operational capacity. A scandal about lavish spending by the national Policy Works Council has drawn parliamentary attention to possible mismanagement by the former national head of policy and even a former Minister of Safety and Justice. All this against the background of profound discontent and unrest inside the Ministry of Justice and Safety. Judges and other legal personnel have voiced public complaints about the “managerialization” of the judicial process and the resulting overburdening workload for judges, leading to “sloppy” trials and verdicts. The government intends to save €85 million in 2018 by cutting legal assistance to (poor) citizens. Government policy is attempting to relieve part of the burden on the judicial system by introducing intermediation procedures. Despite frequently occurring large fires in industrial complexes, spending on fire and disaster protection remains unaltered.

The Dutch Safety Board recently reported that the Dutch government had clearly ignored and under-prioritized earthquakes, and its risk to housing and quality of life of citizens in the Province of Groningen, in favor of the economic benefits of gas production. It has also warned of the risk from nuclear power stations and continued transportation of dangerous material by train on routes to busy city centers.

The overall picture from the safety and security, and judicial institutions of the Dutch government is one of increasing stress and challenge.

Citation:

L. van der Veer et al., *Vertrouwen in de politie: trends en verklaringen*, Politie en Wetenschap, Apeldoorn,

Erasmus Universiteit Rotterdam, 2013

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Evaluatierapport van de zevende wederzijdse evaluatie “De praktische uitvoering en toepassing van het Europese beleid inzake preventie en bestrijding cybercriminaliteit”. Rapport Nederland, Raad van de Europese Unie, Brussel, 15 April 2015 (zoek.officiële bekendmakingen.nl, consulted 26 October 2015)

Veiligheidsmonitor, 2016 ((veiligheidsmonitor.nl, consulted 7 November 2016)

Global Inequalities

Global Social
Policy
Score: 5

From 2011 to 2014, Dutch real development aid (total budget minus 23% for increasing expenses for refugees and asylum-seekers) was cut to 0.7% of GDP or €4.5 billion, then to 0.52% of GDP or €3.5 billion in 2015. In addition, costs for climate policy will be allocated to development aid budgets. In the Commitment to Development Index, which ranks the 27 richest countries, the Netherlands ranking has been generally stable, although it has fallen from 2 out of 21 countries in 2005 to joint 4 out of 27 in 2015. Aid is no longer focusing on poverty reduction alone, but also on global sustainable and inclusive growth, and success for Dutch firms in foreign countries. Aid is concentrated in 15 development aid partner countries and 8 partner countries with a transition status. The driving idea is that “economic diplomacy” can forge a coalition between Dutch business-sector experts (in reproductive health, water management and food security/agriculture) and business and civil-society associations in developing countries. Expenditures on international conflict management have been added to the diminishing state budget for development aid. No cutbacks in the areas of women’s rights or emergency aid have been made. Good-governance aid will be focused on helping developing countries to improve taxation systems. Following OECD guidelines, there will be a reassessment of the negative side effects of Dutch corporate policies in developing countries. The Dutch policy response to the recent refugee crisis has mimicked Denmark’s efforts, seeking to discourage refugees from coming to the Netherlands. All of this shows declining commitment by the Dutch government to global policy frameworks and a fair global-trading system; the aspiration is instead to link development aid to Dutch national economic- and international-safety interests.

Citation:

WRR (2010), Minder pretentie, meer ambitie. Ontwikkelingshulp die verschil maakt, Amsterdam University Press

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(www.rijksoverheid.nl/nieuws/2013/05/04/nieuwe-agenda...)

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Aanbiedingsbrief Meerjarige Strategische Plannen, 5 February 2014

Volkskrant, 24 september 2015, 'Blamage': budget ontwikkelingshulp daalt tot 0,52 procent bnp (Volkskrant.nl. consulted 7 November 2016)

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III. Environmental Policies

Environment

Environmental
Policy
Score: 5

Environmental policy is no longer a significant issue among the public in the Netherlands. According to a 2011 Eurobarometer study, only about half of the population supports a progressive environmental policy (e.g., one that addresses climate change, with a sustainable energy policy). Climate skepticism has won a voice in the States General through the People's Party for Freedom and Democracy (Volkspartij voor Vrijheid en Democratie, VVD) and the Party for Freedom (Partij voor de Vrijheid, PVV). Although government references to sustainable growth are largely rhetorical, as GDP growth and job creation clearly have priority over criteria reflecting environmental and social sustainability. While the future development of a low-CO₂ energy system has been agreed, the government has failed to demonstrate a strong political commitment to climate change policy and develop a long-term energy strategy. The government has preferred to pursue quick policy wins with structural reforms receiving insufficient attention. Climate policy has largely focused on medium-term targets, for example 2020 or 2030. Until the Paris Accords, the Dutch government resisted more ambitious climate goals in international negotiations. The so-called Energy Pact of summer 2013, welcomed as a decisive step toward an energy transition, suffered from considerable implementation gaps and was postponed after only one year. In 2015, the General Audit Chamber and many other NGOs observed that the goals set in the Energy Pact were no longer feasible. Notably, in a case brought by a climate NGO, Urgenda, a civilian court recently ruled against the Dutch government for showing insufficient effort to reduce CO₂-emissions and, more broadly, develop appropriate energy policies. However, after the Paris Accords, there has been some policy movement. The Scientific Council for Government Policy is developing a climate change bill, which proposes a legally binding long-term goal for CO₂

emissions, and the creation of a climate authority for advice, monitoring, coordination and societal debate. On 26 October 2016, the Department of Infrastructure and Environment organized a national climate “summit” between national and subnational governmental partners, nongovernmental organizations and businesses to discuss implementation of the Paris Accords, under the motto “Bring Paris Home.” Actual political commitments and policy change will only become visible after the election in spring 2017.

There is a clear policy shift toward climate adaptation already. This appears manageable today because any adverse developments in the Netherlands will be gradual. The Netherlands’ natural-gas reserves are diminishing rapidly, and will necessitate gas imports from 2025 onward despite decreasing demand. Meanwhile, earthquakes and soil subsidence are damaging houses in the northern provinces where the Dutch gas reserves are located. The government has introduced (still contested as to small) compensation measures for victims.

Citation:

PBL, 2014, Nationale Energieverkenning 2014 (pbl.nl)

PBL, 3 June 2015, “Transitie naar schone economie in 2015 vergt scherpere klimaatdoelen voor 2030” (pal.nl, consulted 26 October 2015)

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“De rechter verplichtte de staat tot meer klimaatactie. Wat is er met het vonnis gebeurd?”, Jelmer Mommers, in De Correspondent, 17 September 2015.

WRR-Policy Brief 5, Klimaatbeleid voor de lange termijn: van vrijblijvend naar verankerd, October 2016
Ecofys, De impact van de Nationale Klimaattop 2016 in kaart, 26 October 2016

Global Environmental Protection

Global
Environmental
Policy
Score: 6

The Dutch government has traditionally been a strong supporter of EU leadership in the Kyoto process of global climate policy and advancing global environmental protection regimes like UN Environment Program, IMF World Economic Outlook, Convention on International Trade in Endangered Species and many others. It has also signed related international treaties on safety, food security, energy and international justice. The government keeps aspiring to a coherent sustainability policy or a “policy agenda for globalization.” The government sees resource and energy scarcity, transborder disease control, climate change, transborder crime and international trade agreements as the great global issues. A coherent globalization policy also means research and monitoring of the undermining impacts of one policy on another policy. In spite of this intention, Dutch reassessment of development aid appears to favor bilateral over multilateral global sustainability policy. For example, the

financing of Dutch initiatives in advancing global public goods is no longer separately budgeted, but is instead part of the diminishing development aid budget. Military aspects have been added to the International Safety Budget, which previously contained only diplomatic and civic activities. Though defense spending in response to the revival of NATO in Europe and the threats of ISIS in the Middle East will increase from €20 million to €345 million between 2016 and 2020. As mentioned under the previous indicator (P16), it is likely that the Paris Climate Accords will trigger new Dutch policy initiatives for global environmental protection.

Citation:

Kabinetsreactie op het WRR-rapport: Minder pretentie, meer ambitie (2010)
(www.eerstekamer.nl/id/vimdknvvtzfz/document-extern/briefmp110112)

Additional reference:

http://www.aiv-advies.nl/ContentSuite/upload/aiv/file/webversie_AIV%2084_NL.pdf

Rijksbegroting 2016 Defensie (rijksoverheid.nl, consulted 8 November 2016)

Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 10

With a score of 79 out of 100 points the Netherlands ranked 8 out of 158 countries in the mid-2016 Perceptions of Electoral Integrity Index, after Denmark (score 86), Finland, Norway, Sweden, Costa Rica, Germany and Estonia. Its highest scores are in the areas of electoral laws and electoral procedures; it achieves somewhat lower scores in the areas of voter registration and party and candidacy registration. The country's electoral law and articles 53 through 56 of the constitution detail the basic procedures for free elections at the European, national, provincial and municipal levels. The independence of the Election Council (Kiesraad) responsible for supervising elections is stipulated by law. All Dutch citizens residing in the Netherlands are equally entitled to run for election, although some restrictions apply in cases where the candidate suffers from a mental disorder, a court order has deprived the individual of eligibility for election, or a candidate's party name is believed to endanger public order. Anyone possessing citizenship – even minors – can start a political party with minimal legal but considerable financial constraints. In the local elections of 2014, a considerable number of voters took selfies in the ballot booth in which their ballot-sheet votes were clearly visible. The Electoral Council later ruled that selfies were permitted, but only when the ballot sheet was not visible, as this violated the secrecy rule. Some argue that party-membership and party-caucus rules strongly diminish formal equality with regard to electoral-system accessibility. Political parties with elected members receive state money (subsidies and other benefits), while qualifying as a new party necessitates payment of a considerable entry fee. The country tolerates one political party, the Party for Freedom, which is un-democratic in its internal organization, with only one member - the leader of the party.

Perception of Electoral Integrity Index, 2016 (poseidon01.ssrn.com, sites.google.com, consulted November 8 2016)

Eerlijke verkiezingen (eerlijkeverkiezingen.nl, consulted 26 October 2015)

Media Access
Score: 9

The Media Law (Article 39g) requires that political parties with one or more seats in either chamber of the States General be allotted time on the national broadcasting stations during the parliamentary term, provided that they

participate in nationwide elections. The Commission for the Media ensures that political parties are given equal media access free from government influence or interference (Article 11.3). The commission is also responsible for allotting national broadcasting time to political parties participating in European elections. Broadcasting time is denied only to parties that have been fined for breaches of Dutch anti-discrimination legislation. The public prosecutor is bringing discrimination charges against Geert Wilders, the leading member of parliament representing the Party for Freedom. However, individual media outlets decide themselves how much attention to pay to political parties and candidates. Since 2004, state subsidies for participating in elections have been granted only to parties already represented in the States General. Whether this practice constitutes a form of unequal treatment for newcomers is currently a matter of discussion.

Voting and
Registrations
Rights
Score: 10

Contrary to other civil rights, the right to vote in national, provincial or water board elections is restricted to citizens with Dutch nationality of 18 years and older (as of election day). For local elections, voting rights apply to all registered as legal residents for at least five years. Convicts have the right to vote by authorization only; as part of their conviction, some may be denied voting rights for two to five years over and above their prison terms. Since the elections in 2010, each voter is obliged to show a legally approved ID in addition to a voting card. Legally approved IDs are a (non-expired) passport or drivers' license.

Citation:

art J24 Kieswet:

http://wetten.overheid.nl/BWBR0004627/AfdelingII/HoofdstukJ/6/ArtikelJ24/geldigheidsdatum_24-05-2013

art 1 Wet op Identificatieplicht:

http://wetten.overheid.nl/BWBR0006297/geldigheidsdatum_24-05-2013#HoofdstukI_Artikel1

Party Financing
Score: 4

Until about a decade ago, political-party finances were not a contested issue in Dutch politics. Financing of political parties comes largely from membership contributions (40-50%), “party tax” of elected members’ salaries and acquisitions (festivities, bazaars, dinners) and government subsidies (30-35%, or €16.5 billion in 2016). However, newcomer parties like the Pim Fortuyn List (Lijst Pim Fortuyn, LPF), and later the Party for Freedom (Partij voor de Vrijheid, PVV) received substantial gifts from businesses and/or foreign sources, while the Socialist Party (Socialistische Partij, SP) made its parliamentarians completely financially dependent on the party leadership by demanding that their salaries be donated in full to the party.

As government transparency became a new general political issue, these glaring opacities in the Dutch “non-system” of party financing were flagged by the Council of Europe and the Group of Countries against Corruption

(GRECO) – resulting in increasing pressures to change the law. Political expediency caused many delays, but the Rutte I Council of Ministers introduced a bill on the financing of political parties in 2011.

This new law eradicates many – but not all – of the earlier loopholes. Political parties are obliged to register gifts starting at €1,000, and at €4,500 they are obliged to publish the name and address of the donor. This rule has been opposed by the PVV as an infringement of the right to anonymously support a political party. Direct provision of services and facilities to political parties is also regulated. Non-compliance will be better monitored, and an advisory commission on party finances will counsel the minister on politically sensitive issues. The scope of the law does not yet extend to provincial or local political parties. The law’s possible discrimination against newcomer political parties remains an unresolved issue.

Citation:

Wet financiering politiek partijen: einde in zicht - maar wat een gaten! (montesquieu-instituut.nl, consulted 5 november 2014)

Parlement & Politiek, Partijfinanciering, 2016 (parlement.com, consulted November 9 2016)

Ontvangen politieke partijen giften en subsidies?, 2016 (rijksoverheid.nl, consulted 9 November 2016)

Popular Decision-
Making
Score: 4

Binding popular initiatives and referendums are unlawful both nationally and subnationally, as they are considered to be incompatible with the representative system in which voters transfer their sovereignty to their elected representatives.

At the municipal level, many experimental referendum ordinances have been approved since the 1990s, but the national government has prohibited several ordinances that it alleged gave citizens too much binding influence on either the political agenda or the outcome of political decision-making. In 2016, a large number of municipal government mayors, aldermen, councilors, scientists and businessmen initiated “Code Orange” for “civocracy,” which aims to involve citizens more in local governance through “citizen pacts” (“burgerakkoord”). The citizen pacts will replace and/or complement the traditional “coalition pacts” between local political parties, which form the political basis for current policymaking. The idea is that in the 2018 elections experiments in more participatory and deliberate local democracy will be legally possible.

At national level, the issue has been on the political agenda since the 1980s. Under pressure from new populist political parties, the Dutch government organized a consultative referendum on the new European Constitution in 2005, using an ad hoc temporary law. With turnout of 63.3% of the eligible

electorate, this constitution was rejected by a clear majority of 61.5%, sending shockwaves through all EU member states and institutions.

In September 2014, a bill for an advisory referendum on laws and treaties passed the Senate and was implemented on 1 July 2015. Adopted by parliament, signed by ministers and the monarch, this measure allowed for a non-binding referendum on the issue, which involved the mobilization of a minimum of 10,000 votes within a period of four weeks. Following this, another 300,000 citizens signed up to support the initial request within a further six weeks. Geen Peil, an ad hoc anti-EU organization, successfully mobilized enough votes for an advisory referendum on the provisional EU association treaty with Ukraine, which was signed by the Dutch government. With a 32.3% voter turnout the no-vote (61%) was valid, and the government has since unsuccessfully tried to renegotiate the deal at EU level. The unpleasant referendum campaign and its contested outcome will probably reopen the political debate about the desirability of (consultative and binding) referendums in the Netherlands.

Citation:

Verhulst, J. and A. Nijeboer, 2007. *Directe Democratie. Feiten, argumenten en ervaringen omtrent het referendum*, Democracy International, Brussels, pp. 86-90

Referendum Platform, Dossier Raadadvend Referendum, www.referendum/platform.nl/index.php?action=printpage&item=1411, consulted 5 November, 2014.

NOS, Nee-stem in Oekraïne-referendum blijft zonder gevolgen, 2 October 2016 (nog.nl, consulted 9 November 2016)

VNG, Code Oranje voor verandering politieke democratie, 26 October 2016 (eng.nl, consulted 9 November 2016)

Additional reference:

R.B. Andeweg and G.A. Irwin (2014). *Governance and politics of the Netherlands*. Houndmills, Basingstoke: Palgrave Macmillan.

Access to Information

Media Freedom
Score: 7

The freedoms of the press/media and expression are formally guaranteed by the constitution (Article 7). The Reporters Without Borders Press Freedom Index 2015 ranks the Netherlands in fourth place after Finland, Norway and Denmark. The somewhat lower score (compared to previous years) is due to “self-censorship” practiced by Dutch journalists on sensitive issues such as immigration and religion. Public-broadcasting programming is produced by a variety of organizations, some reflecting political and/or religious denominations, others representing interest groups. These independent organizations are allocated TV and radio airtime that is relative to their membership numbers. However, broadcasting corporations are required to

comply with government regulations laid down in the new Media Law. This new law abolished the monopoly of the incumbent public-broadcasting corporations, and created a coordinating National Public Broadcasting Organization (NPO), with a two-member government-nominated supervisory board, that tests and allocates broadcasting time. Parliament is still divided as to how the supervisory board members should be nominated without too much cabinet-level influence. Public broadcasting is supposed to serve information, cultural and educational purposes, while entertain programming should be instrumental to these overall goals. The new law intends to boost creative competition by giving access to program providers from outside the official broadcasting corporations. The NPO umbrella and coordinating organization has been strengthened vis-à-vis the traditional broadcasting corporations. The bill has been criticized for its lack of budgetary considerations. It is both privately funded through advertisements and publicly funded, with budget cuts for regional broadcasters who will need to collaborate to survive. Critics have argued that younger people and non-Dutch population groups will no longer be served by the public broadcasters.

The problem in all this is that “public” media have become increasingly indistinguishable from the private media; moreover, traditional or conventional media have become increasingly less important due to market shifts and increasing internationalization. People under the age of 32 consume (paper) media at ever-shrinking rates, while their use of YouTube channels rises quickly. The scope of regional media is shrinking dramatically. Existing, often international media enterprises increasingly follow multichannel strategies. Although media policy still formally distinguishes between policies for the written press and policies for broadcasting organizations, this distinction appears outmoded.

Citation:

NRC Handelsblad, Dekker zegt publiek rtv vriendelijk vaarwel, dd. 17 October 2014 (http://zoeken.nrc.nl/article-locations?locations=%7B%22channel%22%3A%22losse-artikelen%22%2C%22medium%22%3A%22web%22%7D&redirect=true&urn=urn%3Anews-item%3Anrhandelsblad%3A20141018%3ANH_ART000000000000000000001429139)

Boekmanstichting, “Mediawet aangenomen in Tweede Kamer” (boekman.nl, consulted 26 October 2015)

Mediawet aangenomen door Eerste Kamer, 15 March 2016 (rijksoverheid.nl, consulted 8 November 2016)

Freedom of the Press 2015, Dutch Country Report, Freedom House

Media Pluralism
Score: 7

The Dutch media landscape is very pluralistic but nonetheless subject to the same development as in other countries: a gradual narrowing of media ownership, which has been aggravated by the present financial economic crisis, internationalization and rapid commercialization. On the other hand, availability of (foreign and national) web-based TV and radio has increased

tremendously. The Dutch media landscape is characterized by one of the world's highest newspaper-readership rates. Innovations in newspaper media include tabloids, Sunday editions, and new-media editions (online, mobile phone, etc.). On a regional level, the one-paper-city model is now dominant; there are even several cities lacking local papers altogether.

The degree of ownership concentration in the print media is high. Three publishers control 90% of the paid newspapers circulated, and foreign ownership of print media outlets is growing. As the circulation of traditional magazines decreases, publishers are launching new titles to attract readers. There are currently at least 8,000 different magazine titles available for Dutch readers. The Finnish publisher Sanoma publishes more than half of the general-interest magazines circulated. Print outlets – both newspapers and magazines – carry a high share of advertising, but this is declining. There are several public and private television and radio stations at the national, regional and local levels. The three public channels continue to lose viewers. The Netherlands also shows one of Europe's highest rates of cable TV penetration (about 95%). Finally, internet usage rates in the Netherlands are high, and many people are connected through broadband (almost 50% of Dutch households). Ten million Dutch use the internet on a regular basis, amounting to almost 95.5% of the population over six years old.

In the European Union's Media Pluralism Monitor 2015, the Netherlands was characterized low risk in the domains of basic protection, political independence and social inclusiveness. However, the Netherlands was characterized medium risk in market plurality and high risk for concentration of cross-media ownership, as there are no legal restrictions at all. Consequently, a typical person's media sources are likely to be controlled by one owner. This requires better regulation of media mergers.

Citation:
Media Monitor:
<http://www.mediamonitor.nl/>

P. Bakker, 30 jaar kranten in Nederland: consolidatie en monopolievorming, in [mediamonitor.nl.](http://www.mediamonitor.nl/), consulted 5 November 2014

Media Pluralism Monitor 2015 - Results, Netherlands, October 2015 (monitor.cmpf.eui.eu, consulted 9 November 2016)

Access to
Government.
Information
Score: 7

The Government Information (Public Access) Act (WOB) governs both active and passive public access to information. Under the WOB, any person can demand information related to an “administrative matter” if it is contained in “documents” held by public authorities or companies carrying out work for a public authority. Information must be withheld, however, if it would endanger the unity of the Crown, damage the security of the state, or particularly if it

relates to information on companies and manufacturing processes that were provided in confidence. Information can also be withheld “if its importance does not outweigh” the imperatives of international relations and the economic or financial interest of the state. Between 2010 and 2012, access to government information became a politically contested issue. In practice, the law was used more and more to justify withholding of information to citizens and journalists in the name of “state interest,” which usually referred the desire to retain the confidentiality of intra-government consultation. On the other hand, local governments accused citizens of improper use of the WOB at the expense of public monies and time. Although there has been new legislation to counteract improper use, which removed the penalty local governments had to pay for not responding in time to a request, municipal governments continue to strongly oppose the new Government Transparency bill. The issue remains unresolved for the time being.

Citation:

Aanpak oneigenlijk gebruik WOB, in vng.nl, consulted 5 November 2014

“Einde misbruik WOB nog niet in zicht”, Binnenlands Bestuur, 13 April 2015

VNG, Behandeling Wet open Overheid in Tweede Kamer, 11 April 2016 (vng.nl, consulted 9 November 2016)

Civil Rights and Political Liberties

Civil Rights
Score: 7

The Netherlands guarantees and protects individual liberties, and all state institutions respect and – most of the time – effectively protect civil rights. The Netherlands publicly exposes abuses and reports them to the U.N. Human Rights Council or the European Union. It cooperates with the monitoring organizations of all international laws and treaties concerning civil liberties signed by the Dutch government. However, on a number of counts, there are developments worthy of concern. The right to privacy of every citizen tops the list of preoccupations. Dutch citizens are more at risk than ever of having their personal data abused or improperly used. In addition, current policies regarding rightful government infringement of civil rights are shifting from legally well-delineated areas like anti-crime and terrorism measures toward less clearly defined areas involving the prevention of risky behavior (in personal health, education, child care, etc.) and travel behavior. There is an urgent need to rethink privacy rights and the broad use of policy instruments within the context of the information revolution. Human Rights Watch has criticized recent Dutch legislation restricting the rights of asylum seekers, and efforts by the incumbent government to only offer shelter, clothes and food to irregular migrants in the five largest cities. Recently, the Council of State was criticized for failing to uphold the rights of asylum seekers in appeals to

government decisions. On the other hand, the Dutch government withdrew a bill that would have criminalized illegal residence, allowing authorities to put those lacking residence permits in jail. There were concerns about racial profiling by police officers and white Dutch citizens interfering in protests against the traditional “Black Pete” (“Zwarte Piet”) Sinterklaas figure.

Citation:

Human Rights Watch in Nederland (hrw.org., consulted 8 November 2016)

NRC Handelsblad, Rechter bij Raad van State kiezen ‘zelden de kant van de vluchteling’, dd. 21 October 2014 (nrc.nl., consulted 23 October 2014)

Political Liberties
Score: 10

All the usual political liberties (of assembly, association, movement, religion, speech, press, thought, unreasonable searches/seizures and suffrage) are guaranteed by the constitution. The Netherlands is a signatory to all pertinent major international treaties (Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, European Convention on Human Rights). All relevant ranking institutions, such as The Economist’s Intelligence Unit Democracy Index and the Freedom House ranking of political liberties, consistently list the Netherlands as one of the leading countries in the world in this area. However, the protection of privacy rights is in practice increasingly subject to political attention and public debate. The Expert Body on the Protection of Privacy Data (College Bescherming Persoonsgegevens) has identified a growing number of deliberate or unintended infringements of the constitutional right to privacy. Since January 2016, its powers have been broadened and it can now impose fines. There is also an obligation for large data-processing private and public companies to immediately report any data leaks. Nevertheless, there is a widespread perception that the big data revolution poses a considerable threat to privacy rights and the government’s response has been too weak.

Citation:

Freedom House, Freedom in the world 2016, Netherlands (freedom house.org, consulted November 2016)

Autoriteit Persoonsgegevens, Agenda 2016 (autoriteitpersoonsgegevens.nl, consulted 9 November 2016)

Non-discrimination
Score: 9

The Netherlands is party to all the important international anti-discrimination agreements. A non-discrimination clause addressing religion, life philosophy, political convictions, race, sex and “any other grounds for discrimination” is contained in Article 1 of the Dutch constitution. An individual can invoke Article 1 in relation to acts carried out by the government, private institutions or another individual. The constitutional framework has been specified by several acts that also refer to the EC Directives on equal treatment. In total, there is a high degree of protection even though the definition of indirect discrimination provided by the European Commission has not been adopted by the Dutch legislature, and many regulations avoid the term “discrimination” in favor of “distinction” (with less negative connotations in a religiously and

culturally diverse society like the Netherlands). A recent expert report criticized Dutch anti-discrimination sanctions as “ineffective,” and as neither “dissuasive” nor “proportionate.” In 2013, the U.N. Human Rights Commission got involved in contentious political debates about the discriminatory character of “Black Pete” that appears in traditional St. Nicholas day celebrations.

In other respects, Dutch legislation has gone beyond what is required by EU directives. In terms of policy, the Dutch government does not pursue affirmative action to tackle inequality and facilitate non-discrimination. Generally, the government relies on “soft law” measures as a preferred policy instrument.

Citation:

European Commission. European equality law review. European network of legal experts in gender equality and non-discrimination, 2015/1, Netherlands (equality law.eu, consulted 2 November 2015)

Zwarte Piet heeft zijn glans verloren (trouw.nl, consulted 5 November 2014)

Mens en Samenleving, Voor- en tegenstanders over Zwarte Piet (+ oplossingen) (mens-en-samenleving.infonu.nl., consulted 9 November 2019)

Rule of Law

Legal Certainty
Score: 7

Dutch governments and administrative authorities have to a great extent internalized legality and legal certainty on all levels in their decisions and actions in civil, penal and administrative law. In the World Justice Project the Netherlands ranks fifth in a 2016 rule of law index. However, experts are concerned about some early signs of deterioration.

However, in a recent “stress test” examining the state’s performance on rule-of-law issues, former ombudsman Alex Brenninkmeijer argued after a comprehensive review that particularly in legislation, but also within the administrative and judicial systems, safeguards for compliance with rule-of-law requirements are no longer sufficiently in place. In legislative politics, no appeal to a constitutional court is possible, making the Netherlands (along with the UK) an exception in Europe. The trend is to bypass new legislative measures’ rule-of-law implications with an appeal to the “primacy of politics” or simply “democracy,” and instead await possible legal action in the form of appeals to European and other international treaties long after political adoption, during policy implementation. The country’s major political party, the conservative-liberal People’s Party for Freedom and Democracy (VVD), has proposed to abolish the upper house of the States General, and with it the legal assessment of Dutch bills on the basis of the legal obligations assumed under international treaties. Within the state administration, the departmental bureaucracy submits far too often to managerial considerations while neglecting legal arguments against implementation. For example, even though

the number of prosecuted crimes is relatively low, legal sanctions are rarely enforced. Paradoxically, fiscal and social-security agencies have become exceptionally punitive toward ordinary citizens, not just in cases of fraud, but also in cases of forgetfulness or error. There is evidence that in some cases the accumulation of so-called administrative sanctions has driven people into poverty. Within the judicial system, the lack of system-level support for normal application of the rule of law is apparent in the increase in court-registry fees for citizens seeking legal-dispute settlements, the considerable financial cutbacks and incoherent reforms throughout the entire judicial infrastructure, and the weak application of administrative-law criteria in areas where administrative agencies have discretionary power. The High Court has been accused of systematically disregarding cases of complaints by individual citizens. All in all, there are strong tendencies in the House of Representatives and within the political parties toward seeking to override, in the name of the primacy of politics and democracy, judges' right to veto or annul political decisions on the basis of rule-of-law principles.

Citation:

A. Brenninkmeijer, Stresstest rechtsstaat Nederland, in *Nederlands Juristenblad*, 16, 24 April 2015, pp. 1046-1055

NRC-Handelsblad, Kamer: hoogste bestuursrechter kan niet zomaar verdwijnen, 6 October 2016

NRC-Handelsblad, Forse kritiek Raad van State op aftapwet, 29 October 2016

NRC-Handelsblad, Een Hoge Raad die alles wegwuift is vrij nutteloos, 22 October 2016

Judicial Review
Score: 7

Judicial review for civil and criminal law in the Netherlands involves a closed system of appeals with the Supreme Court as the final authority. However, unlike the U.S. Supreme Court, the Dutch Supreme Court is barred from judging parliamentary laws in terms of their conformity with the constitution. A further constraint is that the Supreme Court must practice cassation justice – that is, its mandate extends only to ensuring the procedural quality of lower-court practices. Should it find the conduct of a case (as carried out by the defense and/or prosecution, but not the judge him/herself) wanting, it can only order the lower court to conduct a retrial. It ignores the substance of lower courts' verdicts, since this would violate their judges' independence. Public doubts over the quality of justice in the Netherlands have been raised as a result of several glaring miscarriages of justice. This has led to renewed opportunities to reopen tried cases in which questionable convictions have been delivered. Whereas the Supreme Court is part of the judiciary and highly independent of politics, administrative appeals and review are allocated to three high councils of state (Hoge Colleges van Staat), which are subsumed under the executive, and thus not independent of politics: the Council of State (serves as an advisor to the government on all legislative affairs and is the highest court of appeal in matters of administrative law); the General Audit Chamber (reviews legality of government spending and its policy effectiveness and efficiency); and the ombudsman for research into the

conduct of administration regarding individual citizens in particular. Members are nominated by the Council of Ministers and appointed for life (excepting the ombudsman, who serves only six years) by the States General. Appointments are never politically contentious. In international comparison, the Council of State holds a rather unique position. It advises government in its legislative capacity, and it also acts as an administrative judge of last appeal involving the same laws. This situation is only partly remedied by a division of labor between an advisory chamber and a judiciary chamber.

Citation:

Andeweg, R.B. and G.A. Irwin (2014), *Governance and Politics of the Netherlands*. Houdmills, Basingstoke: Palgrave Macmillan (pages 203-2011).

NRC-Handelsblad, Een Hoge Raad die alles wegwuift is vrij nutteloos, 22 October 2016

Appointment of
Justices
Score: 7

Justices, both in civil/criminal and in administrative courts, are appointed by different, though primarily legal and political, bodies in formally cooperative selection processes without special majority requirements. In the case of criminal/civil courts, judges are de facto appointed through peer co-optation. This is also true for lower administrative courts, but its highest court, the Council of State, is under fairly strong political influence, mainly expressed through a considerable number of double appointments. State counselors working in the Administrative Jurisdiction Division (as opposed to the Legislative Advisory Division) are required to hold an academic degree in law. Appointments to the Supreme Court are for life (judges generally retire at 70). Appointments are generally determined by seniority and (partly) peer reputation. Formally, however, the Second Chamber (House of Representatives) of the States General selects the candidate from a shortlist presented by the Supreme Court. In selecting a candidate, the States General is said never to deviate from the top candidate.

Citation:

Andeweg, R.B. and G.A. Irwin (2014), *Governance and Politics of the Netherlands*. Houdmills, Basingstoke: Palgrave Macmillan (page 210).

Corruption
Prevention
Score: 7

The Netherlands is considered a corruption-free country. In Transparency International's Corruption Perception Index 2015, the Netherlands ranked joint 5 out of 168 countries. This may well explain why its anti-corruption policy is relatively underdeveloped. The Dutch prefer to talk about "committing fraud" rather than "corrupt practices," and about improving "integrity" and "transparency" rather than openly talking of fighting or preventing corruption, which appears to be a taboo issue.

Research on corruption is mostly focused on the public sector and much more on petty corruption by civil servants than on mega-corruption by mayors, aldermen, top-level provincial administrators, elected representatives or

ministers. The private sector and civil-society associations are largely left out of the picture. Almost all public-sector organizations now have an integrity code of conduct. However, the soft law approach to integrity means that “hard” rules and sanctions against fraud, corruption and inappropriate use of administrative power are underdeveloped.

There have been more and more frequently major corruption scandals in the public sector involving top-executives – particularly in (government-commissioned) construction of infrastructure and housing, but also in schools and health care and transport. Transparency problems in the public sector concern job nominations, and salaries for top-level administrators and additional jobs.

In the private sector, 26% of respondents in a recent survey were convinced of the occurrence of corruption in the Netherlands. In dealing with foreign governments or companies, a majority considered bribes inevitable and “normal.” Van Hulten (2012) notes that bribes and corruption by Dutch companies in foreign countries would amount to some €10 billion annually. In December 2014, the OECD urged the Dutch government to speed up the passage of rules and law-enforcement actions against Dutch companies that violate international anti-corruption rules in their international operations.

In at least three (out of 17) areas, the Netherlands does not meet the standards for effective integrity policy as identified by Transparency International. All three involve preventing corruption and taking sanctions against corruption. In July 2016, a new law for the protection of whistle-blowers went into force. Experts consider the law to be largely symbolic, with real legal protection remaining low and administrative costs high.

Citation:

Transparency International Nederland (2015), Nationaal Integriteitssysteem Landenstudie Nederland.

A.J.P. Tiller, Ontwikkelingen rond corruptiebestrijding in Nederland, 2015 (transparency.nl, consulted 2 November 2015)

M. van Hulten, ‘Nederland – corruptieland’, in Tijdschrift voor Politieke Filosofie en Cultuur Civis Mundi, <http://www.civismundi.nl/index.php>, digitaal nummer 13, 2012 onder thema 26.

“Crimineel weet welke agent hij hebben wil”, in NRC-Handelsblad, 11 October 2015

Juridisch Actueel, Klokkenluiderswet is een feit, 15 March 2016 (juridischactueel.nl, consulted 9 November 2016)

Additional references:

Heuvel, J.H.J. van den, L.W.J.C. Huberts & E.R. Muller (Red.) 2012. Integriteit: Integriteit en integriteitsbeleid in Nederland. Deventer: Kluwer

Governance

I. Executive Capacity

Strategic Capacity

Strategic Planning
Score: 6

The Dutch government has four strategic-planning units. All of these are formally part of a ministry, but their statutes guarantee them independent watchdog and advisory functions.

The Scientific Council for Government Policy (Wetenschappelijke Raad voor het Regeringsbeleid, WRR) advises the government on intersectoral issues of great future importance and policies for the longer term and weak coordination of the work plans of the other strategic planning units. It is part of the prime minister's Department of General Affairs. Since the reforms and reductions of the strategic advisory councils, the Scientific Council for Government Policy actually remains the only advisory council for long-term strategic-policy issues.

The Netherlands Bureau for Economic Policy Analysis (Centraal Planbureau, CPB) is part of the Department of Economic Affairs. It prepares standard annual economic assessments and forecasts (Centraal Economisch Plan, Macro-Economische Verkenningen), and cost-benefit analyses for large-scale infrastructural projects. In election years, it assesses the macroeconomic impacts of political parties' electoral platforms.

The Netherlands Institute for Social Research (Sociaal-Cultureel Planbureau, SCP) is part of the Department of Public Health, Welfare and Sports. The SCP conducts policy-relevant scientific research on the present and future of Dutch social and cultural issues – for example, political engagement and participation of citizens, media and culture, family and youth, care, housing.

The Netherlands Environmental Assessment Agency (Planbureau voor de Leefomgeving, PBL) is part of the Department of Infrastructure and Environment. It is the national institute for strategic-policy analysis for the

environment, nature and spatial policies.

The directors of these institutes are said to have regular access to Council of Ministers meetings, but their actual influence (or that of their institute's reports) is not known. Yet since 2009 there has been fairly strong political pressure for instrumental advice, which may be long-term, but is therefore useful for official long-term government policy.

In addition to the major strategic planning units, there are at least two important extra-governmental bodies. Firstly, the fairly influential Health Council (Gezondheidsraad, GR), is an independent scientific advisory body that alerts and advises (whether solicited or unsolicited) government and the States General on the current level of knowledge with respect to public-health issues and health-services research. Secondly, the Netherlands Institute for International Relations (Clingendael) conducts background research on Europe, security and conflict issues, diplomacy, and the changing geopolitical landscape.

In 2016, the annual conference of the Dutch Association of Public Administration focused on the need for more strategic intelligence in addressing the big societal issues of the future. In a recent report, the Dutch ombudsman observed that what irritated Dutch citizens most about civil servants is their lack of expertise.

Citation:

R. Hoppe, 2014. Patterns of science/policy interaction in The Netherlands, in P. Scholten & F. van Nispen, *Policy Analysis in the Netherlands*, Policy Press, Bristol (ISBN 9781447313335)

P. 't Hart, De opgave centraal. Festival Bestuurskunde, 13 September 2016 (platform overheid.nl, consulted November 8 2016)

Nationale Ombudsman, Nederland ergert zich aan gebrek aan deskundigheid ambtenaren, 5 September 2016 (National ombudsman.nl, consulted 8 November 2016)

Scholarly Advice
Score: 6

The government frequently employs commissions of scientific experts on technical topics like water management, harbor and airport expansion, gas drilling on Wadden Sea islands and pollution studies.

The function of scientific advisory services in departments has been strengthened through the establishment of “knowledge chambers” and, following U.S. and UK practice, the appointment of chief scientific officers or chief scientists as advisory experts. These experts may – depending on the nature of policy issues – flexibly mobilize the required scientific bodies and scientists instead of relying on fixed advisory councils with fixed memberships.

Although the use of scientific expertise is quite high, its actual influence on policy cannot be estimated as scholarly advice is intended to be instrumental,

and therefore is not yet welcome in the early phases of policymaking. It is certainly not transparent to a wider public. Since 2011 advice has regressed from relatively “strategic and long-term” to “technical, instrumental and mid-/short-term.”

Citation:

R. Hoppe, 2014. Patterns of science/policy interaction in The Netherlands, in P. Scholten & F. van Nispen, Policy Analysis in the Netherlands, Policy Press, Bristol (ISBN 9781447313335)

Interministerial Coordination

GO Expertise
Score: 6

The Dutch prime minister is formally in charge of coordinating government policy as a whole, and has a concomitant range of powers, which include deciding on the composition of the Council of Ministers’ agenda and formulating its conclusions and decisions; chairing Council of Ministers meetings, committees (onderraad) and (in most cases) ministerial committees; adjudicating interministerial conflicts; serving as the primary press spokesperson and first speaker in the States General; and speaking in international fora and arenas (e.g. European Union and the United Nations) on behalf of the Council of Ministers and the Dutch government as a whole.

The prime minister’s own Ministry of General Affairs office has some 14 advising councilors (raadadviseurs, with junior assistants) at its disposal. The advising councilors are top-level civil servants, not political appointees. In addition, the prime minister has a special relationship with the Scientific Council of Government Policy. Sometimes, deputy directors of the planning agencies play the role of secretaries for interdepartmental “front gates.” To conclude, the Prime Minister’s Office and the prime minister himself have a rather limited capacity to evaluate the policy content of line ministry proposals unless they openly clash with the government platform (regeerakkoord). Of course, personal skills and experience make a difference, but structural capacity remains weakly developed.

<http://www.rijksoverheid.nl/regering/bewindspersonen/jan-peter-balkenende/taken>

http://www.nationaalarchief.nl/selectielijsten/BSD_Coordinatie_algemeen_regeringsbeleid_stcrnt_2009_63.pdf

Additional reference:

R.B. Andeweg and G.A. Irwin (2014), Governance and politics of the Netherlands. Houndmills, Basingstoke: Palgrave Macmillan.

M. Rutte, De minister-president: een aanbouw aan het huis van Thorbecke, Lecture by the Prime Minister, 12 October 2016 (rijksoverheid.nl, consulted 8 November 2016)

GO Gatekeeping
Score: 6

Given the nature of Dutch politics – a strong departmental culture and coalition governments – the Ministry of General Affairs has little more to rely upon in carrying out its gatekeeping functions than the government policy accord

(regeerakkoord). Ministerial departments have considerable power in influencing the negotiations that take place during the elaborate process of preparing Council of Ministers' decisions. Each line ministry – that is, its minister or deputy minister – has a secretariat that serves as the administrative “front gate.” By the time an issue has been brought to the Council of Ministers, it has been thoroughly debated, framed and reframed by the bureaucracy between the ministries involved. Gatekeeping in the Dutch system is one-directional; policy documents are moved from lower to higher administrative levels. The prime minister, through his representatives, does play a prominent role in coordinating this process. But given the limited scope of his monitoring capacities and staff, he can steer the course of events for only a fairly small number of issues. The euro crisis has provided the prime minister with a clear range of agenda-setting and policy-coordination priorities. Furthermore, pressure from the European Union on member states to improve the coordination of economic and fiscal policy has resulted in both the prime minister and minister of finance taking on a more prominent role in shaping the Netherlands' fiscal and economic policies. The European Semester arrangement forces the government to update its economic policies every half year in the Nationaal Hervormingsprogramma in response to EU judgment. Under both the Rutte I and II cabinets, this has been a major driver of better gatekeeping and policy coordination.

Citation:

Europa NU, Coordinatie nationale economieën (www.europa-nu.nl/id/vg9pni7o8qzu/coordinatie-nationale-economieen)

Ministerie van EZ, Nederlands Nationaal Hervormingsprogramma 2013 (ec.europa.eu/europe2020/pdf/nd/nrp2013_netherlands_nl.pdf)

Additional reference:

R.B. Andeweg and G.A. Irwin (2014), *Governance and politics of the Netherlands*. Houndmills, Basingstoke: Palgrave Macmillan.

M. Rutte, *De minister-president: een aanbouw aan het huis van Thorbecke*, Lecture by the Prime Minister, 12 October 2016 (rijksoverheid.nl, consulted 8 November 2016)

Line Ministries
Score: 8

Generally, line-ministry legislative or white-paper initiatives are rooted in the government policy accord, EU policy coordination and subsequent Council of Ministers decisions to allocate drafting to one or two particular ministries. In the case of complex problems, draft legislation may involve considerable jockeying for position among the various line ministries. The prime minister is always involved in the kick-off of major new policy initiatives and sometimes in the wording of the assignment itself. After that, however, it may take between six months and an entire Council of Ministers' period before the issue reaches the decision-making stage in ministerial and Council of Ministers committees, and again comes under the formal review of the prime minister. Meanwhile, the prime minister is obliged to rely on informal coordination with his fellow ministers.

Citation:

R.B. Andeweg and G.A. Irwin (2014), *Governance and politics of the Netherlands*. Houndmills, Basingstoke: Palgrave Macmillan.

Cabinet
Committees
Score: 8

Council of Ministers committees (onderraad) involve a separate meeting chaired by the prime minister for the ministers involved. Each committee has a coordinating minister responsible for relevant input and documents. Discussion and negotiations focus on issues not resolved through prior administrative coordination and consultation. If the committee fails to reach a decision, the matter is pushed up to the Council of Ministers. Since the Balkenende IV Council of Ministers there have been six standing Council of Ministers committees: international and European affairs; economics, knowledge and innovation; social coherence; safety and legal order; and administration, government and public services. Given the elaborate process of consultations and negotiations, few issues are likely to have escaped attention and discussion before reaching the Council of Ministers. However, since the Rutte I and II cabinets have consisted of two or more political parties of contrary ideological stripes (the conservative-liberal VVD and the PvdA or Labor Party, in the case of Rutte II), political pragmatism and opportunism has tended to transform “review and coordination” to simple logrolling, or in Dutch political jargon: “positive exchange,” meaning that each party agrees tacitly or explicitly not to veto the other’s bills, avoiding a tit-for-tat conflict. This tendency has negative consequences for the quality of policymaking, as minority views effectively win parliamentary majorities if they are budgetarily feasible without first undergoing rigorous policy and legal analyses.

Ministerial
Bureaucracy
Score: 6

Since the 2006 elections, politicians have demanded a reduction in the number of civil servants. This has resulted in a loss of substantive expertise, with civil servants essentially becoming process managers. Moreover, it has undermined the traditional relations of loyalty and trust between (deputy) ministers and top-level officers. The former have broken the monopoly formerly held by senior staff on the provision advice and information by turning increasingly to outside sources such as consultants. Top-level officers have responded with risk-averse and defensive behavior exemplified by professionally driven organizational communication and process management. The upshot is that ministerial compartmentalization in the preparation of Council of Ministers meetings has increased. Especially in the Ministry of Justice and Safety, the quality of bureaucratic policy and legislation preparation has become a reason for serious concern.

Citation:

R.B. Andeweg and G.A. Irwin (2014), *Governance and politics of the Netherlands*. Houndmills, Basingstoke: Palgrave Macmillan.

H. Tjeenk Willink, Een nieuw idee van de staat, *Socialisme & Democratie*, 11/12, 2012, pp. 70-78

“Is justitie politiek te managen?”, in *NRC-Handelsblad*, 1 October 2015

Informal
Coordination
Score: 7

Very little is actually known about informal coordination at the (sub)-Council of Ministers level regarding policymaking and decision-making. The best-known informal procedure used to be the Torentjesoverleg, in which the prime minister and core of the Council of Ministers consulted with the leaders of the political parties supporting the coalition in the States General. Coalition governments cannot survive without this kind of high-level political coordination between government and the States General. Given the weak parliamentary support of the Rutte I and II councils of ministers (October 2010 – present), such informal coordination is no longer limited to political parties providing support to the governing coalition.

Under the present conditions, in which civil servants are subject to increasing parliamentary and media scrutiny, and in which gaps in trust and loyalty between the political leadership and the bureaucracy staff are growing, informal coordination and the personal chemistry among civil servants are what keeps things running. Regarding interministerial coordination, informal contacts between the senior staff (raadsadviseurs) in the prime minister’s Council of Ministers and senior officers working for ministerial leadership are absolutely crucial. Nonetheless, such bureaucratic coordination is undermined by insufficient or absent informal political coordination.

Citation:

R.B. Andeweg and G.A. Irwin (2014), *Governance and politics of the Netherlands*. Houndmills, Basingstoke: Palgrave Macmillan, 154-163, 198-203, 220-228.

S. Jilke et al., *Public Sector Reform in the Netherlands: Views and Experiences from Senior Executives*, COCOPS Research Report, 2013

Evidence-based Instruments

RIA Application
Score: 9

In the Netherlands, RIAs are broadly and effectively applied in two fields: environmental impact assessments (EIMs) and administrative burden reduction assessments (ABRAs).

Environmental impact assessments are legally prescribed for projects (e.g., infrastructure, water management, tourism, rural projects, garbage processing, energy and industry) with foreseeable large environmental impacts. Initiators of such projects are obliged to produce an environmental impact report that specifies the environmental impacts of the intended project and activities and includes major alternatives. Environmental research and multi-criteria analysis are the standard methods used.

The development of a method for ex ante evaluation of intended legislation regarding compliance costs to business and citizens was entrusted in 1998 to an ad hoc, temporary, but independent advisory commission called the Advisory Board on Administrative Burden Reduction (ACTAL). For more than 10 years, ACTAL advised government and the States General on how to alleviate the regulatory burdens on citizens, companies, and professionals in the care, education, public/private safety and social-security fields. Of its goal to save €7.4 billion, the government is estimated to have saved €6.2 billion. In 2011, some policymakers suggested that ACTAL become a permanent rather than temporary body, though this proposal was withdrawn following an opinion against such a move by the Council of State, which argued that the “interiorization” of administrative-burden reduction among departmental policymakers had been so successful as to render ACTAL superfluous. In addition, the policy philosophy on administrative regulation was at that time already shifting from (always negative) “burden reduction” to (prudentially positive and strategic) “appropriate regulation.” After evaluating its impact, the government will decide on ACTAL’s continuation or termination in 2017.

Citation:

www.actal.nl/over-actal/taken-en-bevoegdheden/ (consulted 26 October 2014)

Milieueffectrapportage (nl.m.wikipedia.org, consulted 26 October 2014)

J. ten Hoppe, Tijd om te kiezen, Column dd. 14 June 2016 (actal.nl, consulted 8 November 2016)

Quality of RIA
Process
Score: 8

RIAs are obliged to identify one or several alternatives to the option chosen by an initiator. According to the Advisory Board on Administrative Burden Reduction (ACTAL) guidelines, alternative options for administrative burden reduction assessments (ABRAs) are investigated. In principle, the option involving the greatest cost reduction ought to be selected. The extent to which practice follows theory is not known. Stakeholders and decision makers have been involved in the process of producing RIAs, making burden-reduction analyses more effective. The status of ACTAL as independent body for the evaluation of departmental RIAs under review.

Citation:

www.actal.nl/over-actal/taken-en-bevoegdheden/ (consulted 26 October 2014)

Sustainability
Check
Score: 7

In the Netherlands, RIAs are broadly and effectively applied in two fields: environmental impact assessments (EIMs) and administrative burden reduction assessments (ABRAs). EIMs have been legally mandated since 1987. Anyone who needs a government license for initiating substantial spatial or land-use projects with potentially harmful environmental impacts is obliged to research and disclose potential project impacts. More than 1,000 EIM reports have been

administratively and politically processed. They guarantee that environmental and sustainability considerations play a considerable role in government decision-making. However, environmental impact assessments are sometimes subordinated to economic impact assessments. There are no systematic social – or, for example, health – impact assessments.

Societal Consultation

Negotiating Public
Support
Score: 9

International references to the “polder model” as form of consensus-building testifies to the Dutch reputation for negotiating public support for public policies, sometimes as a precondition for parliamentary approval. In this Dutch form of neo-corporatism and network governance, the government consults extensively with vested interest groups in the economy and/or civil society during policy preparation and attempts to involve them in policy implementation. It has been a strong factor in the mode of political operation and public policymaking deployed by the Rutte I (2010 – 2012) and Rutte II (2012 – present) governments. Recent examples include the public debate on pension reform and the national summit on climate policy after the Paris Accords. The two councils of ministers produced societal agreements on cutback policy, housing policy, care policy, energy policy and socioeconomic policy. In spite of its apparent revival, this mode of politics and policymaking is under stress. Trade unions have suffered due to an erosion of representativeness and increasing fragmentation, although employers’ associations have been less affected. The recent revival may owe more to the fact that the Rutte I and Rutte II cabinets have not been able to rely on solid parliamentary support than to any renewed vigor on the part of business and labor associations. A side-effect of reviving “polder” tradition within a more fragmented political landscape may be the emergence of an extensive network of professional lobbyists.

R.B. Andeweg and G.A. Irwin (2014), *Governance and politics of the Netherlands*. Houndmills, Basingstoke: Palgrave Macmillan, p. 188-198, 230-251.

J. Woldendorp, (2013) *De polder is nog lang niet dood*, *Socialisme & Democratie*, jrg. 70, nr. 2, pp. 46-51

P.D. Culpepper, *Quiet Politics and Business Power. Corporate Control in Europe and Japan*, Cambridge University Press, Cambridge, 2011 (esp. ch. 4, *The Netherlands and the myth of the corporatist coalition*)

NRC-Handelsblad, *Het gebroken Nederland dat in 2017 op Den Haag afkomt*, 4 November 2016 (nrs.nl, consulted * November 2016)

‘Silent lobbying is no longer good enough’, interview with prof. dr. A. Timmermans, 19 May 2016 (universiteit leiden.nl, consulted 8 November 2016)

Policy Communication

Coherent
Communication
Score: 9

The Informatie Rijksoverheid service responds to frequently asked questions by citizens over the internet, telephone and email. In the age of “mediacracy,” the government has sought to make policy communication more coherent, relying on the National Information Service (Rijksvoorlichtingsdienst, RVD), which is formally a part of the prime minister’s Department for General Affairs, and whose director general is present at Council of Ministers meetings and is responsible for communicating policies and the prime minister’s affairs to the media. The government has streamlined and coordinated its external communications at the line-ministry level. In 2011, there was a total of about 600 information-service staffers in all departments (down from 795 in 2009). Another effort to engage in centralized, coherent communication has involved replacing departmentally run televised information campaigns with a unified, thematic approach (e.g., safety). These efforts to have government speak with “one mouth” appear to have been fairly successful. For example, the information communicated by the government regarding the downing of a passenger plane with 196 Dutch passengers over Ukraine on 17 July 2014 and its aftermath was timely, adequate and demonstrated respect for the victims and the needs of their families. The continual technological innovation in information and communication technologies has led policy communication to adapting to the new possibilities. New developments are focused on responding more directly to citizen questions, exploring new modes of behavioral change, and utilizing Net-based citizen-participation channels in policymaking and political decision-making. For example, in 2011 the Dutch government decided to participate in the global Open Government Partnership.

Citation:

Voorlichting, communicatie en participatie. Gemeenschappelijk jaarprogramma voor communicatie van de Rijksoverheid in 2014 (rijksoverheid.nl, consulted 23 September 2015)

Communicatie Online, Nog honderd persvoorlichters bij ministeries, juni 2011 (www.communicatieonline/nieuws/bericht/nog-honderd-persvoorlichters)

Overheidscommunicatie, Kabinet maakt werk van openheid (rijksoverheid.nl, consulted 9 November 2016)

Implementation

Government
Efficiency
Score: 7

In its overall assessment of government performance, the General Audit Chamber still finds most departmental reports inadequate in terms of policy effectiveness and efficient monetary expenditure. This is especially true for progress made in cutback policies and, according to parliamentary inquiries, for information- and communications-technology applications and large infrastructure (rail, roads) projects. The government frequently formulates

broader or more far-reaching policy goals than are pursued in practice. Recent policy failures have involved train and rail infrastructure, job creation, flexible labor market relations, and tax and pension reforms, which were postponed and will need to be addressed by the next government. Nevertheless, the government will claim credit for renewed, modest economic growth, budgetary equilibrium, and important austerity measures (e.g. an increase in working hours, reduced public funding for home care, a gradual decrease in tax relief on mortgages and capping health care costs).

The national government has devolved a significant quantity of tasks to subnational governments, which makes government and administrative responsibilities more fuzzy, and policy performance harder to evaluate. Provincial and local audit chambers, which have since 2013 demonstrated horizontal and vertical cooperation and cooperation with the national-level audit chamber, do what they can, but the amount and scope of decentralized tasks is simply too large for their capacity at this moment. Policy implementation in the fields of policing, youth care and care for the elderly in particular are increasingly sources of grave complaints by citizens and professionals; and thus becoming matters of grave concern. In academic and professional evaluation circles, a debate is emerging on how to tailor evaluation research designs to the need for more policy-oriented learning.

Citation:

Eindrapport Parlementair onderzoek naar ICT projecten bij de overheid, Tweede Kamer, vergaderjaar 2014-2015, 33 326, nr. 5

Provinciale en lokale rekenkamers, Algemene Rekenkamer Verslag 2013 (rekenkamer.nl, consulted 27 October 2014)

Pierre Koning, Van toezicht naar inzicht, Beleidsonderzoek Online, July 2015 (beleidsonderzoekonline.nl, consulted 26 October 2015)

“Fyra mislukt door NS en politiek”, in NRC-Handelsblad, 27 October 2015

NRC-Handelsblad, Hervormingskabinet Rutte II liet belangrijke hervormingen liggen, 21 September 2016

RTL Nieuws, Overheid grijpt in: ProRail niet langer zelfstandig, 16 October, 2016

Ministerial
Compliance
Score: 7

Dutch ministers’ hands are tied by such devices as party discipline; government/coalition agreements (which they have to sign in person during an inaugural meeting of the new Council of Ministers); ministerial responsibility to the States General; and the dense consultation and negotiation processes taking place within their own departments and with other departments in the interdepartmental administrative “front gates” and ministerial committees. Ministers have strong incentives to represent their ministerial interests, which do not necessarily directly reflect government coalition policy. The hasty coalition agreement of the present Rutte II Council of Ministers – which was more of a

mutual exchange of incompatible policy preferences than a well thought-out compromise – and its relatively weak parliamentary support have led to party-political differences frequently being voiced in the media. When the Rutte II cabinet reached out to three smaller political parties not supporting the government agreement, interministerial commitment and coordination visibly increased.

Citation:

R.B. Andeweg & G.A. Irwin (2014), *Governance and Politics of The Netherlands*. Houndmills, Basingstoke: Palgrave Macmillan: 140-163

Monitoring
Ministries
Score: 4

Given the Prime Minister's Office's lack of capacity to coordinate and follow up on policy proposal and bills, systematic monitoring of line ministries' implementation activities is scarcely possible. In the event of crises, ad hoc monitoring does occur.

Parliamentary debate on ministerial monitoring should have been limited to a well-defined set of "focus subjects" in full accordance with the policy-program budgeting system philosophy developed in the 1970s. However, political developments (the election campaigns in 2010, a Council of Ministers breakdown in 2012) have in recent times prevented this. In 2012, yet another system of program budgeting – this time called "responsible budgeting" – was introduced. Since 2013 to 2014, General Audit Chamber studies have indeed focused on particular subjects, and following some consultation, on departmental domains. In 2016, the government cut financing for the General Audit Chamber by €1.2 billion, meaning a personnel reduction from 273 full-time employees to 233 full-time employees and outsourcing research for specific programs.

Citation:

Algemene Rekenkamer, *Onderzoeksrapporten* (rekenkamer.nl, consulted 5 November 2014)

Algemene Rekenkamer, *Een toekomstbestendige Algemene Rekenkamer*, 13 October 2016 (rekenkamer.nl, consulted 9 November 2016)

R.B. Andeweg & G.A. Irwin (2014), *Governance and Politics of The Netherlands*. Houdmills, Basingstoke: Palgrave Macmillan: 188, 198-203

Monitoring
Agencies,
Bureaucracies
Score: 4

The national Framework Law on Agencies/Bureaucracies has insufficient scope: too many agencies are exempted from (full) monitoring directives, while annual reports are delivered too late or are incomplete. Hence, the government lacks adequate oversight over the dozens of billions of euros of expenses managed by bodies at some distance from the central government. The original intention was that the Framework Law would apply fully to some 75% of the agencies; by 2012 it had less than 25% of its intended function. In 2014 – 2015, it became clear that several oversight agencies and inspectorates, such as the Inspectorate for Health Care and the Authority for Consumers and Markets, were not quite up

to their tasks. ICT projects for the national government too were not being properly monitored, resulting in huge time- and cost-overruns. The Social Insurance Bank (Sociale Verzekeringsbank, SVB) was for far too long unable to disburse personal benefits to special-education students and senior citizens eligible for day and home care on time and in the correct amount. The Implementing Institute for Workers' Insurances (Uitvoeringsinstituut Werknemersverzekeringen, UWV) has struggled for a long time with apparently unsolvable problems, including delays in medical check-ups and increasing fraud, while the inaccessibility of its ICT-system is undermining communication with clients. Implementation of human resource plans for the National Revenue Service (Belastingdienst), following substantial political pressure, were put under external supervision. Some MPs believe the Revenue Services' organizational continuity may be at stake.

Citation:

Algemene Rekenkamer, Kaderwet zbo's. Rijkswijde en implementatie, juni 2012

A. Pelizza and R. Hoppe, Birth of a failure. Media debates and digital infrastructure and the organisation of governance, in *Administration & Society*, 2015

Instellingsbesluit Onderzoekscommissie intern functioneren Nederlandse Zorg Autoriteit (NZa), 27 October 2015

Financiële Dabblad, Algemene Rekenkamer gaat effectiviteit UWV onderzoeken, 29 January, 2016 (fd.nl., consulted 9 November 2016)

NRC.nl, Wiebes plaatst Belastingdienst onder curatele, 12 October 2016 (nrs.nl, consulted 9 November 2016)

Nu.nl, Deel Tweede Kamer niet overtuigd dat de continuïteit van de belastingdienst niet in gevaar is, 2 November 2016 (nu.nl., consulted 2 November 2016)

Task Funding
Score: 5

In 2011, revenue sharing from the national budget comprised two-thirds of the combined income (€3.6 billion) of the 441 local and municipal governments; revenues raised by local governments themselves made up the remaining one-third. Half of the income derived from national revenue sharing comes from a general fund for local government (Gemeentefonds). The other half of the national budget share comes from policy-related national subsidies (doeluitkeringen). In recent years, the financial position of local governments has improved somewhat thanks to growth in the general fund and greater reliance on local governments' own revenues (minus local taxes).

At present, the decentralization and integration subsidies comprise 14% of all income from the general fund (Gemeentefonds). Policy-related national subsidies have decreased in total income share (falling from 62% in 1990 to 34% in 2011) and in number (from over 400 in 1985 to less than 50 at present). As of 2015, the national government has pursued a far-reaching decentralizing of policy tasks (in youth work, chronic patient care, social benefits, worker-activation employment programs). However, local-government budgets are

supposed to contribute to meeting the European Monetary Union 3% government-deficit norm by accepting a decrease in their total budget. In 2014, local governments on average received €1,091 per inhabitant; in the coming years this will decrease to approximately €50. In addition, the national government has placed new restrictions on the way municipal governments spend their own income.

Local governments will be expected to “do more with less” in the upcoming years. The Center for Economic Policy Analysis recently proposed that local governments expand their local tax base; combined with a decrease in national taxes, this would simultaneously be good for the national economy and local democracy. The Association of Dutch Local Governments (Vereniging Nederlandse Gemeenten, VNG) has installed a special advisory commission to look into the issue. All local governments desire stability, predictability and calmness, and expect more trust from national government as a reliable partner. However, local governments are internally divided on the desirability of more local input into the expansion of the tax base.

Citation:

VNG, De wonderse wereld van de gemeentefinanciën, 2014 (eng.nl, consulted 9 November 2016)

Vaststelling van de begrotingsstaat van het gemeentefonds voor het jaar 2014, fig. 2.2.3, p. 13, Tweede Kamer, vergaderjaar 2013-2014, 33 750 B, nr.2

“Laat gemeente meer belasting heffen”, in NRC-Handelblad, 25 April 2015

VNG, Terugblik VNG-Commissie Financiën, 17 October 2016 (eng.nl., consulted 9 November 2016)

Constitutional
Discretion
Score: 4

Dutch local governments are hybrids of “autonomous” and “co-government” forms. However, local autonomy is defined mostly negatively as pertaining to those tasks left to local discretion because they are not explicitly mentioned as national policy issues. Co-government is financially and materially constrained in rather extensive detail by ministerial grants. Increasingly, the Dutch national government uses administrative and financial tools to steer and influence local policymaking. Some would go so far as to claim that these tools have in sum created a culture of quality control and accountability that paralyzes local governments, violating the European Charter for Local Government. This is due in part to popular and political opinion that local policymaking, levels of local-service delivery and local taxes ought to be equal everywhere in the (small) country.

Citation:

Hans Keman and Jaap Woldendorp (2010), „The Netherlands: Centralized - more than less!”, in: Jürgen Dieringer and Roland Sturm (hrsg.), Regional Governance in EU-Staaten, Verlag Barbara Budrich: 269-286.

National Standards
Score: 5

There is no single institution that monitors national standards for services at local level. Monitoring is left to the various ministries allotting “doeluitkeringen” or policy-related national subsidies.

Local governments themselves also try to meet mutually agreed-upon national standards. Several studies by local audit chambers have involved comparisons and benchmarks for particular kinds of services. Local governments have been organizing voluntary peer reviews of each others’ executive capacities. In 2009, the Association of Dutch Local Governments established the Quality Institute of Dutch Local Governments (Kwaliteitsinstituut Nederlandse Gemeenten). Nevertheless, due to the implementation of strong decentralization plans, including funding cutbacks, it is likely that the uniformity of national standards in the delivery of municipal services will diminish.

Citation:

Raad Financiële Verhoudingen:

http://www.rob-rfv.nl/documenten/reactie_rfv_op_decentralisatiebrief.pdf

Raad voor het Openbaar Bestuur:

http://www.rob-rfv.nl/documenten/reactie_rfv_op_decentralisatiebrief.pdf

Kwaliteits Instituut: <https://www.kinggemeenten.nl/>

Adaptability

Domestic
Adaptability
Score: 5

Government reform has been on (and off) the agenda for at least 40 years. In this time there has been no substantial reform of the original government structure, which dates back to the 1848 constitution, “Thorbecke’s house.” Although several departments have been switched back and forth between different ministries, the system of ministries itself has not been substantially reformed (although the Ministry of Agriculture was definitively abolished and is now part of the Ministry of Economic Affairs). The Council of State, which is the highest court of appeal in administrative law, is still part of the executive, not the judiciary. The Netherlands is one of the last countries in Europe in which mayors are not locally elected but are instead appointed by the national government. In spring 2013, the Rutte II government largely withdrew its drastic plans to further reduce the number of local and municipal governments from just over 400 to between 100 and 150 with 100,000 or more inhabitants per district, as well as its intentions to merge a number of provinces (Regerakkoord).

In response to EU-level developments, the oversight role of the Dutch parliament has been strengthened. Information about EU policies and decisions reach the Dutch parliament through a large number of special channels. Although the number of civil servants with legal, economic and administrative

expertise at the EU level has undoubtedly increased, no new structural adjustments in policy and legislative preparation have been implemented.

Citation:

Ministerie van Buitenlandse Zaken, Nederlands Parlement en de EU (minbuza.nl, consulted 9 November 2016)

Standpunt VNG (homepage vng.nl, consulted 27 October 2014)

Gemeentelijke en provinciale herindelingen in Nederland (home.kpn.nl/pagklein/gemhis.html, consulted 27 October 2014)

Verdrag van Lissabon vergroot rol van nationale parlementen in Europa, Parlement & Politiek, Europa (parlement.com., consulted 23 September 2015)

International
Coordination
Score: 7

The Netherlands has been an avid protagonist in all forms of international cooperation since the Second World War. However, research has shown that since the late 1970s, 60% of EU directives have been delayed (sometimes by years) before being transposed into Dutch law. The present-day popular attitude to international affairs is marked by reluctance, indifference or rejection. This has had an impact on internal and foreign policy, as indicated by the Dutch shift toward assimilationism in integration and immigration policies; the decline in popular support and subsequent lowering of the 1%-of-government-spending-norm for development aid; the shift in the government's attitude toward being a net contributor to EU finances; and the rejection of the EU referendum and the recent rejection of the EU treaty with Ukraine in a non-binding referendum. The change in attitudes has also negatively affected government participation and influence in international coordination of policy and other reforms. Since 2003, the Dutch States General have been more involved in preparing EU-related policy, but largely through the lens of subsidiarity and proportionality – that is, in the role of guarding Dutch sovereignty. However, Dutch ministers do play important roles in the coordination of financial policies at the EU level. Indeed, it is only since the beginning of the banking and financial crisis that the need for better coordination of international policymaking by the Dutch government has led to reforms in the architecture of policy formulation. The sheer number of EU top-level meetings between national leaders forces the Dutch prime minister to act as minister of general and European affairs, with heavy support from the minister of finance. In the first months of 2016, Prime Minister Rutte has acted as chair of the European Union's Council of Ministers, where he played a leading role in the negotiations with Turkey over stopping the influx of refugees from the Middle East. Immediately after the United Kingdom's Brexit referendum, Prime Minister Rutte explicitly stressed the need for the Netherlands to part of a well-functioning European Union.

R.B. Andeweg & G.A. Irwin, *Governance and Politics of The Netherlands* (2014). Houndmills, Basingstoke: Palgrave Macmillan: 220-228 regarding coordination viz-a-viz the EU and 251-272 for Foreign Policy in general.

“Dijsselbloem herkozen als Eurogroepvoorzitter”, in NRC-Handelsblad, 13 July 2015

“De eerste 100 dagen van eurocommissaris Frans Timmermans”, in Europa Nu, 31 March 2015 (europa-nu.nl, consulted 26 October 2015)

NRC.nl., Rutte staat opeens pal voor EU, daagt PVV uit over Nexit, 6 July 2016 (nrc.nl, consulted 9 November 2016)

Organizational Reform

Self-monitoring
Score: 4

There have only been two visible changes in the institutional practices of the Dutch government at national level. One is that the monarch, formally the head of government, was stripped of participation in Council of Ministers formation processes; the second chamber or senate now formally directs that process. The second is an adaptation to less parliamentary support for the Rutte I and II governments. Informal coordination processes between government ministers, and all members of the senate and second chamber have become crucial for governing at the national level.

Two organizational-reform crises have emerged in recent times that threaten citizens' well-being in the long run. The first is the underfunded, understaffed and not-well-thought-out transfer of policy responsibility to municipal and local governments within important domains such as youth care, health care and senior-citizen care. Many local governments lack the expertise, budgetary powers and monitoring/evaluation capacity to implement these changes without grave difficulties. In many cases, they have joined local-government alliances or have outsourced such tasks to commercial firms without adequate democratic oversight capacity from the local bureaucracy and/or (elected) local council members. Second, there is a looming reform crisis in the justice and policing system, which undermines the government's task of protecting citizens' security. The reform of the policing system from regional or local bodies into a single big national organization is stagnating; police officers have mounted strikes based on wage and working-condition issues; and the top echelon of the police leadership is in disarray. The former national head of policy is under investigation for “pampering” the police's national Works Council. The investigation has recently been expanded to now also include the former Minister for Justice and Safety. The digitization of the justice system and the reduction in the number of courts, in addition to imposed cutbacks, has wreaked havoc within the judicial branch of government. There is a crisis in the relations between the political and the bureaucratic elements, given that the Department of Justice and Security is supposed to provide political guidance to both of these reform movements.

Thus, self-monitoring is lacking in core policy domains such as law enforcement and the judicial system, where implementation failures threaten the security of citizens. The same is true of health care and social care for the elderly.

On the other hand, administrative reforms of the water sector are good examples of the shift from classical hierarchical to horizontal multilevel governance.

Citation:

NRC-Handelsblad, Tweede Kamer: onderzoek ook rol Opstelten, 2 November 2016

AD Nieuws, Politietop verdient goudgeld, 27 January 2016 (ad.nl, consulted 9 November 2016)

Op peil. Wettelijke ex-post evaluatie Deltawet Waterveiligheid en Zoetwatervoorzorg, June 2016 (rijksoverheid.nl, consulten 9 November 2016)

“Chaos op Justitie nog niet voorbij, NRC-Handelsblad, 24 September 2015

”Is Justitie politiek te managen”, in NRC-Handelsblad 1 October 2015

“Onbestuurbaar? Dat vind ik zo’n apocalyptisch woord”, in NRC-Handelsblad, 16 October 2015

Institutional
Reform
Score: 6

No major changes have taken place in strategic arrangements or capacities beyond what has already been mentioned regarding externally driven policy coordination in fiscal and economic matters. Generally, strategic capacity is rather strong. Though there are signs that government officials are aware of a need for strategic change. However, due to the long period of austerity, which is only now coming to an end, strategic capacities have not been strengthened.

II. Executive Accountability

Citizens’ Participatory Competence

Policy Knowledge
Score: 6

Dutch respondents claim to spend slightly more time than the average European respondent on collecting political information. Nevertheless, the broader public does not seem to be well-informed on a wide range of government policies. This is due not to a lack of information, but many people find political information complicated and/or uninteresting, they often do not pay attention to it. The Netherlands Institute for Social Research (Sociaal-Cultureel Planbureau, SCP) found in a 2012 survey that 28% of respondents thought politics was too complicated for them to understand, while 60% thought it was too complex for most others. Verhoeven distinguishes four types of citizens regarding their degree of political involvement: “wait-and-see” citizens (25%), impartial citizens (17%), dependent citizens (23%) and active citizens (35%). Research by Bovens and Wille finds that differences in education levels have become increasingly salient factors when it comes to citizens’ powers in processing policy information, political judgments about the European Union, issues of immigration and integration, and political leadership. The SCP recently found that Dutch citizens split evenly over the issue of more or less direct influence by

citizens. It is the less well-educated who demand more political influence, whereas higher educated citizens, especially those with tertiary qualifications, far less support for the idea. A recent study into citizen attitudes to the European Union, undertaken by TNS/Kantar Nipo and commissioned by the GreenLeft party, found that Dutch citizens are caught in a dependence-cum-distrust situation: they instinctively distrust the European Union and would resist transferring more national powers to the EU-level, but simultaneously believe that the European Union should have greater influence over most policy domains. This “want-your-cake-and-eat-it-too” attitude demonstrates a confusion and unwillingness to think through one’s political preferences, and to take responsibility for them.

Citation:

Rob-RFv, *Vertrouwen op democratie*, Den Haag, 2010.

Verhoeven, *Burgers tegen beleid: een analyse van dynamiek in politieke betrokkenheid*, dissertatie, UvA, 2009.

M. Bovens, and A. Wille, 2011. *Diplomademocratie. Over spanningen tussen meritocratie en democratie*, Bert Bakker

Continu Onderzoek Burgerperspectieven, *Burgerperspectieven 2014/3* (www.scp.nl, consulted 27 October 2014)

SCP, *Continu Onderzoek Burgerperspectieven, Burgerperspectieven 2016|1* (scp.nl., consulted 10 November 2016)

NRC-Handelsblad, *Nederlandse kiezer wil meer en minder Europe tegelijk*, 20 October 2016

Legislative Actors’ Resources

Parliamentary
Resources
Score: 7

A comprehensive study on the information exchange between the States General and government in the Netherlands over the past 25 years concludes: “In a mature democracy the primacy of information provision to parliament ought to be in the hands of parliament itself; but in the Netherlands in 2010 de jure and de facto this is hardly the case. ... De facto the information arena in which the cabinet and the parliament operate is largely defined and controlled by the cabinet.”

This state of affairs reflects the necessity of forming coalitions so that a majority of the States General usually supports the government of the day. As an institution, the States General is not necessarily a unified actor.

Moreover, the States General’s institutional resources are modest as well. Dutch members of parliament in large parliamentary factions have one staffer each; MPs of smaller factions have to share just a few staffers. MPs of coalition parties are usually better informed than opposition MPs. MPs do have the right to

summon and interrogate ministers; the quality of the question-and-answer game is typified as: “Posing the right questions is an art; getting correct answers is grace.” Oversight and control in the Dutch States General is the prerogative of the departmentally organized permanent parliamentary committees, usually composed of MPs with close affinity to the policy issues of the department involved. Policy and program evaluations are conducted by the departments themselves, or by the General Audit Chamber (which has more information-gathering powers than the States General). Another more standardized mechanism is the annual Accountability Day, when the government reports on its policy achievements over the last year. Direct day-to-day contacts with officials are fuzzy and unsatisfactory due to the nature and interpretation of guidelines, and formal hearings between MPs and departmental officials are extremely rare. MPs can ask officials to testify under oath only in the case of formal parliamentary surveys or investigations, but this is considered an extraordinarily time-consuming instrument and is used only in exceptional cases. At present, MPs are exploring the possibility of creating a so-called light parliamentary investigation as a less time-consuming inbetween format that is somewhere between a hearing and an investigation. Formally, the States General may use the expertise of governmental advisory bodies, but this process is closely supervised by the minister under whose departmental responsibility the advisory bodies function. Only the Rathenau Institute (for scientific and technological issues) works exclusively for the States General.

The small Parliamentary Bureau for Research and Public Expenditure does not produce independent research support, instead providing assistance to the parliament.

Guido Enthoven (2011), *Hoe vertellen we het de Kamer? Een empirisch onderzoek naar de informatierelatie tussen regering en parlement*, Eburon

<http://www.houseofrepresentatives.nl/administration/organization-chart/parliamentary-bureau-research-and-public-expenditure>

Parlementaire enquêtes (tweede kamer.nl, consulted 10 November 2016)

Obtaining
Documents
Score: 6

The government has to provide correct information to the States General (according to Article 68 of the constitution). However, this is often done somewhat defensively, in order to protect “ministerial responsibility to parliament” and a “free consultative sphere” with regard to executive communications. Providing the States General with internal memos, policy briefs (e.g., on alternative policy options), interdepartmental policy notes or advice from external consultants is viewed as infringing on the policy “intimacy” necessary for government-wide policy coordination, as well as on the state’s interests. As political scientist Hans Daalder has noted: “In practice, it is the ministers that decide on the provision of information requested.”

	<p>Citation: Guido Enthoven (2011), Hoe vertellen we het de Kamer? Een empirisch onderzoek naar de informatierelatie tussen regering en parlement, Eburon</p> <p>R.B. Andeweg & G.A. Irwin (2014), Governance and Politics of the Netherlands. Houndmills, Basingstoke: 174-182.</p>
<p>Summoning Ministers Score: 9</p>	<p>Parliamentary committees may invite ministers to provide testimony or answer questions. Outright refusal to answer such a request occurs only rarely. Nevertheless, ministers often do not answer the questions in a forthright manner. Every week, parliamentarians have the opportunity to summon ministers and pose a seemingly unlimited number of questions.</p>
	<p>Citation: R.B. Andeweg & G.A. Irwin (2014), Governance and Politics of the Netherlands. Houndmills, Basingstoke: 174-182.</p>
<p>Summoning Experts Score: 9</p>	<p>Parliamentary committees can and often do invite experts to answer questions, or to facilitate the parliamentarian committee members in asking questions and interpreting the answers. Limited finances are usually the only real constraint on the number of experts summoned.</p>
	<p>Citation: R.B. Andeweg & G.A. Irwin (2014), Governance and Politics of the Netherlands. Houndmills, Basingstoke: 163-174.</p>
<p>Task Area Congruence Score: 9</p>	<p>Under the present government, there are 11 ministries and 12 (fixed) parliamentary committees (vaste kamercommissies). Only the prime minister's Department of General Affairs lacks an analogous dedicated parliamentary committee. There are also fixed committees for interdepartmental policymaking on aggregate government expenditure, European affairs and foreign trade, and development aid. Parliamentary committees usually have 25 members, representing all political parties with seats in the States General; they specialize in the policy issues of their dedicated departments and inform their peers (i.e., tell them how to vote as part of the party voting-discipline system). There are approximately 1,700 public and non-public committee meetings per year.</p>
	<p>Citation: Commissies (tweedekamer.nl, consulted 6 November 2014)</p>
<p>Audit Office Score: 7</p>	<p>The Netherlands' General Audit Chamber is the independent organ that audits the legality, effectiveness and efficiency of the national government's spending. The court reports to the States General and government, and its members are recommended by the States General and appointed by the Council of Ministers. Parliament frequently consults with this institution, and in many cases this leads</p>

to investigations. Investigations may also be initiated by ministers or deputy ministers. However, such requests are not formal due to the independent status of the General Audit Chamber. Requests by citizens are also taken into account. Every year, the chamber checks the financial evaluations of the ministries. Chamber reports are publicly accessible and can be found online and as parliamentary publications (Kamerstuk). Through unfortunate timing in view of (more) important political developments, in recent years such evaluations played only a minor role in parliamentary debates and government accountability problems. By selecting key issues in each departmental domain, the General Audit Chamber hopes to improve its efficacy. In addition, there is an evident trend within the chamber, shifting the focus of audits and policy evaluations from “oversight” to “insight.” In other words, the chamber is shifting from ex post accountability to ongoing policy-oriented learning. Unfortunately, this has been accompanied by a substantial reduction in resources for the audit chamber, resulting in a loss of 40 full-time employees and the need to outsource research more.

Citation:

http://www.rekenkamer.nl/Over_de_Algemene_Rekenkamer

P. Koning, Van toezicht naar inzicht, Beleidsonderzoek Online, July 2015

Algemene Rekenkamer, Een toekomstbestendige Algemene Rekenkamer, 13 October 2016 (rekenkamer.nl, consulted 10 November 2016)

Ombuds Office
Score: 7

The National Ombudsman is a “high council of state” on a par with the two houses of the States General, the Council of State and the Netherlands General Audit Chamber. Like the judiciary, the high councils of state are formally independent of the government. The National Ombudsman’s independence from the executive is increased by his/her appointment by the States General (specifically by the Second Chamber or Tweede Kamer). The appointment is for a term of six years, and reappointment is permitted. Recently, irked by the critical attitude of the former ombudsman, parliament made a series of stumbles, first by nominating a former interest-group leader to the post, who resigned after much public criticism; it then was 13 months before the present ombudsman, a renowned judge, formally took over. The National Ombudsman was established to give individual citizens an opportunity to file complaints about the practices of government before an independent and expert body. Where the government is concerned, it is important to note that the National Ombudsman’s decisions are not legally enforceable. The ombudsman publishes his or her conclusions in annual reports. The government is not obliged to act upon these reports. The Dutch government has also created a special ombudsman for children’s’ rights. In 2016, the National Ombudsman’s public image was negatively affected by an quarrel between the national ombudsman, Reinier van Zutphen, and the activist and widely popular children’s ombudsman, Marc Dullaert.

Citation:

De Nationale Ombudsman, Mijn onbegrijpelijke overheid. Verslag van de Nationale ombudsman over 2012.

De Nationale Ombudsman, Persoonlijk...of niet? Digitaal...of niet? (jaarverslag.nationaleombudsman.nl, consulted 6 November 2014)

<http://www.nationaleombudsman.nl/?gclid=CMPv8vGltreCFclZ3godZH0AkQ>

“Reinier van Zutphen officieel benoemd tot nieuwe ombudsman”, Nu.nl, 3 February 2015

NRC.nl, Straargevecht ombudsmannen, 6 February 2016

Media

Media Reporting
Score: 7

The past decade has seen a large expansion of digital radio and television programming. This has resulted in a richer supply of broadcasters, bundled in so-called “plus packages” for viewers, which serve their own target groups with theme-specific broadcasts. In the digital sphere, viewers and consumers clearly have more choices.

Dutch public television and radio stations produce high-quality information programs analyzing government decisions on a daily basis. Of the 13 national public broadcasters in the Netherlands, eight may be said to consider it their task to inform the public about governmental affairs and decision-making. The main public TV news channel, NPO (previously NOS), is required to provide 15 hours of reporting on political issues every week. On the radio, the First Channel is primarily tasked with providing information. In recent years, the scope of the First Channel within society has been decreasing. This is not surprising since new media (i.e., the internet) have grown at the expense of more traditional media and are becoming more influential in the provision of news. NPO broadcasts Politiek 24, a digital television channel on the internet that contains live streams of public debates, analyses, background information and a daily political show. As noted under the “Media Freedom” section, recent policy has pushed for a merger between public media organizations, as well as for limiting their broadcasts to issues of information and culture, leaving entertainment relatively more to commercial media.

In 2015, a majority of Dutch citizens (55%) still read a newspaper or listen to the radio every day. Newspaper readers are to be found increasingly among the older and more highly educated population segment; digital subscriptions are on the rise. Younger people actually spend more time listening, watching and communicating on online platforms than older people. Social media platforms have become sources of news, even for journalists. Regional and local newspapers in particular are experiencing severe financial troubles, leading to

strong consolidation and concentration tendencies, and a significant increase in one-paper and even no-paper cities. The internet is used daily by 86% of Dutch citizens.

Raad voor Cultuur, Advies Meerjarenbegroting 2009-2013 Nederlandse publieke omroep. Politici en journalisten willen te vaak scoren.

Media monitor, Jaarverslag 2015 (mediamonitor.nl, consulted 10 November 2016)

Parties and Interest Associations

Intra-party
Democracy
Score: 4

Intra-party democracy in the Netherlands does not exist. The dominant political view is that government interference in private organizations like political parties is incompatible with the role of the state in a liberal democracy. A law for internal party democracy is appropriate for countries with a history of non-democratic governance (e.g., Germany, some states in southern Europe, and in central and eastern Europe). However, in the Netherlands with its strong democratic tradition it is considered superfluous.

In all recent major political parties, political professionals now dominate decision-making with regard to candidate lists and agendas, and the selection of party leaders. Briefly characterized, the landscape looks like this:

People's Party for Freedom and Democracy (Volkspartij voor Vrijheid en Democratie, VVD) (27%): typical professional politicians' and administrators' party; party leader not elected but self-nominated after internal elite struggle.

Labor Party (Partij van de Arbeid, PvdA) (25%): typical professional administrators' party; party leader elected through elite struggle and formally confirmed by members' vote.

Party for Freedom (Partij voor de Vrijheid, PVV) (10%): leadership or dictatorial party; charismatic party leader (Geert Wilders) who is self-nominated and the only formal member.

Citation:

R.B. Andeweg and G.A. Irwin (2014), *Governance and Politics of The Netherlands*. Houndmills, Basingstoke: Palgrave Macmillan: 80-95

Montequieu Instituut, Er moet in Nederland, net als in Duitsland, een 'Parteiengesetz' komen, december 2012 (montequieu-instituut.nl)

Association
Competence
(Business)
Score: 8

For a long time, there was no lobbying culture in the Netherlands in the usual sense. Instead, prominent members of labor unions and business associations are regular members of high-level informal networks that also include high-level

civil servants and politicians. Members of these networks discuss labor and other important socioeconomic policy issues. These processes have become institutionalized. For instance, there are tripartite negotiations in which employers, employees and the government are fixed discussion partners in the early stages of decision-making regarding labor issues. A similar process takes place for regular negotiations with economic-interest associations. The analytic capacities of business and labor associations are well-developed.

However, this set of affairs has changed somewhat in recent years. There is now a Professional Association for Public Affairs (BVPA) that boasts 600 members (four times the number of parliamentarians) and a special public-affairs professorship at Leiden University. The professionalization of lobbying is said to be necessary in order to curb unethical practices such as the creation of foundations or crowdsourcing initiatives as a means of pursuing business interests. The “quiet politics” (Culpepper) of business lobbying through organizations such as the Commissie Tabaksblad and the Amsterdam (later Holland) Financial Center (Engelen) have proven quite successful in influencing public policies on corporate governance and in easing regulation of the banking and financial sector.

NRC Handelsblad 16 April 2011, De trouwe hulpstroepen van Mark Rutte

NRC Handelsblad, 27 september 2014, Hoe de lobbywereld zijn ‘prutsers en slechterikken’ ongemoeid laat

P.D. Culpepper, 2010. Quiet Politics and Business Power. Corporate Control in Europe and Japan, Cambridge University Press

E. Engelen, 2014. Der schaduwelite voor en na de crisis. Niets geleerd, niets vergeten, Amsterdam University Press

NRC-Handelsblad, Het gebroken Nederland dat in 2017 op Den Haag afkomt, 5 November 2016

Association
Competence
(Others)
Score: 8

Policymaking in the Netherlands has a strong neo-corporatist (“poldering”) tradition that systematically involves all kinds of interest associations – not just business and labor – in the early stages of the policymaking process. Owing to their well-established positions, associations such as the consumer association, all kinds of environmental NGOs, religious associations, municipal (Vereniging voor Nederlandse Gemeenten) and provincial interests (InterProvinciaal Overleg), and medical and other professional associations (e.g. teachers, universities, legal professions) can influence policymaking through the existing consensus-seeking structures. Trade-offs are actively negotiated with ministries, other involved governments, stakeholder organizations and even NGOs. Furthermore, non-economic interest organizations react to policy proposals by ministries and have a role in amending and changing the proposals in the early stages of the policymaking process. They may also become involved at a later stage, as policies are implemented.

Citation:

F. Hendriks and Th. Toonen (eds), Schikken plooiën. De stroperige staat bij nader inzien, Assen, Van Gorcum, 1998

J. Woldendorp, The Polder Model: From Disease to Miracle? Dutch Neo-Corporatism 1965-2000, Free University Amsterdam, 2005

Woldendorp, J.J. (2014). Blijvend succes voor het poldermodel? Hoe een klein land met een kleine economie probeert te overleven op de wereldmarkt. In F.H. Becker & M. Hurenkamp (Eds.), De gelukkige onderneming. Arbeidsverhoudingen voor de 21ste eeuw (Jaarboek voor de sociaal-democratie, 2014) (pp. 211-227). Amsterdam: Wiardi Beckman Stichting/Uitgeverij Van Gennep.

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