



# Netherlands Report

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## Sustainable Governance Indicators 2018

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## Executive Summary

The quality of democracy in the Netherlands remains above average. However, the stability of the democratic system appears to be decreasing. 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 an increasing disregard for rule-of-law requirements, legislative and administrative details, and the management of the judicial infrastructure.

Policy performance is average, but still satisfactory. Economic policies have been successful over the last two years, especially in the budgetary and accounting spheres. Unemployment rates have diminished, although youth unemployment remains of particular concern. In 2015 and 2016, the government announced tax cuts intended to increase consumption spending, with the broader aim of strengthening 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 introduced. Social-inclusion policies have failed to prevent more families from falling into poverty. In the realm of health policy, cost increases have been prevented, but the health care inspectorate does not seem up to the task of monitoring and supervising a hybrid public-private health care system that lacks legitimacy. In the domain of integration, the refugee influx (although smaller than expected) and continued high unemployment among immigrant young people are reasons for concern. Overall, almost all institutions comprising public safety and security, and judicial branches of the Dutch government face substantial challenges and are 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.

Government apparatus lacks 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 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 (e.g., in the court system generally, the management of judges and access to the judiciary).

Recently, the influx of refugees and increased threat of terrorism have 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.

Overall, Dutch politics and policies remain generally sustainable. However, some challenges have accumulated. 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

Three challenges affecting the sustainability of governance in the Netherlands remain insufficiently addressed: restructuring traditional state functions, the shift to a sustainable economy, and finding a balance between identity politics and globalization. None of these key challenges received due attention during the 2017 election campaign, which was hijacked by a populist-dominated debate about immigration and Islam. This signals the need to seek and develop new modes of citizen representation and participation.

The first challenge involves an urgent restructuring of traditional state functions. The Dutch have eagerly reaped the peace dividend after the fall of communism, in line with traditionally strong pacifist and anti-military public opinion. In view of threats from Russia and Turkey to parts of Eastern Europe, and a less certain U.S. commitment to NATO, the Dutch and other EU states will have to increase their military capacity and spending in a relatively short time. Reforms to the police, judiciary and public prosecution (Ministry of Safety and Justice) have run into implementation obstacles and serious integrity problems that, without adequate political attention, may become chronic. Government tasks in the domain of (public) finances require that the continuity of the tax apparatus is guaranteed, and the country should tackle its reputation as a tax haven for large foreign, especially U.S., corporations.

The second major task is to design and facilitate a shift toward an environmentally sustainable economy. The strong economic recovery that the Netherlands has experienced over recent years has a flipside: the Dutch can no longer fall further behind the rest of the European Union in implementing climate change (mitigation and adaptation) policies. The exhaustion of the Netherlands' natural gas resources in the medium-term means that a new energy policy for renewable energy sources is imperative. Public investment in more sustainable transportation infrastructure can no longer be postponed in view of a looming congestion crisis. Foreseeable technological innovations (digitization, big data, robotification) necessitate reform of the educational system and the labor market. Technological innovations require the development of a strategic approach to digitization, including its effects on essential human rights, regulation and control, and mechanisms for consensus-building concerning contentious (ethical) issues around emergent new technologies. The growing segregation across levels and types of schools needs to be addressed. The relevance of existing educational qualifications in a rapidly changing labor market is increasingly questionable and education at all levels is inadequately financed. Labor market policies face a difficult balancing act between flexibility, and job security, decent wages and work-family relations. For an aging population, a sustainable economy should include decent (health) care provision and pensions.

The third longer-term task is to strike a viable balance between identity politics and globalization. Globalization manifests itself through multi-ethnicity and an increasingly multiracial composition of the population. The public disorder and "Black Pete" debates are initial steps toward a long overdue public deliberation about the integration of refugees and migrants. Considerable popular support for an openly xenophobic, anti-EU and anti-Islamist political party like the People's Party for Freedom and Democracy

(PVV) is a sign of widespread public discontent and unease. Established political parties, particularly the Christian Democratic Party (CDA), show no desire to approach the debate openly. However, their leader, Sybrand Buma, agrees with the “angry citizens” who, in his eyes, help protect the “Judeo-Christian” identity of the Netherlands and Europe. The leader of the conservative liberals (VVD), Prime Minister Mark Rutte, in his eagerness to win the support of “angry citizens,” differentiated between the existence of “good” and “bad” populism in Dutch politics.

Objectively, for the open Dutch economy, cooperation in Europe is crucial. Economic growth and employment, defense, and regulated migration depend on it. The Dutch economy cannot prosper without a stable euro, a well-functioning banking union, and a strong and fair internal market (i.e., a market offering equal pay for equal work in the same location). Therefore, it is necessary that Dutch politicians publicly insist that the “I want to have my cake and eat it too” attitude held by a large proportion of Dutch citizens vis-à-vis the European Union is unrealistic.

It is increasingly clear that tackling the latter two challenges will require new modes of constructive citizen participation and representation. The gap between government and citizens creates significant discontent and feeds populist calls for more direct democracy. In view of recent negative experiences with national referendums in the Netherlands and elsewhere in Europe, the highest legal and policy advisory body to the government, the Council of State (Raad van State), claimed that national referendums result in a dysfunctional representative democracy. In its view, participatory democratic practices ought to be limited to the local and municipal level. Critics, on the other hand, accuse politicians of not taking emerging forms of citizen participation seriously. They call for a change of course from “defensive” participation to opening up a “second track,” a more proactive form of participation, based on open dialog, trust and cooperation. To what extent this will be realized, remains an open question.

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

# Policy Performance

## I. Economic Policies

### Economy

Economic Policy  
Score: 9

The Dutch economy is booming. All conventional indicators of the economic cycle are performing better than their long-term averages. Prognoses by the government, major banks, and the Dutch Center for Economic Policy Analysis are continuously corrected upward.

The international situation of the 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 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 led to a booming economy. Short-term economic challenges concern the potential impacts of Brexit, inadequate transport infrastructure (commuting, rail and truck transport), and an emerging labor shortage and wage stagnation for a considerable proportion of the working population due to strong job flexibility. A very different interpretation of long-term economic development suggests that 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.

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### Labor Markets

Labor Market  
Policy  
Score: 9

In July 2017, 4.9% of the working population was unemployed. The youth unemployment rate in June 2017 was 8.9%, the lowest level in five years. Yet, some consider youth unemployment a serious threat to long-term prospects. An estimated 138,000 young people are not in education or employment. A large proportion of young people lack a basic level of literacy, computer illiteracy or technical craft skills. Better education and better arrangements for transitions between school and employment are crucial. Other labor market weaknesses include: relatively low labor market participation rates among migrants, especially young migrants; an increasingly two-tiered labor market that separates (typically older) “insiders” with significant job security and (old and young) “outsiders,” who are often “independent workers,” lack employment protection and have little to no job security; and high workplace pressure. In terms of labor market governance, political conflicts between the conservative and progressive liberal parties (VVD, D66, CDA) and the labor-affiliated parties (PvdA, SP, Green Left) have prevented the passage of any genuinely breakthrough labor market 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, with negotiations over the formation of a new cabinet between four political parties (VVD, D66, CDA, CU) still pending, the jury is still out on whether or not this law will be maintained or repealed. Given the economic boom, many Dutch employees are expecting a wage increase, on top of a (largely invisible) increase in purchasing power (+4.9% in 2016, the largest increase in 15 years) due to zero-inflation and considerable tax reduction measures.

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## Taxes

Tax Policy  
Score: 7

Taxation policy in the Netherlands addresses the trade-off between equity and competitiveness reasonably well. Pre-taxes the Netherlands have a Gini coefficient of 0.563 (in 2015), after-taxes (and other redistributive measures) it is only 0.295 (in 2015). The Netherlands has a progressive system of income taxation which contributes to vertical equity. In general, income tax rates range between 30% for lower and 52% for higher income levels. 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, allegedly 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. There is more inequality than meets the eye. In particular, middle-income families only manage to make ends meet because women are working more; increasing the number of hours worked per household and the female labor participation rate.

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 2017 elections. 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 Starbucks, 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.



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## 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 2017, the Dutch budget deficit decreased from 2.2% to 0.5% of GDP. During the same period, government debt decreased slightly to 66.2% in 2012 to 62% in 2016.

All in all, the sustainability of state finances has 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 2017, the government allocated €1.5 billion to improve purchasing power for all (whether employed, unemployed, in education or training, or retired), and another €1.5 billion on security, education and care. Public debate is no longer focused on new austerity measures and the reduction of state debt, but on how to balance fiscal sustainability with new investments in infrastructure and knowledge, for example, through a dedicated invest fund.

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## Research and Innovation

R&I Policy  
Score: 9

In 2017, the European Innovation Scoreboard had the Netherlands as an innovation leader, ranked fourth 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 was the second most competitive economy in Europe. Since 2010, Dutch innovation capacity has increased by 10.4% compared to the EU average. 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. Its weakness is in financial market development (with low scores for perceived efficiency, and confidence and trust in the financial sector), sales and intellectual assets.

It is unclear whether his national R&D performance is 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). The most recent figures, compiled by the Rathenau Institute, forecast a stop to the decrease in total government R&D expenditures. However, to achieve the aim of 2.5% GDP annual public-private investment in R&D by 2020 a structural increase of €5.5 billion is necessary.

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.

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Stabilizing  
Global Financial  
Markets  
Score: 7

## Global Financial System

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 it 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. In 2017, although the government considers increased policy uncertainties in the international political environment a threat, it also observes that it does not (yet) affect the stability of (Dutch) financial markets.

The Netherlands is slowly but surely losing its position in the important bodies that together shape the global financial architecture. In the European Union, the Netherlands is skeptical about stronger financial governance authority 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. Recent statements by Prime Minister Rutte regarding Macron's plans for the EU project have confirmed this. 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. After all, Amsterdam is joining the race for luring international financial organizations from London to the European continent.

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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. 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 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. 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 deterrence effect of the new study-loan system will be more substantial among lower-income and ethnically non-Dutch families.

Equity in educational access for ethnic groups has not been achieved and is diminishing at the university level. There remain considerable gender gaps in education. The teaching work force is primarily female, excluding tertiary education. The number of women studying science, technology, engineering and mathematics, manufacturing and construction is low, and women are overrepresented in education, health care and welfare.

The Dutch school system stresses efficiency in terms of resource allocation. Expenditure for education is below the average for OECD countries. Among primary and secondary level school teachers, dissatisfaction with salary levels and increasing work pressure resulted in massive strikes in 2017. 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 shortage of skilled technical workers. Life-long learning is poorly supported by the government.

In January 2016, the national dialog 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, inadequate government funding will exacerbate existing challenges involving increasing student numbers, work pressure and quality issues.

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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. The average age of first-time home buyers has increased due to uncertain incomes and strict loan regulations.

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).

Compared to other EU countries, the number of households at risk of social exclusion or poverty is still low. But 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. However, in big cities, such as The Hague and Amsterdam, with large immigrant communities, this proportion increases to one in five. However, the risk of poverty and social exclusion in the Netherlands as a whole 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.

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## Health

Health Policy  
Score: 6

The Netherlands’ hybrid health care system continues to be subject to controversy and declining consumer trust. The 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. With individual obligatory co-payment levels raised to €375 (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.

In terms of cost efficiency, according to the new System of Health Accounts, the Dutch spend 15.4% of GDP on health care, or €5,535 per capita. The WHO’s Europe Health Report 2015 still shows the Netherlands as the continent’s highest spender on health care, spending 12.4% of GDP on health care. This is largely due to the relative amount spent on long-term care – hence the major concern among policymakers. On the plus side, care costs in 2012 rose by 3.7% – a lower rate of increase than during the previous decade, but higher than in the 2010 to 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 almost entirely in hospital care. Profits for general practitioners, dentists and medical specialists in the private sector increased much more than general non-health business profits. A proportion of health care costs are simply transferred to individual patients by increasing obligatory co-payment health insurance clauses. A means of improving patients’ cost awareness is through increased transparency within health care institutions (e.g., rankings with mortality and success rates for certain treatments per hospital).

In terms of quality and inclusiveness, the system remains satisfactory. However, Dutch care does not achieve the highest scores in any of the easily measured health indicators. Average life expectancy (79.1 years for males,

82.8 for women) and health-status self-evaluations have remained constant. 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. Since 2013, waiting lists for specialist care have been a growing concern. In 2017, the problem worsened, particularly for age-related conditions, and drastically for some regions in the country with aging and decreasing populations. A combination of factors – insufficient specialists, inadequate regional distribution, lack of coordination between health care providers and insurers, and poorly managed waiting lists – requires a concerted effort by all parties.

The level of inclusiveness is very high for the elderly in long-term health care. However, there is a glaring inequality that the health care system cannot repair. The number of drug prescriptions issued is much lower for high-income groups than for low-income groups. 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.

Citation:

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

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## Families

Family Policy  
Score: 7

Family policy in the Netherlands is formally characterized by the need to recognize a child’s best interest and to provide support for the family and the development of parenting skills. According to EU-28 data, the Dutch spend



approximately 32% of GDP on social protections (health care, old age, housing, unemployment, family), but just 4% of this is 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 of a lack of information about and access 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 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. Particularly vulnerable children are hit by the decentralization and fragmentation of services.

In practice, 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. The gap between professional women working longer hours and less educated women not participating in the labor market is growing. Almost two-thirds of mid-career women experience the combination of childcare tasks and work as difficult. 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 2017, the Netherlands ranked 32 out of 144 countries, having ranked 16 in 2016 and 9 out of 130 countries in 2008. The drop was largely due to the inclusion of top incomes in the calculations, which revealed a glaring absence of women in highly paid positions in the country. Other factors include unfavorable school times, a childcare system geared toward part-time work, and the volatility of financing for and poor access to care policies, particularly at the municipal level.

Citation:

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## Pensions

Pension Policy  
Score: 8

The pension age has increased from 61 years in 2007 to 64 years and 9 months in 2016. The Dutch pension system is based on three pillars. The first pillar is the basic, state-run old-age pension (AOW) for people (now) 66 years old and older. Everyone under 66 who pays Dutch wage tax and/or income tax pays into the AOW system. The system may be considered a “pay-as-you-go” system. This pillar makes up only a limited part of the total old-age pension system. 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 demographic changes (related to an aging population) and disturbances in the international financial market. As of 2013, the government gradually increased 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. However, it is becoming clear that for some types of jobs, mainly physical labor, a retirement age of 67 is not feasible due to health problems. Employers are reticent in hiring aged workers for fear of high health care costs. At the same time, paradoxically, higher educated people retire a year earlier on the average, because they can afford it.

As a result of very low interest rates, pension fund assets, although still enormous (€660 billion or 193% of GDP), have not grown in proportion to the number of pensioners. The liquidity ratio of pension funds must be maintained at a minimum threshold of 105%. The timeframe for recovery after not meeting this threshold 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. 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 is still pending. Debate focuses on the redistributive 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. The government is still considering long-term retirement policies, hoping that its social partners, employers' organizations and trade unions in the Socioeconomic Council will work out a compromise.

Citation:

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

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## Integration

Integration Policy  
Score: 7

As 4% of the population is foreign-born, the Netherlands is a sizable immigration-destination country, with a considerable integration task. In 2011, the Netherlands ranked fifth in the Migrant Integration Policy Index, which compares 37 industrial countries; in 2015, the country ranked 15. The country scores relatively high on measures of labor mobility and access to citizenship for migrants, but low on measures of access to family reunion and permanent residence. It attains average scores for criteria such as education, anti-discrimination policy, health and political participation.

In a 2017 public opinion poll on immigration and integration issues, 31% spontaneously named immigration and integration as the second most important public concern, only after healthcare. In summer 2017, the first serious cabinet formation effort broke down over the issue of migration. In view of occasional riots and disturbances at municipal council meetings on the location of refugee settlements, integration issues flared up again.

Since 2009, all non-EU nationals who migrate to the Netherlands are required to learn Dutch and about Dutch society. The Civic Integration Abroad policy involves obligatory integration tests in the country of origin for family reunion applicants. Refugees are expected to “deserve” their status in the Netherlands by taking language tests and many refugees accumulate debt paying for language courses, which are also difficult to find and are often of unreliable quality.

Compared to other countries, immigrants benefit from several measures targeting employment and labor market integration. Nevertheless, unemployment rates among non-Western migrants are three times as high (16%) as among Dutch-born citizens (5%). This difference is somewhat less pronounced within the 15 to 24 age group but remains twice as high. One in three young migrants without a formal school qualification are unemployed. Although the Dutch recognize and disapprove of discrimination more compared to other European countries, they still think that discriminated minorities are “exaggerating” and should “get used to it.” Recent research shows that ethnic discrimination in the labor market is widespread and difficult to sanction. Muslim citizens’ self-reported discrimination experiences and perceptions, and incidents of harassment and violence, are among the highest in Europe.

Citation:

T. Huddleston et al., Migrant Policy Integration Index (2011) ([www.mipex.eu](http://www.mipex.eu))

Migrant Integration Policy Index 2015. Integration Policies: who benefits? ([http://mipex.eu/sites/default/files/downloads/files/mipex\\_integration-policy\\_policy-brief.pdf](http://mipex.eu/sites/default/files/downloads/files/mipex_integration-policy_policy-brief.pdf) consulted 7 November 2016)

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Aanpak Jeugdwerkloosheid, Samen met de steden ([aanpakjeugdwerkloosheid.nl](http://aanpakjeugdwerkloosheid.nl), consulted 7 November 2016)

de Waal, T. M. (2017). Conditional belonging: A legal-philosophical inquiry into integration requirements for immigrants in Europe, UVA, Amsterdam  
<http://fra.europa.eu/en/publication/2017/eumidis-ii-muslims-selected-findings>

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[http://www.scp.nl/Publicaties/Alle\\_publicaties/Publicaties\\_2012/Jaarrapport\\_integratie\\_2013](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 policing performance is fairly high (28% of those polled express that they are “very satisfied”). Research shows that this is independent of the actual conduct and performance of police officers. The Integral Safety Monitor for 2010 reported that one in four people aged 15 years and over claimed to have been the victim of a commonly occurring crime (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, only 25% of victims of traditional crimes reported these to the police (27% in 2015).

Cybercrime rates (hacking, internet harassment, commercial and identity fraud, cyberbullying) remained stable in 2015. Illegal cryptographic software and phishing have become standard cybercrimes. In 2015, 11% of the population were victims of cybercrime, while three-quarters of cybercrime cases were not reported to the police. In research commissioned by McAfee, the American Center for Strategic and International Studies estimated that cybercrime costs the Dutch economy approximately €8.8 billion per year (or 1.5% of GDP). Recent studies have concluded that the Dutch police lack the technical expertise to effectively tackle cybercrime. 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 and extremism, and anticipating political radicalization and transborder crime have increased in priority.

The policies of the present government focus on cost reduction, and the centralization of the previously strictly municipal and regional police, judicial and penitentiary systems. In 2015, the Dutch government spent €10 billion (a reduction of €3 billion from 2010) on public order and safety (police, fire protection, disaster protection, judicial and penitentiary system). Recent reports indicate serious problems in implementing 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 police and a former Minister of Safety and Justice. Meanwhile, there is 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 workload for judges, leading to “sloppy” trials and verdicts. The government intends to save €5 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. Recently, a number of scandals in the food industry have exposed the shortcomings of a system aimed at balancing food safety and the interests of the agricultural sector.

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

Citation:

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### 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, and to €2.7 billion in 2016. In addition, costs for climate policy will be allocated to development aid budgets. Expenditure on international conflict management has added to the diminishing state budget for development aid. In the Commitment to Development Index, which ranks the 27 richest countries, the Netherlands ranking has been generally stable, although it has fallen from two out of 21 countries in 2005 to four out of 27 in 2015.

Aid is no longer focusing on poverty reduction alone, but also on global sustainable and inclusive growth, and on success for Dutch firms in foreign

countries. 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. 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

Nieuwe agenda voor hulp, handel en investeringen, april 2013 ([www.rijksoverheid.nl/nieuws/2013/05/04/nieuwe-agenda...](http://www.rijksoverheid.nl/nieuws/2013/05/04/nieuwe-agenda...))

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### III. Environmental Policies

#### Environment

Environmental  
 Policy  
 Score: 5

Environmental policy is not a significant issue among the public in the Netherlands. 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. On 26 October 2016, the Department of Infrastructure and Environment organized a national climate “summit” between national and subnational governmental partners, non-governmental organizations and businesses to discuss implementation of the Paris Accords. Actual political commitments and policy change will only become visible after the election in spring 2017 and the subsequent cabinet formation process.

There is a clear policy shift toward climate adaptation. 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 compensation measures for victims (still contested as too small).

The quality of air and surface water in the Netherlands is concerning, with intensive farming and traffic congestion the primary causes of concern. Half of rivers, canals and lakes contain too much nitrogen and phosphates. Air pollution, especially particular matter in the region around Amsterdam, Rotterdam and the Hague, is among the highest in Europe, and the concentrations of ozone and nitrogen dioxide are linked to premature deaths.

Although the Netherlands is praised as a pioneer in the area of mapping and assessing ecosystems and their management, and on developing a natural capital accounting systems, significant problems remain. The most serious problems involve habitat fragmentation and biodiversity loss, atmospheric nitrogen deposition, desiccation and acidification. Over the last 25 years, about 140 species inhabiting the North Sea have suffered a 30% decline, mainly due to recently forbidden commercial fishing techniques.

Citation:

The EU Environmental Implementation Review Country Report - THE NETHERLANDS, February 2017

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

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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. 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.

As an immediate response, climate change is addressed mainly as a mitigation effort, for example, through the Dutch Risk Reduction Team, offering assistance and expertise to water-related risk areas around the globe. A coherent globalization policy also means research and monitoring of the undermining impacts of one policy on other policies. 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](http://www.eerstekamer.nl/id/vimdknvvtzfz/document-extern/briefmp110112))

Additional reference:  
[http://www.aiv-advies.nl/ContentSuite/upload/aiv/file/webversie\\_AIV%2084\\_NL.pdf](http://www.aiv-advies.nl/ContentSuite/upload/aiv/file/webversie_AIV%2084_NL.pdf)

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<https://www.rvo.nl/subsidies-regelingen/dutch-risk-reduction-team-drr-team>

## Quality of Democracy

### Electoral Processes

Candidacy  
Procedures  
Score: 9

With a score of 79 out of 100 points the Netherlands ranked 9 out of 158 countries in the mid-2017 Perceptions of Electoral Integrity Index, after Denmark (score 86), Finland, Norway, Sweden, Iceland, Costa Rica, Germany and Estonia. Its highest scores are in the areas of electoral laws and electoral procedures; somewhat lower scores are 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. 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 blatantly un-democratic in its internal organization, with only one member – the leader of the party.

Citation:

Perception of Electoral Integrity Index, 2017 (poseidon01.ssrn.com, sites.google.com, consulted September 2017)

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

Voting and  
Registrations  
Rights  
Score: 10

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.

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 and to all EU nationals residing in the Netherlands. 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](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](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 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)

NRC.nl, “Laksheid partijen met regels eigen financiering blijft zorgelijk,” 17 May 2017

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. At the municipal level, many experimental referendum ordinances have been approved since the 1990s, but the national government has prohibited several ordinances that 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,” (“citizen power”) which aims to involve citizens more in local governance through “citizen pacts” (“burgerakkoord”). The citizen pacts are intended to replace and/or complement the traditional “coalition pacts” between local political parties, which normally are the basis for policymaking. The idea is that after 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. This bill allows for non-binding referendums on petitions that gain 10,000 signatories within a four-week

period. Subsequently, another 300,000 citizens are needed to sign up in support of the initial request within a six weeks period.

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 mere 32.3% voter turnout, the no-vote (61%) was valid nevertheless, and the government was obliged to renegotiate the deal at EU level. The unpleasant referendum campaign and its contested outcome has reopened the political debate about national 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 Raadgevend Referendum, [www.referendum/platform.nl/index.php?action=printpage&item=1411](http://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)

NOS, Lessen voor het komende referendum en 'niet afschaffen zonder alternatief' (<https://nos.nl/1/2200876>, consulted 3 November 2017)

### Access to Information

Media Freedom  
Score: 7

The freedoms of the press/media and of expression are formally guaranteed by the constitution (Article 7). The Reporters Without Borders Press Freedom Index 2017 ranked the Netherlands 5 out of 180 countries, below Norway, Sweden, Finland, and Denmark. The somewhat lower score (compared to previous years) is due to legislative initiatives to expand the Intelligence and Security Act, which threatens journalists' rights to protect their sources. Additionally, Dutch journalists continue to practice "self-censorship" on sensitive issues such as immigration and religion, but not on the royal family.

Public-broadcast programming is produced by a variety of organizations, some reflecting political and/or religious denominations, others representing interest groups. These independent organizations get allocated TV and radio time 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 aims to boost competition by giving access to program providers from outside the official broadcasting corporations. A

directing (not just coordinating) National Public Broadcasting Organization (NPO) was established, with a two-member government-nominated supervisory board, which tests and allocates broadcasting time. The new law states that public broadcasting should concern information, culture and education, while pure entertainment should be left to private broadcasters. In practice this leads to controversy around television celebrities' salaries in public broadcasting, and blurred boundaries between "information" and "infotainment." The bill has been criticized for its lack of budgetary considerations. Broadcasting is both privately funded through advertisements and publicly funded, with budget cuts for struggling 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. International media enterprises increasingly follow multichannel strategies. Although media policy still formally distinguishes between the written press and broadcasting organizations, this distinction appears outmoded.

Citation:

"Dit verandert er door de nieuwe mediawet," Business Insider Nederland, 15 March 2016

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 2017, Dutch Country Report, Freedom House

Media Pluralism  
Score: 7

The Dutch media landscape is very pluralistic but nonetheless subject to a gradual narrowing of media ownership, 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 still 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. 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%). 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 2017, the Netherlands was characterized low risk in the domains of basic protection, political independence and social inclusiveness. However, the country was characterized medium risk in market plurality and high risk for concentration of cross-media ownership, as there are no legal restrictions at all and transparency of ownership is low. Consequently, a typical person’s media sources are likely to be controlled by the same, 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 2017 - Results, Netherlands, October 2017 ([monitor.cmpf.eu.eu](http://monitor.cmpf.eu.eu), consulted 13 October 2017)

Access to  
Government  
Information  
Score: 7

The Government Information (Public Access) Act (WOB) 1991 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, civil servants at the national level and in municipal governments continue to strongly oppose the new government transparency bill. The new bill still awaits approval from the Senate.

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)

NRC-Handelsblad, “De moeizame weg naar open overheid,” 6 October 2017

### 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, 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 (especially long waits for asylum decisions and family reunion procedures), and efforts to only offer shelter, clothes and food to irregular migrants in the five largest cities (and nowhere else). Recently, the government has expanded its list of safe third countries for asylum-seekers (including, surprisingly, Afghanistan) and 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”) figure in traditional Santa Claus festivities.

Citation:

Human Rights Watch in Nederland (hrw.org., consulted 8 October, 2017))

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

“Bestaande technologieën met totalitaire trekken,” NRC-Handelsblad, 11 March 2017

Political Liberties  
Score: 9

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.

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: 8

The Netherlands is party to all the important international anti-discrimination agreements. A non-discrimination clause addressing religion, worldviews, 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 Santa Claus 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 to curb discrimination. There are more and more doubts about state policies’ effectiveness. Depending on significant (international) events (e.g., Israeli-Palestinian conflicts, terrorist attacks and public debates about Black Pete) discriminatory actions, internet-based threats and insults targeting Jews, Muslims and Afro-Dutch citizens increase. Especially worrisome is the broad-based negative climate of opinion and stereotyping of Muslims.

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 2016)

I. van der Valk, Veiligheid en discriminatie anno 2017 - waar staan we?, Achtergronden, 2 October 2017 (republic allochthonië.nl)

SCP, Nederlanders dubbel over discriminatie, Burgerperspectieven 2017/2 (sep.nl)

NRC.nl, “Moslems in Nederland ervaren discriminatie meer dan elders in Europa,” 20 september 2017

## 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 ranked 5 out of 113 countries in the 2016 rule of law index. However, experts have warned that the situation is deteriorating.

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 the Constitutional Court is possible, making the Netherlands (along with the United Kingdom) 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 appeals to European and other international 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 too often prioritizes managerial feasibility over political and legal requirements. 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 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, “De rechtsstaat is doof, blind, en ‘alles zit vast,’” 28 March 2017

NRC-Handelsblad, “De strafrechtspraak staat er niet goed voor,” 21 April, 2017

NRC-Handleblad, “Vooral de VVD zet de grootste stap achteruit,” 12 March 2017

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. Unlike the U.S. and German 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. In 2017, new concerns emerged. A deputy minister of legal affairs openly admitted that he cut back state-supported legal assistance to ordinary citizens to achieve higher court sentences. And in the drugs- and crime-ridden province of Brabant, police, mayors and fiscal authorities directly “harass” suspects rather than pursue legal procedures, which they perceive as a time-consuming nuisance.

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

NRC-Handelsblad, "Teeven wilde strengere straffen via 'afknijpen' van rechtsbijstand," 19 May 2017

NRC-Handelsblad, "Crisis in Brabant dreigt strafrechter in te halen," 27 May 2017

Pieter Tops and Jan Tromp, 2016. De achterkant van Nederland. Leven onder de radar van de wet, Balans

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. According to the Council for Jurisprudence (Raad voor de Rechtspraak) "...in the Netherlands political appointments don't exist. Selection of judges is a matter for judges themselves, of the courts and the Supreme Court, on the basis of expertise alone. You cannot even raise the issue of political or confessional convictions." 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 appointing former politicians 'in good standing', and through a considerable number of double appointments. Only 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).

De Volkskrant, "Worden in andere EU-landen ook rechters door politici benoemd, zoals Polen beweert? Nou nee," 23 July 2017

Corruption  
Prevention  
Score: 7

The Netherlands is considered a corruption-free country. In Transparency International's Corruption Perception Index 2016, the Netherlands ranked 8 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. 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. In at least three (out of 17) areas, the Netherlands does not meet the standards for effective integrity policy as identified by Transparency International, with all three areas failing to prevent and appropriately sanction corruption. A good example is the case against a former alderman of the city of Roermond who, convicted for corruption, electoral fraud and violating secrecy rules, was not given the two-year prison sentence demanded by the public prosecution, but a light community service penalty. (Both the public prosecutor and the accused have appealed the verdict, with the latter seeking an acquittal arguing that “Everybody acts the way I did.”)

There have been more and more frequent prosecutions in major corruption scandals in the public sector involving top-executives – particularly in (government-commissioned) construction of infrastructure and housing, but also in education, health care and transport. Transparency problems in the public sector also involve lower ranks, job nominations salaries for top-level administrators. Recently, police and customs officers have been prosecuted for assisting criminal organizations. One high-level police officer in a lecture for the Police Academy used the term “Netherlands Narcostate” to characterize the dire state of affairs.

In July 2016, a new law for the protection of whistle-blowers entered into force. Experts consider the law to be largely symbolic, with real legal protection remaining low and administrative costs high.

Citation:

Transparency International Nederland (2016), Nationaal Integriteitssysteem Landenstudie Nederland.

RTL Nieuws, “Groot onderzoek naar corruptie bij politiek en douane,” 28 February 2017

NRC-Handelsblad, “Niet alleen de agent screenen, maar óók zijn partner en Facebookprofiel,” 16 September 2017

NRC.nl, “Nederland Narcostaat is helaas ook een feit,” 30 September 2017

NRC-Handelsblad, “Jos van Rey veroordeeld tot een taakstraf van 240 uur,” 12 July 2017

Juridisch Actueel, Klokkeluiderswet 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: 7

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 and is the only advisory council for long-term strategic-policy issues. 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.

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. For more than 200 days after the March elections in 2017 while the cabinet was being formed, the CPB was an important background advisor in calculating the financial scope for new policy initiatives.

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. During the 2017 cabinet formation process, the influence of the PBL and high-level civil servants was visible in the long list of energy transition policy initiatives.

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.

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)

“Politici die achteraf bepalen wat de kiezer belangrijk had moeten vinden,” *NRC-Handelblad*, 16 September 2017

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 interdepartmental conflicts; serving as the primary press spokesperson and first speaker in the States General; and speaking in international forums 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 councillors 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. For example, the prime minister has been unable to anticipate and prevent serious political problems in key departments, such as the Ministry of Justice and Security, and Ministry of Defense, where several cabinet ministers had to resign.

## Citation:

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

[http://www.nationaalarchief.nl/selectielijsten/BSD\\_Coordinatie\\_algemeen\\_regeringsbeleid\\_stcrnt\\_2009\\_63.pdf](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)

"Onvermijdelijke" aftreden Van der Steur op de voet gevolgd, NOS.nl, 26 January 2017, consulted 10 October 2017.

"Jeanine Hennis stapt op als minister van Defensie.," NRC-Handelsblad, 3 October 2017

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](http://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](http://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](http://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 four years 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. 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 Prime Minister's Office ("Het Torentje"). 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 – February 2017), 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 (raadadviseurs) 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). In 2011, some policymakers suggested that ACTAL become a permanent rather than temporary body. 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 decided in 2017 that ACTAL is to be succeeded by a formal advisory body, Adviescollege Toetsing Regeldruk (ATR, Advisory Body on Assessment of Regulatory Burdens).

Citation:

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

Milieueffectrapportage ([nl.m.wikipedia.org](http://nl.m.wikipedia.org), consulted 26 October 2014)

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

Staatscourant nr. 29814, 29 Mei 2017, Besluit van 17 mei 2017, nr. 2017000809, houdende instelling van het Adviescollege toetsing regeldruk

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 an independent body for evaluation has been changed to a legally established permanent advisory body.

Citation:

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

Staatscourant nr. 29814, 29 Mei 2017, Besluit van 17 mei 2017, nr. 2017000809, houdende instelling van het Adviescollege toetsing regeldruk

Sustainability  
Check

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

Score: 8

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. In 2017, the DNB (Dutch state bank) announced checks on whether firms in the financial sector have sufficiently explored the risks of climate change in their policies. In the water sector, similar stress tests of policies by water management boards, and municipal and local water management/emergency plans are being prepared.

Citation:

NRC.next, “DNB waarschuwt financiële sector voor risico’s klimaatverandering, 4 October 2017”

Kennisportaal Ruimtelijke Adaptatie, “Verplichte stresstest wateroverlast voor waterschappen en gemeenten,” consulted 12 October 2017

### Societal Consultation

Negotiating  
Public Support  
Score: 9

International references to the “polder model” as a form of consensus-building testify to the Dutch reputation for negotiating public support for public policies, sometimes as a precondition for parliamentary approval. In this 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 – October 2017) governments. Recent examples include the public debate on pension reform and the national summit on climate policy after the Paris Accords. The Rutte I and Rutte II 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. Quite recently. The Netherlands witnessed the unique phenomenon that both school teachers’ unions and employers (school administrators) together lobbied for higher salaries and for workload reduction for elementary school teachers. 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 the

reviving “polder” tradition within a more fragmented political landscape may be the emergence of an extensive network of professional lobbyists. Due to rather closed cabinet formation processes, which have led to “boarded up” governmental agreements, professional lobbying is probably less effective than in the United States.

Citation:

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)

PO Raad, *Schoolbesturen steunen lerarenstaking*, 25 September 2017

“Onze superieure politieke cultuur,” NRC-Handelsblad, 13 July 2017

## Policy Communication

Coherent  
Communication  
Score: 8

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 were 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. But in 2017 the Dutch government was criticized for structurally misleading and insufficient communication on issues of animal disease and food safety due to prioritizing agricultural interests over public health.

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)

“We leren niks van de Q-koorts,” NRC.nl, 25 January 2017

“Onze gezondheid wordt bewaakt door de minister van boerenzaken,” Marc Chavannes, De Correspondent, consulted 12 October 2017.

## Implementation

Government  
Efficiency  
Score: 7

According to an optimistic estimate by a leading newspaper, the Rutte II government has in its four-year reign implemented 80% of its policy initiatives. Of the 271 initiatives, 158 were successful and 59 were (partial) failures. 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 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 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). In water management, implementation of the “Room for River” plans appear to have been successful.



The national government has devolved a significant number of tasks to subnational governments, which makes government and administrative responsibilities more fuzzy, and policy performance harder to evaluate. Provincial and local audit chambers, 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 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)

NRC-Handelsblad, "Rutte-II deed – grotendeels – wat het beloofde in 2012.," 14 January 2017

"De rivier is breder, de rust is terug," NRC-Handelsblad, 22 February 2017

Elsevier Weekblad, "Leo Stevens: waarom we de fiscus niet vertrouwen," 8 July 2017.

Ministerial  
Compliance  
Score: 7

Dutch ministers' hands are tied by 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 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-considered 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 philosophy developed in the 1970s. However, recent political developments (the election campaigns in 2010 and a Council of Ministers breakdown in 2012) have prevented this. In 2012, yet another system of program budgeting – called "responsible budgeting" – was introduced.

Since 2013 to 2014, General Audit Chamber studies have indeed focused on particular subjects, and following some political consultation, on departmental domains. In 2012, the General Audit Chamber reported that just 50% of governmental policy initiatives were evaluated, most of these evaluations incorrectly were considered effectiveness studies. Hence, parliament remains largely ill-informed about the success of governmental goals and objectives. In 2016, the government cut financing for the General Audit Chamber by €1.2 billion, meaning a personnel reduction from 273 to 233 full-time employees and outsourcing research for specific programs. In 2017, the Audit Chamber launched a website for monitoring ministerial compliance of Audit Chamber recommendations.

Citation:

Algemene Rekenkamer, Rapport Effectiviteitsonderzoek bij de Rijksoverheid, 22 May 2012 (consulted 12 October 2017)

Algemene Rekenkamer, Opvolging Aanbevelingen, consulted 12 October 2017

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 improperly 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. In 2017, implementation problems in the reformed national policy system were reported, including excessive administrative regulation, incomplete oversight of different tasks and task fields, and insufficient leadership in capacity-building and performance management. On top of this, there were financial irregularities in the national police's Central Works Council.

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)

Rapport brengt belangrijkste belemmeringen bij Nationale Politie in kaart, Consultancy.nl, 18 July 2017

“Strafontslag COR-baas politie. Declaratieschandaal.” NRC.nl, 1 September 2017

Task Funding  
Score: 5

Decentralization and integration subsidies comprise 14% of all income from the general fund (Gemeentefonds). Policy-related national subsidies have decreased as a proportion of total income (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 decentralization 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.

Citation:

VNG, *De wonderde 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)

Federatie van Onderwijsorganisaties, “Code rood in het primair onderwijs: Staking donderdag 5 oktober!” 5 September 2017

Constitutional  
Discretion  
Score: 5

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.

Starting in 2016, the Local Government Fund (Gemeentefonds) budget has increased in step with increases in the national government’s budget. The transfer of policy competencies in many domains of care imply that local discretion has increased, sometimes resulting in different treatment for similar cases by local governments in different parts of the 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.

VNG-reactie op de Rijksbegroting 2017, *Bijzondere Ledenbrief*, eng.nl., consulted 12 October 2017

National  
Standards  
Score: 5

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 other's executive capacities. In 2009, the Association of Dutch Local Governments established the Quality Institute of Dutch Local Governments (Kwaliteitsinstituut Nederlandse Gemeenten, KING). Since 2016, KING produces a comparative report on the status of local governments ("De staat van Gemeenten") which collects relevant policy evaluations and assists local governments in their information management-based policy perspectives. 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](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](http://www.rob-rfv.nl/documenten/reactie_rfv_op_decentralisatiebrief.pdf)

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

KING Jaarverslag 2015 In één oogopslag, [ringgemeenten.nl](http://ringgemeenten.nl) (consulted 12 October 2017)

### Adaptability

Domestic  
Adaptability  
Score: 6

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. 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 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.

Since 1997, the Homogenous Group International Cooperation (Homogene Groep International Samenwerking, HGIS) has coordinated the budgets and policies of government departments involved in foreign, trade and development policy. In response to EU-level developments, Dutch financial and economic policymaking procedures were adapted to EU-level budget norms and

assessments. 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 due to their participation in EU consultative procedures, no new structural adjustments in departmental policy and legislative preparation have been implemented. At present, a political mood of “Dutch interests first” translates into a political attitude of unwillingness (beyond what has already been achieved) to adapt domestic political and policy infrastructure to international, particularly EU, trends and developments.

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)

“Wat is HGIS?,” 2016, rijksbegroting.nl (consulted 12 October 2017)

“Macron gaat Rutte net iets te snel,” NRC.nl, 26 September 2017

“Rutte zowel kritisch als positief over toekomstvisie Europa,” Algemeen Dagblad, 13 September 2017

International  
Coordination  
Score: 7

The Netherlands has been a 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 be part of a well-functioning European Union. The Vice-Chair of the European Commission is a former Dutch minister. The Dutch minister for Development Aid and Trade plays an important role in fostering better cooperation between governments, international companies and international aid organizations through transnational treaties on production and supply chains. The Netherlands will be part of the U.N. Security Council for the next year.

Citation:

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](http://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](http://nrc.nl), consulted 9 November 2016)

### Organizational Reform

Self-monitoring  
Score: 5

There have only been two visible changes in the institutional practices of the Dutch government at the national level. One is that the monarch, formally the head of government, was stripped of participation in cabinet formation processes; the second chamber or senate now formally directs that process. The second is an informal 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 ill-considered 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. However, on the local level, experiments in local budgeting, and deliberative and participatory policymaking (Code Oranje, Civocracy) have gained some traction.

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 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. Although institutional arrangements are monitored regularly (Scientific Council of the Government on Citizen Self-Reliance, Council for Public Administration on Local Democracy and annual reports by the national Council of State), recommendations and plans are not followed up due to a lack of political will.

Citation:

Code Oranje|Democratic Challenge, [democraticchallenge.nl](http://democraticchallenge.nl)

Civocracy, [civocracy.org](http://civocracy.org)

Jaarverslag Raad van State, 2016

Kees Breed, "Politici moeten de illusie van de 'cockpit Den Haag' loslaten," 21 September 2016, [platformoverheid.nl](http://platformoverheid.nl),

Raad voor het Openbaar Bestuur, Democratie is meer dan politiek alleen. Burgers aan het roer in hun leefwereld, Adviesrapport 28 June 2017

WRR, Weten is nog geen doen. Een realistisch perspectief op redzaamheid, 24 April, 2017

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. Experiments in participatory budgeting and local democracy may somewhat harness citizen knowledge and expertise to local government.



## II. Executive Accountability

### Citizens' Participatory Competence

Policy  
Knowledge  
Score: 6

Dutch citizens claim to spend slightly more time than the average European citizen 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%).

An exceptional case of active citizenship was the Manifesto Focus on Care for the Elderly (“Scherp op ouderenzorg”), which gained more than 100,000 signatures and later became a model for numerous professional stakeholder organizations that wanted to influence the cabinet formation in the second half of 2017. Research by Bovens and Wille found 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 educated who demand more political influence, whereas higher educated citizens, especially those with tertiary qualifications, do not support the idea. A recent study into citizen attitudes to the European Union, undertaken by TNS/Kantar Nipo and commissioned by the Green-Left 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.

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 2017|1 (scp.nl, consulted 3 November 2017)

Hugo Borst and Carin Geamers, "Manifest :Scherp op ouderenzorg," 24 October 2016 (scherpouderenzorg.nl, consulted 3 November 2017)

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 government coalitions supported by the majority of the States General. As an institution, the States General is not necessarily a unified actor.

Moreover, the States General's institutional resources are modest. Dutch members of parliament in large parliamentary factions have one staffer each, while MPs of smaller factions 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, although 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. The small Parliamentary Bureau for Research and Public Expenditure does not produce independent research, but provides assistance to the parliament.

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 format that is somewhere between a hearing and an investigation. Formally, the States General may use the expertise of a governmental advisory body, but this process is closely supervised by the minister under whose departmental responsibility the respective advisory body functions. Only the Rathenau Institute (for scientific and technological issues) works exclusively for the States General.

Citation:

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.”

Citation:

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

R.B. Andeweg & G.A. Irwin (2014), *Governance and Politics of the Netherlands*. Houndmills, Basingstoke: 174-182.

Summoning  
Ministers  
Score: 9

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.

Citation:

R.B. Andeweg & G.A. Irwin (2014), *Governance and Politics of the Netherlands*. Houndmills, Basingstoke: 174-182.

Summoning  
Experts  
Score: 9

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.

Citation:

R.B. Andeweg & G.A. Irwin (2014), *Governance and Politics of the Netherlands*. Houndmills, Basingstoke: 163-174.

Task Area  
Congruence  
Score: 9

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.

Citation:

Commissies (tweedekamer.nl, consulted 6 November 2014)

Audit Office  
Score: 7

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 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 to shift 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 frequently.

Citation:

[http://www.rekenkamer.nl/Over\\_de\\_Algemene\\_Rekenkamer](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)

Algemene Rekenkamer, Ambtelijke baas Algemene Rekenkamer naar Authorities Financiële Mededinging, Nieuwbericht 28 August 2017

Ombuds Office  
Score: 8

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; then 13 months passed 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 ombudsman’s tasks are shifting toward providing concrete assistance to citizens that – due to debts and poverty, digitization and other problems with access to government regulation – have lost their way in the bureaucratic process.

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=CMPv8vGltrcCFclZ3godZH0AkQ>

Jaarverslag Nationale Ombudsman, 2016 (Nationale ombudsman, consulted 12 October 2017)

## Media

Media Reporting  
Score: 7

In the digital sphere, viewers and consumers clearly have more choices. 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.

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, 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 outreach 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 largely 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.

The Commissariat for the Media, tasked with monitoring the diversity and accuracy of media information about government and public policy issues, has expressed concern about the fragmentation of information sources and the “news snacking” habits of media audiences. This fragmentation, continuing commercialization and “infotainment” may have resulted in a situation where media-logic disregards its social and political responsibility to timely and accurately inform citizens about governmental and public affairs.

Citation:

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)

Commissariaat voor de Media, 15 jaar Mediamonitor, 20 July, 2017 (mediamonitor.nl, consulted 3 November 2017)

### Parties and Interest Associations

Intra-party  
Democracy  
Score: 4

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.

Political party membership reached an all-time low of 285,851 (less than 3% of the electorate). Approximately 10% of this group is considered active. 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.

Citation:

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

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

Gezamenlijk ledenaantal politieke partijen naar dieptepunt, Documentatiecentrum Nederlandse Politieke Partijen, 2016

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 state 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 Tabaksblat 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.

During the cabinet formation process from April to October 2017, the negotiators on behalf of the involved political parties were inundated with policy memos and proposals from a wide-range of civil society organizations, economic interest groups and business associations prominent among them.

Citation:

NRC Handelsblad 16 April 2011, De trouwe hulp troepen 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

Otjes and Rasmussen, Trade Unions and the Decline of Social Democracy, Social Europe, 5 June 2017

NRC-Handelsblad, 'Wie kent wie in zakelijk Nederland,' 4 September 2017

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.

During the cabinet formation process from April to October 2017, many non-economic associations – representing the arts, education, the elderly and the care sector – inundated negotiators with policy memos and demands. For example, the citizen initiative led by Hugo Borst and Carin Greemers contained 10 policy recommendations, and was later underwritten by practically all relevant stakeholder associations and received support in parliament.



## 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 Genneep.

Actiz, *Oproep Agenda voor Zorg aan het nieuwe kabinet: investeer in vernieuwende zorg?* (acts.nl, consulted 3 November 2017)

Hugo Borst and Carin Geamers, “Manifest :Scherp op ouderenzorg,” (scheropouderenzorg.nl, consulted 3 November 2017)

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