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COMMISSION STAFF WORKING DOCUMENT

**2025 Rule of Law Report
Country Chapter on the rule of law situation in the Netherlands**

Accompanying the document

**Communication from the Commission to the European Parliament, the Council, the
European Economic and Social Committee and the Committee of the Regions**

**2025 Rule of Law Report
The rule of law situation in the European Union**

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ABSTRACT

The perception of the level of judicial independence in the Netherlands is very high. Nevertheless, judicial bodies and stakeholders note that some safeguards for judicial independence rest on practice and culture alone. The procedure for appointing members of the Council for the Judiciary and the executive's power to give instructions to prosecutors in individual cases continue to be under discussion. A proposal introducing visual supervision of all lawyer-client conversations in high-security prisons was tabled as part of the measures to fight organised crime. Some steps have been taken to address staff shortages and a high workload in the judiciary. An independent review recommended increasing legal aid lawyers' fees. The level of digitalisation has further improved. The efficiency of the justice system continues to be high.

A first national anti-corruption policy was adopted by the Government. The investigation and prosecution of corruption offences remains effective, and measures are taken to deal with unauthorised access to data by civil servants and police officials and fight corruption linked to organised crime. Plans were announced to improve coordination of integrity for civil servants to address Court of Audit recommendations, and the draft Political Parties Act is being revised, following advice from the Council of State. The Government had announced its intention to review the rules related to transparency and the asset declaration regime of ministers and state secretaries in the future. Steps taken to increase the transparency of lobbying remain insufficient. Revised rules on revolving doors for former ministers and state secretaries were adopted by the House of Representatives. Work continues on targeting bribery of government officials by organised crime groups and on the identification of other priority sectors in the fight against corruption.

The media regulator operates efficiently and independently. Steps have been taken to address certain concerns about the adequacy of the Press Council, the self-regulatory body for the press sector, such as clarifying its role, and streamlining its complaint-handling procedures. Preparatory work is underway for a legislative proposal on the reform of public service media. Challenges related to a high level of media market concentration, and limited media ownership transparency remain. Efforts to improve transparency and access to information continue and the safety of journalists has improved.

A series of initiatives were taken by state authorities to follow up on the proposals of the State Commission on the Rule of Law. Shortcomings in the consultation of stakeholders on a legislative package with important legal and social consequences have given rise to serious concerns. The Netherlands Institute for Human Rights has taken measures to address its governance issues. The space for civil society organisations has narrowed and is affected by a combination of funding cuts and a risk of new legal obstacles.

RECOMMENDATIONS

Overall, concerning the recommendations in the 2024 Rule of Law Report, the Netherlands has made:

- Some progress on efforts to address shortages in human resources and challenging working conditions in the justice system.
- Significant progress on completing the revision of rules on revolving doors involving former ministers and state secretaries, including a two-year cooling-off period and restrictions on paid activities.
- Limited further progress on establishing stricter transparency rules on lobbying for members of the Government and Parliament.
- Some progress on enhancing the governance of public service media and its ability to uphold journalistic standards, taking into account European standards on public service media.
- Some progress on ensuring an adequate follow-up to the recommendations of the State Commission on the Rule of Law, strengthening the legal protection of citizens.

On this basis, and considering other developments that took place in the period of reference, it is recommended to the Netherlands to:

- Continue efforts to improve challenging working conditions in the justice system and address shortages in human resources.
- Establish stricter transparency rules on lobbying for members of the Government and Parliament.
- Take forward the planned reform of public service media to enhance its governance and its ability to uphold journalistic standards, taking into account European standards on public service media.
- Take forward the proposal of the State Commission on Rule of Law to strengthen a rule of law culture, including by setting up a structured dialogue between the state powers based on a 'rule of law agenda'.

I. JUSTICE SYSTEM¹

Independence

The level of perceived judicial independence in the Netherlands is very high among both the general public and companies. Overall, 76% of the general population and 75% of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2025². Among the general public, this figure has increased in comparison with 2024 (70%) but is slightly lower in comparison with 2021 (77%). The perceived judicial independence among companies has slightly increased in comparison with 2024 (74%), although it remains lower in comparison with 2021 (82%).

Judicial bodies and stakeholders note that some safeguards for judicial independence rest on practice and culture alone. The Council for the Judiciary, the Council of State, the Dutch Association for the Judiciary, some Court Presidents, the Bar Association and the Meijers committee emphasised that current rule of law safeguards based on legal culture need to be strengthened and anchored in the Constitution and statutory law to protect the independence of the judiciary. They argue that a continuation of a strong rule of law culture can no longer be taken for granted, given the political climate of increasing polarisation and pressure (³). Online threats against a judge sparked further concerns and led to a complaint filed with the Public Prosecution Service⁴.

The procedure for appointing members of the Council for the Judiciary and court management boards continues to be under discussion. Parliament, the Council for the Judiciary and the Dutch Association for the Judiciary reiterated their call to limit the Minister of Justice’s power in the appointment procedure of candidates to the Council for the Judiciary and court management boards⁵, also in light of the Venice Commission opinion on the scope on Ministerial powers⁶. The Minister for Legal Protection had announced a letter to Parliament clarifying the Government’s position on the matter⁷.

The issue of the executive’s power to give instructions to prosecutors in individual cases remains unresolved, awaiting Parliamentary debate. Parliament, the Dutch Association for the Judiciary and the Bar Association reiterated their plea to abolish the Minister of Justice’s

¹ An overview of the institutional framework for all four pillars can be found [here](#).

² Figures 51 and 53, 2025 EU Justice Scoreboard and Figures 49 and 51, 2023 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

³ Council for the Judiciary (2025a, b), written input, pp. 1-2; Council of State (2024); Country visit the Netherlands, Council for the Judiciary, Dutch Association for the Judiciary, and Meijers Committee; Dutch Association for the Judiciary (2025), written input, pp. 7, 21; Bar Association (2025), written input, pp. 2-3; Meijers Committee (2025), written input pp. 1-2; for the appointment procedure of Supreme Court judges see 2024 Rule of Law Report, the Netherlands, p. 4.

⁴ On 24 February 2025 the Amsterdam district court filed a complaint regarding the dissemination of personal data of a judge for the purpose of intimidation.

⁵ Country visit, Administration of Parliament, Council for the Judiciary, Dutch Association for the Judiciary; 2024 Rule of Law Report, the Netherlands, p. 5; The justification for the Parliamentary motion is that from the point of view of the separation of powers it is [deemed] undesirable for members of the Council for the Judiciary to be nominated by the Minister; Motion by Member Sneller on legislating to minimise the Minister’s role in the appointment procedure for members of the Judicial Council, adopted on 12 March 2024.

⁶ Venice Commission (2023), paragraph 45.

⁷ State Secretary for Legal Protection (2025).

power to give instructions to prosecute or not to prosecute in individual cases⁸. A Parliamentary Bill⁹ is awaiting to be discussed in Parliament. According to the Public Prosecution Service, the current law on judicial organisation already contains adequate guarantees against abuse¹⁰. In 2023, while acknowledging the importance of informal norms, the Venice Commission had nonetheless recommended introducing more formal safeguards by removing the Minister's power to give instructions not to prosecute in specific cases, or at least to limit this prerogative to clearly defined exceptional circumstances¹¹. The Government had indicated that it would set out its position once the parliamentary debate was scheduled¹².

Quality

A proposal introducing visual supervision of all lawyer-client conversations in high-security prisons was tabled as part of the measures to fight organised crime. As reported last year, the Government has started to fundamentally review the monitoring and security system for persons who are threatened by organised crime, under the direction of the National Coordinator for Counterterrorism and Security. The Government proposed strengthened security measures to enhance the resilience of the justice system against organised crime and was preparing amendments to the key witness scheme¹³. The Government put forward a revised proposal for visual supervision of lawyer-client conversations in high-security prisons¹⁴. It indicates that the purpose is to help protect lawyers from pressure, coercion or threats, without compromising access to a lawyer and lawyer-client confidentiality. According to the Government, the measure should apply to all detainees in high-security prisons, because of their particular dangerousness. On 4 February 2025, the House of Representatives approved the revised proposal. The Bar Association continues to consider that the proposal violates the principles of necessity and proportionality, and called for further amendments to ensure that supervision will only take place following an individual assessment¹⁵. The draft legislation is now pending in the Senate.

The level of digitalisation of the justice system has further improved. The digitalisation of justice is overall advanced¹⁶. The digitalisation of legal proceedings through the electronic exchange of documents and secure electronic communications via digital portals improved¹⁷.

⁸ 2024 Rule of Law Report, the Netherlands, p. 5; Meijers Committee (2025), written input, pp. 2, 3.

⁹ Bill by Member Sneller (Expiration of Special Powers of Instruction of the Public Prosecution Service Act), House of Representatives, 2021-2022 session, 36 125, no 2. A previous version of the Bill was tabled in 2021; 2024 Rule of Law Report, The Netherlands, pp. 5, 6.

¹⁰ Country visit, Public Prosecution Service.

¹¹ Venice Commission (2023), paras. 67, 71 72; See also Council of Europe (2000), para. 13(f); Figure 55, 2020 EU Justice Scoreboard.

¹² Country visit the Netherlands, Government.

¹³ Country visit the Netherlands, Government; The Bar Association considers that the key witness scheme should not be expanded until the safety of all persons concerned, including lawyers, is guaranteed; Country visit, Bar Association; 2024 Rule of Law Report, the Netherlands, pp. 6, 7.

¹⁴ Amendment of the legislative proposal amending the Penitentiary Principles Act in connection with additional measures against organised crime during detention, 26 June 2024. The revision followed an opinion by the Council of State expressing concerns regarding compliance of certain Parliamentary amendments (also calling for auditory supervision) with lawyer-client confidentiality; Council of State. Alleged abuse by some lawyers suspected of passing on messages to third parties in breach of the law has already led to criminal proceedings. Country visit, Dutch Association for the Judiciary.

¹⁵ Country visit the Netherlands, Bar Association.

¹⁶ Figures 41-49, 2025 EU Justice Scoreboard.

¹⁷ Dutch Government (2025), written input, p. 3.

Legislation is being prepared for the conduct of online hearings¹⁸. The availability of electronic communication tools in courts continues to be high¹⁹. The Dutch Recovery and Resilience Plan includes measures to further digitalise the criminal justice chain, which aim at improving the efficiency by replacing paperwork in criminal cases with digital files and by ensuring permanent digital access to relevant information on criminal proceedings²⁰. The Council for the Judiciary continues to work on increasing the number of published judgments, and a legislative proposal for the publication of judgments is under preparation²¹.

Some progress has been made on the recommendation to address staff shortages and a high workload in the judiciary²². The number of training places for judges were gradually increased to 140, which is expected to be sufficient to compensate for the retirement of experienced judges²³. The Dutch Association for the Judiciary pointed out that in 2022, the Public Prosecutors Office announced that 250 new officers would be trained in three years. In 2023, 82 officers started training. It also noted that due to their workload, experienced judges have a limited capacity to train new applicants²⁴. Investments are also being made in judicial support staff²⁵. In April 2024, an independent expert presented recommendations to the Minister for Legal Protection and the Dutch Association for the Judiciary on how to reduce the workload of the judiciary and public prosecution services²⁶. The Council for the Judiciary is implementing these recommendations, which relate to working conditions, deployment of support staff²⁷, improved pre-trial management, as well as to innovation projects²⁸. An employee satisfaction survey will be conducted in 2025 to determine the effectiveness of the measures²⁹. Overall, there has been some progress on addressing shortages in human resources and challenging working conditions in the judiciary.

An independent review recommended increasing the legal aid lawyers' fees. The Council for the Judiciary and the Bar Association called for a robust, stable and independent funding for the judiciary in general and for legal aid in particular, underlining their importance for the rule of law and access to justice³⁰. This has been an important subject of debate in Parliament³¹. The budget in the Netherlands is organised in such a way that a political discussion must take place every year about the amount to be allocated to the legal aid scheme. The Bar Association argued for a system by which fee adjustments would be more automatic³². It supported its claims by pointing to the results of a survey among legal aid lawyers which points to a shortage

¹⁸ Country visit, Council for the Judiciary, Bar Association.

¹⁹ Figure 43, 2025 EU Justice Scoreboard.

²⁰ Dutch RRP, 8 July 2022.

²¹ Country visit the Netherlands, Council for the Judiciary.

²² The 2024 Rule of Law Report recommended the Netherlands to 'Continue efforts to address shortages in human resources and challenging working conditions in the justice system'.

²³ Dutch Government (2025), written input, p. 1; Country visit, Council for the Judiciary.

²⁴ Country visit the Netherlands, Dutch Association for the Judiciary.

²⁵ Country visit the Netherlands, Government.

²⁶ J. Winter (2024).

²⁷ Country visit the Netherlands, Government.

²⁸ Council for the Judiciary (2025), written input, p. 3.

²⁹ Country visit the Netherlands, Council for the Judiciary.

³⁰ 2024 Rule of Law Report, the Netherlands, pp. 9, 10; Council for the Judiciary (2025), written input, p. 1.

³¹ Country visit, Parliament; during a legislative debate on the amendment of the Judiciary Organisation Act a resolution was submitted that introduced a separate budgetary chapter for the judiciary. The vote on this resolution has been postponed awaiting the opinion of the Council of State. The House of Representatives Justice Committee debated subsidised legal aid on March 13, 2025.

³² Country visit, Bar Association.

of legal aid lawyers in several regions and areas of law in the Netherlands³³. An independent review of the compensation system for legal aid lawyers published on 3 March 2025 made several recommendations to increase the compensation of legal aid lawyers. The review also recommended providing periodic recalibration and indexation of fees and an office allowance to train new colleagues³⁴.

The decision of the prosecution service to make more extensive use of the possibility to decide on certain criminal cases without involving a judge has raised concerns. The prosecution service can settle a crime punishable by less than six years' imprisonment out of court, through a penalty order issuing a community service or a fine³⁵. This possibility has so far been used for less serious crimes. In 2025 the prosecution service decided to temporarily extend its use to the full spectrum of offences, within the limits specified by law, with the aim to alleviate criminal courts' caseload so that judicial capacity is utilised for the more serious criminal cases and to reduce the frequency of short-term custodial sentences allowing them to be enforced more effectively. The Council for the Judiciary criticised the new approach, considering that it sidelines criminal courts and undermines the rule of law³⁶. The Supreme Court's attorney general had already pointed to a lack of safeguards in the execution of this policy by the Public Prosecution Service³⁷. Police Unions have also contested the new approach, warning that 'officers who work hard to bring cases forward will see their efforts reduced to mere fines or community service orders'³⁸. The Bar Association called to ensure legal assistance and legal aid in this out-of-court settlement procedure³⁹. In response to these concerns, the Public Prosecution Office has communicated that the expansion of the application of the criminal order will be limited to common shoplifting offences, such as shoplifting and receiving stolen goods. In the coming year, the Public Prosecution Office will assess the impact of this decision on the judiciary and victims⁴⁰. In addition, the Procurator General at the Supreme Court announced a follow-up study on this matter⁴¹. The WODC is also conducting research on this matter. The Board of Procurators General awaits the results of these studies and will not issue new instructions to further intensify the use of the penalty order⁴².

Efficiency

The efficiency of the justice system continues to be high. The duration of proceedings in first instance civil, commercial, administrative, and other cases remains short⁴³, and the clearance rate is effective⁴⁴. The estimated time to resolve administrative cases at first instance

³³ Bar Association (2024). The study concludes that in the past five years 900 legal aid lawyers have stopped practicing, which represents 13%. 2 500 legal aid lawyers will retire. There is also evidence of justice seekers unable to find a legal aid lawyer.

³⁴ Van der Meer II Committee (2025); The Government was also taking various initiatives related to education, the professional training and contribution of commercial lawyers. It also announced a project to develop a vision on the future of legal aid lawyers. This project is expected to finish in the third quarter of 2025.

³⁵ Based on Article 257a of the Dutch Code of Criminal Procedure.

³⁶ Council for the Judiciary (2025b)

³⁷ Supreme Court (2022).

³⁸ Dutch prosecutors push for more fines, community service instead of prison, NLTimes (2025).

³⁹ Bar Association (2025).

⁴⁰ Public Prosecution Office (2025a).

⁴¹ Supreme Court (2025).

⁴² Country visit the Netherlands, Government.

⁴³ Figure 4, 2025 EU Justice Scoreboard.

⁴⁴ Figure 9, 2025 EU Justice Scoreboard.

courts rose (267 days in 2023, compared to 257 in 2022)⁴⁵. The rate of resolving civil, commercial and other cases at first instance increased to 100% in 2023⁴⁶. The rate of resolving administrative cases at first instance decreased to 88% in 2023⁴⁷. Data on the efficiency of litigious civil and commercial cases is still lacking⁴⁸.

II. ANTI-CORRUPTION FRAMEWORK

The perception among experts, citizens and business executives is that the level of corruption in the public sector remains relatively low. In the 2024 Corruption Perceptions Index by Transparency International, the Netherlands scores 78/100 and ranks 5th in the European Union and 9th globally⁴⁹. This perception has deteriorated⁵⁰ over the past five years. The 2025 Special Eurobarometer on Corruption shows that 56% of respondents consider corruption widespread in their country (EU average 69%) and 11% of respondents feel personally affected by corruption in their daily lives (EU average: 30%). As regards businesses, 52% of companies consider that corruption is widespread (EU average 63%) and 15% consider that corruption is a problem when doing business (EU average 35%). Furthermore, 47% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 36%), while 45% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 33%)⁵¹.

A first national anti-corruption policy was adopted by the Government. Following consultations launched in 2022⁵², an initiative focused on preventing and combating corruption was adopted by the government in June 2025. The policy sets out four pillars to guide the anti-corruption work: addressing the main vulnerabilities (by completing the pending national risk assessment), strengthening governmental processes and systems, promoting preventive measures in the private sector and ensuring an efficient criminal justice response⁵³. The lack of an anti-corruption strategic framework had been noted in the past⁵⁴.

Public debate over the criminalisation of trading in influence intensified⁵⁵. A number of high-profile corruption cases gave new impetus to the debate on the criminalisation of trading in influence⁵⁶. The Public Prosecution Service and the NIID have however not suggested any changes to the current rules, while civil society organisations strongly reiterated their call to

⁴⁵ Figure 7, 2025 EU Justice Scoreboard.

⁴⁶ Figure 9, 2025 EU Justice Scoreboard.

⁴⁷ Figure 11, 2025 EU Justice Scoreboard.

⁴⁸ Figure 5, 2025 EU Justice Scoreboard.

⁴⁹ The level of perceived corruption is categorised as follows: low (the perception among experts and business executives of public sector corruption scores above 79); relatively low (scores between 79-60), relatively high (scores between 59-50), high (scores below 50).

⁵⁰ In 2020, the score was 82 while in 2024, the score is 78. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points); is relatively stable (changes from 1-3 points) in the last five years.

⁵¹ Data from Special Eurobarometer 561 (2025) and Flash Eurobarometer 557 (2025).

⁵² Dutch Government (2025), written input, pp. 4-5 and Country visit the Netherlands, Ministry of Justice.

⁵³ Dutch Government (2025f), pp. 1-8.

⁵⁴ 2024 Rule of Law Report, the Netherlands, pp. 11-12. As the Netherlands lacked an anti-corruption strategic framework, for example, it scores low on the OECD (2025) Public Integrity Indicator for Quality of the Strategic Framework.

⁵⁵ Ensuring the criminalisation of “trading in influence” is a long-standing objective of civil society organisations, on which no action has been taken so far. 2022 Rule of Law report, the Netherlands, p. 9.

⁵⁶ Trouw (2025) and NRC (2025).

strengthen the existing legal framework⁵⁷. The Government indicated that it would reassess the issue after the adoption of the EU Directive on combating corruption⁵⁸. Legislation on the procedure for the prosecution and trial of Ministers and Members of Parliament, which is considered out of date, is also being updated⁵⁹.

The investigation and prosecution of corruption offences remains effective and cooperation to address corruption linked to organised crime continues. The investigation and prosecution of domestic corruption offences continue to function properly, including in high-level cases, without specific obstacles signalled by the investigators and prosecutors. The Government committed to allocate an additional 5 million EUR to the NIID, the Anti-Corruption Centre of the Fiscal Intelligence and Investigation Service (FIOD) and the judiciary and to fighting corruption in the public sector⁶⁰. In 2024, 29 persons were indicted by the prosecution on charges of corruption (41 in 2023)⁶¹. Additionally, in 2024, courts imposed final convictions in 8 cases in first instance and in 30 cases in second instance⁶². None of the EPPO's cases in 2024 involved corruption offences⁶³. The National Cooperation against Subversive Crime (NSOC) was closed in December 2024 as it did not lead to more effective cooperation⁶⁴. According to the Public Prosecution Service and the responsible ministries, existing cooperation works well in practice⁶⁵. A new Serious Crime Taskforce seeks to stimulate cooperation between law enforcement and the banking sector to target facilitators of organised crime⁶⁶. The FIOD has reassigned posts internally in order to increase capacity to investigate foreign bribery. It is fully operational since May 2025, but this only partially addresses concerns on the effective enforcement of foreign bribery cases⁶⁷. An overall increase of the capacity of the Public Prosecution Service should also have a positive effect. Guidelines for self-monitoring and self-reporting financial economic crimes (including foreign bribery) entered into force on 1 January 2025, providing more clarity for companies. The Public Prosecution Service amended their Directive on the Investigation and Prosecution of Foreign Bribery including on out-of-court settlements, but civil society still consider them too opaque⁶⁸.

⁵⁷ Country visit the Netherlands, Public Prosecution Service and NIID, TI, NHC, FPU;NJC(2025), written input, p. 13, Civil Liberties Union for Europe (2025), p. 742 and Trouw (2025).

⁵⁸ Ministry of Justice (2025a), p. 4. Proposal for a Directive on Combating Corruption COM(2023) 234 final.

⁵⁹ The legislation is in public consultation since January 2025 and is expected to be announced in 2025. It concerns a change of both constitution and law to ensure the prosecution of MP and ministers is conducted with greater independence and led by the prosecutor general. Dutch Government (2024).

⁶⁰ Circa 3 million EUR will go to NIID, FIOD, and the judiciary (including the public prosecution service). 1 million is yet to be divided, but is destined for the anti-corruption policy, which is focused on both public and private sector corruption. 1 million is to be divided between the police, FIOD, NIID and judiciary (including the public prosecution service) for implementing the upcoming EU Directive on combating corruption. Country visit the Netherlands, Public Prosecution Service and law enforcement, Dutch Government (2025), written input, p. 6 and Dutch Government (2025d)

⁶¹ Only data linked to bribery cases. There are no data available on the number of investigations.

⁶² This concerns cases in which breaches of one or several corruption crimes have been proven. The number on final convictions only refers to the number of cases in which convictions were handed down, not to the number of defendants convicted in each case. Dutch Government (2025), written input, pp. 13-14.

⁶³ EPPO (2025), p. 47.

⁶⁴ Following a motion by the House of Representatives. Dutch Government (2025), written input, pp. 7-8, and Motion MP Michon-Derkzen c.s. Parliamentary Papers II 2023-2024, 36 560 VI nr. 15.

⁶⁵ Ministry of Justice (2025a), pp. 7-8 and, country visit the Netherlands, Public prosecution office and MFA.

⁶⁶ Dutch Government (2025a).

⁶⁷ Fiscal Intelligence and Investigation Service (FIOD) with its Anti-Corruption Centre (ACC). Country visit the Netherlands, Public prosecution office, and 2024 Rule of Law Report, the Netherlands, pp. 14-15.

⁶⁸ Dutch Government (2025), written input, p. 7, and TI, NHC, FPU and NJC (2025), pp. 13, 20-21.

Measures have been introduced to detect and prevent unauthorised access to official databases. The police has introduced a new monitoring programme to better flag cases of potential unauthorised access to official databases by corrupt civil servants and police officials⁶⁹. In 2024, the NIID investigated 15 cases of information leakage and 20 cases of corruption in the authorities⁷⁰. The NIID and the Public Prosecution Service continue to issue reports to the relevant authorities on the issuance of data-secure identification documents and on access management in governmental information systems⁷¹.

Plans were announced to improve the coordination of integrity for civil servants to address Court of Audit recommendations. A revised Code of Conduct for civil servants is expected to enter into force on 1 January 2026. It will summarise all integrity rules, provide guidance in decision-making and highlight the importance of a culture of integrity. An external independent integrity committee will also be set up to which civil servants can report suspicions of integrity violations and abuses directly⁷². The Court of Audit identified deficiencies, such as a reluctance to report suspected wrongdoing and a lack of effectiveness of coordination and preventive mechanisms⁷³. In response, the Government had announced an intention to strengthen the coordinating role of the Minister of Internal Affairs, enhance the role of integrity coordinators in individual ministries and monitor the integrity policy within the central government⁷⁴. The police is also further expanding its integrity department and reflecting on ways to implement GRECO's outstanding recommendation on the registration of gifts within the police⁷⁵.

The Government had announced its intention to review the asset and interest declaration regime of ministers and state secretaries in 2027. Under the 2022 Code of Conduct⁷⁶, ministers must report any acceptance of financial interests to the House of Representatives. There is however no oversight mechanism and the system relies on self-responsibility and the principle of parliamentary trust⁷⁷, on which stakeholders continue voice doubts⁷⁸. A former Government had introduced new integrity measures, including a self-assessment of new ministers, the appointment of two high-level integrity advisers for both ministers and state secretaries, and training sessions on integrity upon taking office⁷⁹. This policy was put into practice in the context of the government formation in 2024⁸⁰. The Ministry of Internal Affairs considers this policy to be sufficiently effective, while the resignation of a State Secretary in

⁶⁹ The programme includes algorithmic risk analysis. Problems on this topic relate to inadequately equipped IT systems which are not able to track the identity of persons accessing the specific data in an unauthorised manner. Dutch Government (2025), written input, p. 8, and country visit the Netherlands, police. See also 2024 Rule of Law Report, the Netherlands, pp. 12-13.

⁷⁰ Public Prosecution Service (2025b), p. 64.

⁷¹ Public Prosecution Service (2025b), pp. 64-65.

⁷² Dutch Government (2025), written input, pp. 6 and 10 and Ministry of Justice (2025a), p. 6.

⁷³ Court of Audit (2024) and country visit the Netherlands, Court of Audit.

⁷⁴ Minister of Internal Affairs and Kingdom Relations (2025b), pp. 2-4.

⁷⁵ Dutch Government (2025), written input p. 6, and country visit the Netherlands, police.

⁷⁶ 2024 Rule of Law Report, The Netherlands, p. 16.

⁷⁷ Government members can be requested to resign from office if they lose the confidence of a parliamentary majority. See 2024 Rule of Law Report, The Netherlands, p. 16.

⁷⁸ The effectiveness of the Code of Conduct was criticised previously by GRECO and the Open State Foundation, and this criticism was once again confirmed by Transparency International. 2024 Rule of Law report, p. 16.

⁷⁹ 2024 Rule of Law Report, the Netherlands, p. 16.

⁸⁰ Dutch Government (2025), written input, pp. 9-10, and Ministry of Justice (2025a), p. 5.

relation to his asset declaration highlighted issues with the existing approach⁸¹. In response, the Government had announced its intention to review the asset declaration rules in 2027, ahead of the next elections⁸², which was criticised as possible revised rules would only apply as of the next legislature⁸³.

The enforcement of the existing system of asset and interest declarations in Parliament is under public scrutiny. Issues remain with the asset and interest declarations in both houses of Parliament and with the overall mandate of the College of Investigation of Integrity⁸⁴. The independent integrity adviser of the House of Representatives circulated a memorandum in March 2024 on members of Parliament's obligations. In September 2024, the House also amended the Code of Conduct to allow the College of Investigation of Integrity to consider failures to comply with an instruction or suspension by the College⁸⁵. Stakeholders signalled that over one third of MPs do not, or only insufficiently, declare their side jobs and interests and that rules are not enforced⁸⁶. While the College of Investigation of Integrity continues to investigate MP's failures to declare assets and interests on the basis of individual complaints, there has so far been no further follow-up concerning the overall functioning of the system⁸⁷. On rules in the Senate, civil society stated that the Presidium of the Senate is not well equipped to investigate and sanction violations of asset and interest declaration rules⁸⁸.

There has been significant progress on the recommendation on rules on revolving doors as the relevant law was adopted by the House of Representatives⁸⁹. The new law introduces an obligatory period of two years during which former ministers and state secretaries would have to seek advice from an Advisory Board on their new, paid employment⁹⁰ was adopted by the House of Representatives in June 2025⁹¹. Civil society criticised the proposed system, saying that it falls short of international standards, given it would nearly entirely rely on self-responsibility and a "naming-and-shaming" mechanism, and does not require mandatory follow-up to the advice received⁹². Given the advances made in the legislative process, there has been significant further progress on rules on revolving doors.

Limited progress has been made on the recommendation on transparency of lobbying⁹³, as the Government announced some procedural improvements but a substantial reform

⁸¹ Country visit the Netherlands, Ministry of Interior and Kingdom Relations; Ministry of Justice (2025a), p. 5, Transparency International (2024a).

⁸² Ministry of Justice (2025a), p. 5 and Minister-President's Office (2025).

⁸³ Country visit the Netherlands, Transparency International.

⁸⁴ 2024 Rule of Law Report, the Netherlands pp. 16-17, Country visit the Netherlands, Transparency International and Civil Liberties Union for Europe (2025), pp. 746-748.

⁸⁵ Parliament (2025), pp. 5-6.

⁸⁶ Following media reports on the matter, Transparency International sent a letter on the matter to GRECO. 2024 Rule of Law report, the Netherlands, p. 16-17.

⁸⁷ Country visit the Netherlands, Transparency International.

⁸⁸ Civil Liberties Union for Europe (2025), pp. 746-748.

⁸⁹ The 2024 Rule of Law Report recommended the Netherlands to 'Complete the revision of rules on revolving doors involving former ministers and state secretaries, including a two-year cooling-off period and restrictions on paid activities'.

⁹⁰ The Draft Law on Rules follow-up functions of Ministers and State Secretaries 2023 was introduced in parliamentary procedure in April 2024. See 2023 Rule of Law Report, the Netherlands, pp. 14-15 and 2024 Rule of Law Report, the Netherlands pp. 17-18.

⁹¹ House of Representatives (2025)

⁹² TI, NHC, FPU and NJC input (2025), p. 14 and Civil Liberties Union for Europe (2025), p. 744.

⁹³ The 2024 Rule of Law Report recommended the Netherlands to 'establish stricter transparency rules on lobbying for members of the Government and Parliament'.

of existing rules has not yet taken place. Following calls for a transparency register for ministers and state secretaries, and a first study on how transparency could be promoted in the Government⁹⁴, a second study was published in 2024⁹⁵. These studies have questioned the effectiveness of the existing system⁹⁶. The latest study recommends stronger measures to ensure transparency of lobbying, such as a transparency register⁹⁷. As a follow-up, the Government announced procedural improvements to the existing system, such as simplifying the page where the agendas are published and providing further guidance to ministers on how these should be published. It however explicitly ruled out, for the time being, a more substantial reform of the existing system or the creation of a transparency register⁹⁸. While the policy options have not been decided yet, the government initiated consultations with relevant stakeholders regarding the establishment of a transparency register, should this option be considered in the future⁹⁹. Civil society organisations have argued that, as shown by the study, only a transparency register can bring the necessary efficiency and transparency, and continued to criticise the lack of effectiveness of the existing system¹⁰⁰. Given the procedural improvements made, but as a substantial reform has not taken place yet, there has been limited progress as regards transparency of lobbying.

The Political Parties Act was submitted to Parliament, following advice from the Council of State. The draft new Political Parties Act was submitted to Parliament in May 2025¹⁰¹. The Act introduces transparency rules on the organisation of political parties. It would also incorporate the existing Act on Political Party Financing¹⁰². The Act also enables the financing of local political parties. The Ministry of Internal Affairs revised the legislation in particular as regards bans or limits on foreign donations. The Council of State had initially recommended to further elaborate these provisions¹⁰³.

Debate is ongoing over a revision of the whistleblower legislation. Possible amendments to the whistleblower legislation¹⁰⁴, such as introducing anonymous reporting, and supervisory and sanctioning powers for the Whistleblower's Authority, are being considered¹⁰⁵. They were also called for by civil society¹⁰⁶. The Whistleblower's Authority and civil society highlighted the complexity of the legislation and the difficulty to meet the "public interest" criterion, which

⁹⁴ This study concluded that instead of implementing a lobbying register, the Government should strengthen the rules on transparency already in place, namely the publishing of ministerial agendas and legislative footprints, see also the 2024 Rule of Law Report, the Netherlands, pp. 18-19.

⁹⁵ Leiden University (2024).

⁹⁶ The existing system relies on the publishing of legislative footprints, of an overview of the stakeholders consulted in the legislative process, of ministerial agendas, of appointments of ministers by disclosing subject of the appointment and the contact person under the sole responsibility of each member of Government. 2024 Rule of Law Report, the Netherlands, pp. 18-19.

⁹⁷ Leiden University (2024), pp. 4-8 and pp. 51-52.

⁹⁸ Ministry of Internal Affairs and Kingdom Relations (2025a).

⁹⁹ This step was also among the recommendations from the previously mentioned studies. The results of these consultations will be shared with Parliament immediately after the summer of 2025.

¹⁰⁰ Transparency International (2025a, b).

¹⁰¹ Country visit the Netherlands, Ministry of Interior and Kingdom Relations and Dutch Government (2025e).

¹⁰² The Political Parties Act aims to regulate, amongst other provisions, foreign parties' activities and includes a prohibition on parties that "present a clear and present danger of undermining or abolishing the democratic rule of law". 2024 Rule of Law Report, pp. 18-19.

¹⁰³ Council of State (2024).

¹⁰⁴ In force since 2023 and aimed at transposing the EU Directive on whistleblower protection. 2023 Rule of Law Report, the Netherlands, p. 16.

¹⁰⁵ Dutch Government (2025), written input, p. 10.

¹⁰⁶ Transparency International (2024b).

is required for protecting persons reporting on wrongdoings, other than violations of EU law, within the meaning of the whistleblower law¹⁰⁷. Current reports stem mainly from the private sector¹⁰⁸ and concern unsafe environments at work¹⁰⁹. There is no specific data on the number of reports that relate to corruption.

Work continues on targeting bribery of government officials by organised crime and on the identification of other priority sectors. The Flash Eurobarometer on Businesses' attitudes towards corruption in the EU shows that 19% of companies in the Netherlands (EU average 25%) think that corruption has prevented them from winning a public tender or a public procurement contract in the last three years¹¹⁰. The Single Market and Competitiveness Scoreboard on access to public procurement in the Netherlands reports 19% of single bids for 2023 (EU average 29%) and 64% of businesses perceive the level of independence of the public procurement review bodies (district courts) as very or fairly good¹¹¹. Public procurement is seen as one of the main areas at high risk of corruption in the country¹¹². The National Risk Assessment on Corruption, commissioned in April 2024, is expected to be finalised by the end of 2025¹¹³. A specific governmental programme on combating subversive organised crime continues, with corruption considered part of this approach and corruption risks in public and private bodies being assessed¹¹⁴. As threats towards local politicians have intensified, an evaluation recommends reforming the Network of Resilient Governance¹¹⁵. The proposed legislation on increased municipal risk screening remains in the legislative process¹¹⁶. The health sector remains particularly at risk of corruption. The public private partnership between FIOD-ACC and the banking sector therefore focuses on the health sector to detect corruption amongst healthcare professionals¹¹⁷. The Whistleblower's Authority is currently screening the integrity of management systems in hospitals and will issue guidelines for hospitals in 2025¹¹⁸.

III. MEDIA PLURALISM AND MEDIA FREEDOM

The media regulator continues to operate efficiently and independently. The media regulator followed up on the recommendations of the Committee¹¹⁹ set-up by the foundation

¹⁰⁷ Whistleblower's Authority (2025), p. 11, TI, NHC, FPU and NJC input (2025), p. 18, Transparency International (2024b) and Country visit the Netherlands, Whistleblower's Authority and Transparency International.

¹⁰⁸ Country visit the Netherlands, Whistleblower's Authority.

¹⁰⁹ Threats, intimidation, abuse of power, etc.

¹¹⁰ Flash Eurobarometer 557 on Businesses' attitudes towards corruption in the EU (2025). This is 6 percentage points below the EU average.

¹¹¹ Figure 59, 2025 EU Justice Scoreboard.

¹¹² 2024 Rule of Law Report, the Netherlands, p. 20.

¹¹³ The risk assessment will be carried out by the WODC and aims to identify the largest corruption threats, the overall risk-level of these threats as well as potential resilience against corruption in the public and private sectors at a local, provincial and national level. This is one of the four different risk assessments that are ongoing. 2024 Rule of Law Report, The Netherlands p. 12; Ministry of Foreign Affairs (2024a), p. 7 and Ministry of Justice (2025a), pp. 6-7.

¹¹⁴ 2024 Rule of Law Report, the Netherlands, pp. 12-13 and Ministry of Foreign Affairs (2024a), p. 6.

¹¹⁵ Dutch School for Public Administration (2024).

¹¹⁶ Dutch Government (2025), written input, pp. 9-10 and Country visit the Netherlands, Ministry of Justice and Ministry of Interior.

¹¹⁷ Ministry of Foreign Affairs (2024a), p. 8 and Dutch Government (2025), written input, p. 11, and TI, NHC, FPU and NJC (2025), p. 19. This follows a large corruption case at a major cardiology department, see 2024 Rule of Law Report, pp. 20-21.

¹¹⁸ Country visit the Netherlands, Whistleblower's Authority.

¹¹⁹ Investigation Committee on Conduct and Culture of Broadcasters (OGCO).

for public broadcasting (‘NPO’) to investigate misconduct and unsafe working environments within national public broadcasters. For instance, it reported on the action plans it had asked all public broadcasters and their umbrella organisation – the ‘NPO’¹²⁰ – to submit, emphasising the need for strong leadership, improved supervision, and renewed ethical standards to support long-term cultural change¹²¹. It also adopted a Multiannual Strategy 2025-2030, which focusses on strengthening news services, ensuring a well-functioning public media landscape, and creating a safer online environment for minors, acknowledging the growing influence of social media and AI-driven content distribution¹²².

Steps have been taken to address certain concerns about the adequacy of the Press Council¹²³. The Press Council took action in response to concerns from several media outlets that it was increasingly being used as a preparatory step for legal proceedings, undermining its role as a self-regulatory, non-judicial body. Questions had also been raised on its ability to handle complex cases¹²⁴. To counter this, the Press Council, for instance, introduced limitations on the volume and complexity of complaints it will look at, aiming to prioritise cases where its mediation role can be the most efficient¹²⁵. It also introduced a new policy requiring complainants to waive legal action regarding the same publication if they wish to submit their case to the Council¹²⁶. Whilst complainants and respondents may be assisted by lawyers, the Council encourages direct participation to avoid hearings becoming more formal than intended by this ‘self-regulatory’, free of charge and voluntary procedure. While it is still too early to fully assess the impact of these changes, NGOs and the Dutch Journalists’ Association (NVJ) have expressed cautious optimism. They also underline the importance of broad media participation in the Council system, which still enjoy support from most major outlets¹²⁷.

The Government had prepared a reform of the public service media, marking some progress on the recommendation to strengthen its governance and capacity to uphold journalistic standards¹²⁸. Preparatory work is underway for a legislative proposal on the reform of public service media to be carried out in line with the European Media Freedom Act (EMFA) and expected to be tabled in 2026¹²⁹. In preparation for this legislative proposal, a detailed policy letter was issued in May 2025¹³⁰. It proposes to reduce the number of public service media outlets and outlines concrete measures to strengthen editorial independence, journalistic standards and oversight. New accountability mechanisms would also be introduced, and the current licensing system abolished. A policy letter providing additional

¹²⁰ *Nederlandse Publieke Omroep*.

¹²¹ Country visit, the Netherlands, Dutch media regulator.

¹²² NPO (2024).

¹²³ 2024 Rule of Law Report, the Netherlands. The Press Council (*Raad voor de Journalistiek*) monitors journalistic ethical standards and examines complaints about potential violations of good journalistic practice. It can issue opinions, which are made public. Unlike courts, it cannot impose rectifications or sanctions.

¹²⁴ NGOs (2025), written input, p. 23.

¹²⁵ Press Council (2023).

¹²⁶ Press Council (2025), written input, p. 11.

¹²⁷ NGOs (2025), written input, p. 23, and country visit the Netherlands, Dutch Journalists’ Association.

¹²⁸ The 2024 Rule of Law Report recommended the Netherlands to ‘Enhance the governance of public service media and its ability to uphold journalistic standards, taking into account European standards on public service media’.

¹²⁹ Dutch Government (2025), written input p. 8.

¹³⁰ Dutch government (2025).

details is to be issued. In parallel, confirmed annual budget cuts starting in 2027¹³¹ have raised concerns about the ability of the public broadcaster to continue fulfilling its mandate across all platforms and audiences¹³². Concerns have also been raised following the announcement of VAT increases on cultural goods, including print and online media, given their potential impact on the revenue of media outlets¹³³. In response, Parliament submitted a motion urging the Government to consider alternatives. Discussions on this matter are still ongoing¹³⁴. The Government is also working on a proposal to support public local and regional news media¹³⁵. Given the preparatory steps taken to reform public service media, some progress is noted on this recommendation.

Challenges related to a high level of media market concentration and limited media ownership transparency remain. The Government had announced a legislative proposal for the implementation of EMFA provisions on the assessment of media market concentrations with potentially significant impact on media pluralism and editorial independence¹³⁶. The media regulator faces challenges in accessing full information about media ownership, especially in complex financial structures for the purposes of its Media Monitor¹³⁷. The media regulator sees the requirements under EMFA as positively contributing to increasing ownership transparency. The merger between DPG Media and *RTL Nederland* was conditionally approved by the Dutch Authority for Consumers and Markets (*Autoriteit Consument & Markt*) in June 2025, concluding a lengthy investigation into its implications for market dominance and media diversity. To safeguard editorial independence and ensure continued access to pluralistic news, the ACM imposed a set of structural conditions¹³⁸. Prior to the decision, while the media regulator noted that the consolidation of the media market would help domestic media to compete with large international players¹³⁹, stakeholders had criticised it inter alia for its potential negative impact on media pluralism, the ability of other media to compete for advertising, and the potential increase in uncertainty about working conditions of (freelance) journalists¹⁴⁰. The Media Pluralism Monitor 2025 observes that while risks to media market plurality are medium-high, editorial independence continues to be assessed at very low risk¹⁴¹.

¹³¹ As confirmed by the Ministries and NPO during the country visit, the Dutch government announced three cuts to the NPO's 2027 budget (i.e. 10% of the current budget): EUR 100 million in early 2024, EUR 6.6 million in October 2024 as part of wider subsidy reductions, and EUR 50 million in December 2024.

¹³² Country visit, the Netherlands, NPO.

¹³³ NGOs (2025), written input, pp. 24-25.

¹³⁴ Dutch Government (2025), written input, p. 8.

¹³⁵ *Voorstel Wet versterking lokale publieke omroepen*; NGOs (2025), written input, p. 27. This reform aims to professionalise the sector at local level, increase independence, and introduce direct state funding (EUR 18 million).

¹³⁶ Ministries (2025), written input, pp. 14-15.

¹³⁷ Country visit the Netherlands, Media regulator. The Media Monitor is the media regulator's annual publication that tracks developments in the media landscape, particularly regarding media concentration, diversity and pluralism.

¹³⁸ RTL Nieuws and NU.nl must remain free to access online, produced by separate editorial teams with no content or data sharing, and governed by independent foundations empowered to veto key editorial decisions. Additionally, DPG Media is required to formalize editorial budget processes and may not sell or discontinue national news outlets without the consent of a media plurality watchdog, Stichting Democratie en Media. The ACM also concluded that the deal would not affect the negotiating position of either employed or freelance journalists. (source: NL Times article, *Dutch regulator approves DPG Media-RTL Nederland merger; Journalism quality must remain*, 27 June 2025)

¹³⁹ Media regulator (2025), written input, p. 4.

¹⁴⁰ NGOs (2025), written input, pp. 22-23; Country visit the Netherlands, Dutch Association of Journalists.

¹⁴¹ Media Pluralism Monitor (2025), pp. 17, 18, 21.

Efforts continued to improve transparency and access to information. A central dashboard aiming to improve the processing of requests for access to information is publicly available since 1 January 2025. Additionally, the Government maintains a dialogue with an advisory board and journalists to identify challenges to access governmental documents and potential solutions¹⁴². The Government will also conduct a study to gain better insights into the concrete administrative burden resulting from the Open Government Act. The results of this study will be the basis for an evaluation of the Act, foreseen at the end of 2025, and potential improvement measures. Proactive disclosure is also promoted through a central repository¹⁴³. Meanwhile, some concerns remain notably on delays in processing requests¹⁴⁴ due to multiple legal and political reviews required for the release of information¹⁴⁵.

The safety of journalists has improved. The *PersVeilig* initiative has been lauded by stakeholders¹⁴⁶ and has continued its important role in enhancing the safety of journalists, both online and offline. It will receive a structural funding of EUR 500 000 annually and become a foundation, with a board comprised of representatives of public service media, publishers and the Dutch Association of Journalists¹⁴⁷. Since the criminalisation of doxing¹⁴⁸, only a few cases of journalists' doxing have been reported, and an informal inquiry has shown that the number of cases decreased¹⁴⁹. Despite these improvements, journalists are still victims of threats¹⁵⁰. Stakeholders raised concerns about political interference, intimidation and the hardening political rhetoric towards journalists, especially those working for the public broadcaster. Civil society organisations warn that this environment can create a chilling effect – discouraging journalists from covering certain topics or expressing critical views – ultimately affecting press freedom and contributing to a decline in perceived safety¹⁵¹. Since the publication of the 2024 Rule of Law report, one alert from May 2024 was registered on the Council of Europe's Platform concerning a journalist threatened with death¹⁵². The Mapping Media Freedom platform has identified 22 alerts¹⁵³. The Government is preparing a legal proposal to implement the anti-SLAPP Directive, aiming for adoption by May 2026. The proposal has been subject to consultation and advice from the Advisory Division of the Council of State¹⁵⁴. NGOs called for the inclusion of the Directive's definition of SLAPPs, stronger safeguards such as early dismissal and full cost compensation, and an extension to domestic cases¹⁵⁵. While SLAPPs

¹⁴² The repository is known as the 'Woo index'. Dutch Government (2025), written input, pp. 15-16.

¹⁴³ Dutch Government (2025), written input, pp. 9-10.

¹⁴⁴ NGO investigations reveal that central government authorities take an average of 172 days to respond to freedom of information (FOI) requests exceeding the legal maximum of 42 days (NGOs (2025), written input, p. 31).

¹⁴⁵ NGOs (2025), written input, p. 31 and country visit the Netherlands, Dutch Association of Journalists.

¹⁴⁶ Country visit the Netherlands, Dutch Association of Journalists (NVJ), NPO, and NDP Nieuwsmedia.

¹⁴⁷ Country visit the Netherlands, Dutch Government (2024), as also confirmed by the Ministry of Education, Culture and Science (2025) during the country visit.

¹⁴⁸ As defined by Reporters without Borders on their website, Doxing is a form of online harassment in which a target's personal and sensitive information is posted publicly on the internet with the intent of causing harm, intimidating the victim and damaging their reputation, and is regularly used against journalists.

¹⁴⁹ Ministries (2025), written input, p. 11.

¹⁵⁰ Country visit the Netherlands, NVJ. The Press Council has also noted that more journalists report being threatened to refrain them from doing their job; Press Council (2025), second badge of written input, p. 1.

¹⁵¹ NGOs (2025), written input, pp. 25, 26, 30.

¹⁵² Council of Europe Platform to promote the protection of journalism and safety of journalists (2025). The national authorities have since replied to the report.

¹⁵³ As of March 2025, the Mapping Media Freedom Platform has registered 22 alerts concerning the Netherlands, including cases of intimidation, pre-publication legal warnings or injury. Mapping Media Freedom (2025).

¹⁵⁴ Ministries (2025), written input, p. 16.

¹⁵⁵ CASE (2024); NGOs (2025), written input, p. 34; Country visit the Netherlands, NGOs, NPO and NDP

are not seen as a systemic issue in the Netherlands, concerns persist about their potential impact, and a full assessment is challenging due to limited reporting mechanisms¹⁵⁶. The Government will further monitor developments in dialogue with stakeholders and the Council for the Judiciary¹⁵⁷.

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

Some progress was made on the recommendation to follow up on the proposals of the State Commission on the Rule of Law, with a series of measures taken by state authorities¹⁵⁸. The State Commission¹⁵⁹ presented its final Report on 10 June 2024, with ten proposals aimed at strengthening the legal protection of citizens. These proposals notably cover the strengthening of a rule of law culture among Government officials, politicians and civil servants, enhanced access to information and justice for citizens, further possibilities for constitutional review of legislation and significant investments in the judiciary and legal aid. The State Commission also called for a structured dialogue between the state powers based on a ‘rule of law agenda’¹⁶⁰. The Government already welcomed the idea of a structured dialogue between the state powers¹⁶¹. Parliament established a Temporary Committee on Human Rights and Constitutional Review and called in November 2024 on the Government to present a plan of action with proposals for monitoring and strengthening the rule of law¹⁶². On 21 February 2025 the Government put forward an outline of future proposals to enable judicial constitutional review of legislation, as well as the establishment of a Constitutional Court¹⁶³. It also expressed the intention to restructure the Administrative Jurisdiction Division of the Council of State¹⁶⁴. The Council for the Judiciary observed a trend of more attention being dedicated by courts to the legal protection of citizens in administrative cases¹⁶⁵. At the same time, together with the Bar association, NIHR and several CSOs, it expressed concerns regarding the Government’s plan to introduce automated decision-making in administrative processes and to abolish appeal procedures in the areas of asylum and environmental protection¹⁶⁶. Overall, there has been some progress on ensuring an adequate follow-up to the

Nieuwsmedia.

¹⁵⁶ Country visit the Netherlands, NVJ.

¹⁵⁷ Ministries (2025), written input, p. 16.

¹⁵⁸ The 2024 Rule of Law Report recommended the Netherlands to ‘Ensure an adequate follow-up to the recommendations of the State Commission on the Rule of Law, strengthening the legal protection of citizens’.

¹⁵⁹ Decree of 10 February 2023, No 2023000364 establishing a State Commission on the rule of law.

¹⁶⁰ State Commission on the Rule of Law (2024).

¹⁶¹ Dutch Government (2025), written input, p. 17; The Council for the Judiciary called for this dialogue to focus on the functioning of the democratic rule of law, for instance on unjust or restrictive legislation. Council for the Judiciary (2025), written input, p. 3. The Ombudsperson called on the Government to follow up to his report on ways to repair damages suffered by citizens due to Government action; National Ombudsman, (2023).

¹⁶² Motion tabled on 21 November 2024; Country visit the Netherlands, Parliament.

¹⁶³ Dutch Government (2025a).

¹⁶⁴ Dutch Government (2025b), p. 17. The situation in which some Council of State councillors combine both advisory and judiciary functions has been phased out; Country visit, Council of State.

¹⁶⁵ Country visit the Netherlands, Council for the Judiciary.

¹⁶⁶ Council for the Judiciary (2025), written input, p. 2; Bar Association (2025), written input, pp. 1, 2 referring to the report on the rule of law quality of the Government programme; NIHR (2025), written input, pp. 8, 9; NJCM indicated that this could be a violation of the Convention on access to information, public participation in decision-making, and access to justice in environmental matters, Aarhus, 25 June 1998. Country visit the Netherlands, NJCM.

recommendations of the State Commission on the Rule of Law, strengthening the legal protection of citizens.

Shortcomings in the consultation of stakeholders on a legislative package with important legal and social consequences have given rise to serious concerns. As a general practice, the Government involved stakeholders by means of online consultations during the drafting process of legislation¹⁶⁷. In December 2024, the Government bypassed the regular consultation process regarding important legislative proposals in the area of migration and asylum, only allowing for a limited consultation with very short deadlines¹⁶⁸. The Council of State strongly criticised the lack of due consultation of the judiciary and other stakeholders, considering the limitation of the number of organisations that were given an opportunity to submit their views and the short deadline that was given to them¹⁶⁹. The Netherlands Institute for Human Rights emphasised in a letter to the Government and to Parliament the importance of a thorough, transparent and inclusive procedure for adopting legislation in a democratic state based on the rule of law and the safeguarding of human rights¹⁷⁰. The Ombudsperson and the Children's Ombudsperson issued a joint letter arguing that the measures violate children's rights and demonstrate improper administration¹⁷¹. Several CSOs warned that the handling of the consultation process could be considered a worrying precedent for future legislative processes¹⁷².

The Netherlands Institute for Human Rights has taken measures to address its governance issues. The Netherlands Institute for Human Rights (NIHR) is accredited with an A-status¹⁷³. To address governance issues, based on the findings of a committee of enquiry¹⁷⁴, the NIHR has drafted administrative regulations¹⁷⁵ and was, as of June 2025, recruiting a new chairperson and vice chairperson. Further college members were appointed as well¹⁷⁶. The Government has been preparing amendments to the Act on the NIHR to guarantee the full implementation of its new mandate of National Prevention Mechanism¹⁷⁷. The NIHR has called for an expansion of the scope of the Equal Treatment Act to allow it to also examine complaints on discrimination resulting from unilateral governmental action. It called for additional resources, also in view of its new mandate to examine complaints on discrimination in the Caribbean part of the Netherlands¹⁷⁸.

¹⁶⁷ VNO-NCW reports to be generally consulted on draft legislation. Country visit, VNO-NCW.

¹⁶⁸ Country visit the Netherlands, Council for the Judiciary, Dutch Association for the Judiciary, Bar Association, and NJCM; DutchNews (2025).

¹⁶⁹ Council of State (2025).

¹⁷⁰ NIHR (2025), written input, p. 9; NIHR (2024); Country visit the Netherlands, NIHR: 'From a human rights perspective, a thorough procedure is required to weigh all interests. It must be clear which impact a proposed measure will have on human rights, also in its execution'.

¹⁷¹ Ombudsmen (2025).

¹⁷² Country visit the Netherlands, NJCM.

¹⁷³ Accreditation is provided by the Global Alliance of National Human Rights Institutions (GANHRI). The NIHR was re-accredited in December 2020, see GANHRI (2020). Accreditation is based on the Principles relating to the Status of National Institutions (The Paris Principles), adopted by the United Nations General Assembly resolution 48/134 of 20 December 1993.

¹⁷⁴ Dutch Government (2025), written input, p. 17. 2024 Rule of Law Report, the Netherlands, p. 28.

¹⁷⁵ The regulations were adopted on 17 February 2025. Country visit the Netherlands, Netherlands Human Rights Institute.

¹⁷⁶ Country visit the Netherlands, NIHR; On 24 March 2025, two new college members were appointed.

¹⁷⁷ National Preventive Mechanism under the Optional Protocol to the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

¹⁷⁸ NIHR (2025), written input, p. 4.

Over two thirds of the companies surveyed in the Netherlands express confidence in the effectiveness of investment protection. 68% of companies are very or fairly confident that investments are protected by law and courts¹⁷⁹. Stakeholders confirmed that they do not see an issue with investment protection in the Netherlands. As regards authorities relevant for economic operators, 75% of companies perceive the level of independence of the national competition authority (the Authority for Consumers and Markets) as very or fairly good¹⁸⁰. A number of judicial mechanisms are in place at the level of the Council of State to ensure the implementation of administrative court judgments, including disciplinary actions against the responsible officials, the possibility to substitute the annulled administrative act, and to award direct and consequential damages and compensation¹⁸¹.

On 1 January 2025, the Netherlands had 7 leading judgments of the European Court of Human Rights pending implementation, an increase of 2 compared to the previous year¹⁸². At that time, the Netherlands' rate of leading judgments from the past 10 years that had been implemented was at 59% (compared to 67% in 2024; 41% remained pending), and the average time that the judgments had been pending implementation was 3 years and 2 months (compared to 3 years and 9 months in 2024)¹⁸³. The oldest leading judgment, pending implementation for more than 8 years, concerns the de facto irreducibility of a life sentence imposed on a prisoner suffering from mental illness¹⁸⁴. As regards the respect of payment deadlines, on 31 December 2024 there were no cases awaiting confirmation of payments (same as in 2023)¹⁸⁵. On 16 June 2025, the number of leading judgments pending implementation had increased to 10¹⁸⁶.

The space for civil society organisations has narrowed and is affected by a combination of funding cuts and a risk of new legal obstacles. The Netherlands' civil society landscape has narrowed¹⁸⁷. Several CSOs point to a change in the general political discourse questioning their legitimacy, agenda and sources of funding¹⁸⁸. The NIHR and CSOs expressed serious concerns about the impact of large funding cuts on human rights defenders and civil society, both nationally and internationally. The NIHR called on the Government to ensure access to resources for civil society to enable them to perform their function effectively, ensuring respect

¹⁷⁹ Figure 55, 2025 EU Justice Scoreboard. Only 12% of the surveyed investors perceive the frequent changes in legislation, or concerns about the quality of the law-making process, and the quality, efficiency or independence of justice, as a reason for the lack of confidence in investment protection.

¹⁸⁰ Figure 60, 2025 EU Justice Scoreboard.

¹⁸¹ Figure 49, 2025 EU Justice Scoreboard. The data presented reflects exclusively the mechanisms in place at the level of the highest administrative jurisdictions; the same or other mechanisms may be in place at lower instance administrative courts.

¹⁸² For an explanation of the supervision process, see the [website](#) of the Council of Europe.

¹⁸³ All figures calculated by the European Implementation Network (EIN) and based on the number of cases that are considered pending at the annual cut-off date of 1 January 2025. EIN (2025), written input, p. 7.

¹⁸⁴ Judgment of the ECtHR, 10511/10, *Murray v. the Netherlands*, pending implementation since 2008.

¹⁸⁵ Council of Europe (2025), p. 157.

¹⁸⁶ Data according to the online database of the Council of Europe (HUDOC).

¹⁸⁷ See the rating given by CIVICUS, ratings are on a five-category scale defined as: open, narrowed, obstructed, repressed, and closed. The CIVICUS Monitor announced in a new report in December 2024 that it has downgraded the Netherlands' civic space to "Narrowed" in its annual ratings report. The rating change reflects a persistent policy of repressing peaceful protests.

¹⁸⁸ Netherlands Helsinki Committee, Free Press Unlimited, Transparency International Nederland, NJCM, Lawyers for Lawyer and PILP (2025), written input, p. 43; Goede Doelen Nederland (2025), written input, p. 17.

for the right of association¹⁸⁹. The draft law on Transparency of CSOs was adopted by the House of Representatives on 1 April 2025. It is now pending in the Senate. The NIHR and several CSOs remain concerned about legal certainty and alleged stigmatising effect of reporting requirements¹⁹⁰. The Government is exploring ways to make a sharper distinction between (peaceful) demonstrations and disruptive actions, while the NIHR voiced the concern that this could lead to arbitrary decisions on the lawfulness of demonstrations and legal uncertainty, discouraging demonstrations¹⁹¹. The NIHR and several CSOs expressed concerns about measures taken by public authorities¹⁹², such as the use of emergency ordinances to prohibit or disband protests, considering them to be disproportionate¹⁹³. The Government is also exploring further representativeness requirements for CSOs initiating public interest proceedings in court¹⁹⁴. The NIHR, the Dutch Association for the Judiciary and Bar Association pointed out that additional requirements could negatively impact CSOs access to court¹⁹⁵.

¹⁸⁹ NIHR, written input, p. 14, 17; The Government announced a 70% cut of the budget for human rights programmes. CSOs can only apply for these funds if at least 50% of their income comes from non-state funding. Further cuts have been announced in the educational, culture and healthcare sector and tax benefits on corporate donations are under discussion; Netherlands Helsinki Committee, Free Press Unlimited, Transparency International Nederland, NJCM, Lawyers for Lawyer and PILP (2025), written input, p. 37.

¹⁹⁰ The draft aims to introduce transparency requirements to prevent donations undue foreign influence. The draft provisions introduce the possibility to make targeted enquiries about foreign donations above a certain threshold and for the Courts to impose penalties; NIHR (2025), written input, p. 11; Netherlands Helsinki Committee, Free Press Unlimited, Transparency International Nederland, NJCM, Lawyers for Lawyer and PILP (2025), written input, pp. 36, 37; Goede Doelen Nederland (2025), written input, p. 16; 2024 Rule of Law Report, the Netherlands, p. 30.

¹⁹¹ Dutch Government (2024), p. 101; NIHR, written input, , p. 12. A study on the right to protest is currently being conducted by the Scientific Research and Data Centre on the right to protest. The results of this study are expected in the summer of 2025.

¹⁹² NIHR (2025), written input, p. 13; Country visit the Netherlands, Amnesty International; Netherlands Helsinki Committee, Free Press Unlimited, Transparency International Nederland, NJCM, Lawyers for Lawyer and PILP (2025), written input, p. 41; Civil Liberties Union for Europe (2025), pp. 781-784.

¹⁹³ Netherlands Helsinki Committee, Free Press Unlimited, Transparency International Nederland, NJCM, Lawyers for Lawyer and PILP (2025), written input, p. 40; Goede Doelen Nederland (2025), written input, p. 17; Ministry of Internal Affairs and Kingdom Relations (2025).

¹⁹⁴ Dutch Government (2024), p. 85; A comparative study under the auspices of the Scientific Research and Data Centre published in June 2025 concluded that the current interpretation of the representativeness requirement raises concerns under the Convention on access to information, public participation in decision-making and access to justice in environmental matters, Aarhus, 25 June 1998; E. de Jong et al. (2025); Netherlands Helsinki Committee, Free Press Unlimited, Transparency International Nederland, NJCM, Lawyers for Lawyer and PILP (2025), written input, p. 38; Goede Doelen Nederland (2025), written input, p. 9; P. Veerman, L. Bryk, M.B. Hendrickx (2024); Netherlands Helsinki Committee, Free Press Unlimited, Transparency International Nederland, NJCM, Lawyers for Lawyer and PILP (2025), p. 38.

¹⁹⁵ NIHR (2025), written input, p. 11; Dutch Association for the Judiciary(2025), written input, p. 20; Country visit the Netherlands, Bar Association; Aarhus Convention, article 9 (access to justice). The Meijers Committee called for representation requirements to either be eliminated for ideologic action or be adjusted to incorporate qualitative factors. The Meijers Committee (2025), written input, p. 6.

Annex I: List of sources in alphabetical order*

* The list of contributions received in the context of the consultation for the 2025 Rule of Law report can be found at https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation_en.

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Annex II: Country visit to The Netherlands

The Commission services held virtual meetings in February 2025 with:

- Amnesty International Netherlands
- Commissariaat voor de Media
- Dutch Foundation for Public Broadcasting
- Huis voor Klokkeluiders
- Fiscale Inlichtingen en Opsporingsdienst
- Commissie Meijers
- Free Press Unlimited
- Nederlands Juristencomité voor de Mensenrechten
- Nederlandse Orde van Advocaten
- Nederlandse Vereniging voor de Rechtspraak
- Netherlands Helsinki Committee
- National Ombudsman
- National Police
- National Internal Investigations Department
- Prosecution service
- Raad voor de rechtspraak
- State Commission on the functioning of the rule of law
- Supreme Court
- Transparency International

* The Commission also met the following organisations in a number of horizontal meetings:

- Amnesty International
- Araminta
- Civil Liberties Union for Europe
- Civil Society Europe
- European Civic Forum
- European Partnership for Democracy
- European Youth Forum,
- International Commission of Jurists
- International Federation for Human Rights (FIDH)
- JEF Europe
- Philea – Philanthropy Europe Association.
- Transparency International