

Brussels, 22 July 2026
(OR. en)

11674/26
ADD 20

FREMP 239
JAI 965
AG 114
POLGEN 189

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	17 July 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SWD(2026) 919 final
Subject:	COMMISSION STAFF WORKING DOCUMENT 2026 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 2026 Rule of Law Report The rule of law situation in the European Union

Delegations will find attached document SWD(2026) 919 final.

Encl.: SWD(2026) 919 final



COMMISSION STAFF WORKING DOCUMENT

Accompanying the document

2026 Rule of Law Report

The rule of law situation in the European Union

{COM(2026) 900 final}	- {SWD(2026) 901 final}	- {SWD(2026) 902 final}	-
{SWD(2026) 903 final}	- {SWD(2026) 904 final}	- {SWD(2026) 905 final}	-
{SWD(2026) 906 final}	- {SWD(2026) 907 final}	- {SWD(2026) 908 final}	-
{SWD(2026) 909 final}	- {SWD(2026) 910 final}	- {SWD(2026) 911 final}	-
{SWD(2026) 912 final}	- {SWD(2026) 913 final}	- {SWD(2026) 914 final}	-
{SWD(2026) 915 final}	- {SWD(2026) 916 final}	- {SWD(2026) 917 final}	-
{SWD(2026) 918 final}	- {SWD(2026) 920 final}	- {SWD(2026) 921 final}	-
{SWD(2026) 922 final}	- {SWD(2026) 923 final}	- {SWD(2026) 924 final}	-
{SWD(2026) 925 final}	- {SWD(2026) 926 final}	- {SWD(2026) 927 final}	-
{SWD(2026) 928 final}	- {SWD(2026) 929 final}	- {SWD(2026) 930 final}	-
	{SWD(2026) 931 final}		

ABSTRACT

In the Netherlands, the perception of the level of judicial independence is very high, and national authorities are working on introducing additional rule of law safeguards in legislation. A proposal to remove the power of the Minister of Justice and Security to give instructions to the prosecution service in individual cases is pending in the Senate. Proposals to allow judges to review legislation against “classic” fundamental rights enshrined in the constitution, to give the judiciary its own budget and to remove the role of the executive in the appointment of members of the Council for the Judiciary are under discussion. Changes were made to the regime of visual supervision of lawyer-client conversations in high-security prisons, amid concerns by lawyers. Significant steps have been taken to improve working conditions and address staff shortages in the judiciary. The funding for legal aid was structurally increased. The level of digitalisation has further improved and the efficiency of the justice system continues to be high.

The investigation and prosecution of corruption offences remains effective and the first national anti-corruption policy is being implemented with plans to further refine it in the near future. Changes to the criminal anti-corruption legislation and the criminal procedure for prosecuting ministers and Members of Parliament are under discussion. Efforts continue to address corruption linked to organised crime and infiltration of organised crime in state institutions. The Codes of Conduct for civil servants are being revised, and, in a step forward, the Government intends to establish a transparency register on lobbying. Scrutiny over the enforcement of Parliament’s system of asset and interest declaration continues, while updated guidance on the asset and interest declaration regime of ministers and State secretaries clarifies rules on interests and side activities, while maintaining the principle of self-responsibility. Rules on revolving doors entered into force. A national risk assessment on corruption and a risk assessment on corruption risks linked to subversive organised crime were published in March 2026.

The media regulator continues to operate 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 for the legislative proposal on the reform of public service media is advancing. 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. The safety of journalists has improved; however, concerns remain in view of threats in the context of demonstrations and digital threats.

Further steps have been taken to bring forward the proposals of the State Commission on Rule of Law. The Netherlands Institute for Human Rights and the Ombudsman continue to carry out their mandates effectively. Civil society organisations (CSOs) remain concerned about initiatives that risk affecting civic space and welcomed the Senate’s rejection of the law on transparency of CSOs.

RECOMMENDATIONS

Overall, based on the recommendations in the 2025 Rule of Law Report, and considering other developments that took place in the period of reference, the Commission concludes the following:

- Limited progress has been made to establish stricter transparency rules on lobbying for members of the Government and Parliament, as the Government announced its intention to introduce a transparency register. It is recommended to the Netherlands to *put in place legislative provisions to establish stricter transparency rules on lobbying for members of the Government and Parliament*.
- Some progress has been made on taking forward the planned reform of public service media to enhance its governance and its ability to uphold journalistic standards, with preparatory work ongoing for the reform of public service media and with a draft law on local public broadcasters currently before Parliament. Given that parts of this recommendation are covered by provisions of the European Media Freedom Act (EMFA), while the Rule of Law Report will continue to monitor significant developments and report on their impact, further follow-up will be ensured as part of the Commission's support to Member States and enforcement of the EMFA. In light of this, it is recommended to the Netherlands to *take forward its work in relation to the upholding of journalistic standards by public service media*.

As regards the other 2025 recommendations, the Commission concludes that:

- Significant progress has been made on improving working conditions in the justice system and addressing staff shortages as additional funds were made available and workload reduction measures started to bear fruit. Monitoring of further developments in this area will continue in the Rule of Law Report.
- Some further progress has been made on taking forward the proposals of the State Commission on Rule of Law to strengthen a rule of law culture due to the availability of additional funds and a willingness to continue the dialogue between state powers. Monitoring of further developments in this area will continue in the Rule of Law Report.

I. JUSTICE SYSTEM¹

Independence

The level of perceived judicial independence in the Netherlands continues to be very high among both the general public and companies. Overall, 77 % of the general population and 85 % of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2026². Among the general public, this figure has slightly increased in comparison with 2025 (76 %) and remained at the same level as in 2022 (77 %). The perceived judicial independence among companies has significantly increased in comparison with 2025 (75 %), as well as in comparison with 2022 (72 %). The Council for the Judiciary and the Dutch Association for the Judiciary expressed concern about certain statements of politicians criticising judges and their judicial decisions³. While criticising judicial decisions is a normal aspect of democratic discourse, the executive and legislative powers should avoid criticism that undermines the independence or public confidence in the judiciary⁴.

Parliamentary discussions continued on the legislative proposal to remove the executive’s power to give instructions to prosecutors in individual cases and additional proposals have been announced to strengthen rule of law safeguards. These initiatives follow calls by stakeholders to strengthen safeguards currently resting primarily on practice and legal culture⁵. A legislative proposal to remove the power of the Minister of Justice and Security to give instructions to the Public Prosecution Service in concrete criminal cases was approved by the Chamber of Representatives⁶ and is now awaiting discussions in the Senate⁷. The Government has further announced a proposal to allow judges to review legislation against “classic” fundamental rights enshrined in the constitution⁸. These proposals were welcomed by the Council for the Judiciary and the Netherlands Bar Association⁹. The Government has also announced a proposal to give the judiciary its own budget and to remove the role of the Minister of Justice and Security in the appointment of members of the Council for the Judiciary¹⁰, a proposal which the Council for the Judiciary supports¹¹. The

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

² Figures 48 and 50, 2026 EU Justice Scoreboard and Figures 51 and 53, 2024 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 Country visit Netherlands, Council for the Judiciary and Dutch Association for the Judiciary. Examples brought up by stakeholders during the country visit include contemptuous parliamentary questions in February and March 2026 (Tweede Kamer (2026a); Tweede Kamer (2026)). The Council for the Judiciary states in its annual report that if a judge renders a judgment that may have political consequences, that does not mean he is rendering a political judgment (Council for the Judiciary (2026b), p. 6).

⁴ Council of Europe (2010), para. 18; Venice Commission (2013), paras. 21-22.

⁵ 2025 Rule of Law Report, Netherlands, p. 3.

⁶ Tweede Kamer (2025a).

⁷ Eerste Kamer (2025).

⁸ Coalition Agreement (2026), p. 11. Currently, the constitution does not allow constitutional review by judges. The Netherlands Constitution distinguishes “classic” fundamental rights (“klassieke grondrechten”) and “social” fundamental rights (“sociale grondrechten”). Judges would be able to review laws against “classic” fundamental rights only.

⁹ Country visit Netherlands, Council for the Judiciary, Netherlands Bar Association (2025), pp. 40-41, 59, 83-84, 118, 153, 173-174, Council for the Judiciary (2026a), p. 7.

¹⁰ Coalition Agreement (2026), p. 11.

¹¹ Council for the Judiciary (2025), Council for the Judiciary (2026b), p. 7. European Network of Councils for the Judiciary (2026), p. 50. The Council of State stated in the past that it did not see a reason to amend the role of the Minister in the appointment procedures (Council of State (2020)).

Dutch Association for the Judiciary has reiterated its position that also the role of the Minister in the appointment of court management boards should be removed¹².

Quality

Changes were made to the new regime of visual supervision of lawyer-client conversations in high-security prisons, amid concerns by lawyers. On 1 November 2025, the law providing for visual supervision of all lawyer-client conversations in high security prisons entered into force, as part of the measures to fight organised crime¹³. The law provides that, in principle, confidential information from such conversations may not be transmitted to third parties. Numerous lawyers however suspended their activities in high security prisons, expressing concerns about lawyer-client privilege¹⁴. They resumed their work after the Custodial Institutions Agency introduced changes to the new visual supervision regime¹⁵. The Netherlands Bar Association however still reports some concerns related to the presence of microphones in cameras and to the possibility for prison staff to intervene during lawyer-client conversations¹⁶. The Government explained that no audio recordings are made during visits by lawyers. The Government also pointed to guidelines clarifying when prison staff are allowed to intervene, for example when pressure, coercion or threats are directed at the lawyer¹⁷. The internal audit service of the Ministry of Justice and Security and the Audit Service of the State (Auditdienst Rijk) have started the preliminary works for an audit of the regime¹⁸.

The digitalisation of justice is advanced overall. The level of digitalisation is high¹⁹, including the availability of electronic communication tools in courts²⁰. The digitalisation of legal proceedings through the electronic exchange of documents and secure electronic communications via digital portals was extended to civil proceedings²¹. In a judgment of June 2025, the Supreme Court held that hearings in civil cases can take place in a hybrid form when duly motivated²². Four tribunals will start using an experimental AI tool for the pseudonymisation of judgments before publication²³. The existing Online Dispute Resolution tool will be further expanded in 2026 under the supervision of the Council for the Judiciary²⁴.

¹² Country visit Netherlands, Dutch Association for the Judiciary, 2025 Rule of Law Report, Netherlands, p.3.

¹³ 2025 Rule of law Report, Netherlands, p. 4.

¹⁴ Letter of lawyers to Presidents of courts and tribunals and the senior prosecutors (2025). This letter refers to relevant national and European provisions and standards.

¹⁵ Country visit Netherlands, Netherlands Bar association. The changes concern reduced image quality to prevent lip-reading and to improve transparency on the processing of the footage. Those changes should be reflected in an update of the information sheet for lawyers (Netherlands Government (2026), additional written input; Custodial Institutions Agency (2025)).

¹⁶ Country visit Netherlands, Netherlands Bar association.

¹⁷ Netherlands Government (2026), additional written input.

¹⁸ Netherlands Bar association (2026), additional written input; Netherlands Government (2026), additional written input.

¹⁹ 2025 Rule of Law Report, Netherlands, pp. 4-5; Figures 39 – 47, 2026 EU Justice Scoreboard.

²⁰ Figure 42, 2026 EU Justice Scoreboard.

²¹ Netherlands Government (2026), written input, p. 6.

²² Judgment of the Supreme Court, ECLI:NL:HR:2025:902. For criminal cases and immigration detention cases a legal basis already existed (Article 131a Code of Criminal Procedure; Article 97 Aliens Act; Decision on Videoconferencing (Stb. 2022, 465)).

²³ Council for the Judiciary (2026a), p. 22.

²⁴ The team behind the tool (“voorRecht-rechtspraak”) provides information about rights and obligations in accessible language and gives tips to find a solution without the involvement of a judge, for example with the help of an expert or mediator. Eventually, if needed, a judge can be involved to find a solution to a dispute. The tool was awarded the title “best government innovation 2025”, see Government awards (2025).

and an evaluation is scheduled for 2027²⁵. Reflections in the judiciary are ongoing on how to implement artificial intelligence in the daily work, starting with low-risk applications²⁶. The Public Prosecution Service continues to invest in its IT systems to prevent security breaches following an incident in the summer of 2025²⁷.

Significant progress has been made on the recommendation to improve working conditions in the justice system and address staff shortages²⁸. An agreement between the Minister for Justice and Security and the Council for the Judiciary provides for an additional EUR 31 million for the judiciary in 2026 and EUR 50 million for both 2027 and 2028²⁹. In March 2026, the Minister informed the Chamber of Representatives that a temporary scheme to allow judges to continue to work until the age of 73 had proven successful in increasing the capacity of the judiciary and that legislation is being prepared to make the scheme permanent³⁰. While workload remains high, the Council for the Judiciary, based on a 2025 time-allocation study, reported a decrease in overtime³¹. An employee survey, conducted in 2025, further confirms that, although judges still experience a high workload, it has decreased since 2022, aligning with the findings of the time-allocation study. The profession of judge remains attractive, and the judiciary continues to work towards recruiting 140 trainee judges each year, which would mean that the workforce remains stable and could potentially increase in the coming years³². In 2025 there were 258 trainee judges³³. The European Association for Judges (EAJ) reports that the current training programme for judges in the Netherlands imposes a substantial administrative burden on practical supervisors, which adds to their workload³⁴. Investments in judicial support staff were made in four courts, and an evaluation is planned after one year³⁵. The Public Prosecution Service has meanwhile recruited 240 prosecutors (out of the planned 250) and considers that the shortage of public prosecutors has been solved³⁶. The Council of State reported that while there is no shortage of judges in the Administrative Jurisdiction Division, there are not enough lawyers supporting the judges³⁷. The Council of State also indicated that despite a high workload due to the complexity and high number of cases, for the first time in five years, the outflow of cases was

²⁵ Council for the Judiciary (2026), p. 46.

²⁶ The judiciary can already use “RechtspraakGPT”, enabling judiciary staff to use generative AI for simple administrative tasks. Country visit Netherlands, Council for the Judiciary, Netherlands Government (2026), written input, p. 7; Netherlands Government (2026), additional written input.

²⁷ Public Prosecution Service (2025), Country visit Netherlands, Public Prosecution Service.

²⁸ The 2025 Rule of Law Report recommended to the Netherlands to “Continue efforts to improve challenging working conditions in the justice system and address shortages in human resources”. Some progress was previously assessed on this recommendation in 2025.

²⁹ Netherlands Government (2026), additional written input, Tweede Kamer (2025). The Chamber of Representatives and Court of Audit made critical remarks on the budget of the Ministry of Justice, of which the budget of the judiciary is part, Country visit Netherlands, Court of Audit; Court of Audit (2025); Netherlands Government (2026a).

³⁰ Tweede Kamer (2026b).

³¹ Country visit Netherlands, Council for the Judiciary.

³² Ibidem.

³³ Council for the Judiciary (2026b), p. 61. It takes between 1 and 4 years to finish the training procedure to become a judge, depending on previous work experience.

³⁴ European Association for Judges (2026), written input, p. 29. The Dutch Association for the Judiciary is a member of EAJ.

³⁵ Country visit Netherlands, Council for the Judiciary.

³⁶ Country visit Netherlands, Public Prosecution Service. This conclusion is confirmed by European Association of Judges (2026), written input, p.3.

³⁷ Country visit Netherlands, Council of State.

slightly higher than the inflow³⁸. In light of the efforts made, there has been significant progress in implementing this recommendation.

The Government decided to structurally increase funding for legal aid. On 1 February 2026, amendments to the Legal Aid Fees Decree 2000³⁹ entered into force, increasing the funding for legal aid. This amounts to EUR 30 million structurally for 2027 onwards and a lower amount for 2026 due to the moment of entry into force and the fact that a large number of cases started in 2026 will be submitted for reimbursement after 2026⁴⁰. With these amendments, the Government followed up on an independent review⁴¹. The Netherlands Bar Association and civil society organisations welcomed the increase in funding, while flagging that the independent review had recommended a EUR 40 million increase. They also highlighted the absence of an office allowance, as well as what they consider to be a too low reimbursement rate of legal aid fees⁴². As of 1 January 2026, the citizens of the Caribbean Netherlands have access to a service providing legal advice⁴³.

Pending the results of an impact assessment, the prosecution service has halted the possibility to decide on certain criminal cases without involving a judge⁴⁴. In May 2026, the Procurator General at the Supreme Court referred to certain shortcomings by the Public Prosecution Service in its use of the possibility to decide on certain criminal cases without involving a judge (“penal orders/strafbeschikkingen”) and made recommendations⁴⁵. The Public Prosecution Service stated that it sees potential for a more extensive use of penal orders if it implements the recommendations of the Procurator General⁴⁶. A study from the Research and Data Centre of the Ministry of Justice and Security (WODC) reports positive experiences of both professionals and suspects with the use of penal orders. At the same time, the study notes that some professionals are critical of a more extensive application of this instrument⁴⁷. The Public Prosecution Service is also carrying out an impact assessment⁴⁸. Pending the results of that impact assessment, no new instructions to further intensify the use of penal orders have or will be given⁴⁹.

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 short⁵⁰, and the

³⁸ Council of State (2026), written input.

³⁹ Legal Aid Fees Decree 2000 (*Besluit vergoedingen rechtsbijstand 2000*), BWBR0011018, in the version in force as of 1 February 2026.

⁴⁰ Decision of 4 December 2025 to amend the Legal Aid Fees Decree, stb-2025-415, explanatory memorandum Section 7.

⁴¹ Conducted by the Van der Meer II Committee. 2025 Rule of Law Report, Netherlands, p. 6.

⁴² Netherlands bar association (2026), additional written input, p.1; NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 11.

⁴³ National coordinator against discrimination and racism (2025).

⁴⁴ 2025 Rule of Law Report, Netherlands, p. 6. See the concerns described by the Council for the Judiciary, the Supreme Court’s Attorney General, Police Unions and the Netherlands Bar Association.

⁴⁵ Supreme Court (2026); Supreme Court (2026a).

⁴⁶ Public Prosecution Service (2026b).

⁴⁷ Research and Data Centre WODC / Pro Facto (2026), pp. 53-54, 109-110; The 2025 Rule of Law Report, Netherlands, p. 6 describes the concerns of the Council for the Judiciary, the Supreme Court’s Procurator General, Police Unions and the Netherlands Bar Association.

⁴⁸ 2025 Rule of Law Report, Netherlands, p. 6.

⁴⁹ 2025 Rule of Law Report, Netherlands, p. 6.

⁵⁰ Figure 4, 2026 EU Justice Scoreboard.

clearance rate is effective⁵¹. The estimated time to resolve administrative cases at first instance courts decreased (246 days in 2024, compared to 267 in 2023)⁵². The estimated time to resolve civil and commercial cases at first instance courts stood at 124 days in 2024 (no data is available for 2023)⁵³. The rate of resolving civil, commercial, administrative and other cases at first instance remained at 100 % in 2024⁵⁴. The rate of resolving administrative cases at first instance increased to 93 % in 2024⁵⁵. The rate of resolving civil and commercial cases at first instance stood at 102 % in 2024 (no data is available for 2023)⁵⁶. The Council for the Judiciary and the European Association of Judges indicated that the “timely justice” programme [“tijdige rechtspraak”], aimed at ensuring that cases are dealt with in a timely manner, was only partially successful in improving processing times between 2020 and 2025⁵⁷.

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 2025 Corruption Perceptions Index by Transparency International, the Netherlands scores 78/100 and ranks 4th in the European Union and 8th globally⁵⁸. This perception has deteriorated⁵⁹ over the past five years. The 2026 Special Eurobarometer on Corruption shows that 56 % of respondents consider corruption widespread in their country (EU average 71 %) and 9 % of respondents feel personally affected by corruption in their daily lives (EU average 30 %). As regards businesses, 46 % of companies consider that corruption is widespread (EU average 65 %) and 15 % consider that corruption is a problem when doing business (EU average 37 %). Furthermore, 47 % of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 38 %), while 41 % of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 31 %)⁶⁰.

The first national anti-corruption policy is being implemented, with plans to further refine it in the near future. The first national anti-corruption policy, adopted in June 2025 and covering four pillars⁶¹, is now being implemented through a multi-stakeholder approach⁶². The policy is expected to be further refined following the publication of the

⁵¹ Figure 6, 2026 EU Justice Scoreboard.

⁵² Figure 7, 2026 EU Justice Scoreboard.

⁵³ Figure 5, 2026 EU Justice Scoreboard.

⁵⁴ Figure 9, 2026 EU Justice Scoreboard.

⁵⁵ Figure 11, 2026 EU Justice Scoreboard.

⁵⁶ Figure 10, 2026 EU Justice Scoreboard.

⁵⁷ Council for the Judiciary (2026b), p. 26; European Association for Judges (2026), p. 39. On 20 May 2026, as part of its annual accountability audit, the Court of Audit criticised the lack of improvement in case processing times, Court of Audit (2026).

⁵⁸ 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).

⁵⁹ In 2021, the score was 82 while in 2025, 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.

⁶⁰ Data from Special Eurobarometer 573 (2026) and Flash Eurobarometer 582 (2026).

⁶¹ Addressing the main vulnerabilities (as identified through the national risk assessment), strengthening governmental processes and systems, promoting preventive measures in the private sector and ensuring an efficient criminal justice response. 2025 Rule of Law Report, Netherlands, p. 7.

⁶² Such as intensive consultations with law enforcement and prosecution. Public Prosecution Service (2026), additional written input, p. 2.

National Risk Assessment on Corruption and a risk assessment on subversive organised crime in March 2026⁶³. While civil society has welcomed the policy, it regrets that it is not a comprehensive anti-corruption strategy, spanning all government services, and that it does not contain measurable indicators⁶⁴.

Changes to the criminal anti-corruption legislation and the criminal procedure for prosecuting Ministers and Members of Parliament are under discussion. In 2025, a number of high-profile corruption cases gave rise to a debate on the criminalisation of trading in influence⁶⁵. Civil society has continued to call for a broad criminalisation of the offence⁶⁶. The Government is currently analysing this in the context of potential broader legislative changes required to transpose the EU Directive on combating corruption⁶⁷. Draft legislation on the procedure for the prosecution and trial of Ministers and Members of Parliament⁶⁸, which includes a constitutional change⁶⁹, continues to be discussed in Parliament and will be amended on the basis of the advice provided on 22 December 2025 by the Council of State⁷⁰.

The investigation and prosecution of corruption offences remains effective, including in high-level cases, and efforts continue to strengthen the effectiveness of enforcement in foreign bribery cases. The investigation and prosecution of corruption offences continues to function properly, including in high-level cases, although investigators and prosecutors report that issues such as legal privilege and mutual legal assistance can cause serious delays⁷¹. The additional structural financing that was allocated to the *Rijksrecherche* and the Anti-Corruption Centre (ACC) of the Fiscal Intelligence and Investigation Service (FIOD) has helped both organisations expand their investigative capacities⁷². In 2025, 40 persons were indicted by the Public Prosecution Service on charges of corruption (25 in 2024)⁷³. Additionally, in 2025, courts imposed final convictions in 15 cases in first instance and in 5 cases in second instance⁷⁴. None of the EPPO cases in 2025 involved corruption offences⁷⁵. The Public Prosecution Service signalled that the issue of professional legal privilege in the investigation of large datasets affects corruption cases, in both domestic and foreign bribery

⁶³ Netherlands Government (2026), additional written input. See also Research and Data Centre WODC (2026) and Strategic Knowledge Centre on Subversive Crime SKC (2026).

⁶⁴ NJCM, NHC, TI-NL, FPU, RNW (2026), written input, pp. 3-4 and p. 10; Civil Liberties Union for Europe (2026), p. 592, p. 607.

⁶⁵ 2025 Rule of Law Report, Netherlands, pp. 7-8.

⁶⁶ NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 11. 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, Netherlands, p. 9.

⁶⁷ Directive 2026/1021 on combatting corruption introduces an obligatory criminalisation of trading in influence (Article 6). The Directive entered into force on 31 May 2026 and has a two-year transposition deadline for most of its provisions. Netherlands Government (2026), additional written input.

⁶⁸ Netherlands Government (2026), written input, p. 8, and Council of State (2025a).

⁶⁹ The draft legislation concerns a change of both the constitution and the law and would ensure that the prosecution of members of parliament and ministers is conducted with greater independence and led by the prosecutor general. See also 2025 Rule of Law Report, pp. 7-8.

⁷⁰ Netherlands Government (2026), written input, p. 8.

⁷¹ Country visit Netherlands, Public Prosecution Service, FIOD and Rijksrecherche; Netherlands Government (2026), written input, p. 9; 2025 Rule of Law Report, Netherlands, p. 8.

⁷² Country visit Netherlands, Public Prosecution Service, FIOD and Rijksrecherche; 2025 Rule of Law Report, Netherlands, p. 8.

⁷³ Only data linked to bribery cases. There are no data available on the number of investigations.

⁷⁴ 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. Netherlands Government (2026), written input, p. 8 and statistical annex.

⁷⁵ EPPO (2026), p. 43.

cases. The Government aims to address delays in criminal proceedings due to legal privilege claims in the reform of the Dutch Code of Criminal Procedure. In May 2026, a public consultation was launched on draft legislation which incorporates recent case-law on the issue, and which aims to provide a clearer statutory framework for the handling, filtering and protection of privileged material in criminal investigations⁷⁶. The Public Prosecution Service reports a number of recent convictions of multinational companies for foreign bribery⁷⁷ and the ACC reports that it has now increased investigative capacity in this area to ensure more effective enforcement⁷⁸.

Efforts continue to address corruption linked to organised crime and infiltration of organised crime in state institutions. The increasing influence of corruption tied to organised crime remains of concern⁷⁹, with civil society organisations pointing to the risk of infiltration in state institutions⁸⁰. Police monitoring of potential unauthorised access to official databases by civil servants and police officials continues⁸¹. In 2025, the *Rijksrecherche* investigated 20 cases focused on violation of professional secrecy by public officials (15 in 2024) and 25 cases of bribery of public officials (20 in 2024)⁸². The *Rijksrecherche* and the Public Prosecution Service continue to present reports to the relevant authorities to flag identified vulnerabilities. These reports typically address the awareness of corruption risks, compliance with working procedures, screening of personnel and authorisation management and log monitoring⁸³.

The Code of Conduct for civil servants is being revised. A revised Code of Conduct for civil servants is being discussed with social partners and is expected to enter into force in 2026⁸⁴. Special counsellors on ethics and integrity issues will also be made available to political assistants of Ministers and a new Complaints Committee started operations⁸⁵. In 2027, the Court of Audit will evaluate if the measures taken by the Government to improve the integrity of civil servants have addressed the concerns raised in its 2025 audit⁸⁶. The Code of Conduct for Ministers and State Secretaries is also being updated⁸⁷ to align with the new legislation on revolving doors, although other updates are not excluded⁸⁸. The police continues to reflect on ways to improve its integrity policy, although it has not yet announced

⁷⁶ Public Prosecution Service (2026) and Netherlands Government (2026), additional written input. Concretely, the right of the defence to claim that large datasets (or a substantial part thereof) fall under the professional legal privilege of lawyers and as such cannot be used has been flagged as an issue by investigators, the Public Prosecution Service and civil society. See also 2024 Rule of Law Report, Netherlands, p. 15.

⁷⁷ Country visit Netherlands, Public Prosecution Service, FIOD and *Rijksrecherche* and Public Prosecution Service (2026), additional written input.

⁷⁸ Country visit Netherlands, Public Prosecution Service, FIOD and *Rijksrecherche*. Nonetheless, such cases remain complex and lengthy amid concerns of stakeholders over effective enforcement. See NJCM, NHC, TI-NL, FPU, RNW (2026), written input, pp. 16-17, as also reported in the 2025 Rule of Law Report, Netherlands, p. 8.

⁷⁹ Public Prosecution Service (2026a), chapter 7.

⁸⁰ NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 15

⁸¹ 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. 2025 Rule of Law Report, Netherlands, p. 9 and Dutch Police (2026), written input.

⁸² Public Prosecution Service (2026a), chapter 7.

⁸³ Country visit Netherlands, Public Prosecution Service, FIOD and *Rijksrecherche*

⁸⁴ Netherlands Government (2026), written input, p. 13.

⁸⁵ Netherlands Government (2026), written input, p. 12.

⁸⁶ Country visit Netherlands, Court of Audit and 2025 Rule of Law Report, Netherlands, p. 9.

⁸⁷ Netherlands Government (2026), written input, p. 12.

⁸⁸ Netherlands Government (2026), additional written input.

initiatives to improve the registration of gifts within the police in line with a recommendation from GRECO⁸⁹.

Updated guidance on the asset and interest declaration regime of ministers and State secretaries clarifies rules on interests and side activities, while maintaining the principle of self-responsibility. In September 2025, the previous Government issued updated guidance⁹⁰ on the interpretation of the rules under the 2022 Code of Conduct, by which ministers must report any acceptance of financial interests to the House of Representatives⁹¹. This includes a clearer recommendation to halt side activities and step away from or limit commercial interests upon taking office. The lack of an oversight mechanism, as the system relies on self-responsibility and the principle of parliamentary trust⁹², has remained an issue of concern for stakeholders⁹³. In line with the existing rules, a session to raise awareness on integrity issues with the Council of Ministers was organised in 2025⁹⁴.

Scrutiny over the enforcement of the Parliament's system of asset and interest declaration continues. Issues with the asset and interest declarations in both houses of Parliament and with the overall mandate of the College of Investigation of Integrity, which is attached to the Chamber of Representatives, remain⁹⁵. The College of Investigation of Integrity continues to investigate Members of Parliament's failures to declare assets and interests on the basis of individual complaints⁹⁶. It has criticised the limited scope of the 2024 Code of Conduct for Members of Parliament⁹⁷. CSOs have reiterated that the oversight and enforcement mechanism is insufficient and non-deterrent. Stakeholders regret that there have been no improvements to the overall functioning of the system so far⁹⁸. The Senate also lacks an adequate sanctioning mechanism⁹⁹.

New legislation on revolving doors is being implemented. New rules on post-employment restrictions for Ministers and State Secretaries entered into force on 20 February 2026. All former Ministers and State Secretaries who wish to take up a new job or assignment within two years of their resignation are now required to request an opinion of the Advisory Committee on the Legal Position of Ministers and State Secretaries (ARPA). The legislative

⁸⁹ GRECO (2025), recommendation xii, paras 46-51.

⁹⁰ Netherlands Government (2025a).

⁹¹ 2025 Rule of Law Report, Netherlands, pp. 9-10.

⁹² Government members can be requested to resign from office if they lose the confidence of a parliamentary majority. See 2024 Rule of Law Report, Netherlands, p. 16.

⁹³ The effectiveness of the Code of Conduct was criticised previously by GRECO, the Open State Foundation, and Transparency International. See 2025 Rule of Law Report, Netherlands, pp. 9-10.

⁹⁴ Netherlands Government (2026), written input, p. 12.

⁹⁵ Stakeholders signalled in the past that over one third of MPs do not, or only insufficiently, declare their side jobs and interests and that rules are not enforced. According to civil society this is partly due to the fact that the College of Investigation of Integrity lacks sufficient enforcement powers. Country visit Netherlands, NJCM, NHC, TI-NL, FPU, RNW and 2025 Rule of Law Report, Netherlands, p. 10.

⁹⁶ One Member of Parliament was suspended for two weeks following an investigation of the College. In a number of other cases, the College reports that informing the Member of Parliament about a non-declaration generally induces them to immediately correct it. College of Investigation of Integrity (2026), pp. 4-5.

⁹⁷ In particular, the College feels rules concerning "statements harming the integrity of the Chamber" are unclear. College of Investigation of Integrity (2026), p. 3.

⁹⁸ Notably, the College cannot initiate ex officio investigations into Member of Parliament's asset declaration but only on the basis of complaints, and the maximum sanction for non declaration cannot exceed two weeks of suspension. NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 12.

⁹⁹ 2025 Rule of Law Report, Netherlands, p. 10 and NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 11.

obligations also apply to the members of the most recent former governments, as long as their formal resignation took place within two years prior to the entry into force of the new rules¹⁰⁰. The advice from ARPA will only be made public if the former Minister or State Secretary accepts the job. Although there is no obligation for officials to follow the ARPA's advice¹⁰¹, national authorities consider that making the advice public discourages officials to disregard it¹⁰². Civil society has welcomed the entry into force of these rules¹⁰³.

Limited progress has been made on the recommendation on transparency of lobbying, as the Government intends to establish a transparency register¹⁰⁴. The new Government's coalition agreement includes an explicit commitment to introduce a transparency register¹⁰⁵. A legislative proposal to that effect is expected by autumn 2026, following broad consultations¹⁰⁶. Civil society has welcomed this step, which is a long-standing recommendation to the Netherlands, but awaits further details¹⁰⁷. Given the promising stated intention but the absence of concrete plans, there has been limited progress as regards transparency of lobbying.

The Political Parties Act, regulating political party financing, remains under discussion in Parliament¹⁰⁸. The draft Act enables the public financing of local political parties¹⁰⁹. The draft law was amended in December 2025 in the House of Representatives and the Council of State issued its advice on these amendments in May 2026, stressing the need for a balance between regulation and the freedom of political parties to organise themselves¹¹⁰. The parliamentary procedure is now expected to resume and to take the Council's advice into account. Provisions on national party financing have largely stayed the same¹¹¹. Civil society have raised concerns on the revised draft allowing foreign persons¹¹² to donate up to EUR 250 to political parties – compared to a full ban on such foreign donations in earlier drafts¹¹³.

An evaluation of the whistleblower legislation is planned for 2026. Possible amendments to the whistleblower legislation¹¹⁴, such as introducing anonymous reporting and supervisory and enforcement powers for the Whistleblower's Authority, continue to be considered within

¹⁰⁰ As of June 2026, seven pieces of advice to former ministers or state secretaries have been made public. Netherlands Government (2026), additional written input.

¹⁰¹ 2025 Rule of Law Report, Netherlands, p. 10.

¹⁰² Netherlands Government (2026), additional written input.

¹⁰³ NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 10.

¹⁰⁴ The 2025 Rule of Law Report recommended to the Netherlands to 'Establish stricter transparency rules on lobbying for members of the Government and Parliament'. "Limited further progress" was previously assessed on this recommendation in 2025.

¹⁰⁵ Coalition Agreement (2026), p. 10.

¹⁰⁶ A parliamentary debate, where the responsible Minister would set out further details, has been planned for September 2026. Ministry of Internal Affairs and Kingdom Relations (2026).

¹⁰⁷ Transparency International Netherlands (2026).

¹⁰⁸ It was submitted to Parliament in May 2025. 2025 Rule of Law Report, Netherlands, p. 11.

¹⁰⁹ The Act introduces transparency rules on the organisation of political parties and also incorporates the existing Act on Political Party Financing. It also 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, Netherlands, pp. 18-19.

¹¹⁰ Council of State (2026a).

¹¹¹ Netherlands Government (2026), additional written input; Tweede Kamer (2026c).

¹¹² This concerns individuals who are not residents in the Netherlands or do not possess Dutch nationality.

¹¹³ NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 11.

¹¹⁴ In force since 2023 and aimed at transposing the EU Directive on whistleblower protection. 2023 Rule of Law Report, Netherlands, p. 16.

the Government¹¹⁵. An evaluation of the legislation's effectiveness and efficiency at national level is to be conducted in 2026¹¹⁶. The Whistleblower's Authority and civil society underlined the complexity of the national legislation and the difficulty to meet the "public interest" criterion, which is required for protecting persons reporting on wrongdoings, other than violations of EU law, within the meaning of the whistleblower law¹¹⁷. There is no specific data on the number of reports that relate to corruption. The Whistleblower's Authority signalled one specific case with a link to corruption¹¹⁸.

A national risk assessment on corruption and an assessment on corruption risks linked to subversive organised crime were published in March 2026. The Flash Eurobarometer on Businesses' attitudes towards corruption in the EU shows that 22 % of companies in the Netherlands (EU average 30 %) think that corruption has prevented them from winning a public tender or a public procurement contract in the last three years¹¹⁹. The Single Market and Competitiveness Scoreboard on access to public procurement in the Netherlands reports 23 % of single bids for 2025 (EU average 27 %)¹²⁰. 56 % of businesses perceive the level of independence of the public procurement review bodies (district courts) as very or fairly good, which has significantly decreased in comparison to 2025 (64 %)¹²¹. Public procurement is seen as one of the main areas at high risk of corruption in the country, as also signalled by the Court of Audit¹²². A national risk assessment on corruption, and a risk assessment on corruption risks linked to subversive organised crime, were published in March 2026. The former analysed corruption risks and identified thirteen of them as the greatest threats, both in the public and private sector, including the size of the threat compared to its resilience, and points to the importance of integrity and prevention policies in each organisation¹²³, while the latter points to the increasing professionalisation of organised crime utilising informal networks to influence civil servants¹²⁴. The Government is analysing these independent assessments with a view to feed them into its anti-corruption policy¹²⁵. An audit flagged that most government departments lack an adequate corruption risk prevention policy¹²⁶. The maritime and defence sectors have also been flagged by stakeholders as high risk areas¹²⁷.

III. MEDIA PLURALISM AND MEDIA FREEDOM

The media regulator continues to operate efficiently and independently. The Dutch media regulator, the *Commissariaat voor de Media* ('CvdM'), is following up on compliance with the 2024 recommendations of the Investigation Committee on Conduct and Culture of

¹¹⁵ Dutch Whistleblower's Authority (2026), written input and NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 12.

¹¹⁶ Netherlands Government (2026), written input, p. 14.

¹¹⁷ NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 13. See also 2025 Rule of Law Report, Netherlands, pp. 11-12.

¹¹⁸ Dutch Whistleblower's Authority (2026), written input.

¹¹⁹ Flash Eurobarometer 582 on businesses' attitudes towards corruption in the EU (2026). This is 8 percentage points below the EU average.

¹²⁰ 2025 Single Market and Competitiveness Scoreboard.

¹²¹ Figure 59, 2026 EU Justice Scoreboard.

¹²² NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 15; Country visit Netherlands, Court of Audit. See also 2025 Rule of Law Report, Netherlands, p. 12.

¹²³ Research and Data Centre WODC (2026).

¹²⁴ Strategic Knowledge Centre on Subversive Crime SKC (2026).

¹²⁵ Netherlands Government (2026), additional written input.

¹²⁶ Central Government Audit Service (2025), pp. 4-7.

¹²⁷ NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 14 and Country visit Netherlands, Court of Audit.

Broadcasters established by the foundation for public broadcasting (‘NPO’)¹²⁸ to investigate misconduct and unsafe working environments within national public broadcasters, as well as on the resulting action plans by the public broadcasters and the NPO. For instance, the CvdM continued to report on the action plans it had asked all public broadcasters and their umbrella organisation – the NPO – to submit, emphasising the need for strong leadership, improved supervision and renewed ethical standards to support long-term cultural change¹²⁹. The CvdM has indicated that, while its current resources are sufficient, the resource-intensive nature of supervising the digital environment necessitates careful prioritisation, as reflected in its Multiannual Strategy 2025–2030¹³⁰. The strategy puts the focus of the CvdM’s activities 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 distribution¹³¹. The CvdM was assigned as National Contact Point under the Political Advertising Regulation¹³².

The impact of steps taken to address concerns about the adequacy of the Press Council still remains to be seen, nevertheless there was an increase in the number of complaints received. The Press Council had taken initiatives to address concerns about its adequacy¹³³. The initiatives aim to prevent the Press Council from being perceived as a forum for legal disputes, for example by asking parties to waive legal action if they submit a complaint to the Press Council¹³⁴, and would be tested during a period of two years. The Press Council stated in its annual report for 2024, published mid-2025, that the initiatives work well in practice¹³⁵. While the full effects still remain to be seen¹³⁶, the Press Council reported a significant increase in number of complaints received¹³⁷.

The Government continues to work on the planned reform of the public service media, marking some progress on the recommendation to strengthen its governance and capacity to uphold journalistic standards¹³⁸. Preparatory work on the reform of the public service media is still ongoing. A public consultation is scheduled for the summer of 2026 and a draft law is expected to be sent to Parliament in early 2027¹³⁹, with a planned entry into force on 1 January 2028. Provided this timeline is maintained, the new system for national public broadcasters should be operational on 1 January 2029¹⁴⁰. As previously reported¹⁴¹, the

¹²⁸ Country visit Netherlands, Dutch public service media.

¹²⁹ CvdM (2025a).

¹³⁰ Country visit Netherlands, Dutch media regulator (CvdM); CvdM (2025).

¹³¹ CvdM (2025).

¹³² The CvdM was appointed by ministerial decree – i.e. the Temporary Designation Decree for the implementation of the Regulation on transparency and targeted political advertising, and an Implementation Act for the Regulation on Transparency and Targeted Political Advertising is pending in the Parliament.

¹³³ Press Council (2026), written input.

¹³⁴ 2025 Rule of Law Report, Netherlands, p. 13.

¹³⁵ Press Council (2025), p.6. The Press Council acknowledged that it cannot enforce the waiver of legal action; however so far there have been no cases in which parties to a complaint procedure at the Press Council ignored the waiver.

¹³⁶ Country visit Netherlands, Government.

¹³⁷ Press Council (2026), written input.

¹³⁸ The 2025 Rule of Law Report recommended to the Netherlands to ‘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’. Some progress was previously assessed on this recommendation in 2025.

¹³⁹ Country visit Netherlands, Dutch media regulator (CvdM) and Government; Netherlands Government (2025), p. 11.

¹⁴⁰ Netherlands Government (2026), written input, p. 2; Dutch public service media (NPO) (2026), written input, pp. 14-15.

reform aims to strengthen editorial independence, journalistic standards and oversight and abolish the current licensing system¹⁴². In parallel, annual budget cuts to be implemented in 2027¹⁴³ are expected to have an impact on programming and overhead staff structure¹⁴⁴. The previously proposed increase in VAT for the sports, cultural and media sectors was withdrawn¹⁴⁵. The Government has sent the draft law aimed at strengthening local public broadcasters to the parliament on 24 March 2026¹⁴⁶. The proposal aims, as of 1 January 2028, to increase the budget (to an estimated EUR 34,5 million), shift funding from local authorities to the central government, and reduce the number of local broadcasters from 220 to maximum 80. Finally, in view of NPO's plan of action following the inquiry by the Committee on Conduct and Culture of Broadcasters, stakeholders report some improvements, while journalists' associations highlight in particular the uncertainty surrounding journalists' positions due to unclear decision-making structures within the NPO and the prevalence of temporary contracts¹⁴⁷, calling for the implementation of the recommendations on a safe working environment. Given the ongoing work to reform public service media, some further progress has been made on this recommendation.

Challenges related to a high level of media market concentration and limited media ownership transparency remain. The Government reiterated its intention to propose legislation on the assessment of media market concentrations with potentially significant impact on media pluralism and editorial independence in the context of the implementation of EMFA¹⁴⁸. The CvdM still faces challenges in accessing full information about media ownership, due to a lack of competence in this regard, especially in complex financial structures for the purposes of its Media Monitor¹⁴⁹. The Media Pluralism Monitor 2026 observes a very high risk in view of transparency of media ownership¹⁵⁰ (compared to a high risk in the 2025 report)¹⁵¹. Regarding the merger between DPG Media and RTL Nederland¹⁵² which became final in September 2025, stakeholders consider it too early to report on the effects on the Dutch media landscape of the structural conditions imposed by the Netherlands Authority for Consumers and Markets. The trade organisation for news companies expressed the need to protect the earning models of local commercial news media¹⁵³. In line with last year's findings, the Media Pluralism Monitor 2026 indicates that while risks to media market plurality are medium-high, editorial independence continues to be assessed at very low risk¹⁵⁴.

Work to improve transparency and access to information continued. The Dutch Government is continuing the work to improve the implementation of the Open Government

¹⁴¹ 2025 Rule of Law Report, Netherlands, p. 13.

¹⁴² The current licensing system has been extended for two years, until 1 January 2029. Country visit Netherlands, Dutch public service media (NPO).

¹⁴³ Netherlands Government (2026), written input, p. 1. The total amount of funding was lowered with EUR 156,7 million starting in 2027. At the same time, the advertising limits are being expanded from an expected advertising revenue of EUR 153 million in 2025 to EUR 165 million in 2027.

¹⁴⁴ Country visit Netherlands, Dutch public service media (NPO).

¹⁴⁵ Netherlands Government (2025), p. 11.

¹⁴⁶ Tweede Kamer (2026d).

¹⁴⁷ Country visit Netherlands, Association of Journalists.

¹⁴⁸ Country visit Netherlands, additional written input, p. 5, 2025 Rule of Law Report, Netherlands, p. 14.

¹⁴⁹ Country visit Netherlands, Dutch media regulator (CvdM).

¹⁵⁰ Media Pluralism Monitor (2026), p. 22.

¹⁵¹ Media Pluralism Monitor (2025), p. 18.

¹⁵² 2025 Rule of Law Report, Netherlands, p. 14.

¹⁵³ Country visit Netherlands, NDP Nieuwsmedia.

¹⁵⁴ Media Pluralism Monitor (2026), p. 21 and 27.

Act¹⁵⁵. Efforts to improve the processing of disclosure requests continued in 2025. Intergovernmental working groups are in the final stages of developing a handbook to help public authorities address misuse of requests¹⁵⁶. Additionally, the Government is working with local and regional authorities on the implementation of the proactive disclosure of 17 compulsory categories of information¹⁵⁷ and on guidance how authorities should meet their best-efforts obligation when it comes to disclosure, with a focus on meaningful transparency¹⁵⁸. The information of all public authorities is made available through a central platform with a search function¹⁵⁹. The Government has commissioned an external party to conduct a study to gain better insights into the concrete administrative burden and costs resulting from the Open Government Act¹⁶⁰. The results of this study will be published and will serve as the basis for an evaluation of the Act, foreseen to be launched still in 2026¹⁶¹. An improvement highlighted by stakeholders is the possibility to rely on a mediation officer, as part of an independent government office, when the Government is not providing the information¹⁶². Meanwhile, some concerns remain, notably on the quality of information and delays in processing requests due to multiple legal and political reviews required before releasing information¹⁶³. In view of delays in processing requests, an interministerial working group will be launched in the summer of 2026 with the aim of ensuring a more efficient, responsive and verifiable Open Government Act process¹⁶⁴.

Further steps to ensure the safety of journalists have been taken. The PersVeilig¹⁶⁵ initiative continues to be appreciated by stakeholders¹⁶⁶ and the Government¹⁶⁷ as playing an important role in enhancing the safety of journalists, both online and offline. It was given foundation status in 2025 to ensure its sustainability and financing. Its board is comprised of representatives of public service media, publishers and the Dutch Association of Journalists and it receives annual funding from the Ministry of Education, Culture and Science, complemented by employer contributions¹⁶⁸. In 2025, journalists reported a total of 262 incidents to PersVeilig, compared to 249 in 2024 and 218 in 2023¹⁶⁹. Since the publication of the 2025 Rule of Law Report, two alerts were registered on the Council of Europe's Platform concerning assault while reporting¹⁷⁰. The Mapping Media Freedom platform has identified 17 alerts¹⁷¹. Some incidents against journalists were also reported during demonstrations¹⁷²,

¹⁵⁵ The law entered into force on 1 May 2022 and is intended to make governments more transparent and aims to ensure that government information is easier to find, exchange, access, and is properly archived.

¹⁵⁶ Netherlands Government (2026), written input, p. 16.

¹⁵⁷ Section 3.3 of the Open Government Act.

¹⁵⁸ Netherlands Government (2025), p. 11.

¹⁵⁹ open.overheid.nl.

¹⁶⁰ Country visit Netherlands, Government.

¹⁶¹ Country visit Netherlands, Government, Netherlands Government (2026), written input, pp. 15-17.

¹⁶² Country visit Netherlands, Association of Journalists.

¹⁶³ Country visit Netherlands, Dutch public service media (NPO), Association of Journalists, Free Press Unlimited (2026), written input, p. 19.

¹⁶⁴ Netherlands Government (2025), pp. 11-12.

¹⁶⁵ PersVeilig operates as an independent organisation dedicated to protecting press freedom. The foundation provides support, training, and expert legal advice.

¹⁶⁶ Country visit Netherlands, NIHR.

¹⁶⁷ Country visit Netherlands, Dutch public service media (NPO), Country visit Netherlands, Government.

¹⁶⁸ Netherlands Government (2026), written input, p. 16.

¹⁶⁹ Free Press Unlimited (2026), written input, p. 18.

¹⁷⁰ Council of Europe Platform to promote the protection of journalism and safety of journalists (2026). The national authorities have not replied to one of the alerts, while a reply is expected by 21 July 2026 on the other alert.

¹⁷¹ This includes cases of assault, harassment, intimidation, damage, spoofing, hacking and blocked access to information. Mapping Media Freedom (2026).

but were addressed swiftly by the police and the Public Prosecution Service¹⁷³. Stakeholders raised concerns about political pressure, intimidation and the hardening political rhetoric towards journalists¹⁷⁴. They highlighted that this environment could create a chilling effect and ultimately affect press freedom, discouraging journalists from covering certain topics or expressing critical views. In a letter addressed to the relevant ministers, stakeholders called for politicians to be held accountable for remarks that call into question the independence and integrity of the media and interfere with editorial independence and media freedom¹⁷⁵. Enforcement against online threats against journalists is considered another pressing issue¹⁷⁶. While SLAPPs are not seen as a systemic issue, concerns persist about their potential impact, and a full assessment is challenging due to limited reporting mechanisms¹⁷⁷. The Government continues to work on the draft law aiming to transpose the anti-SLAPP Directive, scheduled for plenary debate in the House of Representatives in June 2026¹⁷⁸. Stakeholders called for an extension of the scope to cover both cross-border and domestic cases¹⁷⁹.

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

Some further progress was made on the recommendation to take forward the proposals of the State Commission on Rule of Law to strengthen a rule of law culture¹⁸⁰. The proposals of the State Commission date from June 2024 and 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 aid¹⁸¹. Concrete developments have taken place on several of these proposals. The Spring budget of the Government allocates up to EUR 75 million annually by 2030 for strengthening the rule of law in the Netherlands, for example by improving access to justice and citizenship education¹⁸². In 2025, a kick-off meeting for a structured dialogue between State powers to discuss rule of law matters took place, chaired by the Speaker of the Senate. The next rule of law dialogue is scheduled for 7 September 2026 in the context of the “Rule of Law week”¹⁸³. The Government is reflecting on setting up a permanent secretariat for the dialogue¹⁸⁴. In October 2025, the House of Representatives decided to keep the Temporary Committee on

¹⁷² Country visit Netherlands, NIHR, association of journalists, Free Press Unlimited (2026), written input, p. 18.

¹⁷³ Country visit Netherlands, Association of Journalists and Dutch public service media (NPO).

¹⁷⁴ Country visit Netherlands, NIHR.

¹⁷⁵ Letter of 25 February 2026 addressed to Ministers Letschert and Van Weel, signed by NDP Nieuwsmedia, Nederlandse Vereniging van Journalisten, Nederlands Genootschap van Hoofdredacteuren and Free Press Unlimited, Free Press Unlimited (2026), written input. p. 20.

¹⁷⁶ Country visit Netherlands, Association of Journalists.

¹⁷⁷ Country visit Netherlands, NIHR, Dutch public service media (NPO).

¹⁷⁸ For more details on the state of play, see the [website](#) of the Dutch Government and the [website](#) of the Chamber of Representatives.

¹⁷⁹ Country visit Netherlands, Association of Journalists; Country visit Netherlands NJCM, NHC, TI-NL, FPU, RNW; Free Press Unlimited (2026), written input. pp. 19-20.

¹⁸⁰ The 2025 Rule of Law Report recommended to the Netherlands to “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’.” Some progress was previously assessed on this recommendation in 2025.

¹⁸¹ 2025 Rule of Law Report, Netherlands, p. 16.

¹⁸² Ministry of Finance (2026), budget line 27. See for more developments Section I of this Chapter on the Justice System.

¹⁸³ Council for the Judiciary (2026b), p. 7, Netherlands Government, additional written input.

¹⁸⁴ The secretariat is currently housed at the Court of Audit and consists of one staff member.

Human Rights and Constitutional Review in place¹⁸⁵. While the restructuring of the Administrative Jurisdiction Division of the Council of State is not under consideration anymore, the Council of State is exchanging with the Government to formally enshrine the *de facto* independence of the Administrative Jurisdiction Division in legislation¹⁸⁶. The Netherlands Bar Association and the Council for the Judiciary observe that in several legislative initiatives, procedural safeguards are being weakened, including by abolishing one level of judicial review in the standard two-stage administrative law appeal procedures¹⁸⁷. Overall, there has been some further progress on this recommendation.

More than two thirds of companies surveyed in the Netherlands express confidence in the effectiveness of investment protection. 71 % of companies are very or fairly confident that investments are protected by law and courts, a figure which has slightly increased in comparison with 2025 (68 %)¹⁸⁸. As regards authorities relevant for economic operators 67 % of companies perceive the level of independence of the national competition authority (the Authority for Consumers and Markets) as very or fairly good, a figure which has significantly decreased in comparison with 2025 (75 %)¹⁸⁹. The Council of State has jurisdiction in some business-related cases, including in cases related to public concessions and economic regulation. A number of judicial mechanisms to improve efficiency are available in these cases, including the possibility to apply interim measures, joint examination of similar cases and the consolidation of multiple appeals¹⁹⁰.

On 1 January 2026, the Netherlands had 11 leading judgments of the European Court of Human Rights pending implementation, an increase of 4 compared to the previous year¹⁹¹. At that time, the Netherlands' rate of leading judgments from the past 10 years that had been implemented was at 45 % (compared to 59 % in 2025; 55 % remained pending), and the average time that the judgments had been pending implementation was 2 years and 11 months (compared to 3 years and 2 months in 2025)¹⁹². The oldest leading judgment has been pending implementation for 10 years¹⁹³. As regards the respect of payment deadlines, on

¹⁸⁵ 2025 Rule of Law Report, Netherlands, p. 16; Tweede Kamer (2026f).

¹⁸⁶ Council of State (2026), written input, p. 1.

¹⁸⁷ Country visit Netherlands, Netherlands Bar Association, Netherlands Bar Association (2026), additional written input, Council for the Judiciary (2026a), additional written input. The Netherlands Bar Association refers notably to the revision of the Criminal Procedure Code and measures affecting legal professional privilege. The Council for the Judiciary emphasized in several reactions to a variety of legislative proposals (for example in the area of housing, defence and sharing of sensitive information in research organisations) that a two-stage appeal procedure allowing for a review regarding both facts and law is an important part of the rule of law. Simplification of the two-stage appeal process should be balanced against effective legal protection.

¹⁸⁸ Figures 52 and 53, 2026 EU Justice Scoreboard. 8 % and 7 % of the surveyed investors respectively perceive the frequent changes in legislation or concerns about the quality of the law-making process and concerns about quality, efficiency or independence of justice as a reason for the lack of confidence in investment protection.

¹⁸⁹ Figure 60, 2026 EU Justice Scoreboard.

¹⁹⁰ Figures 66 and 67, 2026 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.

¹⁹¹ For an explanation of the supervision process, see the [website](#) of the Council of Europe.

¹⁹² 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 2026. EIN (2026), written input, p. 7.

¹⁹³ Judgment of the ECtHR, 10511/10, *Murray v. the Netherlands*, pending implementation since 2016.

31 December 2025 there were no cases awaiting confirmation of payments (same as in 2024)¹⁹⁴. By 17 June 2026, there were still 11 leading judgments pending implementation¹⁹⁵.

The Netherlands Institute for Human Rights and the Ombudsman continue to carry out their mandates effectively. The Netherlands Institute for Human Rights (NIHR) has been accredited an A-Status since 2014¹⁹⁶. Both institutions have been exempted from the instructions of the new government to structurally reduce expenditure¹⁹⁷. The NIHR indicated that resources were made available for new tasks, including the National Prevention Mechanism¹⁹⁸. In its annual report, the NIHR reported an increase in human resources¹⁹⁹ and the Ombudsman reported a small decline²⁰⁰. On 1 September 2025, the new chairperson of the NIHR took up his post. To carry out its task of issuing non-binding decisions in the Caribbean Netherlands, the NIHR received an incidental additional contribution for 2026 from the Government²⁰¹. The Ministry for Justice and Security has published its Policy Strategy Caribbean Netherlands 2026-2030, setting priorities that should among others strengthen the rule of law²⁰².

Civil society organisations welcomed the Senate’s rejection of the law on transparency of CSOs, while raising concerns on other initiatives that risk affecting civic space. The Netherlands’ overall civic space remains, according to Civicus, narrowed²⁰³. In March 2026, the Senate rejected the Law on transparency of CSOs²⁰⁴, which had been criticised by CSOs, charitable organisations and the NIHR²⁰⁵. The NIHR called on the Government to take steps to facilitate the work of civil society²⁰⁶. Empirical research among CSOs has shown that 86 % consider that their situation has worsened over the last two years²⁰⁷. Following a report commissioned by the WODC²⁰⁸, the Government is carrying out an assessment with a view to amending legislation to address situations where protesters are breaking the law intentionally, where the rights of protesters clash with the rights of others, or where police capacity is limited. A detailed government reply to the report of the WODC is expected after Parliament’s 2026 summer recess²⁰⁹. In its report of May 2026²¹⁰, the Ombudsman took the view that the government’s focus on limiting risks and nuisance in demonstrations may

¹⁹⁴ Council of Europe (2026), p.163

¹⁹⁵ Data according to the online database of the Council of Europe (HUDOC).

¹⁹⁶ Accreditation is provided by the Global Alliance of National Human Rights Institutions (GANHRI), based on the Principles relating to the Status of National Institutions (The Paris Principles).

¹⁹⁷ Coalition Agreement (2026a). Also, the police, prisons, the Public Prosecution service, the Council for the Judiciary, the Legal Aid Board, the Supreme Court, the Council of State and the Court of Audit have been exempted.

¹⁹⁸ 2025 Rule of Law Report, Netherlands, p. 17; NIHR (2026), p. 45.

¹⁹⁹ NIHR (2026), p. 42.

²⁰⁰ National Ombudsman (2026), p. 34.

²⁰¹ Additional EUR 70 000. NIHR (2025b), p. 35.

²⁰² For example, in the area of corruption, access to justice and organised crime. Ministry for Justice and Security (2026).

²⁰³ The Netherlands scores 75/100. Ratings by CIVICUS are on a five-category scale defined as: open, narrowed, obstructed, repressed, and closed.

²⁰⁴ The draft aimed to introduce transparency requirements to prevent donations and undue foreign influence. The draft provisions would have introduced the possibility to make targeted enquiries about foreign donations above a certain threshold and for the Courts to impose penalties.

²⁰⁵ Country visit Netherlands, NJCM, NHC, TI-NL, FPU, RNW, Goede Doelen Nederland (2026); NIHR (2025a).

²⁰⁶ NIHR (2025), p. 11.

²⁰⁷ NIHR (2025), p. 10.

²⁰⁸ Rijksuniversiteit Groningen, Pro Facto, de Universiteit van Amsterdam and Tilburg University (2025).

²⁰⁹ Netherlands Government (2026), additional written input, Tweede Kamer (2026e).

²¹⁰ National Ombudsman (2026a), pp. 16, 42, 64, 65.

discourage citizens from taking part. Several civil society organisations have reiterated concerns reflected in the 2025 Rule of Law Report about certain measures taken by public authorities²¹¹, such as the increased use of emergency ordinances to prohibit or disband protests²¹², considering them to be disproportionate²¹³. The city of Amsterdam has called for more support to local authorities to assist them in their task to protect and facilitate demonstrations²¹⁴.

²¹¹ Country visit Netherlands, NJCM, NHC, TI-NL, FPU, RNW (2026), written input, p. 41; 2025 Rule of Law Report, Netherlands, p. 18-19.

²¹² NOS (2025).

²¹³ 2025 Rule of Law Report, Netherlands, p. 19.

²¹⁴ City of Amsterdam (2026), written input.

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Annex II: Country visit to Netherlands

The Commission services held in-person meetings in March 2026 with:

- Algemene Rekenkamer
- College voor de Rechten van de Mens
- Commissariaat voor de Media
- Fiscale Inlichtingen en Opsporingsdienst (FIOD)
- Free Press Unlimited
- Rijksrecherche
- Nationale Ombudsman
- NDP Nieuwsmedia
- Nederlands Juristencomité voor de Mensenrechten
- Nederlandse Orde van Advocaten
- Nederlandse Publieke Omroep (NPO)
- Nederlandse Vereniging van Journalisten
- Nederlandse Vereniging voor Rechtspraak
- Netherlands Helsinki Committee
- Openbaar Ministerie
- Raad van State
- Raad voor de Rechtspraak
- Hoge Raad
- Transparency International Netherlands
- VNO-NCW / MKB Nederland

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

- Civil Liberties Union for Europe
- Civil Society Europe
- End FGM EU
- European Civic Forum
- European Partnership for Democracy
- Human Rights Watch
- ILGA-Europe
- International Federation for Human Rights
- Philea - Philanthropy Europe Association
- Transparency International EU