

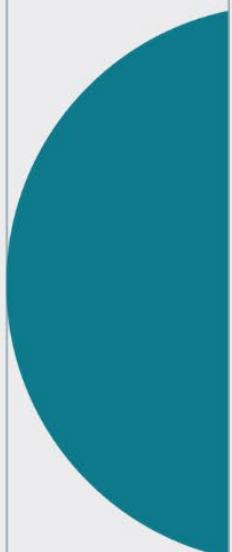
Monitoring Action for Civic Space



Country report

The Netherlands

December 2025





About this report

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Key developments

Introduction

2025 marked a further deterioration of civic space in the Netherlands, accelerating a trend of democratic backsliding already identified in other reports. According to the Netherlands National Human Rights Institute, 86% of civil society organisations (CSOs) surveyed indicated that conditions for their work had worsened over the past two years¹—a striking confirmation of a shrinking space for fundamental freedoms. Against this backdrop, a range of new legislative proposals on transparency, terrorism, and surveillance threaten to erode core rights, including the freedoms of assembly, association, and expression, as well as the right to privacy. Together, these measures risk significantly narrowing the space for dissent and public participation.

Rather than recognising CSOs as essential democratic actors and watchdogs safeguarding the rule of law, political discourse has increasingly portrayed critical organisations as extremist or destabilising. This shift is reflected in parliamentary debates, where motions targeting specific CSOs, restricting access to funding or calling for repressive tools to counter so-called “public order disruptions” have proliferated and, notably, have begun to receive majority support, including from traditionally centrist parties. Such developments reinforce a broader pattern in which public order and security considerations consistently outweigh the state’s obligations to protect peaceful activism.

Throughout the year, further efforts emerged to curtail the right to protest. These include a draft law banning facial coverings during demonstrations and motions calling for expanded surveillance powers, the criminalisation of roadblocks, and the use of facial recognition technologies at protests. At the same time, lobbying and public interest litigation—integral components of democratic participation—are increasingly framed as undesirable or illegitimate and restricted in funding frameworks, undermining the legitimacy and sustainability of organisations engaged in these activities. This shift in tone has contributed to a more hostile public debate in which CSOs are more frequently stigmatised, fuelling increased online (and at times offline) intimidation.

Importantly, these pressures on civic space do not exist in isolation. They mirror and intersect with other visible signs of democratic erosion, including political attacks on the independence of the judiciary, challenges to the authority of oversight institutions, and an erosion of the checks and balances that underpin democratic accountability. Political and public debate shows a concerning shift in norms, where proposals and actions that go against human rights and rule of law principles are more broadly accepted. This is for example reflected in centrist parties more often supporting proposals from the far-right or themselves initiating motions and laws that go against human rights standards. Analysis of party programmes by the national bar association also shows how a large number of parties

¹<https://publicaties.mensenrechten.nl/publicatie/24d329a2-cdb0-4f6e-9429-fb7ef9cf5e38>



propose plans that go against the rule of law.² The pressure on civic space is both a reflection of and a frontline in this broader contestation.

Yet, despite these worrying trends, resistance remains strong. Local leaders have spoken out against restrictive protest legislation; civil servants have mobilised to oppose political decisions seen as undermining democratic values; and civil society has successfully organised large-scale public engagement processes, such as the more than 10,000 responses submitted to a draft law affecting freedom of expression. Independent monitors—including IDEA, CIVICUS, and V-Dem—continue to highlight both the Netherlands' traditionally high standards and the growing gap between legal protections and lived reality.

Taken together, these developments indicate that while Dutch democratic institutions remain comparatively robust, the pressures on civic space are intensifying.

The ongoing government negotiations provide a new moment to prevent further deterioration and place the strengthening and protection of a robust, diverse, and independent civil society high on the political agenda. Ensuring meaningful civic participation and protecting fundamental freedoms must remain core priorities for any new government committed to preserving a vibrant and inclusive democracy.

² <https://www.advocatenorde.nl/nieuws/nova-laat-verkiezingsprogrammas-toetsen-op-rechtsstatelijkheid>



Dimensions

1. Freedom of Association

Freedom of association is enshrined in Article 8 of the Dutch Constitution, guaranteeing everyone the right to associate with others and establish a civil society organisation. While this provision provides a strong legal foundation, in practice CSOs face obstacles, notably the large number and complexity of laws and regulations they need to comply with and difficulties in opening and maintaining bank accounts. In addition, several draft legislative proposals, legal evaluations and motions threaten to further restrict freedom of association and signal a concerning shift in political norms regarding the protection of freedom of association.

Legal framework and registration process

Everyone in the Netherlands has the right to associate. This right is enshrined in Article 8 of the Dutch Constitution. Restrictions are only possible when dictated by law and in the interest of the public order.³ This right extends to both legal entities as well as non registered groups. Most non-profit organisations are registered as a 'stichting' (similar to a foundation) or an association with members. The registration process is clear, simple and quick. You need to register with the Chamber of Commerce for a small fee, and there might be some costs for the notary.⁴ You also need to register the legal representative(s) in the Ultimate Beneficial Owners register (UBO).

Administrative burden

While the registration process is clear and simple, CSOs need to comply with a wide range of laws and regulations related to i.e. privacy (GDPR), anti-money laundering and terrorism legislation (Wet ter voorkoming van witwassen en financieren van terrorisme – Wwft), labour regulations, and specific local or regional regulations. Research in 2023 identified 136 different laws and regulations CSOs need to comply with in the Netherlands. Depending on the size and the scope of activities, this can range between 20 to 100 obligations for one specific organisation.⁵ This puts a high administrative burden on CSOs, particularly on small, volunteer-led organisations.

Organisations report that complying with all of the laws and regulations takes capacity away from their core mission. This can also make it harder to find motivated volunteers and puts more of a burden on organisations.⁶ Pro bono legal services for CSOs reported a high number of requests from CSOs relating to the growing administrative burden. Due to the high number of requests, pro bono legal services for CSOs are not always available or requests can take a significant amount of time. This is a particular challenge for small or

³ <https://wetten.overheid.nl/BWBR0001840/2023-02-22>

⁴ <https://www.kvk.nl/starten/de-stichting/>

⁵ <https://open.overheid.nl/documenten/67db1b80-a20a-4a2c-93ee-2c5b4bad549b/file>

⁶ <https://open.overheid.nl/documenten/67db1b80-a20a-4a2c-93ee-2c5b4bad549b/file>

volunteer-led CSOs that do not have in-house legal expertise, legal aid insurance or the resources to contract paid legal services.

This complex web of laws and regulations also becomes burdensome for organisations that already face political or social scrutiny such as protest movements and organisations that protect minority rights and fight racial discrimination. During the consultations in the first monitoring year (2024-2025), interviewees shared their concern that any mistakes or missteps in compliance could be used against them.

In 2025, the Dutch Parliament adopted an amendment to include non-profits and volunteers in a law that requires an assessment of the administrative impact of new CSO legislation.⁷ This can help with mitigating the administrative burden under new legislation. There have also been meetings between the civil society sector, ministries, and other stakeholders about decreasing the already existing administrative burden on CSOs.⁸

Anti-money laundering and terrorism legislation

The law against money laundering and terrorism financing⁹ poses serious restrictions on the access to financial services for CSOs. This legislation gave stricter due diligence responsibilities to banks to monitor and investigate unusual transactions. Since the introduction of this law, organisations have been subject to greater scrutiny. They face disproportionate administrative demands when opening a bank account and when transferring funds abroad. The latter particularly affects organisations working in conflict-affected areas. Moreover, in some cases, this leads to the refusal to open an account or termination of one, also referred to as de-risking.

Certain minority rights groups, such as Muslim collectives and individuals, are disproportionately affected by additional investigations and de-risking.¹⁰ Also, organisations working on the protection of the rights of other marginalised and underrepresented groups, such as diaspora organisations and groups working on sex workers' rights, face difficulties because of this legislation.

To address this issue a round table was established between CSOs, banks, and policy makers. Following publications by the central bank¹¹ and the Dutch Banking Association¹² on de-risking and the need for a more risk-based approach, as well as advocacy by the sector, the Dutch Banking Association developed detailed guidance in 2023 for banks on risk assessments of non-profit clients.¹³ This was done through a multi-stakeholder dialogue involving the legislator, supervisor, banks and sector representatives. According to the standard, banks should initially view non-profit clients as neutral (and no longer as high-risk clients by default) and assess their risk profile based on a list of risk-enhancing and risk-reducing factors. Implementation of the standard has significantly enhanced organisations' access to financial services, though challenges remain. A recent study from 2025 showed that 52% of surveyed CSOs still experience difficulties, particularly with administrative requests and high banking fees.¹⁴ The implementation of the EU Anti-

⁷ https://www.eerstekamer.nl/behandeling/20250130/amendement_van_het_lid_inge_van/document3/f=/vmklf9g22aue.pdf
⁸ <https://goededoelen.nl/over-de-sector/nieuws/tweede-kamer-stemt-unaniem-in-met-toets-regeldruk-voor-goede-doelen-en-vrijwilligers>

⁹ Wet ter voorkoming van witwassen en financieren van terrorisme (Wwft)

¹⁰ Hoe banken moslims tot verdachten maken, Davidson & Strop, Follow the Money, 6 September 2025

¹¹ <https://www.dnb.nl/media/2ambmvxt/van-herstel-naar-balans.pdf>

¹² <https://www.nvb.nl/publicaties/rapporten-verslagen-brochures/undesirable-consequences-of-de-risking-for-customers-and-banks-2022/>

¹³ nvb-sector-standard-not-for-profit-organisations-npo- eng.pdf

¹⁴ <https://argos.vpro.nl/artikelen/heeft-stichtingen-en-verenigingen-heeft-problemen-bank-dankzij-doorgeschooten-anti-terrorismedaatregralen>



Money-Laundering and Countering the Financing of Terrorism package could present new challenges for CSOs' access to financial services.

Transparency law

A new draft law on transparency of funding threatens to restrict freedom of association. The draft law aims to counter malign influence from third countries. However, the necessity and effectiveness of the law, in addition to already existing tools, is not sufficiently justified, while it disproportionately puts restrictions on the freedom of association.

Despite widespread criticism from civil society,¹⁵ National Human Rights Institution¹⁶ and the Council of State,¹⁷ the law was approved in the House of Representatives, and is now pending in the Senate.¹⁸ On 25 November, the Senate organised an expert meeting on the draft law where CSO representatives and the National Human Rights Institute questioned the legitimacy, necessity, and proportionality of the law. Representatives of the Dutch Association of Mayors and the head of the Public Prosecution Services also expressed doubts about their ability to enforce the powers granted to them with due care.¹⁹

The draft law grants discretionary power to the mayor to request information about donations. This includes information about the geographical origin of a donation, the purpose for which the donation was received, and the size of the donation. Where necessary, the request may also include personal data of donors. If an organisation fails to comply, the mayor may penalise the recipient of the donation.

The law provides the possibility for the public prosecutor to request that the court impose a cease and desist order on the activities of an organisation for a maximum of two years, levy fines, and place a temporary ban on receiving certain donations or freezing certain assets. The grounds on which this order is based are vaguely defined. This can lead to legal uncertainty and has a disproportionate impact on the fulfillment of the right to association of the organisation, as it can include all activities, not just the activities that are being investigated. The law also allows for the possibility to implement these sanctions preemptively i.e. before a criminal offense has been established.²⁰

The vague definitions included in the draft law opens the door for selective and arbitrary implementation. The discretionary power of mayors to request information is problematic for several reasons, including the fact that decisions may be politically influenced. Non-compliance with the information request or the suspicion of 'undermining activities' can lead to disproportionate sanctions that can threaten the existence of an organisation. The draft law risks widely stigmatising CSOs; the law was renamed to the 'Transparency and Combating Undermining by Civil Society Organisations Act' underlining this risk.

Mayors are authorised to process information regarding religious and philosophical beliefs that may be derived directly or indirectly from the information requested, and can share the information with several other authorities. The necessity and proportionality of the processing of sensitive data relating to religious and philosophical beliefs are unclear and insufficiently substantiated, which may give rise to a risk of discrimination.

¹⁵ Article ECNL: <https://ecnl.org/news/dutch-transparency-act-more-clarity-proportionality-and-safeguards-needed>, Article NHC including link to other letters: <https://www.nhc.nl/statement-sta-nu-op-voor-onze-burgerrechten-en-bescherm-de-rechtsstaat-stop-de-vtmo-en-de-wbvo/>

¹⁶ <https://publicaties.mensenrechten.nl/publicatie/78518667-2445-4fe1-9a6d-1370abc7a5a4>

¹⁷ Raad van State, advies w.16.19.0408/II (2020) & advies w.16.21.0261/II (2022)

¹⁸ https://www.eerstekamer.nl/wetsvoorstel/35646_wet_transparantie_en

¹⁹ https://www.eerstekamer.nl/commissievergadering/20251125_j_v

²⁰ https://www.eerstekamer.nl/bijlage/20251121/position_paper_goeide_doeleen/document3/f=/vmsoimrwmhpk.pdf



The law could have a chilling effect, as it can not only lead to self-censorship among organisations, but also discourage donations, particularly donations to critical organisations and donations from countries that are considered high risk. Moreover, the law can lead to discrimination of certain religious groups and stigmatisation of organisations that receive foreign funding without having a proven effect in countering malign influence.

Lastly, the draft law also does not consider policy developments on the EU level that could impact rules on receiving foreign funding on the national level, such as the directive on transparency of interest representation carried out on behalf of third countries.²¹ This could lead to increased pressure and an even higher administrative burden on CSOs.

Access to the courts

In response to high-profile legal actions against the state by CSOs in relation to environmental protection and arms trade, there has been pushback in the political and public space against such organisations. Members of Parliament have called for cutting their funding and for restricting the possibility of CSOs to litigate on behalf of the public interest.

In 2023, Parliament adopted a motion (motie Stoffer c.s.) calling on the government to explore stricter conditions for organisations seeking to litigate against the state. Supporters of the motion questioned the legitimacy of CSOs in public-interest cases and argued for tighter representative requirements.

In response, the government commissioned a comparative study as part of the evaluation of the Mass Claims Act (WAMCA), examining how representative requirements are regulated in other countries. The first part of the study, published in June 2025, found that the existing representative criteria already create legal uncertainty due to their diffuse and context-dependent application. Dutch legal scholarship warns that further restrictions could undermine access to justice and legal protection, particularly for underrepresented and vulnerable groups. This risk is heightened if representativeness is linked to an organisation's direct support base, which is often difficult to define or measure, potentially increasing legal uncertainty and raising concerns about compliance with the Aarhus Convention.

The evaluation committee published its final report in November 2025 and concluded that while there are some legal uncertainties and practical bottlenecks, this is inevitable for large legislative reforms such as the WAMCA. The committee notes that while in several respects greater legal clarity is required, this does not have to be provided through legal revisions and can be addressed through case law. The committee provides a list of recommendations to address the challenges that can strengthen the implementation of the current law.²² The State Secretary of Justice and Security, confirmed that given the conclusions of the study, there is no need for legal revision of the WAMCA.²³

Other restrictions

A draft law on the administrative prohibition of organisations undermining public order (*Wet bestuurlijk verboed ondernemende organisaties*) was introduced to outlaw motorcycle gangs. The proposal would have empowered the Minister of Justice to ban organisations deemed to undermine public order. CSOs raised serious concerns, noting that the concept of

²¹ <https://eur-lex.europa.eu/eli/dir/2019/1937/oj/eng>

²² <https://open.overheid.nl/documenten/d49ac1dc-53fe-486d-8588-11bbf04184e5/file>

²³ <https://www.tweedekeamer.nl/kamerstukken/detail?id=2025D47139&did=2025D47139>

“undermining public order” was poorly defined and could enable politically motivated action against organisations engaging in peaceful protest, including civil disobedience. Although the Senate ultimately rejected the draft due to a lack of necessity,²⁴ it reflects a broader trend in which public order provisions are expanded or misused to justify repressive measures without meeting the requirements of necessity and proportionality. When it became likely that the Senate would reject this bill, the Minister of Justice and Security announced further investigation into “banning organisations that may have links to terrorist organisations”.²⁵

The House of Representatives adopted a law on asylum and migration that includes a provision to criminalise undocumented migrants, raising major human rights concerns. This provision also criminalises support to undocumented migrants.²⁶ After widespread criticism, and pressure from the Senate, the law was adopted by the House of Representatives in December with an amending act (*novelle*) that should prevent the criminalisation of aid and other services for undocumented migrants. However, as the amendment leaves the criminalisation of ‘unlawful stay’ fully intact, the law can have far-reaching and harmful consequences for undocumented persons and their access to aid and support services. The law will have a chilling effect as undocumented migrants will be less likely to seek support due to fear of repercussions. Additionally, the preparation of the amendment lacked proper deliberation and consideration, and the legal basis that prevents the criminalisation of aid is questionable and lacks due care.²⁷ This leaves room for arbitrary implementation and legal uncertainty for service providers. These concerns are widely shared by legal experts, CSOs, and implementing institutions.²⁸ The law is now pending in the Senate.

Lastly, Parliament adopted several motions that conflict with the right to freedom of association, including proposals to ban the Antifa movement²⁹ and to revoke the public-benefit status of the Extinction Rebellion.³⁰ While these motions have not been implemented due to their incompatibility with domestic and international law, their adoption is nonetheless alarming. For the first time, such measures were supported by a parliamentary majority, including traditionally moderate and centrist parties, signalling a significant and concerning shift in political norms regarding the protection of freedom of association.

2. Access to Funding

Over the past two years, the funding landscape for civil society organisations in the Netherlands has shifted dramatically, moving from a generally enabling environment to one marked by growing constraints and uncertainty. State funding for civil society was reduced significantly, excluding domestic advocacy from development funding frameworks and shifting more focus to promoting Dutch interests, service provision, and capacity support. This leads to a reduced capacity of CSOs to critically monitor and provide input on

²⁴ https://www.eerstekamer.nl/nieuws/20250527/senaat_verwerpt_bestuurlijk_verbod

²⁵ <https://www.tweedekeamer.nl/kamerstukken/detail?id=2025D21746&did=2025D21746>

²⁶ <https://www.tweedekeamer.nl/kamerstukken/wetsvoorstellen/detail?cfg=wetsvoorsteldetails&qry=wetsvoorstel%3A36704>

²⁷ <https://www.raadvanstate.nl/adviezen/@154193/w03-25-00303-ii/>

²⁸ <https://stopdeasielwetten.nl/info>

²⁹ <https://www.tweedekeamer.nl/kamerstukken/detail?did=2025D40130&id=2025Z17241&utm>

³⁰ <https://zoek.officielebekendmakingen.nl/kst-34324-21.html>

Dutch foreign policy. During a study conducted for the Netherlands Institute for Human Rights, 52% of the interviewed CSOs described the funding environment as bad.³¹

Legal framework

Generally CSOs are free to seek, receive, and utilise financial and material resources. There is no legislation restricting support for CSO activities. CSOs are allowed to use various methods for collecting resources such as online fundraising campaigns, crowdfunding, collection boxes and face-to-face fundraising. Some forms of fundraising are regulated (rules around marketing, privacy, etc)³², but these rules are proportionate and justified. Private foundations and philanthropic organisations are free to establish and allocate funding without interference.

Most CSOs and foundations are ANBI institutions (Algemeen Nut Beogende Instelling-Public Benefit Organisation), this means that they serve the public good, and have certain tax exemptions. To register as an ANBI, an organisation must demonstrate that all the activities serve the public good and comply with certain conditions. This includes the publication of an annual activity and financial report on the website and certain requirements related to governance.³³ Many CSOs also comply with additional norms and codes of conducts developed by the sector (self-regulation) and which are related to fundraising, transparency, oversight, integrity and good governance (CBF Keurmerk, Partos 9001). Compliance with sector norms can be an eligibility criteria for receiving funding from donors or simplify an application process. Unregistered organisations can collect donations through crowdfunding platforms or other methods. However, they cannot register as ANBI.

Restrictions on foreign funding

There are no specific restrictions on receiving foreign funding. However, as outlined above, due to anti-money laundering and terrorism legislation, receiving foreign funding can sometimes lead to extra investigations by banks.

The new draft law on transparency of CSOs (WTMO) introduces new transparency requirements. Mayors can request organisations to provide information about donations above €15,000. By administrative order, this threshold could be lowered for donations originating from countries that are considered high-risk for malign influence.

Government support for CSOs

The Dutch state has a long tradition of providing financial support for civil society. For many years the Netherlands development cooperation programmes for CSOs stood out for their strong focus on supporting advocacy of local watchdog movements and international organisations as part of their development cooperation strategy. This funding and other funding provided by the Ministry of Foreign Affairs allocated resources for CSOs to do human rights advocacy and monitor and provide input into Dutch foreign policy. This established long-standing trust and cooperation between CSOs and the Ministry, where CSOs were acknowledged as critical voices that could help shape foreign policy but also hold the government to account when needed.

³¹https://www.verwey-jonker.nl/wp-content/uploads/2025/09/124460_Ervaren-ruimte-maatschappelijk-middenveld-Nederland.pdf

³²<https://goededoelen.nl/spelregels/werving>

³³https://www.belastingdienst.nl/wps/wcm/connect/bldcontentnl/belastingdienst/zakelijk/bijzondere_regelingen/goede_doelen/algemeen_nut_beogende_instellingen/wat_is_een_anbi

During the last government (2024–2025), this perspective shifted completely. The previous Minister on Foreign Trade and Development was outspoken against international development cooperation in general and subsidies for CSOs in particular.³⁴ Funding for CSOs was significantly cut. In particular the budget for international development cooperation is reduced with a structural €2.4 billion cut per year from 2027. CSOs are disproportionately affected by these cuts as funding for CSOs is reduced by 70% from €1.4 billion to €390–565 million for the period 2026–2030.³⁵ Funding for international human rights and democracy support will be cut in half by 2027. There are also budget cuts on a local level due to reduced funding for municipalities.³⁶ These budget cuts have already had an irreversible impact on the CSO sector in the Netherlands, leading to layoffs.

The priorities have shifted to the promotion of Dutch interests and service provision. In the new framework, international advocacy or advocacy towards the Dutch government is no longer eligible for financial support under these funding frameworks. After pushback from the Parliament, the restriction on international advocacy was removed from new funding frameworks. Advocacy in the Netherlands and towards the Dutch government, however, remains non-eligible.³⁷ This significantly affects the capacity of CSOs to monitor, engage with, and influence the foreign policy agenda of the Netherlands. Although a parliamentary majority adopted a motion that requests that the Minister for Foreign Trade and Development Cooperation remove the restriction on advocacy towards the Dutch government, the interim government is refusing to implement this.

The Ministry of Foreign Affairs (MFA) is also exploring a new threshold for receiving funding from the development cooperation budget. The Minister of Development Cooperation announced a new threshold that determines that at least 50% of income of an organisation should come from other sources. This was later changed, as many CSOs, after years of cooperation, would be excluded from funding. To give CSOs the time to diversify their funding, the criteria was, for now, revised to the rule that an organisation can never receive more funding than it receives from non-MFA funding. This can be a bridging measure, but eventually still lead to the 50% rule.

Tax regulations

The overall taxation environment encourages public giving, with tax reductions for donations and exemptions for CSOs with an ANBI status. The new taxation plan for 2025 included restrictions on tax reductions for donations (*giftenaftrek*). However after pushback from civil society and Parliament, most of these restrictions were reversed. Unfortunately, the tax exemption introduced in 2024 for donations from companies to public benefit organisations was revoked, meaning that such donations were no longer qualified as profit distribution.³⁸ This reversal discourages large corporate donations and hinders the growth of steward-ownership models in which shares with economic rights (financial benefits) are donated to public benefit organisations. In 2024, the company AFAS software donated 30% of their shares to philanthropic foundations, stating that this transfer would not have been possible under the 2025 tax regime.³⁹ Experts expect this could lead to a significant decrease in donations for CSOs.⁴⁰

³⁴Some examples are: [& Minister Klever weet niet of ze wel extra geld wil voor ontwikkelingshulp: 'Ngo's moeten meer hun eigen broek ophouden' | Het Parool](https://nos.nl/artikel/2544059-minister-klever-voor-ontwikkelingshulp-bezuinigt-1-miljard-op-ngo-s)

³⁵<https://www.government.nl/latest/news/2024/11/11/first-development-budget-cuts-announced-overhaul-of-grants-for-ngos>

³⁶<https://vng.nl/artikelen/gemeenten-vallen-in-financieel-ravijn>

³⁷<https://www.government.nl/topics/grant-programmes/femfocus-2026-2030>

³⁸<https://goededoelenederland.nl/over-de-sector/belangenbehartiging/giftenaftrek-en-geefwet>

³⁹<https://mtsprout.nl/leiderschap/afas-schenking-bas-van-der-veldt>

⁴⁰<https://fd.nl/opinie/1542504/filantropie-zal-opdrogen-door-nieuwe-regelgeving>

The public benefit (ANBI) status of CSOs is used as a tool to intimidate and restrict their operations. During a debate on the right to protest, a motion was passed to repeal the ANBI status of the Extinction Rebellion.⁴¹ The Minister of Justice and Security responded that while there is no current legal justification to repeal its ANBI status, the government will explore possibilities of reviewing the law on ANBI status.⁴² There is not only a risk that this can restrict which entities can have an ANBI status, but also undermines the legitimacy of the ANBI status itself, which serves as an important label of recognition that an organisation is serving the public interest.

3. Freedom of Peaceful Assembly

This year once again marked an intensifying public and political debate over the right to protest, even as the Netherlands' legal framework strongly guarantees this freedom. Many politicians and opinion leaders have called for new restrictions, and an increasing number of draft laws and motions seek to limit or criminalise certain forms of peaceful assembly. As a result, protests – despite being mostly peaceful – are increasingly examined from a public order perspective, contributing to a growing trend of restrictive measures and heightened surveillance.

Legal framework

The right to protest is enshrined in Article 9 of the Dutch Constitution. The law protects the right to protest for everyone. Restrictions can only be applied to protect national health, traffic safety or to prevent disorder. The general rules and responsibilities around protests are described in the law on manifestations (*Wet Openbare Manifestaties* – WOM).⁴³ The WOM determines when and how a protest can be restricted. It applies to all peaceful assemblies and restrictions can only be applied to the form (location, time, etc.) and not the content of the demonstration.

Possible restrictions are described by law. The WOM permits a restriction, ban or order on the dispersal of a protest in the interest of traffic. This is not in line with international standards.⁴⁴ Article 7 of the WOM also requires prior notification of a planned protest, and when a notification is not given in a timely manner, a mayor can ban a protest. Those who join a protest that has not been announced beforehand or that has been banned can be charged with up to two months in detention or fined.⁴⁵ This is also not in line with international standards.⁴⁶

Protests in practice

The number of protests has been increasing over the past 10 years from 2,085 in 2015 to 6,502 in 2022 (last year of known data).⁴⁷ In addition, 97% of these protests took place without “incidents”. This number continues to grow. In 2024, in Amsterdam there were 3,000 registered protests, which was almost double the number in 2023.⁴⁸ These figures

⁴¹ <https://zoek.officielebekendmakingen.nl/kst-34324-21.html>

⁴² <https://zoek.officielebekendmakingen.nl/kst-34324-35.html>

⁴³ <https://wetten.overheid.nl/BWBR0004318/2010-10-10>

⁴⁴ https://unice.org/sites/default/files/2024-02/UNSR_EnvDefenders_Aarhus_Position_Paper_Civil_Disobedience_EN.pdf

⁴⁵ <https://wetten.overheid.nl/BWBR0004318/2010-10-10>

⁴⁶ https://www.amnesty.nl/content/uploads/2022/11/AMN_22_33_demonstratierecht-onder-druk.pdf

⁴⁷ <https://open.overheid.nl/documenten/dpc-a5d776d6b8cdc8fef258be39acdb5563935f5fc6/pdf>

⁴⁸ <https://www.nrc.nl/nieuws/2025/09/03/het-aantal-demonstraties-in-amsterdam-groeit-explosief-nu-staat-het-bijkans-heilige-demonstratierecht-onder-druk-a4904923?t=1762778941>

show that only a small percentage of demonstrations involve “incidents”. Information about the severity and perpetrator of these incidents is lacking. Isolated acts of violence by a few participants do not make the whole assembly non-peaceful.⁴⁹

While the vast majority of demonstrations proceed peacefully, the “presumption of peacefulness” is frequently absent: rather than facilitating protests, authorities often operate from a risk-based mindset, treating protests primarily from a control and threat-based perspective. Between 2020 and 2024, the number of peaceful protests that were dispersed by police increased by 80% from 50 to 90 demonstrations.⁵⁰ There is a concern that policing has moved from facilitation to control, especially given the broad discretion to monitor, check, disperse or penalise demonstrators.

The notification procedure as described in the WOM, is determined by the municipal councils, and can therefore differ per municipality. The inconsistent application across municipalities can cause significant variations in how notification procedures, bans, and restrictions are handled. This can make this process unnecessarily complicated and burdensome for protestors – especially for nationwide movements or for smaller, less-resourced groups.⁵¹ The number of protests that are not registered with the authorities is increasing.⁵²

Police conduct

Over the past years, there were several cases reported of police violence or misconduct. A recent example of large-scale and disproportionate police violence, is the pro-Palestine protest in Amsterdam on 13 November 2024.⁵³ More recently, in November 2025, protestors filed complaints after the police marked the faces of protestors with numbers when they were protesting a company for delivering parts for fighter jets to Israel.⁵⁴

When dispersing a protest the police regularly uses the practice of a painful wrist lock technique (*bokkenpoot*) or a painful nose pinch (*neusklem*). After complaints by Extinction Rebellion protestors, the complaint committee of the police ruled in 2024 that police officers need to be reserved in using these techniques.⁵⁵ However, in practice, protestors still frequently face the use of wrist locks. A complaint procedure in 2025 showed that these techniques are part of the curriculum during police training. The complaint committee has requested the police to align their approach with European human rights norms.⁵⁶

Protestors that file complaints to the police about police violence or misconduct during a protest face long procedures with often unsatisfying outcomes. Research by Amnesty International Netherlands found that the complaint procedure is not an effective remedy. The research shows that the police do not thoroughly investigate all complaints, and that oversight is inadequate. As a result, affected citizens do not receive legal remedy.⁵⁷

Most of the complaints and incidents are investigated by the police itself, unless it is a fatal incident. This is not in line with Article 3 of the European Convention on Human Rights (ECHR) that requires an independent investigation after complaints of inhumane treatment and police violence. Very few cases of police violence lead to criminal

⁴⁹ [CCPR, GC 37, Peaceful Assembly, CCPR/C/GC/37, para 19; HRC, Joint SR Report on Assembly Management, A/HRC/31/66, para. 20.](https://www.hrc.org/documents/2025/01/13/2025-joint-sr-report-on-assembly-management-a-hrc-31-66-para-20/)

⁵⁰ <https://www.democratiemonitor.nl/rapport-democratie-monitor-2025/>

⁵¹ https://www.amnesty.nl/content/uploads/2022/11/AMN_22_33_demonstratierecht-onder-druk.pdf

⁵² <https://open.overheid.nl/documenten/dpc-a5d776d6b8cdc8fef258be39acdb5563935f5fc6/pdf>

⁵³ <https://controlealdelete.nl/articles/grootschalig-buitenproportioneel-geveld-in-amsterdam#gsc.tab=0>

⁵⁴ <https://www.pzc.nl/dordrecht/klacht-tegen-politie-voor-behandeling-demonstranten-fokker-bezetting-in-de-maak-a031a1bf/>

⁵⁵ <https://extinctionrebellion.nl/klachtencommissie-politie-geeft-extinction-rebellion-demonstranten-gelijk-bokkenpootje-en-ander-geveld-ging-te-ver/>

⁵⁶ <https://extinctionrebellion.nl/demonstranten-van-extinction-rebellion-hangen-prijskaartje-aan-politiegeweld/>

⁵⁷ <https://www.amnesty.nl/actueel/amnesty-international-wil-beter-toezicht-op-politielijstbanken-in-nederland>

prosecution. While proportionality and subsidiarity are assessed, in line with Dutch police law, judges do not always assess if the violence was strictly necessary in accordance with the ECHR. The investigation of police violence, therefore, is not fully in line with ECHR norms.⁵⁸

Emergency laws

A study of the Dutch public broadcaster NOS (Nederlandse Omroep Stichting) illustrates how authorities are more often relying on state of emergency measures, which has a significant impact on the fundamental rights of citizens, including the freedom of assembly.⁵⁹

An emergency order is frequently used to disperse protests. Despite the powers already granted by the WOM, mayors sometimes restrict or even prohibit peaceful assemblies by using emergency powers granted to them under the Municipalities Act. It almost always results in an excessive restriction on the right to peacefully assemble.⁶⁰

This often includes the practice of administrative displacement (*bestuurlijke verplaatsingen*), when protestors are removed from the protest location. The emergency order (*noodbevel*) as a basis for the displacement of peaceful protestors raises questions about the legal grounds and lack of alignment with international standards. According to Article 15 of the Dutch Constitution, there should be a legal basis for the deprivation of liberty. The forced transportation of protestors is a form of (temporary) deprivation of liberty. An emergency order, therefore, does not provide sufficient legal basis.⁶¹ This can also violate Article 5 of the ECHR.⁶² The Council of State, in line with previous judgments from the Amsterdam court, confirmed this in its judgment in July 2025. The judgment states that the removal of protestors on the basis of an emergency ordinance lacked legal grounds in the case of a protest in 2020.⁶³

On 8 November 2024, the Mayor of Amsterdam issued two emergency ordinances to impose a pre-emptive blanket ban on assemblies. They were issued in reaction to the multiple incidents and disturbances connected with the football match between Ajax and Maccabi Tel Aviv. A six-day citywide ban on protests in Amsterdam represented an excessive restriction of the right to protest. Amnesty International Netherlands and six individuals are taking the Municipality of Amsterdam to court for this unlawful general prohibition of all assemblies.⁶⁴

Surveillance

Amnesty International Netherlands has documented widespread unlawful ID checks by the police at protests.⁶⁵ This could lead to the registration of peaceful protestors in police databases.

The police also use other surveillance tools to collect personal data about organisers and participants: social media monitoring, drones, video surveillance cars and high-resolution cameras. This type of mass surveillance – without robust legal safeguards, transparency or

⁵⁸ https://www.njb.nl/media/no4jocsg/njb09_de-beoordeling-van-politiegeweld-in-nederland.pdf

⁵⁹ <https://nos.nl/artikel/2591625-rechten-burgers-vaker-ingeperkt-met-noodmaatregelen-soms-langdurig>

⁶⁰ https://www.amnesty.nl/content/uploads/2022/11/AMN_22_33_demonstratierecht-onder-druk.pdf?x39202

⁶¹ <https://pure.rug.nl/ws/portalfiles/portal/226283579/AA20220452.pdf>

⁶² https://www.amnesty.nl/content/uploads/2022/11/AMN_22_33_demonstratierecht-onder-druk.pdf

⁶³ <https://www.raadvanstate.nl/uitspraken/@152600/202205886-1-a3/>

⁶⁴ <https://www.amnesty.nl/content/uploads/2025/08/Amnesty-Nederland-c.s.-v.-Gemeente-Amsterdam.pdf?x39202>

⁶⁵ <https://www.amnesty.org/en/documents/eur35/6650/2023/en/>



accountability – undermines both the right to privacy and the right to peaceful assembly as it can have a chilling effect.⁶⁶

Unannounced home visits by police to people who have participated in protests have been documented, where police questions protesters about their involvement in demonstrations. After legal actions by Extinction Rebellion (XR) and Amnesty International Netherlands, the police changed their guidelines on house visits connected to protests.⁶⁷

New legislation and motions

In 2025, a large number of motions were passed in parliament calling for stricter rules around protests, in particular civil disobedience actions. Several adopted motions called for the government to criminalise the blocking of vital infrastructure, including highways,⁶⁸ to make it easier and quicker to prosecute protesters,⁶⁹ as well as make it possible to use facial recognition techniques during protests to quickly identify protesters.⁷⁰

Different legal proposals were submitted this year that potentially puts restrictions on the rights to protest as follows:

- A new draft law allows mayors to order the removal of online content if they fear the action may lead to a disturbance of public order.⁷¹ The law contains vague definitions and there is a risk the law could be used against peaceful protests.
- A legislative proposal was submitted that allows the police to gather personal data from public sources about threats to public order. This could open the door to monitoring groups of protestors and have a chilling effect on the right to protest.
- A new law on criminalising the ‘glorification of terrorism and public support to terrorists organisations’ could disproportionately put restrictions on freedom of speech and freedom of assembly, in particular on Palestine solidarity actions due to the broad and vague language used to define these terms.⁷²

In addition, the government submitted a draft law for public consultation to ban facial covering during protests.⁷³ This would limit the ability for protesters to protect their privacy during protests.

All of these laws fit a broader trend of protests being viewed from the perspective of potential disruptions of public order and the response is more restrictions and repressive legislation. The legislative proposals make it easier to enact restrictions on protests, even before the protests take place. The draft laws contain broad and unclear definitions, which could lead to arbitrary implementation. This is a particular concern, given the polarised political climate and debate in which these laws were introduced.

4. Freedom of Expression

The Netherlands ranks high in international press freedom and freedom of expression indices. However, multiple developments such as an increase in attacks against journalists and media workers, increasing hate and intimidation against CSOs online, the flawed

⁶⁶ <https://www.amnesty.org/en/documents/eur35/8469/2024/en/>

⁶⁷ <https://www.politie.nl/nieuws/2025/mei/30/00-politie-verduidelijkt-werkwijze-huisbezoek-rondom-demonstraties.html>

⁶⁸ <https://zoek.officielebekendmakingen.nl/kst-34324-25.html>

⁶⁹ <https://zoek.officielebekendmakingen.nl/kst-34324-25.html>

⁷⁰ <https://zoek.officielebekendmakingen.nl/kst-34324-20.pdf>

⁷¹ <https://www.internetconsultatie.nl/oaoov/b1>

⁷² <https://www.internetconsultatie.nl/terrorismeverheerlijking/b1>

⁷³ <https://www.internetconsultatie.nl/verbodgezichtsbedekkendekledingdemonstraties/b1>



implementation of freedom of information requests, and new legislative proposals put pressure on the freedom of expression.

Legal framework

Freedom of expression is enshrined in Article 7 of the Constitution.⁷⁴ The law on open government (Wet Open Overheid) dictates access to public information. The media law (Mediawet) dictates the rules and regulations for public and commercial media.⁷⁵

Freedom of expression applies to a broad range of different forms of opinion, including ideas that may be regarded as critical or controversial, and ideas or views that may shock, offend or disturb. The holding of an opinion is not criminalised, but there are some restrictions in criminal law related to the ban on discrimination and incitement of hatred or violence against groups.⁷⁶ or incitement to violence or calling for criminal acts.⁷⁷ Defamation and libel are included in criminal law and can carry a serious fine or prison charges.⁷⁸

New legislative proposals

Some new legislative proposals could put additional restrictions on the freedom of expression. A new law was proposed this year that would give mayors the competencies to remove online content if there is a perceived risk of disturbance to public order. The provisions in this draft law are broad and vaguely defined, leaving room for arbitrary interpretation and a lack of legal certainty. The proportionality of the law is questionable, as there are other competences the mayor already has to protect the public order. The law seems to be mainly targeting certain forms of protests.⁷⁹ The Netherlands Helsinki Committee and other CSOs submitted a response to the consultation, calling on the authorities to repeal the law.⁸⁰

A new legislative proposal on 'glorifying terrorist content' criminalises any indicator of supporting terrorist organisations.⁸¹ The definition of what defines a terrorist organisation, and what constitutes support thereof are vague and the law was introduced amidst heated debates around criminalising pro-Palestine actions. The necessity of the law is highly disputable as there is already legislation that criminalises the support and promotion of terrorist groups and actions. The proposed law could open the door for arbitrary implementation. There is also a risk that the law would lead to discrimination, particularly against Muslims and pro-Palestine protestors in the Netherlands. After calls to action from civil society, Dutch citizens and organisations submitted critical input to the consultation on the draft law, which received 11,561 responses (the average consultation receives up to 28 responses). The law is now pending.

Another new legislative proposal was introduced that allows the police, when requested by the mayor, to collect data about groups and individuals when there are indications that a serious disturbance of public order will occur.⁸² This contravenes the state's obligation to facilitate a safe and enabling environment for freedom of expression. The law is not in line with the proportionality and necessity conditions for restrictions on freedom of expression as it provides a vague and low threshold for what is considered to be a risk to public order.

⁷⁴ <https://www.denederlandsegrondwet.nl/artikel/2018/7-vrijheid-van-meningssuiting-censuurverbod>

⁷⁵ <https://wetten.overheid.nl/BWBR0025028/2025-11-13>

⁷⁶ <https://wetten.overheid.nl/BWBR0001854/2017-09-01> Artikel 137d

⁷⁷ <https://wetten.overheid.nl/BWBR0001854/2017-09-01> Artikel 131 & 132

⁷⁸ <https://wetten.overheid.nl/BWBR0001854/2017-09-01> Artikel 261 & 262

⁷⁹ <https://www.tweede kamer.nl/kamerstukken/wetsvoorstellen/detail?qry=wetsvoorstel%3A36789&cfg=wetsvoorsteldetails>

⁸⁰ <https://www.internetconsultatie.nl/oaoov/reactie/278643/bestand>

⁸¹ <https://www.internetconsultatie.nl/terrorismeveerheerlijking/b1>

⁸² <https://www.internetconsultatie.nl/gegevensvergaringopenbareorde/b1>



In practice this means that the police could monitor groups of protesters only based on the indication that there might be a disturbance of public order. Even people that are not undertaking any criminal activities or planning to do so can end up in a police database, without being notified or given the ability to appeal the decision.⁸³ This can have a chilling effect on freedom of expression, as it can lead to self-censorship.

Intimidation and attacks against journalists and media workers

Persveilig, an independent Dutch institute that monitors attacks against journalists and provides support, has been reporting an increase in cases of attacks and intimidation against journalists and media workers over the past five years.⁸⁴

In 2024, 249 incidents of intimidation and harassment were filed with Persveilig, 56 of which concerned physical violence. This is an increase compared to previous years.⁸⁵ The latest research by Persveilig published in October 2025 found that 91% of camera operators and photographers have to deal with aggression in their work.⁸⁶ 85% reported that they had to deal with acts of aggression in the past 12 months, and in 35% of the cases, it reportedly happens on a monthly or weekly basis.

These attacks are fuelled by harmful claims and statements by politicians questioning the legitimacy of independent journalists and the public broadcaster.⁸⁷ This undermines their work and can contribute to a hostile environment for journalists and media workers.

Another measure affecting the media environment was the government decision to increase VAT on print and online media from 9% to 21%. This tax increase received widespread criticism, including by the Council of State, which spoke to the risk it could have on freedom of expression and access to information as protected in the Constitution and ECHR.⁸⁸ Parliament ultimately rejected the measure and the VAT remains at 9%; however, major budget cuts for the public broadcaster threaten media pluralism.⁸⁹

Misinformation campaigns and polarised debate

Increasing online hate speech and attacks against journalists, CSOs, politicians and other public figures, in addition to misinformation campaigns, sometimes initiated and promoted by far-right politicians, can contribute to an environment where people feel less safe to express their opinion.

For example, the yearly event in the Netherlands – *week van de Lentekriebels* – a week during which sexual and reproductive rights and health are discussed in schools, organised by CSO Rutgers, has been targeted by misinformation and smear campaigns for the past few years. This leads to hate speech and online threats against Rutgers staff, teachers, and other contributors.⁹⁰ Rutgers filed a lawsuit against the ultraconservative organisation Civitas Christiana for spreading false information about this yearly event. It won the lawsuit and the judge ordered Civitas Christiana to stop spreading false information.⁹¹

⁸³ <https://www.internetconsultatie.nl/gegevensvergaringopenbareorde/b1>

⁸⁴ <https://persveilig.nl/artikelen/249-incidenten-gemeld-bij-persveilig-in-2024>

⁸⁵ <https://persveilig.nl/artikelen/249-incidenten-gemeld-bij-persveilig-in-2024>

⁸⁶ <https://persveilig.nl/artikelen/bijeenkomst-9-oktober-2025>

⁸⁷ [https://www.villamedia.nl/artikel/kritiek-mag-maar-verdachtmaken-van-journalistiek-raakt-de-democratie & https://wnl.tv/2025/12/22/martin-bosma-pv-blift-voor-afschaffing-van-publieke-omroep-berichtgeving-over-gaza-was-om-van-te-huilen](https://www.villamedia.nl/artikel/kritiek-mag-maar-verdachtmaken-van-journalistiek-raakt-de-democratie-amp-https://wnl.tv/2025/12/22/martin-bosma-pv-blift-voor-afschaffing-van-publieke-omroep-berichtgeving-over-gaza-was-om-van-te-huilen)

⁸⁸ <https://www.rijksoverheid.nl/documenten/kamerstukken/2024/09/17/nader-rapport-wetsvoorstel-belastingplan-2025>

⁸⁹ <https://www.trouw.nl/opinie/opinie-de-publieke-omroep-is-een-politieke-speelbal-geworden~b51b253a/>

⁹⁰ <https://pointer.kro-nrcv.nl/hoe-misinformatie-de-online-haarmachine-tegen-de-week-van-de-lentekriebels-op-gang-trok>

⁹¹ <https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBMNE:2025:1778&>

During the 2025 election campaign, members of the far right PVV Party spread fake AI-generated images to smear Frans Timmermans, party leader of the leftwing GroenLinks-PvdA.⁹² Timmermans reported the images to the police. So far no sanctions were applied to the implicated PVV members, and one of them was re-elected into Parliament. The Data Protection Authority (*Autoriteit Persoonsgegevens*) issued a statement to warn people about bias in AI chatbots during elections. The Authority noted that people were asking AI chatbots for voting advice. After comparing different chatbots, they found clear biases that favoured some parties over others.⁹³

Also in academia, researchers report that they feel less freedom to determine their own topics and approaches for their research due to intimidation and a polarised public debate. The Netherlands has been dropping on the international academic freedom index V-Dem from 0.92 in 2019 to 0.76 in 2024.⁹⁴ Academics working on topics deemed controversial more often have to deal with intimidation and threats; young researchers and female researchers are particularly affected. This is fuelled by polarised political debate, where politicians often refer to academics as 'woke' or 'leftist'.⁹⁵

It shows how journalists, CSOs, academics and other public figures often have to deal with intimidation and hate speech when expressing their opinions or sharing their work. This creates an environment in which people feel less safe to express their opinions.

Access to information and protection of whistleblowers

The implementation of the Freedom of Information Act (*Wet Open Overheid* - WOO) in the Netherlands is weak. The maximum time limit for providing information after a request is submitted has been exceeded (188 days in 2024, while the maximum is 28 days, with a possible extension to 42 days).⁹⁶ In a parliamentary debate, some motions were submitted that could weaken the implementation of the WOO, including abolishing the fines for government institutions when they do not respond to a request in time and revealing the name of the person submitting the requests.⁹⁷ Both motions were rejected. However, in a letter to the 'formateur' who was tasked with forming a new government coalition, the Ministry of Interior has proposed measures to simplify and restrict the WOO.⁹⁸

Whistleblowers are protected through the Whistleblowers Act; however, some issues remain. There is a loophole in the 2023 Whistleblowers Protection Act (*Wet bescherming klokkenluiders*). The law includes a requirement that there must be 'public interest' at stake before someone has the right to receive whistleblowers protection. This unnecessary provision creates uncertainty and undermines the law in various ways.⁹⁹ While the purpose of the Act is to give whistleblowers a level of assurance, the public interest requirement does exactly the opposite by creating uncertainty for (potential) whistleblowers whose concerns may not be deemed as in the public interest.

The law on whistleblowers protection will be evaluated in 2026, as issues persist regarding maintaining the anonymity of the whistleblower as well as the sanctioning power of the whistleblower authority.¹⁰⁰

⁹² <https://nos.nl/collectie/14002/ artikel/2588167-direkte-invloed-van-ai-plaatjes-niet-te-bewijzen-maar-wel-gevaarlijk-precedent>

⁹³ <https://autoriteitpersoonsgegevens.nl/en/documents/report-ai-algorithms-netherlands-ran-july-2025>

⁹⁴ <https://www.v-dem.net/our-work/research-programs/academic-freedom/>

⁹⁵ <https://www.knaw.nl/publicaties/academische-vrijheid-nederland-reactie-op-actuele-dreigingen>

⁹⁶ <https://openstate.eu/wp-content/uploads/sites/14/2025/03/Schildpaddensoep-Woo-rapport.pdf>

⁹⁷ <https://openstate.eu/nl/2025/05/maatschappelijke-organisaties-sturen-brandbrief-aan-de-kamer/>

⁹⁸ <https://openstate.eu/nl/2025/12/position-paper-in-reactie-op-voorgestelde-inperking-van-de-woo/>

⁹⁹ <https://www.liberties.eu/f/vdxw3e>

¹⁰⁰ <https://www.rijksoverheid.nl/documenten/kamerstukken/2025/07/10/kamerbrief-over-stand-van-zaken-klokkenluidersdossier>



5. Right to Participation in Decision-Making

While the Netherlands has traditionally maintained a strong cooperative relationship with civil society, recent years have shown a decline in structured, meaningful cooperation and a weakening of the enabling environment. The global trend of “participatory shrinking” has also been observed, where civic dialogue structures remain in principle, but informal trust and political openness decline.

Legal framework

The right to participation is not enshrined in the Constitution but regulated in administrative law.¹⁰¹ The right to public information, however, is enshrined in Article 68 of the Constitution.¹⁰² This provision provides an important foundation for public participation as it enables citizens and CSOs to obtain information from the government that is relevant for policy debates and decision-making. A key mechanism for public participation is the system of online consultations (*internetconsultatie*), through which draft legislation and regulations can be made available for public comment. These consultations must remain open for a minimum of four weeks. However, it is up to the individual ministries to decide whether a proposed law or policy is posted for consultation. While in practice this process is applied broadly across the government, the obligation to open an online consultation is not legally enshrined.

At the local and regional levels, the Act on Strengthening Participation at the Local Level (*Wet versterking participatie op decentraal niveau*) grants citizens the right to participate more directly in policymaking. The law requires municipalities to adopt a public participation ordinance by 2027. This includes participation in municipal or provincial policy development, spatial planning, and other local governance processes.¹⁰³

Practice

The Netherlands' plan under the Open Government Partnership (OGP) includes explicit commitments to collaboration among government organisations, civil society, and citizens.¹⁰⁴ There are public funding and initiatives for citizen dialogue, participatory fora, and local participation. However, while national frameworks such as the Open Government Act (WOO) and the OGP action plan emphasise openness and participation, support for domestic CSOs remains uneven and often ad hoc rather than institutionalised. As a result, participation practices vary across municipalities, and meaningful influence over policy design is still limited. These ongoing power asymmetries and implementation gaps mean that, despite strong commitments on paper, citizen and civil society input does not always translate into real decision-making.¹⁰⁵

OECD Open Government and Civic Space reviews show that the Netherlands has strong formal mechanisms for participation, but significant implementation gaps remain, particularly in quality of consultations, access to information, and the inclusion of under-represented groups. International standards (OECD, Council of Europe, UN Special Rapporteur on Freedom of Expression) underline that timely access to information is a

¹⁰¹ <https://www.njb.nl/wetgeving/wetsvoorstellen/burgerparticipatie/>

¹⁰² <https://www.denederlandsegrondwet.nl/artikel/2017/68-inlichtingenplicht-ministers-staatssecretarissen-interpellatie>

¹⁰³ <https://wetgevingskalender.overheid.nl/Regeling/WGK010370>

¹⁰⁴ https://www.opengovpartnership.org/wp-content/uploads/2023/09/Netherlands_Action-Plan_2023-2027_June_EN.pdf

¹⁰⁵ https://www.partos.nl/wp-content/uploads/2024/03/Partos_policy-recommendations-Dutch-MFA_civil-society.pdf



prerequisite for meaningful participation. The current implementation gap, therefore, represents a significant barrier to civic participation.

There are ongoing experiments with citizen assemblies and fora. There is public funding available for citizen dialogue, but so far it has not been institutionalised, and it is rather ad hoc and focused on local issues. Currently, there is a national citizens' dialogue on climate.¹⁰⁶ A key challenge is the follow-through: how the recommendations are translated into actual policy, how implementation is monitored, and how citizen involvement continues beyond the deliberative phase. Because these processes are still relatively new, they often focus on specific issues (such as climate) and do not yet form a systemic, institutionalised part of governance practice across domains.¹⁰⁷

Youth participation is not legally embedded and only implemented to a certain extent. While youth are consulted, there is often no meaningful and structural participation throughout the policy cycle. The Netherlands only scores 58 out of a 100 in the V-DEM youth participation index.¹⁰⁸

Law on open government

Requesting public information is arranged in the law on open government (WOO). The implementation of this law has been an issue for a long time. The maximum time limit for WOO requests is often exceeded. The number of days it takes to respond to a WOO request continues to increase - from 172 days in 2024, to 188 days in 2025 - while the legal time limit is 42 days.¹⁰⁹ CSOs report that information is often provided late, heavily redacted or even initially denied, requiring costly and time-consuming appeals. These delays (and refusals) directly undermine the ability of citizens, journalists, and CSOs to access information and engage in timely advocacy, participate in consultations or respond to fast-moving legislative processes.

Lack of consultations and symbolic engagement

In the Public Monitor study of the Hague Center for Strategic Studies, 53% of respondents indicate people feel they have no influence about what the government does.¹¹⁰ This perception of limited influence is mirrored within civil society. A growing number of CSOs have the feeling that consultation processes have become less meaningful.¹¹¹ An important reason for this is a growing suspicion and changing perception of lobbying done by CSOs. Often CSOs are only consulted after the decisions have been made, instead of being asked for input at the drafting stage.

CSOs note a shift in the political climate and attitudes towards their advocacy, which is sometimes met with suspicion or distrust. This changing perception has led to more selective engagement with CSOs, often privileging actors seen as politically aligned or “non-controversial”, thus limiting space for critical voices.

Another commonly cited concern is the timing of consultations. Many organisations report being approached only after key political decisions have already been taken, leaving little room to influence the underlying policy design. As a result, CSOs increasingly experience

¹⁰⁶ <https://www.burgerberaadklimaat.nl/default.aspx>

¹⁰⁷ <https://www.bosch-stiftung.de/sites/default/files/documents/2024-06/Country-report-netherlands.pdf>

¹⁰⁸ <https://www.kinderrechten.nl/jongeren-willen-meedoen-maar-krijgen-de-ruimte-niet-binnen-politiek-en-beleid/>

¹⁰⁹ <https://openstate.eu/wp-content/uploads/sites/14/2025/03/Schildpaddensoep-Woo-rapport-final.pdf>

¹¹⁰ <https://hcss.nl/wp-content/uploads/2025/09/Hoofdlijnen-Najaarspeiling-HCSS-2025.pdf>

¹¹¹ https://www.verwey-jonker.nl/wp-content/uploads/2025/09/124460_Ervaren-ruimte-maatschappelijk-middenveld-Nederland.pdf



participation as symbolic, contributing to frustration, disengagement, and a perception that civic participation is not taken seriously.¹¹²

The last government included several ministers that refused to have proper consultations on legislation and policy and actively undermined official opinions of advisory bodies, such as the Council of State. This was the case with new asylum-related legislation, which included abolishing permanent residence permits, limiting asylum permits to three years, narrowing family reunification rights and strengthening deportation powers.¹¹³ Important stakeholders, including the National Human Rights Institute, were not consulted, and the Council of State only had a week to offer an opinion.¹¹⁴

Similarly, the Minister of Foreign Trade and Development Aid announced the reduction in the budget for civil society and development aid from €390 to €565 million for the period 2026–2030, a decrease of more than 70%. This decision was marked by a lack of consultation and a complete disregard of the concerns raised by civil society.¹¹⁵ Such developments illustrate a weakening of meaningful stakeholder consultation in major policy areas in the Netherlands and a gap between formal advisory mechanisms (such as the Council of State) and the actual decision-making process.

6. Safe Space

The political and public discourse has shifted in recent years, with the labelling of critical CSOs as illegitimate or radical rather than essential democratic watchdogs. This trend intensified in 2025, with several political motions seeking to criminalise or stigmatise organisations. While the Netherlands has strong, established frameworks around privacy, data protection, transparency and foreign interference, questions arise whether all measures are fully proportionate and respect fundamental rights.

Legal and policy framework for protection

The Netherlands has a strong formal legal framework intended to ensure a safe space for civic participation, grounded in constitutional protections for freedom of expression, association, assembly and privacy, and reinforced by EU standards such as the GDPR. Institutional safeguards include the Netherlands Institute for Human Rights, which investigates discrimination cases, and the National Ombudsman, which handles complaints about public authorities.

Some programmes and policies for the protection and safety of human rights defenders (HRDs) and journalists exist, such as the Persveilig Institute that monitors attacks on journalists and provides support after an attack.¹¹⁶ The Shelter City programme supports HRDs from outside the Netherlands with temporary relocation.¹¹⁷ For HRDs in the Netherlands in need of protection, there are limited programmes. Some CSOs provide legal and other types of support on their own initiative, but there are limited institutional protection programmes. This also includes fewer options for protection of HRDs in exile who are affected by transnational repression.

¹¹² <https://civic-forum.eu/wp-content/uploads/2025/06/Civic-Space-Report-2025-Netherlands.pdf>

¹¹³ https://www.euaa.europa.eu/sites/default/files/2025-06/2025_asylum_overview_Netherlands_EN.pdf

¹¹⁴ <https://www.mensenrechten.nl/actueel/nieuws/2024/12/18/index>

¹¹⁵ <https://www.wemos.org/en/government-drastically-cuts-funding-for-civil-society-organizations/>

¹¹⁶ <https://persveilig.nl/>

¹¹⁷ <https://sheltercity.org/>



Hostile rhetoric and intimidation

In the past year, there has been a shift in discourse around civil society. There is a perceived shift amongst politicians, government officials, and media actors from viewing CSOs as critical watchdogs that are a core pillar of the checks and balances system of the rule of law to portraying critical CSOs as a nuisance, illegitimate, radical and extremist.

This trend continued in 2025. Politicians are criminalising acts of critical CSOs that they do not agree with, including the Antifa motion, the motion on removing Extinction Rebellion's ANBI status, and the renaming of the transparency law. These claims are repeated in the media, leading to an outcry against certain organisations. This pattern mirrors the broader rule of law concerns. While civic actors face rising legal and political pressure, institutional watchdogs themselves are also being sidelined or ignored. Key oversight bodies such as the Council of State and the Netherlands Institute for Human Rights increasingly see their advice dismissed or undervalued, weakening the checks and balances meant to protect civic space.

In research conducted by the Verweij Jonker Institute, commissioned by the Netherlands National Human Rights Institute, 51% of the 119 interviewed CSOs indicated that they have had to deal with online verbal threats, intimidation, and/ or aggression over the past two years.¹¹⁸ During the focus group discussion, organisations mentioned the stigmatisation by politicians they had faced and the shifting narrative as having a negative impact on the space to operate freely and safely. Organisations also perceive an increase in online hate and violence in response to social media content they publish. This often includes sexist or Islamophobic comments.¹¹⁹

A hostile environment in Parliament is adding to the risk of violent outbreaks in society. Riots in The Hague erupted after an anti-immigration protest was organised by far-right groups. The National Coordinator Terrorism and Safety (NCTV) pointed to the normalisation of extreme right ideology as one of the main reasons for the violence and highlighted how politicians play a role in normalising this.¹²⁰

Harmful rhetoric against the media continues to undermine the independence and safety of journalists in the Netherlands. In 2024, PersVeilig recorded 249 cases of intimidation and harassment, including 56 incidents of physical violence.¹²¹ Research shows 91% of camera and photographers experience aggression,¹²² yet police reports rarely lead to prosecution, and journalists often state that nothing happens after filing complaints.

Interviewed organisations that received threats after publication of a report or public action also reported that there is limited to no follow-up on the threats by the authorities. The pattern is consistent with the experience of journalists whose reports of threats rarely lead to prosecution. Together, these trends show a growing gap between formal protections and actual enforcement.

New legislative proposals (SLAPPs)

¹¹⁸ https://www.verweij-jonker.nl/wp-content/uploads/2025/09/124460_Ervaren-ruimte-maatschappelijk-middenveld-Nederland.pdf

¹¹⁹ https://www.verweij-jonker.nl/wp-content/uploads/2025/09/124460_Ervaren-ruimte-maatschappelijk-middenveld-Nederland.pdf

¹²⁰ <https://www.nu.nl/politiek/6370239/nctv-vindt-rellen-in-den-haag-een-teken-van-normalisering-van-extremrechts.html?referrer=https%3A%2F%2Fwww.google.com%2F>

¹²¹ <https://persveilig.nl/artikelen/249-incidenten-gemeld-bij-persveilig-in-2024>

¹²² <https://persveilig.nl/artikelen/bijeenkomst-9-oktober-2025>



Despite strong legal foundations on paper, the safe and enabling environment for CSOs, journalists, and HRDs is increasingly under pressure. The transposition of the EU SLAPP Directive lacks a clear definition of SLAPPs, does not provide strong early-dismissal safeguards or full compensation of damages and only applies to cross-border cases. While the explanatory memorandum states that transposed law will also apply to national cases, it is still not clear how this exactly will be arranged. The latter, so far there is no legal definition of what is a SLAPP case enshrined in the Dutch law, which was also not foreseen in the first draft law that was presented. The new proposal also does not include sufficient safeguards and refers to already existing possibilities, however, in practice these do not provide adequate safeguards against SLAPPs, are costly and not accessible enough. The Dutch anti-SLAPP working group, part of the Coalition Against SLAPPs in Europe (CASE), is monitoring the transposition of the SLAPP directive and pushing for this to be included.¹²³

Additionally, 25 press freedom and human rights organisations warned that the current proposal does not do justice to addressing the severity of SLAPPs and in ensuring the obligation to implement effective and accessible safeguards.¹²⁴

Privacy

The Netherlands has a generally robust privacy and data protection framework, grounded in the EU GDPR and its implementation on the national level through the '*General Data Protection Regulation Implementation Act*',¹²⁵ which specifies how EU data-protection rules apply in the Dutch context, outlines national exemptions, and empowers the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*) to supervise and enforce compliance.

While the right to privacy is well protected in theory, privacy rights are often violated in practice through unlawful data processing by authorities, such as surveillance of activists and protesters. People are often unaware of their data being processed in the first place because there is a lack of transparency and oversight. Enforcement is weak due to the underresourced Data Protection Authority, resulting in slow investigations and limited deterrence.¹²⁶

The use of facial recognition technology raises serious concerns as there is insufficient control, oversight, and legal basis for its deployment. The police widely use facial recognition technology without sufficient regard for human rights protection such as privacy and non-discrimination.¹²⁷ The police are experimenting with expanded facial recognition tools without conducting the required impact assessments related to privacy rights and data protection or involving the Data Protection Officer, as mandated by data protection law.¹²⁸ The police often employ facial recognition cameras at peaceful protests.¹²⁹

¹²³ <https://www.internetconsultatie.nl/antislapp/reactie/e95f79af-f15c-4499-98fa-f5975a2769b3>

¹²⁴ <https://ipi.media/concerns-transposition-european-anti-slapp-directive-netherlands/>

¹²⁵ <https://wetten.overheid.nl/BWBR0040940/2021-07-01>

¹²⁶ <https://www.amnesty.nl/actueel/netherlands-unchecked-power-id-checks-and-collection-of-data-from-peaceful-protesters-in-the-netherlands & https://www.amnesty.org/en/documents/eur35/8469/2024/en/>

¹²⁷ <https://www.bitsoffreedom.nl/dossiers/gezichtsherkenning/>

¹²⁸ <https://www.bitsoffreedom.nl/2024/03/27/de-politie-trekt-zich-van-niemand-wat-aan-bij-de-inzet-van-gezichtsherkenning/>

¹²⁹ <https://www.amnesty.nl/actueel/camera-surveillance-door-politie-moet-aan-banden-worden-gelegd>



At the same time, political discussions and draft proposals to ban face coverings at protests raise growing concerns. Surveillance is also a growing issue; different legislative proposals can further worsen this if protesters are not allowed to cover their faces and protect their privacy. This is also the case if facial recognition software would be more widely used and if police would gain more competencies to monitor certain online (closed) chat groups. Such could affect the right to privacy.



Recommendations

This report demonstrates that a combination of long-standing and emerging challenges, together with an increasingly hostile political climate, is placing significant pressure on civic space. Civil society must be clearly recognised as a core pillar of the rule of law and democratic governance. Authorities should take proactive steps to safeguard, protect, facilitate and empower civil society.

To reverse the trend of shrinking civic space, we recommend the **development of a National Action Plan on Civil Society Space**. This Action Plan should build on existing national recommendations, the EU Civil Society Strategy, and Council Recommendation 2023/2836 on civil society participation, and be developed in close consultation with civil society. It should include concrete measures to strengthen rights protection, civic participation, access to funding and financial services, and legal safeguards for CSOs.

Recommendations to the legislator and national government:

1. Recognise and protect civil society

- Acknowledge the essential role of CSOs as watchdogs and human rights defenders, and their contribution to free, pluralistic, and open democratic debate; and
- Cease harmful rhetoric and practices that stigmatise, delegitimise or criminalise critical civil society actors.

2. Safeguard civic freedoms in new legislation and technology

- Repeal draft legislation that disproportionately restricts CSOs or fundamental rights;
- Prevent the introduction of new laws that further undermine civic space; and
- Ensure human rights and data protection impact assessments are made prior to the introduction of all biometric surveillance tools.

3. Protect Freedom of Assembly

- Protect and strengthen freedom of assembly by safeguarding against the criminalisation of protests and protesters in political discourse and legislative proposals;
- Align protest legislation (WOM) with international human rights standards;
- Protect the right to privacy and cease the disproportionate surveillance of peaceful protestors; and



- Support municipalities to better facilitate peaceful protests without disproportionate restrictions.

4. Improve the legal and administrative framework

- Reduce administrative burdens on CSOs by systematically assessing the impact of new legislation on civil society; and
- Strengthen access to justice for CSOs by improving the implementation of existing law in line with the WODC evaluation of the WAMCA.

5. Strengthen participation and improve access to information

- Improve meaningful participation of CSOs, including youth-led initiatives, in policymaking processes; and
- Ensure better implementation of the law on open government (WOO) and reject proposals that would weaken the WOO.

6. Strengthen protection

- Ensure monitoring and systemic follow-up in cases of intimidation, threats or attacks against CSOs, journalists, and activists;
- Establish an effective and independent mechanism to investigate allegations of police violence and misconduct at protests, in line with Articles 3 and 5 of the ECHR; and
- Ensure the effective implementation of the Anti-SLAPP Directive, including embedding a legal definition of SLAPPs in national law and including accessible early-dismissal procedures, as well as ensure these safeguards also apply to domestic SLAPP cases.

7. Ensure sustainable funding and financial access

- Establish a Democracy Fund to provide independent financial support to Dutch CSOs;
- Ensure adequate resources for CSOs to participate in consultations and monitoring processes;
- Do not restrict advocacy activities within funding frameworks, as these are essential to democratic participation;
- Continue cooperation with banks, CSOs, and financial institutions to improve access to financial services; and
- Protect the ANBI status from political misuse and ensure a favourable tax environment for public giving and restore the tax exemption for companies.



8. Strengthen oversight and accountability

- Include regular assessments of the state of civil society in the Netherlands as part of the annual EU Rule of Law cycle.

Methodology

The Monitoring Action for Civic Space (MACS) methodology is designed to assess the state of civic space in EU countries with a focus on identifying both progress and deterioration in selected countries. The European Center for Not-for-Profit Law, European Civic Forum, Bulgarian Center for Not-for-Profit Law, Nyt Europa, Le Mouvement associatif, Hungarian Environmental Partnership Foundation, Netherlands Helsinki Committee, National Federation of Polish NGOs and the Civil Society Development Foundation joined forces to create MACS, using our collective expertise in the monitoring field. MACS consists of two complementary tools: the country reports and the Early Warning and Alert System.

The methodology monitors the following dimensions:

- Freedom of Association;
- Access to Funding;
- Freedom to Peaceful Assembly;
- Freedom of Expression;
- Participation in Decision-Making;
- Safe Space.

Each dimension is evaluated against a set of standards that capture the state's commitment under international and European human rights law. Each standard is assessed using qualitative indicators. For further details, download the [full methodology](#).

Throughout the reports, the red highlighted sections mark any developments that are directly falling or could potentially fall under the [sphere of competence of the European Union](#). This is to better understand where the EU has the legal authority to act, as opposed to developments that remain under Member State control.

2025 was the testing phase of the methodology by national partners. While some partners monitored all six dimensions, others focused on the three core civic space dimensions (association, peaceful assembly and expression) and selected one additional dimension aligned with national priorities.

Country process

This monitoring report covers civic space developments in the Netherlands from 1 January to 31 December 2025, with significant events before this period referenced when necessary for contextualisation. The assessment is structured around six core dimensions of civic space, and each dimension is evaluated through a set of four standards accompanied by qualitative indicators, enabling systematic assessment of both legal frameworks and practices affecting civic space.



Data collection combined extensive desk research and interviews with relevant experts, CSO- networks, and targeted consultative exchanges. Desk research included analysis of legislation (including draft laws), parliamentary debates, government policy documents, academic research, official statistics, and reports from civil society, journalists, and oversight bodies. Media monitoring and documentation from human rights organisations were incorporated to capture practice-based evidence. Interviews with CSO representatives, experts, and other relevant stakeholders provided additional qualitative insights, with particular attention to groups disproportionately affected by civic space restrictions.

Collected data were synthesised into narrative analyses for each standard, assessing both the legal environment and the lived experience of civic actors. Draft scores were derived from the narrative analysis and subsequently reviewed during a focus group meeting with civil society representatives and academic experts. The scores will be further reviewed for consistency and methodological alignment through validation by ECNL and cross-country comparison processes.

Limitations

The assessment reflects the information available during the reporting period. Some legislative proposals are still pending and are assessed based on their potential impact and the surrounding political debate. As several data sources are updated annually with a delay, the latest available data were used and strengthened by additional stakeholder input. The report also acknowledges the increasing climate of polarisation and intimidation which may affect stakeholders' willingness to speak openly.



Monitoring Action
for Civic Space