

Netherlands - Human Rights Scorecard ¹

The Netherlands is a low-lying, industrialized country in northwestern Europe. It is bordered by Belgium, Germany, and the North Sea. It has a stable political environment and is generally very respectful of human rights, both practically and in its constitution and policies. It was the first country to legalize same-sex marriage in 2001. The International Criminal Court and the International Court of Justice are both located in the Netherlands. Nevertheless, ethnic profiling by the police continues to be a problem.

Official language: Dutch

Ethnic groups: 77.39% Dutch; 9.88% Other Europeans; 2.3% Turks; 2.2% Moroccans; 2.1% Moluccans and other Indonesians; 2% Surinamese; 0.9% Dutch Caribbean; 0.23% Other Americans; 2.8% Other

Government: Unitary parliamentary constitutional monarchy

- Monarch: Willem-Alexander
- Prime Minister: Mark Rutte

Death penalty: Abolitionist for all crimes

Population: 17.8 million

Life expectancy: 81.6 years

Under-5 mortality: 2.94 per 1000

Adult literacy: 99 percent



Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

Human Development (UNDP Human Development Index (HDI)) ²



0.933 – Very High Human Development ³

According to the UNDP, the Dutch enjoyed a gross national income per capita of \$50,013 and could expect to have on average 12.2 years of schooling. Compared to other countries with comparable gross national income per capita, this is a high HDI.

Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Respected ⁴

There have been no reports of arbitrary or unlawful killings in the Netherlands.

Freedom from disappearance



Respected ⁵

There are no reports of disappearances by the Dutch government.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Respected ⁶

The law prohibits torture and other cruel or inhuman practices. There were no reports that the Dutch government has employed such practices.

Freedom from arbitrary arrest or detention



Respected ⁷

There have been no reports of arbitrary arrests, and the law prevents such practices. Any person can challenge the grounds of his or her arrest or detention in court.

Freedom from denial of fair public trial



Respected⁸

The law protects the right to a fair and public trial and provides an independent judiciary which the government respects.

Freedom from arbitrary interference with privacy, family, home or correspondence



Respected⁹

There are laws that prevent such practices, and the Dutch government has generally observed these laws.

Section 3: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)¹⁰



Score: 8.63, Rank: 4 / 180 – Largely Free, Diverse, and Independent¹¹

Freedom of expression is protected by law. An independent press faces no restrictions in representing a variety of views. Although hate speech is a crime, it does not include hate speech targeting a religion or philosophy. Hate speech restrictions apply to the media but are loosely enforced.

Freedom from academic censorship



Respected¹²

The law does not provide any restrictions on academic freedom.

Freedom of peaceful assembly and association



Respected¹³

Freedoms of peaceful assembly and association are protected by the law, and the government has continuously respected these freedoms.

Freedom of religion



Partially Respected¹⁴

Although the constitution prohibits religious discrimination, politicians occasionally make anti-Semitic and anti-Islamic statements. Hundreds of incidents involving anti-Islamic and anti-Semitic violence and harassment were reported. There is a full-face covering ban in public buildings.

Freedom of movement



Respected¹⁵

The constitution provides for the freedom of movement. The government adequately protects this freedom.

Protection of refugees and stateless persons



Largely disrespected¹⁶

Many NGOs have criticized migrant detention centers in the Netherlands. The Netherlands has breached the principle of non-refoulement as it forcibly returned asylum-seekers to Afghanistan despite its deteriorating conditions. Undocumented migrants have limited rights.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{17 18}



1 / 7 – Free¹⁹

The press and judiciary are completely independent from the government. Citizens can bring lawsuits and grievances for violations of human rights to the courts. They may also appeal to the European Court of Human Rights.

Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

Overall protection of political rights (*FreedomHouse Political Rights Index*)²⁰



1 / 7 – Free²¹

Citizens in the Netherlands choose their government in free and fair elections. There are no laws that limit women and minorities from participating politically.

Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²²



Score: 82%, Rank: 8 / 180 – Very limited corruption²³

In the Netherlands, there are laws that prevent corruption by officials. Such laws are implemented effectively by governments. However, officials are not required to disclose their income and assets.

Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Respected²⁴

Several domestic and international human rights groups are located in the Netherlands. They operate with no government restrictions. Governments are cooperative with these groups.

Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)²⁵



No threat listed – Limited dangers to minorities²⁶

According to Minorities Rights Group International, there are no listed dangers to minorities. In the Netherlands, the police receive training on ethnic and racial profiling.

Rights of women (*World Economic Forum Gender Gap Index*)²⁷



Score: 73.6%, Rank: 38 / 142 – Somewhat unequal rights²⁸

Women have the same legal status as men under the law. There were no reports of workplace discrimination. The law prohibits rape and domestic violence. Sexual harassment is penalized. However, there still remains a gender pay gap in Holland.

Rights of Children (*KidsRights Index Overall Score*)²⁹



Score: 90.4%, Rank: 13 / 181 – Protected³⁰

By law, children are protected from abuse or sexual exploitation. The legal minimum age for marriage is 18, with some exceptions.

Rights of persons with disabilities



Respected³¹

Discrimination against persons with disabilities is prohibited by law. The law provides for equal access to employment and education. There is significant accessibility for person with disabilities in public buildings and with public transport.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Partially respected³²

Although the law prohibits ethnic and racial discrimination, the Netherlands reported that the largest percentage of incidents of discrimination were related to ethnicity, color, and origin. Politicians continue to make anti-Semitic and anti-Islamic statements.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Respected^{33 34}

Same-sex marriage is legal in the Netherlands. Discrimination against LGBTI persons is prohibited by law and enforced effectively. The police has an entire unit dedicated to the protection of LGBTI rights.

Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Respected³⁵

Collective bargaining is protected by law. Anti-union discrimination and retaliation against strikes are punishable by law.

Freedom from forced or compulsory labour



Respected³⁶

The law prohibits forced or compulsory labor, and the government enforces the law. However, there were some reports of isolated incidents of forced labor.

Freedom from forced labour for children, and a minimum age of employment



Respected³⁷

Child labour is prohibited by law, and there were no reports of child labour. Children between the ages of 13 and 17 are allowed to work within some restrictions.

Right to acceptable conditions of work



Respected³⁸

In the Netherlands, minimum wage is sufficient for a single individual but there are concerns that it is insufficient for a couple with two children. Occupational health and safety standards are generally enforced effectively.

Right to employment



3.8% - Reasonable unemployment³⁹

Unemployment rate has been significantly decreasing in the Netherlands, and it is the lowest it has been in the past ten years.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed Jan. 28, 2020 <http://hdr.undp.org/en/countries/profiles/NLD>

³ "Table 1: Human Development Index and its components, Netherlands" UNDP, based on 2014 or the most recent year available. Accessed Jan. 28, 2020. <http://hdr.undp.org/en/content/table-1-human-development-index-and-its-components-1>.

⁴ "Country Reports on Human Rights Practices for 2018 Netherlands." U.S Department of State. January 1, 2018. Accessed Jan. 28, 2020. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

⁵ Ibid. U.S Department of State. For purposes of the present analysis, a “disappearance” is different than simple arbitrary detention because a “disappearance” is considered permanent.

⁶ Ibid. U.S Department of State.

⁷ Ibid. U.S Department of State.

⁸ Ibid. U.S Department of State.

⁹ Ibid. U.S Department of State.

¹⁰ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

¹¹ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2020. Accessed January 28, 2020. <http://rsf.org/index2014/en-index2014.php>.

¹² "Country Reports on Human Rights Practices for 2018 Netherlands." U.S Department of State. January 1, 2018. Accessed January 28, 2020. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

¹³ Ibid. U.S Department of State

¹⁴ "Netherlands." International Religious Freedom Report for 2018. January 1, 2018. Accessed January 28, 2020. <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

¹⁵ "Country Reports on Human Rights Practices for 2018 Netherlands." U.S Department of State. January 1, 2018. Accessed January 28, 2020. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

¹⁶ Ibid. U.S Department of State

¹⁷ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

¹⁸ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

¹⁹ "Netherlands." Freedom in the World 2019: Netherlands. January 1, 2019. Accessed January 28, 2020. <https://freedomhouse.org/report/freedom-world/2019/netherlands>.

²⁰ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Jan. 28, 2020 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

²¹ "Netherlands." Freedom in the World 2019: Netherlands. January 1, 2019. Accessed January 28, 2020. <https://freedomhouse.org/report/freedom-world/2019/netherlands>.

²² Transparency International (TI) publishes a “Corruption Perceptions Index” annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

²³ "Netherlands." Corruption by Country. January 1, 2019. Accessed January 28, 2020. <https://www.transparency.org/country/NLD>.

²⁴ "Country Reports on Human Rights Practices for 2018 Netherlands." U.S Department of State. January 1, 2018. Accessed January 28, 2020. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²⁵ The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed Jan. 28, 2020 <http://peoplesunderthreat.org/>.

²⁶ "Netherlands." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed Jan. 28, 2020. <http://peoplesunderthreat.org/>.

²⁷ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

²⁸ "Netherlands." World Economic Forum. January 1, 2020. Accessed January 28, 2020. http://www3.weforum.org/docs/WEF_GGGR_2020.pdf

²⁹ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

³⁰ "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed January 28, 2018. <http://www.kidsrightsindex.org/>

³¹ "Country Reports on Human Rights Practices for 2018 Netherlands." U.S Department of State. January 1, 2018. Accessed January 28, 2020. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>

³² Ibid. U.S Department of State.

³³ "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2014. Accessed November 25, 2014. <http://ilga.org/>. See also Ibid. U.S Department of State.

³⁴ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

³⁵"Country Reports on Human Rights Practices for 2018 Netherlands." U.S Department of State. January 1, 2018. Accessed January 28, 2020. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

³⁶Ibid. U.S Department of State.

³⁷Ibid. U.S Department of State.

³⁸Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country

³⁹"Netherlands." International Labour Organization. January 1, 2018. Accessed January 28, 2020. <https://ilostat.ilo.org/data/country-profiles/>