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FREEDOM OF THE PRESS

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Netherlands

[Netherlands](#)[Freedom of the Press 2013](#)

Freedom of expression is safeguarded under Article 7 of the constitution, and free and independent media operate throughout the country. The Netherlands still lacks specific national legislation ensuring the right of journalists to protect their sources, despite a landmark 2010 European Court of Human Rights (ECHR) ruling that media premises are exempt from police searches, and that police may not seize journalistic materials unless they obtain a warrant. In November 2012, the ECHR reinforced this principle with a ruling that the Netherlands had violated the European Convention on Human Rights when police used coercion to force two journalists to surrender documents in 2006. Also in November, the parliament voted to repeal the country's blasphemy laws, though insulting the police and the monarch remain illegal. Criminal defamation laws have seldom been used in recent years.

Article 110 of the constitution stipulates that the government must observe the principle of transparency and requires government agencies to publish information. Under the 1991 Government Information (Public Access) Act, any

person is allowed to demand information pertaining to an administrative matter. If the information is located in documents belonging to a public body or a private company conducting work for a public entity, the authorities must respond within a period of two weeks.

The internet is not censored or restricted by the government. In 2012, despite public outrage and a parliamentary motion denouncing a racist website run by the radical right-wing Party for Freedom (PVV), the site remained online throughout the year. In May, a district court ordered internet providers to block the illegal downloading site Pirate Bay or pay a fine of €10,000 (\$13,000) per day. The government pushed for legislation that would ban unauthorized downloads of copyrighted material, but the proposal was rejected by the parliament in December.

Journalists in the Netherlands practice some degree of self-censorship, particularly on sensitive issues such as immigration and religion. This has increased since the 2004 murder of the controversial filmmaker Theo van Gogh by a Muslim extremist. Physical attacks and intimidation directed against journalists are rare. In March 2012, the Rotterdam offices of the Turkish newspaper *Zaman* were attacked by five disguised men. The attack was still under investigation at year's end.

Newspaper ownership is highly concentrated in the Netherlands, with three companies owning more than 90 percent of paid newspapers. A decreasing number of independent regional newspapers are available. Moreover, three public broadcasters—NPS, Teleac, and RVU—merged in 2010. Despite high ownership concentration, a variety of opinions are expressed in the media. The state allocates public radio and television programming to political, religious, and social groups according to their size. While every province has at least one public television channel, public broadcasting has faced stiff competition from commercial stations since they became legal in 1988.

The internet was used by 93 percent of the population in 2012. In 2011, the parliament adopted the first “net neutrality” law in Europe and only the second in the world after Chile, barring telecommunications companies from obstructing or charging users extra for certain data-intensive online services, such as Skype.

2013 SCORES

PRESS STATUS

Free

PRESS FREEDOM SCORE

11

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