

## 35th SESSION

Report  
CPL35(2018)04  
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# Information report on municipal elections in the Netherlands (21 March 2018)

Monitoring Committee

Rapporteur:<sup>1</sup> Stewart DICKSON, United Kingdom (ILDG, R)

## Summary

After the vote observed in 2014, this is the second report prepared by the Congress on municipal elections organised in the Netherlands. Further to the invitation by the Dutch Minister for Foreign Affairs, the Congress Bureau decided to deploy an Electoral Assessment Mission of reduced scope in order to monitor the elections held on 21 March 2018 in 335 municipalities in the Netherlands.

The Congress delegation welcomed the good organisation of the Election Day, the transparency of the process and the general atmosphere of trust in which these elections took place. It also stressed that the Dutch regulation which entitles only voters residing permanently in a certain municipality to cast their vote at the local level, was in line with Congress recommendations. Voters could cast their ballot in any polling station within their constituency which was conducive to inclusiveness, service orientation and citizen participation.

Nevertheless, there is room for improvement in some areas, in particular with regard to introducing regulations for campaign financing also at the local level. Furthermore, the further modernisation of the electoral process should be pushed forward, notably for the counting process but also with regard to the long tradition of proxy voting which needs overhauling and could be replaced by early voting.

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<sup>1</sup> L: Chamber of Local Authorities / R: Chamber of Regions  
EPP/CCE: European People's Party Group in the Congress  
SOC: Socialist Group  
ILDG: Independent and Liberal Democrat Group  
ECR: European Conservatives and Reformists Group  
NR: Members not belonging to a political group of the Congress

## 1. Introduction

1. Following an invitation from the Minister of Foreign Affairs of the Kingdom of the Netherlands received on 26 September 2017, the Bureau of the Congress decided to deploy an Electoral Assessment Mission of reduced scope, in order to evaluate the Municipal elections scheduled for 21 March 2018. This was the second time an electoral mission was deployed by the Congress to the Netherlands. Stewart DICKSON (United Kingdom, ILDG, R) was appointed Head of Delegation and Rapporteur.

2. The Electoral Assessment Mission was carried out from 19 to 22 March 2018 and comprised nine members from seven European states. On Election Day, four Congress teams were deployed to different regions and observed the vote in some 50 polling stations. The details of the delegation, the final programme and the deployment areas appear in the appendices.

The following report focuses specifically on issues arising out of exchanges held with Congress interlocutors in the context of the 2018 municipal elections in the Netherlands and on observations made by members of the delegation on Election Day. The Congress wishes to thank all of those who met with the delegation for their open and constructive dialogue. It also thanks the Association of Dutch Municipalities (VNG), the Ministry of the Interior of the Netherlands, the Dutch Electoral Council and all who lent their support in preparing this mission.

## 2. Political context

3. The Netherlands is a Constitutional monarchy and a parliamentary democracy. The Head of State is King Willem-Alexander since 30 April 2013. The bicameral parliament includes the Senate, composed of 75 members elected by the Provincial Parliaments (*States Provincials*), and the House of Representatives, composed of 150 members directly elected through proportional representation in an open-list system.

4. The last Parliamentary elections were held on 15 March 2017, with a turnout of 81.9%. These elections were the first regular Parliamentary elections since 2002, and were not called after resignation of the Government. A total of 28 parties took part in the elections, and Prime Minister Mark RUTTE's People's Party for Freedom and Democracy (VVD) lost seats but remained the largest party in Parliament. The renewed House of Representatives is composed of representatives of 13 political parties.<sup>2</sup>

5. The Coalition Agreement ("Confidence in the Future") was agreed on in October 2017 and it included reforms of the labour market, the pension system, the tax system and the housing market, as well as an ambitious climate policy. Regarding local self-government, Governmental projects include supporting voluntary modifications of Municipal boundaries, training of members of local and provincial Councils as well as adopting a strategy for transparent decision-making and digitalisation of public administration at all levels.

6. The municipal elections held in 2010 were marked by the dominance of local political parties, which won 2,277 seats (23.7%), and a turnout of 54.13%. The municipal elections held on 19 March 2014 and observed by the Congress were marked by a further increase of support for local parties (30% of the seats) and a great number of political parties in competition (1024 parties). On 21 March 2018, the Municipal Councils of the Netherlands contained 149 more political parties than immediately after the 2014 local elections. Such an increase in local political parties is due to the fact that numerous Local Councillors left their national political party once elected at local level in order to start their own local political party.

7. On 21 March 2018, local elections were organised in 335 of the 380 Municipalities in the Netherlands. Municipalities which had been administratively divided per 1 January 2017 or 1 January 2018 did not participate in these elections. Municipalities that will be administratively divided per 1 January 2019 will vote in November 2018. In the 335 Municipalities where elections took place on 21 March, about 54,000 candidates were running for 7,979 seats in Municipal Councils. Municipalities established about 8,600 polling stations (mobile polling stations not included) which were open from 7:30 am to 9:00 pm. In total, 12,828,000 voters were registered for the Election Day.

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<sup>2</sup> The composition of the House of Representatives is as follows: People's Party for Freedom and Democracy (33 seats); Party for Freedom (20 seats); Christian Democracy (19 seats); Democrats 66 (19 seats); GroenLinks (14 seats); Socialist Party (14 seats); Labour Party (9 seats).

### 3. Administrative structure at local and regional level

8. As of 1 January 2018, the Netherlands is divided into 380 municipalities. The number of Municipalities has been declining over the years, since there were 774 Municipalities in the 1990s and 403 in 2014. In the past years, the decentralisation process has been focused on social policy, and Municipalities were entrusted with new responsibilities in the field of youth care, long-term care and income support. Because of such important new responsibilities, stakes were higher for the 2018 Local elections.

9. Decentralised administration in the Netherlands is principally based on the Constitution, the Provinces Act and the Municipalities Act. The Constitution establishes that the organisation of Municipalities, their composition and the powers of their administrative organs are regulated by an Act of Parliament.

10. In general, Dutch Municipalities are granted large competences, which include the right to make their own by-laws, levy taxes and develop their own policies on any policy area, as long as it does not conflict with the legal framework produced at a higher level. Municipalities are notably in charge of public order and safety, education, welfare and urban planning. They can raise money through local property taxes, waste collection and water charges, parking fees, tourist taxes and dog taxes. Most of municipal revenue, however, comes from central Government.

11. The representative governing body at municipal level is the Municipal Council (*Gemeenteraad* or *Raad*). The Board of Mayor and Aldermen (*College van Burgemeester en Wethouders*) and the Mayor (*Burgemeester*) are the executive organs. The municipal organisation has been reformed in 2002 by the notion of “Dualisation”, which led to the separation of the Municipal Council and the Municipal Executive. Composition, functions and powers of the Council are separated from those of the Executive. The Municipal Council outlines the local authority’s policy and monitors its implementation. It establishes important local regulations, ordinances and by-laws, setting the budget as well as the *annual account*.

12. Municipal Councillors are directly elected for four-year terms by popular vote through a proportional system. The number of members of each Municipal Council is proportional to the population of the Municipality and is always an odd number.<sup>3</sup> According to Congress’ interlocutors, Municipal Councillors would have an average workload of 20 hours per week and receive remuneration ranging from 1500 Euros per month in big cities to 300 Euros in smaller locations.

13. The Board of Mayor and Aldermen and the Mayor jointly constitute the Municipal Executive where the administrative powers are concentrated. The members of the Board all have their own portfolio and prepare, coordinate and plan specific policies and implement legislation. The Aldermen are nominated by the Council and their number cannot exceed 20% of the number of members of the Council. Furthermore, Aldermen cannot simultaneously be Councillors (which was possible before the Act on Dualism).

14. The Mayor is the official representative of the Municipality and chairs both the Council and the Executive - the Board of Mayor and Aldermen (*College van Burgemeester en Wethouders*). Mayors are responsible for public order, as well as management and regulation in local emergency situations, and activities in public spaces. The Mayor serves a six-year term, which is renewable without limits.

15. Mayors are not elected in the Netherlands. In formal terms, their appointment is made by Royal Decree, in practice, the Mayor is appointed from among candidates “selected” or “identified” by the Municipal Council. A vacancy notice is published identifying the desired profile for Mayor, and applicants can compete for the job (currently, only 3% of incumbent Mayors do not have a political background). In case that a Mayor loses the confidence of the Municipal Council, he/she would resign and if this does not happen, the Commissioner of the King would raise the issue of dismissal through state decision. The 2017 Coalition Agreement of the Government mentioned that “the debate will move forward in the second reading on the private member’s bill for a Constitutional amendment to remove from the Constitution the procedures for the appointment of Mayors and provincial King’s Commissioners”.<sup>4</sup>

<sup>3</sup> The largest Municipal Councils (in Municipalities with more than 200,000 inhabitants) include 45 members while the smaller ones (in Municipalities with less than 3,000 inhabitants) include nine members.

<sup>4</sup> <https://www.government.nl/documents/publications/2017/10/10/coalition-agreement-confidence-in-the-future> ; <https://www.amsterdam.nl/bestuur-organisatie/bestuurscommissies/bestuurlijk-stelsel/>

16. Regional democracy takes place at the level of the 12 Provinces (*Provincies*).<sup>5</sup> Even though Provinces are formally considered as an intermediate level of local self-government in the domestic legislation, they may be considered as regions in the context of the European Reference Framework for Regional Democracy.<sup>6</sup> Indeed, the Dutch provinces are territorial administrative bodies, which have their own competences and powers,<sup>7</sup> possess a specific legal scheme and enjoy a separate system of financing. The institutional profile of Provinces mirrors in many aspects that of the Municipalities. Provinces are governed by Provincial Councils (*Provinciale Staten*), while the executive body is the Board (*College*) of the King's Commissioner (*Commissaris van de Koning*) and the Provincial Aldermen (*Gedeputeerde Staten*).<sup>8</sup> The next Provincial elections are scheduled for 2019.

#### 4. Electoral management

##### 4.1 Electoral legislation

17. Municipal elections are governed by the Constitution, the Elections Act (*Kieswet* 1989, last amended in 2017), the Elections Decree (*Kiesbeluit*), the Municipalities Act and other ministerial regulations.<sup>9</sup>

##### 4.2 The Dutch Electoral Council (*Kiesraad*)

18. The Dutch Electoral Council (*Kiesraad*) is set up under the Elections Act. The Electoral Council is a central electoral committee, an advisory body and an information centre in the field of elections and referenda. It consists of seven members who are appointed by Royal Decree for a period of four years, and can be reappointed twice. They are appointed on the basis of their expertise on the Elections Act and electoral matters. The current Chairman, J.G.C. WIEBENGA, was appointed in 2017. In the case of Municipal elections, the *Kiesraad* is the general information and advisory body for all matters related to the vote. The practical organisation of the elections, including the nomination and training of members of polling stations committees, is taken care of by the Municipalities since the electoral management is highly decentralised.

19. According to the Elections Act, Electoral Committees are established by the Board of Mayor and Aldermen. The Board decides on the number of Electoral Committees in the respective Municipality, on the number of members in each Electoral Committee and on the appointment of the members. A Principal Electoral Committee is established at the level of each Municipality and acts as the Central Electoral Committee for the elections to the Municipal Council in the respective Municipality. The Principal Electoral Committee consists of five members including a Chairperson who is always the Mayor of the Municipality. Electoral Committees in polling stations comprise at least three and a maximum of seven members and work in shifts. In principle, everybody over 18 years can apply to become a member of an Electoral Committee and training is obligatory.

##### 4.3 Party registration and registration of candidates

20. Both national and local parties and individual citizens may nominate candidates for the Municipal Council elections. Candidates do not necessarily run in the Municipality where they reside. However, candidates who run in a Municipality of which they are not resident should submit a declaration by which they commit to take up residence in the respective Municipality once elected.

5 The Provinces are Groningen, Friesland, Drenthe, Overijssel, Gelderland, Flevoland, Utrecht, Noord-Holland, Zuid-Holland, Zeeland, Noord-Brabant and Limburg.

6 <https://rm.coe.int/168071a7f4>

7 In particular, regional development, land use planning, energy, regional transport, agriculture and nature protection.

8 <https://portal.cor.europa.eu/divisionpowers/Pages/Netherlands-intro.aspx>

9 [https://www.kiesraad.nl/en/advies\\_publicatie/elections-act-and-elections-decree](https://www.kiesraad.nl/en/advies_publicatie/elections-act-and-elections-decree)

21. Political parties desiring to participate in the elections to the Municipal Council under a particular name (legally referred to as: appellation) are required to have this appellation registered with the Principal Electoral Committee of the Municipality concerned. Appellations already registered for the elections to the Dutch House of Representatives or the respective Provincial Council are in principle also registered for the Municipal Council elections. These appellations do not, therefore, have to be re-registered for local elections.

22. On so-called Nomination Day, all political parties shall submit their list of candidates to the Principal Electoral Committee of the Municipality in which they wish to participate in the elections. Political parties participating in these elections for the first time and registered parties that failed to gain a seat in the previous elections are required to pay a deposit and submit declarations of support.<sup>10</sup>

23. The recruitment of candidates for the Municipal Councils can be a challenging process as their workload is high. According to a recent study of the Dutch Association for Council members (Raadslid.nu), the majority of Council members indicate that they don't have enough time for their responsibilities. According to NRC Handelsblad, political parties had been facing difficulties finding candidates for the 21 March 2018 local elections. However, there has been an increase in candidates over the years: in 2018, there were 2,269 more candidates than in 2014 (an increase of 4.2%). Still, according to the information received by the Association of Netherlands Municipalities (VNG),<sup>11</sup> the lack of interest in some Municipalities can lead to a vulnerable local government, in particular with regard to the integrity of Local Councillors.

#### **4.4 Voter registration**

24. The right to elect and be elected is granted to those over 18 years of age, residing in the respective Municipality. Possessing Dutch nationality is not a requirement to vote or to be elected in the Municipal Council elections. All Dutch nationals, EU citizens and non-EU citizens who have legally resided in the Netherlands for at least five years can vote or be elected in local elections. According to the interlocutors of the Congress Delegation, there are no cumulative data about the turnout of non-EU nationals in Municipal Elections but there was the "general impression" that such turnout strongly deviates across the different ethnic groups.

25. Residence requirements apply to the right to vote in the local elections: Voters can only cast a ballot in the Municipality where they reside. According to the Elections Act, residents of a Municipality are persons who have their "actual place of residence" in the Municipality. Dutch citizens living abroad are thus not allowed to register for Municipal elections. Such provisions are in line with Congress Recommendation 369 (2015) on Electoral lists and voters residing de facto abroad.<sup>12</sup>

26. The Board of Mayor and Aldermen is responsible for registering residents of the Municipality as voters and for notifying them. An invitation letter, including a voting card, is sent to every resident who is eligible to vote in the local elections, no later than fourteen days prior to Election Day. The voting card allows the voter to cast their vote in the polling station of their choice within the Municipality's borders. It is compulsory to bring an identification document in order to be allowed to vote.

#### **4.5 Inclusiveness of the electoral process**

27. The representation of women, ethnic minorities and persons with disabilities in Dutch local politics remains relatively low, according to the interlocutors of the Congress Delegation, and had therefore been declared a priority in 2018. Concerning the professional background of elected politicians in Municipalities, many of them are civil servants, which is a trend to be found in many other European countries.

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<sup>10</sup> The number of declarations of support required depends on the number of seats in the Municipal Council. If there are fewer than 19 seats in the Municipal Council, 10 declarations of support are required. If there are from 19 to 39 seats, 20 declarations of support are needed. If there are more than 39 seats in the Municipal Council, candidates are requested to collect 30 declarations of support.

<sup>11</sup> <https://vng.nl/>

<sup>12</sup> <https://rm.coe.int/1680719cfa>

28. Since there is no relevant legal provision regarding female participation, the percentage of female officials at local level has been stable over the three previous Municipal elections. In 2006, 26% of Local Councillors were women, and they were 28%, both in 2010 and 2014. Furthermore, in 2014, 22% of the Aldermen and 23% of the Mayors were women. Further to the 21 March 2018 Municipal elections, media have reported a significant increase in the number of female Councillors, to 34%, mostly explained by the preferential votes.<sup>13</sup>

#### 4.6 Media

29. The Netherlands Public Broadcasting system arose from a practice known as "pillarisation" in which the country's various religious and social groups organised their own institutions, including broadcasting, with the financial support from the Government. Although this system largely collapsed in the 1970s, the Broadcasting Associations themselves have remained active. Most have several tens of thousands of members, and they are allocated broadcasting time on the public channels in proportion to the size of their memberships. In addition, a number of other broadcasting foundations, established by the Government, also receive air time. The Broadcasting Associations share three national TV-channels and seven radio channels. There are also several regional television channels, which are organised by the Provinces. Since the late eighties, there has also been commercial broadcasting, while all newspapers are privately owned. In the Press Freedom Index (Reporters without borders), Netherlands has an excellent score, reaching the third best place worldwide in 2018, following Norway and Sweden.<sup>14</sup>

30. Nevertheless, there are some concerns - also expressed vis-à-vis the Congress Delegation by representatives of VNG, the Association of Netherlands Municipalities - about the decrease in local and regional media outlets. Citizens in small Municipalities in the Netherlands have four times less access to local news than the population of larger Municipalities. Local and regional media is crucial for a strong local democracy. However, the quantity and quality of news coverage about local issues is decreasing. As a result, the social function of journalism as critical voice that checks the local Government came under pressure. Another point of concern is the fact that only political parties who are represented in Parliament have free access to national broadcast media.

31. National political parties have free access to national media via the *zendtijd voor politieke partijen* (airplay for political parties), which provides small timeslots on national TV channels. Moreover, national parties buy advertisements on national radio and TV during local elections campaigns to promote their local branches and candidates. According to the Congress interlocutors, there are no regulations covering the access of local political parties to the media. Local parties have access to local and regional media through news coverage and they can buy advertisements. As a consequence, during the 2018 local elections campaign, social media proved to be as important for parties to reach out to the local public as the traditional media.

#### 4.7 Campaign financing

32. In its Recommendation 358 (2014) the Congress expressed concern about "the absence of regulations on party and campaign financing" already further to its last electoral mission. The Act on Finance of Political Parties has been changed in 2013, introducing transparency measures with regard to national parties and their local branches. A register of donations has to be published on an annual basis, and gifts above 4,500 Euros have to be publicly disclosed, while donations from 1,000 to 4,500 Euros only have to be registered. Even though such measures may help preventing conflict of interests in politics, compliance controls carried out by the Ministry of the Interior are not very consistent, according to media reports. The Ministry has the possibility to fine political parties in case of non-compliance, but it is unclear if sanctions have ever been issued.

33. The law is less restrictive with regard to independent local parties, which are political parties with no affiliation to a national party. They only have to publish their own internal regulations regarding financial transparency. Local parties without affiliation are not entitled to State funding, unlike political parties represented in one or both of the Chambers of Parliament. The Dutch law does not provide for ceilings of campaign expenditures but rather strengthens the principle of transparency. However, the transparency rules of the Act on the Finance of Political Parties are not applicable at the local level.

<sup>13</sup> <https://www.trouw.nl/democratie/fors-meer-vrouwen-in-de-raad~af691da9/>

<sup>14</sup> <https://rsf.org/en/ranking>

The only obligation at local level is that local parties and or local branches of national parties must have a publicly accessible register, free of form, which is the case since 2014.

34. Since local independent parties are significantly represented in Municipal Councils with about a third of Local Councillors nation-wide, the lack of level playing field, notably with regard to campaign financing, has been heavily debated. Both advisory bodies at the national level and an independent committee have advocated for a new regulation on party financing, including access to State funding for local independent parties. The Association of Netherlands Municipalities (VNG) has also been advocating for an equal, transparent and balanced subsidy scheme that needs to be developed for political parties, besides rules about transparency.

#### **4.8 Observers**

35. Dutch society is characterised by a high-trust system allowing observation of electoral processes on a large scale. Everyone is allowed to observe the voting and counting process in any polling stations, including media representatives. However, in practice, only few observers are present during voting and counting.

#### **4.9 Proxy voting**

36. Proxy voting was introduced in the Netherlands already in 1928 and has therefore been a long-standing tradition in the country. The voter authorises the “proxy” using the form on the back of the voting card which the proxy presents at the polling station together with the voter’s identity card. A proxy may only vote on behalf of up to 2 other people at the same time as they cast their own ballot (a maximum total of 3 votes).

37. Research shows that some 10% of votes are cast by proxy voting. In 2014, Municipalities where proxy voting reached more than 15% have been investigated. Reports about disproportionate high rates of proxy voting among certain groups of voters were not confirmed by the interlocutors of the Congress. However, they stressed the fact that this would be “a delicate issue” and that Municipalities would therefore refrain from further investigating. Organised collection of voting cards would be a crime and political parties would therefore be simply trying to mobilise proxy voting in order to increase turnout at the local level. Congress’ interlocutors made the Delegation also aware of a small risk of possible misuse and some media reported on such issue. However, generally speaking, vote-buying is not an issue in the Netherlands. Despite the long tradition of proxy voting in the Netherlands, the Association of Netherlands Municipalities (VNG) is not in favor of proxy voting and would prefer early voting as an alternative.

### **5. Election Day**

38. Access to polling stations was excellent for voters with reduced mobility. All polling stations visited by the teams of the Congress provided with the possibility of casting votes in polling booths with a lower desk. In terms of geographical access, polling stations were situated in places that were easily accessible to voters, since Election Day is always on a Wednesday, a working day. The Congress delegation visited polling stations in train stations, shopping malls, restaurants, or elderly homes. If long opening hours of polling stations seem to be necessary, they can be exhausting for the electoral staff.

39. Congress observers noted that the vote count was totally transparent and anyone who wished to observe the process was able to do so. The polling station staff knew their tasks and the counting proceeded smoothly. Nevertheless, ballot papers for the Municipal elections can be large and therefore the counting, which is done by hand, can be a cumbersome and lengthy process.



40. On 21 March 2018, Dutch citizens also had the opportunity to vote in a National Referendum on the Intelligence and Security Services Act adopted in 2017. Opponents to the Act claim that the legislation grants mass untargeted surveillance powers to Governmental agencies, which infringe fundamental human rights.<sup>15</sup> Even though a voter turnout of at least 30% of all persons entitled to vote would force the Government to reconsider the Act, the referendum is advisory and not binding.

## 6. Election results<sup>16</sup>

41. After the Election Day, recounting was possible from 23 to 27 March 2018, in case of mistakes or doubts. The legal provisions about the re-counting of votes have not changed since 2014 and a new legislation is now under development. The Central Polling Station (*Centraal Stembureau*) decides on the re-counting of votes. The final composition of the new Municipal Councils was established on 28 March through a decision by the incumbent Councils - a procedure that is sometimes criticised since an independent body should eventually bear this responsibility

42. The general turnout for the 21 March 2018 Municipal elections was of 54.97%. Turnout in elections has been slowly decreasing since the eighties, when it was of about 70% for local elections. Results show that local independent parties won more seats (2,566 seats) than candidates' lists supported by national political parties. The elections results appear in the appendices, both nation-wide and in selected Municipalities.

## 7. Modernisation of the electoral process

43. The Dutch were early introducers of electronic voting and counting machines so that in 2006 almost all Municipal authorities were using voting machines. However, serious controversies arose about the security and reliability of the electronic process, as well the secrecy of the ballot, which led to the re-introduction of paper ballots and manual counting as from 2007.

44. During the 21 March 2018 Municipal elections, a new counting method was experimented in 22 Municipalities.<sup>17</sup> On Election Day, instead of carrying out the whole counting process, the new method consists in counting only the number of votes for the political parties. On the next day, the votes for individual candidates are counted and mandates can then be allocated. The two-step counting process aims at increasing efficiency and reliability while decreasing the risk of mistakes.

45. Further to the 2017 Parliamentary elections, a consultation process has been organised in order to modernise the electoral process. The Ministry of the Interior and Kingdom Relations of the Netherlands mainly consulted the *Kiesraad*,<sup>18</sup> the Association of Netherlands Municipalities (VNG) and the Dutch Association for Civil Services (NVVB). A draft law was published for public consultation<sup>19</sup> but had not been introduced in Parliament at the time of the 21 March 2018 local elections.

46. In this context, the VNG and the NVVB made proposals through their "Election Agenda 2021". Their key recommendations to modernise the electoral process include introducing electronic counting, revising the format of ballot papers, enhancing working conditions for polling station staff and abolishing proxy voting, to be replaced by a system of early voting.

## 8. Conclusion and recommendations

47. Observing Municipal elections held in the Netherlands on 21 March 2018, the Congress, once more, found that the Dutch electoral process can be described as open, transparent and inclusive with a pragmatic approach to the electoral management and well embedded in the socio-cultural set-up and tradition of the country. Having visited some 50 polling stations in 13 deployment areas on the Election Day, four Congress teams were able to observe voting managed by efficient and well-trained electoral staff overall. The quality of information available to voters, both online and in print, was very high and the regulation allowing voters to cast their ballot in any polling station within their Municipality

15 <https://www.kiesraad.nl/actueel/nieuws/2017/11/01/referendum-over-wiv-gaat-door>

16 <http://verkiezingen.volkskrant.nl/uitslag/resultaten.html>

17 The 22 municipalities participating in the experiment in 2018 are: Assen, Borne, Deventer, Dronten, Elburg, Enschede, Harlingen, Heerlen, Hof van Twente, Hollands Kroon, Houten, Kampen, Losser, Nijmegen, Olst-Wijhe, Ouder-Amstel, Putten, Raalte, Rhenen, Rotterdam, Twenterand and Zuidplas.

18 <https://www.kiesraad.nl/adviezen-en-publicaties/adviezen/2018/2/1/advies-over-het-conceptwetsvoorstel-aanpassing-procedure-vaststelling-verkiezingsuitslag>

19 <https://www.internetconsultatie.nl/verkiezingsuitslag>



contributed to inclusiveness, service orientation and citizen participation. Furthermore, only voters residing permanently in a certain municipality were allowed to cast their vote at the local level in the Netherlands, which is in line with Congress recommendations and therefore welcome.

48. However, there is room for improvement in some areas which includes transparency and balanced subsidies for the contestants at the local level. In the interest of a level playing field in Municipal elections, access to State funding, financial transparency rules and the introduction of thresholds for spending should be developed for local political parties not affiliated with national parties. Moreover, such local political parties should be granted access to the media on the same basis than local branches of national parties, including free time slots during electoral campaigns in local, regional and potentially national media (for big cities) and their participation in live debates.

49. As advocated by a number of domestic stakeholders such as VNG (Association of Netherlands Municipalities) and NVVB (Dutch Association for Civil Services), the further modernisation of the electoral process should be promoted. It should include improvements with regard to the vote counting and the possible replacement of proxy voting by a system of early voting.

50. Last but not least, the momentum of the debate launched by the 2017 Coalition Agreement of the Government on a Constitutional amendment to remove from the Constitution the procedures for the appointment of Mayors and provincial King's Commissioners should be used for further reflections on a possible change of the law with regard to introducing elections of Mayors (at least for big cities) instead of the current procedure of appointment.

**APPENDIX I****FINAL PROGRAMME**

<p style="text-align: center;"><b>CONGRESS ELECTORAL ASSESSMENT MISSION</b></p> <p style="text-align: center;"><b>21 March 2018 Municipal elections in the Netherlands</b></p> <p style="text-align: center;"><b>FINAL PROGRAMME</b></p>
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<b>Monday, 19 March 2018</b>
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Various times      **Arrival of the Congress Delegation in The Hague**

<b>Tuesday, 20 March 2018</b>
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8:00 – 8:30	Breakfast briefing for the Delegation with the Congress Secretariat Venue: Stadsvilla Hotel Mozaic, Laan Copes van Cattenburch 38
9:15 – 11:00	Briefing with <b>Mr Eric STOKKINK</b> , Head of Department responsible for <b>Democracy Affairs</b> , Ministry of the Interior and Kingdom Relations, <b>Ms Janna van der VELDE</b> , Department Head at the Directorate EU, Ministry for Foreign Affairs, <b>Mr Melle BAKKER</b> , Secretary-Director, and <b>Mr Edward BRÜHEIM</b> , Senior Legal Adviser, Electoral Council (Kiesraad) Venue: Ministry of the Interior, Turfmarkt 147
11:30 – 12:30	Meeting with <b>Mr Jan-Kees WIEBENGA</b> , Chair of the Electoral Council (Kiesraad) Venue: Kiesraad, Herengracht 21
13:00 – 14:00	Meeting with <b>Mr Simon RIJSDIJK</b> , Chairman of the Board and <b>Mr Raymond MOORIK</b> , Director, Dutch Association for Civil Affairs - NVVB (Nederlandse Vereniging voor Burgerzaken) Venue: Boerhaavelaan 14, Zoetemeer
Lunch break	
16:00 – 16:45	Meeting with <b>Mrs Jantine KRIENS</b> , Chair of the Board of Directors, Chair of the <b>Association of Netherlands Municipalities (VNG)</b> Venue: VNG, Nassaulaan, 12
17:00 – 17:30	Technical briefing for Election Day Venue Stadsvilla Hotel Mozaic, Laan Copes van Cattenburch 38

<b>Wednesday, 21 March 2018 – ELECTION DAY</b>
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Around 7:00	<b>Deployment</b> of four <b>Congress</b> teams from The Hague (cf. "Deployment plan")
Around 23:00	<b>Debriefing</b> with the Congress teams in The Hague Venue: Stadsvilla Hotel Mozaic, Laan Copes van Cattenburch 38

<b>Thursday, 22 March 2018</b>
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Various times      **Departure of the Congress Delegation**

## **APPENDIX II**

### **DELEGATION**

#### **Congress members**

**Mr Stewart DICKSON**, United Kingdom (ILDG, R)

Thematic Spokesperson on observation of local and regional elections (Head of Delegation)

**Ms Barbara TOCE**, Italy (SOC, L), Vice-President of the Congress

**Mr Robert-Csongor GRUMAN**, Romania (EPP-CCE, R)

**Mr Mihkel JUHKAMI**, Estonia (EPP-CCE, L)

**Mr Jean-Pierre LIOUVILLE**, France (SOC, R)

#### **Expert**

**Mr Nikos CHLEPAS**, Congress Group of Independent Experts on the European Charter of Local Self-Government, expert on electoral matters

#### **Congress Secretariat**

**Ms Renate ZIKMUND**, Head of Division, Local and Regional Election Observation

**Ms Ségolène TAVEL**, Election observation Officer

**Ms Martine ROUDOLFF**, Assistant, Local and Regional Election Observation

**APPENDIX III****DEPLOYMENT OF THE TEAMS**

<b>Congress teams</b>	<b>Area of deployment</b>
<b>Team 1</b> Mr Robert-Csongor GRUMAN Ms Ségolène TAVEL  Driver: Marco	Groningen, Friesland, Drenthe, Overijssel
<b>Team 2</b> Mr Stewart DICKSON Mr Nikos CHLEPAS Ms Renate ZIKMUND  Driver: Tim	Flevoland, Utrecht, North Holland
<b>Team 3</b> Mr Mihkel JUHKAMI Ms Barbara TOCE  Driver: Raymond	Limburg, North Brabant (East), Gelderland
<b>Team 4</b> Mr Jean-Pierre LIOUVILLE Ms Martine ROUDOLFF  Interpreter: Marianne VELLEMAN  Driver: Erwin	South Holland, Zeeland, North Brabant (West)

**APPENDIX IV****PRESS RELEASE**

A delegation headed by Stewart DICKSON (United Kingdom, ILDG), Congress Thematic Spokesperson on election observation, has carried out a mission to assess the local elections held in the Netherlands on 21 March 2018. On E-Day, four Congress teams visited some 50 polling stations throughout the country and observed the voting for the members of Municipal Councils (Mayors being directly appointed by the King upon proposal from the Councils).

In a first statement, the Congress welcomed the good organisation of the Election Day, the transparency of the process and the atmosphere of trust in which these elections took place. The location of many polling stations was conducive to citizen participation, since voters could cast their ballot in any polling station within their constituency including also train stations, retirement homes, busses, boats or museums.

Preliminary conclusions of the delegation refer also to issues which should be addressed by the Dutch authorities in view of future elections: The lack of regulations for campaign financing at the local level has the potential to affect the level playing field between candidates in a negative way. Proxy voting – which has a long tradition in the country – could expose vulnerable groups, particularly women or migrants, to pressure regarding their electoral choice. As for the counting, electronic systems could be tested during future elections in order to speed up the process.

An Information Report is currently being prepared and will be discussed at the next meeting of the Congress Monitoring Committee on 28 June 2018.

**APPENDIX V****ELECTION RESULTS****Nation wide**

<b>Political party</b>	<b>Percentage of votes</b>	<b>Number of seats</b>
Local independent parties	28.65	2,566
VVD	13.5	1,117
CDA	13.41	1,277
D66	9.18	594
GroenLinks	8.87	520
PvdA	7.52	544
SP	4.44	282
ChristenUnie	3.83	300
SGP	1.9	173
PVV	1.39	75

**Amsterdam**

<b>Political party</b>	<b>Percentage of votes</b>	<b>Number of seats</b>
GroenLinks	20.42	10
D66	16.05	8
VVD	11.44	6
PvdA	10.71	5
SP	7.51	3
PvdD	7.11	3
DENK	6.67	3
FvD	5.77	3
Other		4

**Rotterdam**

<b>Political party</b>	<b>Percentage of votes</b>	<b>Number of seats</b>
Leefbaar Rotterdam	20.5	11
VVD	10.68	5
D66	9.93	5
GroenLinks	9.85	5
PvdA	9.65	5
DENK	7.35	3
NIDA Rotterdam	5.37	2
Other		8