



## Ministry of Justice and Security

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Mr Matjaž Gruden  
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**European and  
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Department**

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**Our reference**

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Date 26 March 2024  
Concerning Reply of the Kingdom of the Netherlands concerning an alert on the  
Journalist platform of the Council of Europe (no.26/2023)

*Please quote date of letter  
and our ref. when replying. Do  
not raise more than one  
subject per letter.*

Dear Mr. Gruden,

The Permanent Representative of the Kingdom of the Netherlands to the Council of Europe has notified us of the alert created on 8 February 2023 concerning the arrest and fining of Sara Berkeljon, a reporter from the daily newspaper "De Volkskrant" and Renate Beense, a photographer. As well as removing Jesper Peeters, a freelance photojournalist, from the protest site.

The arrest of the two journalists at the protest site and the removal of the third have led to questions in parliament to the Minister of Justice and Security and the Minister of Interior and Kingdom Affairs. The questions partially concerned the arrest and treatment of journalists at the Extinction Rebellion demonstration on one of the main roads in The Hague, the A12, on the 28<sup>th</sup> of January 2023<sup>1</sup>.

In answering the questions concerning the journalists (questions 14 to 17) both ministers stressed the importance of freedom of press and the dedication of this Cabinet to promote it. They also stated that the police is using internal directions to secure the freedom and rights of journalists.

In this regard it is also good to mention that journalists can apply for a (police) press card, which grants them special rights such as access to an area that is cordoned off from the public by the police. At the day of the demonstration, journalists can make their presence known to the police, so the police can make a risk assessment and give advice about doing their work as a journalist as safely as possible.

In case the public order is disrupted, or is in danger of being disrupted, the police can arrest those who are present at a certain location. In case of large scale disruptions, or the danger of large scale disruptions, it can be possible that the press status of an attendee can only be checked after the moment of arrest. A subsequent assessment of the arrest will be made. The ministers also stated that journalists can be arrested in case they are suspected to have conducted illegal

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<sup>1</sup> Kamervragen (Aanhangsel) 2022-2023, nr. 1823 | Overheid.nl > Officiële bekendmakingen ([officielebekendmakingen.nl](http://officielebekendmakingen.nl))



acts. Journalists will also have to follow up on directions given by the police at the protest site. These directions are given to make sure the police can do their work in a safe manner. The judge will determine if – in a specific case – the conduct of illegal acts was justified in the context of freedom of press.

Freedom of press is an essential pillar of our democracy. Media personnel play an indispensable role in open and democratic societies like ours and in the Netherlands we pursue a high level of press freedom, also during protests.

More in general it is important to illustrate that the Netherlands strongly condemns all threats, physical assaults and other degrading acts or treatments targeting media personnel. Incidents targeting media personnel are regarded as unacceptable, and our Police and Public Prosecution Service handle those cases with high priority. Freedom of expression, both online and offline, including the safety of journalists, is of utmost priority.

Safety of journalists and freedom of press will have our constant attention.

Kind regards,

Gerard van Ballegooij  
*Director of European and International Affairs*

**European and  
International Affairs  
Department**

**Date**  
31 January 2024

**Our reference**  
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