



The Constitution of the Kingdom of the Netherlands

Chapter 1 Fundamental rights

Article 1 Equality

All persons in the Netherlands shall be treated equally in equal circumstances. Discrimination on the grounds of religion, belief, political opinion, race or sex or on any other grounds whatsoever shall not be permitted.

Article 2 Citizenship

- 1. Dutch nationality shall be regulated by Act of Parliament.
- 2. The admission and expulsion of aliens shall be regulated by Act of Parliament.
- 3. Extradition may take place only pursuant to a treaty. Further regulations concerning extradition shall be laid down by Act of Parliament.
- 4. Everyone shall have the right to leave the country, except in the cases laid down by Act of Parliament.

Article 3 Eligibility right

All Dutch nationals shall be equally eligible for appointment to public service.

Article 4 Right to vote

Every Dutch national shall have an equal right to elect the members of the general representative bodies and to stand for election as a member of those bodies, subject to the limitations and exceptions prescribed by Act of Parliament.

Article 5 Petitions

Everyone shall have the right to submit petitions in writing to the competent authorities.

Article 6 Religion, Belief

- 1. Everyone shall have the right to profess freely his religion or belief, either individually or in community with others, without prejudice to his responsibility under the law.
- 2. Rules concerning the exercise of this right other than in buildings and enclosed places may be laid down by Act of Parliament for the protection of health, in the interest of traffic and to combat or prevent disorders.

Article 7 Expression

- 1. No one shall require prior permission to publish thoughts or opinions through the press, without prejudice to the responsibility of every person under the law.
- 2. Rules concerning radio and television shall be laid down by Act of Parliament. There shall be no prior supervision of the content of a radio or television broadcast.

- **3.** No one shall be required to submit thoughts or opinions for prior approval in order to disseminate them by means other than those mentioned in the preceding paragraphs, without prejudice to the responsibility of every person under the law. The holding of performances open to persons younger than sixteen years of age may be regulated by Act of Parliament in order to protect good morals.
- **4.** The preceding paragraphs do not apply to commercial advertising.

Article 8 Association

The right of association shall be recognised. This right may be restricted by Act of Parliament in the interest of public order.

Article 9 Assembly

- **1.** The right of assembly and demonstration shall be recognised, without prejudice to the responsibility of everyone under the law.
- **2.** Rules to protect health, in the interest of traffic and to combat or prevent disorders may be laid down by Act of Parliament.

Article 10 Privacy

- **1.** Everyone shall have the right to respect for his privacy, without prejudice to restrictions laid down by or pursuant to Act of Parliament.
- **2.** Rules to protect privacy shall be laid down by Act of Parliament in connection with the recording and dissemination of personal data.
- **3.** Rules concerning the rights of persons to be informed of data recorded concerning them and of the use that is made thereof, and to have such data corrected shall be laid down by Act of Parliament.

Article 11 Personal integrity

Everyone shall have the right to inviolability of his person, without prejudice to restrictions laid down by or pursuant to Act of Parliament.

Article 12 Home

- **1.** Entry into a home against the will of the occupant shall be permitted only in the cases laid down by or pursuant to Act of Parliament, by those designated for the purpose by or pursuant to Act of Parliament.
- **2.** Prior identification and notice of purpose shall be required in order to enter a home under the preceding paragraph, subject to the exceptions prescribed by Act of Parliament.
- **3.** A written report of the entry shall be issued to the occupant as soon as possible. If the entry was made in the interests of state security or criminal proceedings, the issue of the report may be postponed under rules to be laid down by Act of Parliament. A report need not be issued in cases, to be determined by Act of Parliament, where such issue would never be in the interests of state security.

Article 13 Secrecy of communication

- **1.** The privacy of correspondence shall not be violated except in the cases laid down by Act of Parliament, by order of the courts.
- **2.** The privacy of the telephone and telegraph shall not be violated except, in the cases laid

down by Act of Parliament, by or with the authorisation of those designated for the purpose by Act of Parliament.

Article 14 Property

- **1.** Expropriation may take place only in the public interest and on prior assurance of full compensation, in accordance with regulations laid down by or pursuant to Act of Parliament.
- **2.** Prior assurance of full compensation shall not be required if in an emergency immediate expropriation is called for.
- **3.** In the cases laid down by or pursuant to Act of Parliament there shall be a right to full or partial compensation if in the public interest the competent authority destroys property or renders it unusable or restricts the exercise of the owner's rights to it.

Article 15 Personal liberty, Arrest

- **1.** Other than in the cases laid down by or pursuant to Act of Parliament, no one may be deprived of his liberty.
- **2.** Anyone who has been deprived of his liberty other than by order of a court may request a court to order his release. In such a case he shall be heard by the court within a period to be laid down by Act of Parliament. The court shall order his immediate release if it considers the deprivation of liberty to be unlawful.
- **3.** The trial of a person who has been deprived of his liberty pending trial shall take place within a reasonable period.
- **4.** A person who has been lawfully deprived of his liberty may be restricted in the exercise of fundamental rights in so far as the exercise of such rights is not compatible with the deprivation of liberty.

Article 16 Nulla Poena Sine Lege

No offence shall be punishable unless it was an offence under the law at the time it was committed.

Article 17 Right to be heard

No one may be prevented against his will from being heard by the courts to which he is entitled to apply under the law.

Article 18 Right to counsel

- **1.** Everyone may be legally represented in legal and administrative proceedings.
- **2.** Rules concerning the granting of legal aid to persons of limited means shall be laid down by Act of Parliament.

Article 19 Work and employment

- **1.** It shall be the concern of the authorities to promote the provision of sufficient employment.
- **2.** Rules concerning the legal status and protection of working persons and concerning co-determination shall be laid down by Act of Parliament.
- **3.** The right of every Dutch national to a free choice of work shall be recognised, without prejudice to the restrictions laid down by or pursuant to Act of Parliament.

Article 20 Wealth and welfare

- **1.** It shall be the concern of the authorities to secure the means of subsistence of the population and to achieve the distribution of wealth.
- **2.** Rules concerning entitlement to social security shall be laid down by Act of Parliament.
- **3.** Dutch nationals resident in the Netherlands who are unable to provide for themselves shall have a right, to be regulated by Act of Parliament, to aid from the authorities.

Article 21 Environment

It shall be the concern of the authorities to keep the country habitable and to protect and improve the environment.

Article 22 Health and accommodation

- **1.** The authorities shall take steps to promote the health of the population.
- **2.** It shall be the concern of the authorities to provide sufficient living accommodation.
- **3.** The authorities shall promote social and cultural development and leisure activities.

Article 23 Education

- **1.** Education shall be the constant concern of the Government.
- **2.** All persons shall be free to provide education, without prejudice to the authorities' right of supervision and, with regard to forms of education designated by law, their right to examine the competence and moral integrity of teachers, to be regulated by Act of Parliament.
- **3.** Education provided by public authorities shall be regulated by Act of Parliament, paying due respect to everyone's religion or belief.
- **4.** The authorities shall ensure that primary education is provided in a sufficient number of public-authority schools in every municipality. Deviations from this provision may be permitted under rules to be established by Act of Parliament on condition that there is opportunity to receive the said form of education, whether in a public-authority school or otherwise.
- **5.** The standards required of schools financed either in part or in full from public funds shall be regulated by Act of Parliament, with due regard, in the case of private schools, to the freedom to provide education according to religious or other belief.
- **6.** The requirements for primary education shall be such that the standards both of private schools fully financed from public funds and of public-authority schools are fully guaranteed. The relevant provisions shall respect in particular the freedom of private schools to choose their teaching aids and to appoint teachers as they see fit.
- **7.** Private primary schools that satisfy the conditions laid down by Act of Parliament shall be financed from public funds according to the same standards as public-authority schools. The conditions under which private secondary education and pre-university education shall receive contributions from public funds shall be laid down by Act of Parliament.
- **8.** The Government shall submit annual reports on the state of education to the States General.

[next Chapter]