

FINAL REPORT

Kingdom of the Netherlands

GENERAL ELECTION

15-17 March 2021

**AEGEE ELECTION OBSERVATION
LEIDEN MUN**





AEGEE Election Observation



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ACKNOWLEDGEMENT AND INTRODUCTION

Between the 15th - 17th of March 2021, Dutch citizens were asked to vote on the new composition of the Second Chamber (Tweede Kamer). The 2021 Dutch General Election took place amidst the COVID-19 pandemic, which impacted the overall conduct of the elections. Two additional voting days were set to facilitate safer voting for high-risk groups.

The Leiden Model United Nations (MUN) Foundation in cooperation with AEGEE Election Observation (AEO) deployed an Election Observation Mission (EOM) to the 2021 Dutch General Election. Leiden MUN and AEO initiated the EOM in January 2021. Leiden MUN was responsible for the overall conduct of the EOM including the recruitment of election observers, while AEGEE Election Observation provided the election observation training and supervised the EOM activities. The EOM deployed 27 election observers of 12 nationalities covering 12

municipalities, and 8 out of the 20 electoral districts.

Election day observation activities focused on the main election day, the 17th of March 2021. The training of the election observers took place on 10th and 13th March 2021. In line with the AEGEE Election Observation methodology, observers undertook individual research assignments on the political system, electoral and legal environment, and youth participation.

AEGEE Election Observation and the Leiden MUN Foundation would like to use the opportunity to thank the Dutch authorities, the external speakers, the mission coordinators and all the observers for their valuable contributions to the successful completion of the observation mission. The EOM Report is based on primary and secondary information sources including observers' own observations.



DEMOGRAPHICS

The figure below presents a demographic overview of the population in the Netherlands, disaggregated by age group and nationality. In 2020, the adult (≥ 18 years) population counted 14.070.340; 19% of which were 18 to 29 years old. Of the total adult population, 93% or 13.073.385 have Dutch nationality and are presumably eligible to vote. Among the Dutch, 18% are aged 18 to 29. Among the non-Dutch, who make up 7% (or 996,955) of the entire population, 31% are youth between 18 and 29. This statistic distinguished between individuals with Dutch nationality and those without, meaning that the latter group is excluded from voting. [1]

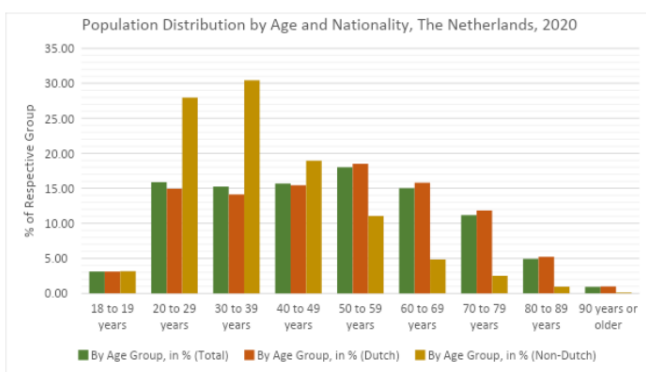


Chart - CBS (2020 a), AEO's own visualisation [2]

Three observations are key in respect to the figure above. Firstly, the distribution of the Dutch population across age groups presents without striking irregularities.

Except for a slight hump for the age group 50 to 59, the groups from 18 to 29 seem largely in proportion to other age groups, considering the effects of natural ageing in the groups over 60.

Secondly, the presence of a migrant stock of almost 1 million has a slight rejuvenating effect on the overall population in the Netherlands. However, because those groups do not have voting rights, this does not skew the age distribution of the electorate in favour of young voters.

As far as the ethnic composition of the young generation is concerned, almost 80 percent of the population is Dutch, making it the most prominent ethnic group in the Netherlands. The remaining population consists of several ethnic minority groups: Europeans, Turks, Indo-Europeans, Moroccans, Surinamese and other ethnic groups. [3]

According to a report by van Heelsum, among these ethnic groups, a significant amount of the younger generation consists of the offspring immigrants coming from the former Dutch colonies of Suriname and the Antilles. In addition to this, the young population also consists of the offspring of temporary labourers who came from Turkey and Morocco from the 1960s through the 1980s, thus accounting for the second-generation migrants.

Aside from this part of the population, a minor number of young people are part of groups of immigrants that recently settled as refugees coming from countries such as Iran, Iraq, and Somalia.

[1] ProDemos. (n.d.). Voting rights for non-Dutch nationals. Retrieved March 09, 2021, from Knowledge Centre: <https://prodemos.nl/english/knowledge-centre/voting-rights-for-non-dutch-nationals/>

[2] <https://longreads.cbs.nl/the-netherlands-in-numbers-2020/>

[3] World Population Review. (2021). Netherlands Population 2021 (Demographics, Maps, Graphs). <https://worldpopulationreview.com/countries/netherlands-population>

[4] Ibid.

[5] Anja van Heelsum "Political Participation and Civic Community of Ethnic Minorities in Four Cities in the Netherlands", Institute for Migration and Ethnic Studies, University of Amsterdam, POLITICS: 2005 VOL 25(1), 19-30, https://pure.uva.nl/ws/files/37118074/Heelsum_2005_Politics.pdf

THE POLITICAL SYSTEM AND LEGAL FRAMEWORK

The Dutch electoral system is a form of proportional representation, meaning that the number of seats assigned to each of the competing parties is proportional to the number of votes each respective competing party gains. The States General (Staten-Generaal), as the parliament is officially known, consists of two chambers: the First Chamber (Eerste Kamer), or Senate, comprising 75 members, and the Second Chamber (Tweede Kamer), or House of Representatives, consisting of 150 members. The House of Representatives can propose or change legislation, while it is the Senate's role to discuss its value in regard to Dutch law. The Second Chamber consists of 150 members which are elected through "a flexible-list proportional representation system to serve 4-year terms" in a national district. [6]

The legal basis for the elections are set in the Kieswet (main electoral law), the Kiesbesluit (this regulates the implementations of the electoral law) and the Kiesregeling (this contains the rules, forms and procedures for the election of members of the representative bodies). In addition, temporary, supplementary laws regulate issues such as voting from abroad. The Kieswet sets the basic principles upon which the Dutch democracy emerges. It defines who is eligible to vote (Article B) and explains their registration process (Article D). It also establishes the electoral districts and polling stations regulations (Article E), as well as the registration process of political parties (Article G) and the time-span of any government (the House of Representatives, provincial councils, general councils or municipal councils).

According to the Kieswet, all Dutch nationals who have reached the age of 18 by or on election day are eligible to vote for the House of Representatives of States General, also known as Tweede Kamer der Staten-Generaal (Article B1.1) with some exceptions for persons who have their place of residence in Aruba, Curaçao or Sint Maarten on nomination day. [7] Voters are automatically registered to vote when applying for their residence. Citizens can vote anywhere within the Kingdom of the Netherlands (Article K1.1) but, if they want to vote in another municipality, they are required to apply for a voter pass known as Kiezerpas (Article K3 and K4). [8] [9] [10]

Positively, voters can apply for a voter pass in two ways: By submitting a written application form to their municipality (Article K3) or by applying in person at the civil affairs department of their municipality (Article 13a). [11] [12] This facilitates young students and workers living outside their hometowns the ability to vote.

It appears that a quarter of voters are between 18 and 35 years old, while half of the voters is between 35 and 64, and another quarter is 65 and older. [13] Moreover, men were the main voters in most parties and the majority of women voters can be found at GroenLinks, Party for the Animals, 50Plus, and Denk [14]. D66 attracted the most votes among young people and if only young people would have voted, the VVD would have been in second position. GroenLinks received more preference compared to other age categories. [15]

Young people between 18 and 35 years old elected in the House of Representatives in the 2021 general election represent 21% of the total Member Parliaments. [16]

[6] IFES 2021, <https://www.electionguide.org/elections/id/2662/>

[7] Art. B1.1 Kieswet <https://maxius.nl/kieswet/artikelb1>

[8] Art. K1.1 Kieswet <https://maxius.nl/kieswet/artikelk1>

[9] Art. K3 Kieswet <https://maxius.nl/kieswet/artikelk3>

[10] Art. K4 Kieswet <https://maxius.nl/kieswet/artikelk4>

[11] Art. K3 Kieswet <https://maxius.nl/kieswet/artikelk3>

[12] Art. 13a Artikel 13 Tijdelijke wet verkiezingen covid-19

[13] <https://nos.nl/artikel/2277050-dit-is-de-forum-kiezer-en-zo-ziet-de-rest-van-de-stemmers-eruit>

[14] Ibid.

[15] <https://nos.nl/op3/collectie/13860/artikel/2373171-wat-als-alleen-jongemensen-hadden-gestemd>

[16] https://www.houseofrepresentatives.nl/members_of_parliament

CAMPAIGNING

The campaigning period took place in the midst of the COVID-19 pandemic.

The voluntary “Dutch Code of Conduct Transparency Online Political Advertisements” provides some guidelines to political parties for fair use of social media platforms and online campaigning. [17] In the last months, the Ministry of Interior together with International Idea have done commendable work developing the first National Code of Conduct on online political advertising in the European Union. The Code of Conduct targets the transparency of finances of certain advertisements in social media and to prevent foreign-funded influence on the electoral campaign. The following political parties are signatories: CDA, ChristenUnie, DENK, D66, GroenLinks, PvdA, PvdD, SGP, SP, VVD, and 50PLUS. [18]

No specific large-scale campaign efforts to increase the political participation of youth could be observed. However, there were attempts to develop participation processes on a municipality level. [19] The most used instrument to reach out to young people was through social media campaigns. Nevertheless, the degree of using social media platforms greatly differs between parties. [20] Some parties, such as GroenLinks or also the CDA (Christen Democratisch Appèl), are very active on social media, whereas the two biggest parties, the VVD and the PVV, are barely present on social media platforms.

According to an article published by the broadcasting organisation NOS, several parties use so-called “targeted ads” to appeal to target groups, many aimed at the younger generations. GroenLinks, the Green Party, used “targeted ads”

by showing different campaign material to either people under or above 35 years of age. [21]

VOTER EDUCATION

State institutions provided widespread information about the voting process and the new voting regulations that were put in place to mitigate the COVID-19 pandemic. The information was spread in online and offline media. [22] [23]

A tool widely used in the Netherlands in previous elections called is “stemwijzer”, which can be translated as “voting guide”. The stemwijzer allows participants to fill in a questionnaire which then generates a list of “most applicable” parties for that participant to vote for, according to their personal preferences and values. This proved itself extremely useful during this election because it is an online tool, which meant it was safe to use during the pandemic. During the last general election, the voting guide was used almost seven million times. [24] The voting guide consists of 30 statements which the user has to either agree on, negate or abstain from. Based on the answers given, the website suggests parties, in particular, which party program overlaps the most with the given standpoints of the user. [25]

No specific country-wide campaigns for youth and first time voters were observed to be conducted by state authorities before the election.

Nevertheless, many regional initiatives organised online events for first-time voters due to the pandemic bringing on-the-table topics such as education, care and economy, and provided information about their region. During such

[17] <https://www.idea.int/news-media/news/first-national-code-conduct-online-political-advertising-european-union-signed-dutch>

[18] <https://www.idea.int/news-media/news/first-national-code-conduct-online-political-advertising-european-union-signed-dutch>

[19] European Commission, “5.5 National Strategy to Increase Youth Participation”

[20] Joost Kasteleijn, “Andere Advertentie Dan Je Buurman”

[21] Ibid.

[22] Ministerie Van Binnenlandse Zaken En Koninkrijksrelaties, “Verkiezingen”

[23] NOS, “Zo Werken Verkiezingen in Coronatijd: Langer Stemmen En Meer Rode Potloden”

[24] ProDemos, “StemWijzer”

[25] Ibid.

events, young people were able to interact with young politicians, and, via a livestream chat, participants were given the opportunity to vote on the statements and see immediately what impact their vote has. [26]

Youth organisations and political parties used social media to share information and engage young people for this election. To begin with, there were several Youtube channels dedicated to making young people aware of current parties and what they represent. The podcast "Kieswijzer" is one such example available on YouTube and Spotify. Similarly to YouTube, a TV channel called NOS op 3 also aimed to inform young voters of different parties. Their "Verkiezingsprogramma" event took this further by bringing together political party members and candidates to engage in discussions with young people on specific themes relevant to young voters. [27] On Instagram, Club Next also put together videos in which they spoke with nine young people representing different parties. [28]

Furthermore, the website "Jongerenkieswijzer" [29] is an interactive way that allows people to express their feelings and opinions about specific political topics. It also showed which parties align best with the ideals of the users [30]. The Partij Gedrag website also helps the young audience by making available the voting behavior of each party up for election. [31] [32]

Other opportunities for younger generations to get involved beyond the polls were present. For example, the Nationale Jeugdraad organised Provincial Youth Debates, which allowed young people aged between 12 and 18 to discuss and

participate in debates about social issues. This year, the debates took place online. [33] [34] Young people were given the opportunity to interact with politicians in a direct and comprehensive way through these means. [35]

ELECTION DAY

The application to be accredited as election observers in the Netherlands is managed by the Ministry of Interior. In the Netherlands, both domestic and international observers belonging to both non-government and government organisations are allowed to observe all the phases of the elections, in line with the relevant international standards. This facilitates the participation of citizens and young people in the electoral process in the role of observers.

On Election Day, the observers visited a total of 127 polling stations and followed opening, voting, closing and counting procedures. The voter turnout reached 78.71% with 10.462.677 voters out of 13.293.186 eligible to vote, and it resulted in a decrease compared to the 2017 elections that saw a turnout at 81.9%. The valid votes totalled 10.422.852, while blank votes constituted 0.16% with 17.173, and not valid votes 0.22% with 22.653. [36]

In the polling stations visited by the observers, young people were generally well represented both as voters and Electoral Management Bodie (MB) staff. Gender balance in the EMBs was also observed. However, it should be noted that there is no official statistical data on youth and women

[26] Algemeen Dagblad. (2021, February, 24). Online event First Time Voters bereidt jongeren voor op eerste keer stemmen. <https://www.ad.nl/dordrecht/online-event-first-time-voters-bereidt-jongeren-voor-op-eerste-keer-stemmen-a7994255/>

[27] NOS op 3, 2021 <https://over.nos.nl/nieuws/nosop3-voelt-lijsttrekkers-aan-de-tand/> <https://nos.nl/collectie/13860/artikel/2371013-bij-deze-partijen-is-strijd-om-zwevende-kiezer-het-felst>

[28] Club Next Instagram <https://www.instagram.com/club.next/> Homepage. <https://www.clubnext.nl/>

[29] "The Youth Voter Guide was created with CNV Jong, FNV Jong, ISO, Young Climate Movement, JOB, LSVb, New Urban Collective, Students for Tomorrow and Zetjein". The entire description can be found at Jongerenkieswijzer Facebook page <https://www.facebook.com/Jongerenkieswijzer/>

[30] Nationale Jeugdraad, 2021a

[31] Partijgedrag was created by Elwin Oost, owner of Solveware, BI consultant at Reports and trainer at Capgemini in the field of Business Information Management. <https://www.partijgedrag.nl/over.php>

[32] Oost, E. S. (2021). Homepage. Partijgedrag. <https://partijgedrag.nl/>

[33] The Nationale Jeugdraad is the Dutch National Youth Council (NJR). It is an umbrella organisation of national youth organisations for young people between 12 and 30 years old <https://www.njr.nl/en/about-njr/>

[34] Nationale Jeugdraad. (2021b). Welke partij past het best bij jou? Doe nu de Jongerenkieswijzer! Jongerenkieswijzer. <https://jongerenkieswijzer.nl/>

[35] CDJA. (2021). Homepage. CDA-Jongeren. <https://cdja.nl/>

[36] <https://www.verkiezingsuitslagen.nl/verkiezingen/detail/TK20210317>

participation as election management bodies do not maintain age- and gender-disaggregated data of voters.

Election-Day itself was calm, with no tension and unrest or sign of campaign neither inside nor in the vicinity of the polling stations visited.

However, people in line to vote outside the polling stations were observed in some cases. Out of eleven polling stations observed for the opening, three did not open on time; while all the polling stations observed at the closing and counting, did close on time. The polling stations visited were in most of the cases accessible for People with Disabilities. Moreover, one lower ballot booth was not always present. In some cases, polling stations run out of ballot papers and had to ask for extra stocks. During the day, there were cases of voters not allowed to vote as they were attempting to vote in the wrong municipality or not complying with the proxy vote legal requirements.

COVID-19 measures on Election-Day were generally well-respected, although there were some cases of people not wearing face shields or wearing them improperly. Furthermore, social distancing was not always followed, and some Polling Stations were overcrowded beyond the established limits. To a lesser extent, hand disinfection was not always adhered to. Cough Screens were present, surface cleaning took place regularly and voters were given a non-reusable red pencil. The polling stations layouts were assessed as adequate by the observers. Election material was present and voter education material was visible in the polling stations premises.

Both the polling station staff and the voters' understanding of the voting procedures were generally high and polling station staff administered Election-Day well. However, referring to the closing and counting, some procedural inaccuracies were observed relating to the public announcement of the numbers, packing and sealing of the polling/voter cards, certificates of authorisation and ballot papers.

The overall assessment of the environment of the polling stations visited was very good. Procedures were overall followed and the transparency and secrecy of the vote were generally respected. Observers were allowed to fully conduct their observation activity without restrictions.

COVID-19 REGULATIONS

Positively, the Dutch authorities have taken various measures to prevent the spread of COVID-19 during the General Election.

An Act on Temporary Rules related to COVID-19 was adopted on the 30th October, 2020 and further amended in January 2021 [38]. It allowed above the age of 70 to vote by mail which is usually not possible for Dutch General Elections and enabled early voting on the 15th and 16th March, 2021 which primarily aimed at offering additional days to cast votes to people with underlying health conditions who are exposed to an increased risk to COVID-19. [39]

In detail, the measures taken inside the polling stations included proper ventilation of the

[37] Ibid.

[38] OSCE/ODIHR Needs Assessment Mission Report, The Netherlands 2021 <https://www.osce.org/files/f/documents/4/0/478501.pdf>

[39] Rijksoverheid (2020) Tijdelijke wet verkiezing covid-19 (Temporary law election covid-19)

<https://wetten.overheid.nl/BWBR0044317/2021-01-30>

Tweede Kamer (2020) Tijdelijke wet Tweede Kamerverkiezingen COVID-19 (Temporary law Parliamentary Elections COVID-19)

https://www.tweedekamer.nl/kamerstukken/plenaire_verslagen/kamer_in_het_kort/tijdelijke-wet-tweede-kamerverkiezingen-covid-19

buildings used for voting and the mandatory allowance for people to maintain 1.5m distance; voters with symptoms could not enter the polling station; voters were obliged to wear a mask, disinfect hands at entry and maintain 1.5m distance; voting booths and writing materials needed to be regularly disinfected and were equipped with sneeze guards; contact points (such as door handles) needed to be cleaned every 30 minutes; polling station employees needed to check voting passes, and hand out ballot papers and red pencils with disposable gloves; and an official needed to be present to ensure that these measures are followed. [40]

Furthermore, the Government of the Netherlands had issued a curfew (9:00 pm - 4:30 am) to reduce the spread of the coronavirus. However, during the election days (15th - 17th March) Dutch citizens were allowed exemptions from this curfew provided they had a serious reason (for example observing the counting procedures). [41]

In addition, both polling stations employees, as well as voters, were encouraged to fill out a health check form. [42] Thus, if voters were not able to vote due to health reasons, they could not authorise another person to cast a proxy vote at the same time that this authorised person cast their vote. [43] While the Dutch Election Law regularly provides for the opportunity that one person casts up to two proxy votes on behalf of others, the temporary Election Law enabling elections under pandemic restrictions enabled up to three proxy votes cast by one person.

Drive-in polling stations for bicycles and cars, and special polling stations with limited access (for example in rehabilitation centres) were also established in the country to mitigate the risk of COVID-19 infections.

[40] Kiesraad, Overzicht belangrijkste corona-maatregelen Tweede Kamerverkiezing 2021 (Overview of the most important coronavirus measures for the Parliamentary Elections), <https://www.kiesraad.nl/verkiezingen/tweede-kamer/corona-maatregelen-tweede-kamerverkiezing-2021>

[41] Medical Express, "Dutch Extend COVID Curfew, except for Vote next Week"

[42] Rijksoverheid (n.d) Welke maatregelen neemt de overheid bij de Tweede Kamerverkiezing 2021 in verband met corona? (Which coronavirus measures are the government implementing during the Parliamentary Elections?), <https://www.rijksoverheid.nl/onderwerpen/verkiezingen/maatregelen-in-verband-met-corona>

[43] Rijksoverheid (2020) Tijdelijke wet verkiezing covid-19 (Temporary law election covid-19)

<https://wetten.overheid.nl/BWBR0044317/2021-01-30>

Tweede Kamer (2020) Tijdelijke wet Tweede Kamerverkiezingen COVID-19 (Temporary law Parliamentary Elections COVID-19)

https://www.tweedekamer.nl/kamerstukken/plenaire_verslagen/kamer_in_het_kort/tijdelijke-wet-tweede-kamerverkiezingen-covid-19

[43] Ibid.

RECOMMENDATIONS

Based on the mission's analysis and observations, AEGEE Election Observation and Leiden MUN suggest the following recommendations to the electoral stakeholders:

AEGEE Election Observation and Leiden MUN emphasise the importance of voter education and encourage Dutch authorities to allocate more attention to youth civic education and first-time voters.

Political parties are recommended to take into consideration youth issues and to positively use their increased presence online as an opportunity to address youth needs and solutions.

Political parties are recommended to adopt internal policies that will increase the involvement and inclusion of young people in their structures and decision-making processes, allowing for full and effective participation of youth in party activities and elections.

The Dutch authorities are recommended to collect age and gender-disaggregated data of voters. This would facilitate the analysis of data and take targeted measures to increase youth and women participation in the electoral process.

Consistency in terms of adherence to the Election Law by the members of polling station staff could be further enhanced, specifically in relation to the closing and counting procedures on Election Day. This could be facilitated through improved training of the polling staff members.

Further efforts, such as ensuring polling stations accessibility and consistently providing lowered ballot booths in each polling station, should be taken to guarantee full and autonomous access of persons with disabilities to the voting procedures.

Considering allocating a bigger number of ballot papers where a greater turnout is expected in order to mitigate the risk of ballot papers shortage in the polling stations during the voting procedures.

The use of proxy votes, which is provided for in the electoral law and has been expanded in response to the COVID-19 pandemic, should be reconsidered because does not comply with the secrecy and equality of voting.

ABOUT THE ORGANISATIONS

AEGEE Election Observation

AEGEE Election Observation is an independent European initiative that provides a youth perspective on elections in Europe. This is done by deploying young people on election observation missions to gain experience in the field and to specifically assess youth engagement in the electoral process as voters, candidates, and civil society members. AEGEE Election Observation is independent in its findings and conclusions.

Leiden Model United Nations

The Leiden MUN Foundation is an independent, student-led programme of the Model United Nations in which participants simulate UN debates. Young delegates participate in debates representing a country and discussing topics that are currently on the agenda of the UN. At Leiden MUN, delegates are trained through an intensive, ten week-long preparatory track with a unique Personal Development Programme where each delegate is mentored one-on-one to strengthen their skills in the arts of public speaking, debating, research, resolution writing, lobbying and negotiation.



AEGEE Election Observation



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