

Beyond the Dutch Quota: Media Policy and Cultural Diversity in Local Video-on-Demand Production (2013–2023)

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Abstract

Starting January 1, 2024, a new Dutch investment obligation requires that streaming services with annual revenues exceeding 10 million euros allocate 5% of their turnover to Dutch content production. This policy aligns with similar obligations in countries like France, Germany, and Italy, which introduced tax-based investment obligations for streaming platforms before the 2018 revision of the EU's Audiovisual Media Service Directive (AVMSD). The AVMSD established a 30% European content quota for subscription video-on-demand (SVoD) platforms and permitted member states to implement revenue-based investment obligations to support local industries. Our article situates the Netherlands as a small-screen media industry and the base of Netflix's first European headquarters. We contextualise the Dutch investment obligation within the evolving European media landscape, examining shifts in diversity and inclusion in Dutch VoD fiction productions from 2013 to 2023. We assess production trends by type and genre by critically analysing policy frameworks and production data from international SVoD platforms (e.g., Netflix, Amazon Prime, Disney+) and domestic steaming services (Videoland, NPO Start/Plus). Our findings reveal significant gaps in genre diversity and underinvestment in high-cost historical dramas and fantasy/horror/sci-fi series, highlighting a decade-long reliance on mainstream-oriented genres, including drama and crime series. This context underscores the importance of the new regulation in addressing these disparities and critically examines the requirements of the new regulation. Our article contributes to understanding the state of Dutch VoD production and evaluates the potential of the investment obligation to foster cultural and genre diversity in Dutch VoD fiction.

Keywords

cultural diversity; Dutch television; local content production; small market; subscription video-on-demand; streaming platforms; TV genres

1. Introduction

Since January 1, 2024, a new Dutch law requires commercial streaming services with more than 10 million euros in annual revenue to invest 5% of that amount in local content production. This investment regulation is based on the 2018 update of the EU's Audiovisual Media Service Directive (AVMSD), which set a 30% quota for European audiovisual content for subscription video-on-demand (SVoD) streaming platforms and allows national regulations on revenue-based investment obligations for international SVoDs to support local industries (Directive of 14 November 2018, 2018; Hinke, 2023a, 2023b).

Our article provides a critical analysis of policy and regulation documents and production data (Hagedoorn & Agterberg, 2016; Havens & Lotz, 2016; Havens et al., 2009; Paterson et al., 2016) in terms of numbers, genres, and representation of Dutch societal and cultural diversity in local fiction content produced by international SVoDs for the 10 years leading up to the introduction of the Dutch investment quota. Findings are read against the backdrop of key changes in European audiovisual media policy (Komorowski et al., 2021; Ranaivoson et al., 2023), the European VoD market(s) (Bengesser, 2024), broader SVoD production trends (Koljonen, 2023; Krauss, 2023; Mikos, 2024), and the Dutch media industries recent focus on diversity and equality in gender representation on and off the screen (Crone et al., 2023; Sanders, 2022). We investigate the relationship between diversity (on-screen and genre) and the Dutch investment obligation by analysing longer-running trends in SVoD production in the Netherlands alongside newly established Dutch initiatives such as *Vrouwen in Beeld* (Women in the Picture, established 2020) and *Kleur* (Colour, established 2020), who conducted fundamental research on- and off-screen diversity in the Dutch screen industry funded by the Dutch Ministry of Education, Culture, and Science (Crone et al., 2023; Sanders, 2022).

Our research, first and foremost, aims to provide insights into the under-researched Dutch VoD market (Esser et al., 2024; Idiz et al., 2021) and thus contributes to the expanding body of literature on national adaptations of the AVMSD. Secondly, our objective is to contribute to the existing research on diversity in television genres and on-screen representation in fiction telefilms (or “single plays”) and series (including web series). Television fiction has historically been a significant platform for promoting cultural diversity and pluralism in the Netherlands and beyond (De Leeuw, 2003, among others). Likewise, Idiz et al. (2021, pp. 426, 428–429) underline how the EU founding principle underlies the “respect for cultural diversity” and the EU's ratification of UNESCO's 2005 *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* further emphasises the EU's commitment to promoting cultural diversity and its mediated expressions. In dialogue with this previous research, we examine how Dutch VoD fiction reflects local stories and cultural diversity over the 10 years leading up to the introduction of the investment obligation. Thirdly and finally, we aim to lay the groundwork for future changes to the Dutch investment obligation and suggest ways to revise cultural requirements to ensure representations of diversity in Dutch society and Dutch VoD fiction content. Kostovska et al. (2023, p. 171) argue that AVMSD-based investment obligations are often reassessed soon after implementation (as in France, Italy, and Flanders). Therefore, enhancing transparency on production numbers and local trends previous to its implementation can aid in evaluating the effectiveness of the investment obligation for international SVoDs.

In this context, our primary research question is: What trends in diversity representation and fiction genre production in local Dutch VoD content from 2013 to 2023 highlight the opportunities and challenges of the 2024 investment obligation?

Our study of advancements in local fiction content production in the Netherlands before the Dutch investment obligation's implementation is intended to contextualise the policy in actual production data and patterns. Our article examines the Netherlands as a small market, defined by a limited number of investors and a limited domestic market, which results in reduced funding for original domestic production (Raats & Jensen, 2021, p. 836). Additionally, it is considered a country of origin for multinational SVoD platforms such as Netflix and Disney+ (Idiz et al., 2021, p. 427). Section 2 will contextualise the Dutch investment obligation within the evolving European VoD market and analyse the diverse adaptations of the AVMSD investment obligation across EU member states concerning their local screen industries. In Section 3, we will present the findings of our two-part analysis of Dutch policy papers and production data of fictional VoD content (2013–2023), including qualitative analysis of policy papers and quantitative analysis of production numbers. Section 4 will address the Dutch discourse regarding the adaptation of the AVMSD, with a specific focus on implementing a Dutch investment obligation post-2021 (for earlier discussions, see Idiz et al., 2021). The underlying discourses and objectives related to the Dutch investment obligation are analysed, and the broader aim of the AVMSD is to promote cultural diversity. Section 5 analyses production data concerning local fiction content across various (S)VoD platforms, focusing on genre distributions and diversity representation from 2013 to 2023, with particular attention to genre diversity and the presence of Dutch original productions on international SVoDs before the implementation of the Dutch investment obligation.

2. Theoretical Framework

2.1. AVMSD Adaptations Across EU Member States

Current research and discussions regarding European audiovisual media policy, especially concerning Netflix and local language productions, highlight the notable advancements in content quotas and investment obligations following the 2018 enactment of the revised AVMSD (Directive of 14 November 2018, 2018). The amendment to the AVMSD allows member states to impose investment obligations on foreign non-linear audiovisual media services aimed at the EU market (Raats et al., 2023) and establishes a mandatory 30% quota for European works within their catalogues. Obligations known as “Netflix taxes” have arisen from regulatory measures in countries such as France (2009) and Germany (2014). These obligations may manifest as direct investments in content, payments to national film institutes, or a combination of both (Komorowski et al., 2021, pp. 12–13; Kostovska et al., 2023). Nine additional European countries, including Belgium, the Czech Republic, Germany, Denmark, Spain, Greece, Croatia, Portugal, Poland, Romania, and the Netherlands, have established quotas for investments in local productions for international SVoDs. The newly instituted Dutch investment obligation, which mandates a 5% investment to promote local audiovisual content production, aligns with the average European requirement for direct or indirect investment ranging from 1–5% (Bengesser, 2024, p. 207). France and Italy are the only countries that significantly deviate from this range, imposing investment obligations of 20 to 25% based on annual revenues (Bengesser, 2024, p. 206).

The revised AVMSD (Directive of 14 November 2018, 2018) hence has two goals given the rise of global SVoD platforms like Netflix, Amazon Prime, and Disney+: first, ensuring cultural diversity by including European works on these platforms, and second, adding funding to strengthen the local screen industries. According to Idiz et al. (2021, p. 241), cultural diversity and exchange between European countries are the EU's priorities. The definition of “cultural diversity” is based on UNESCO's 2005 *Convention on the Protection*

and *Promotion of the Diversity of Cultural Expressions*, which defines it as the “variety of cultural expressions...[and] diverse modes of artistic creation, production, dissemination, distribution, and enjoyment, whatever the means and technologies used” (UNESCO, 2005). AVMSD and its precursor, the 1989 Television without Frontiers Directive, aim to protect European markets from US content imports and help promote European production and content flow across borders. The original push for cultural diversity is hence related to the 1970s discourse on US “cultural imperialism” (Dorfman & Mattelart, 1978), according to which “cultural expressions [are being] potentially threatened by globalisation, trade liberalisation, and the expansionist ambitions of the main industrial players in the culture and communications sectors” (Thuillas & Wiart, 2024, p. 292). The Television without Frontiers Directive helped secure European audiovisual production and small-screen industries and enabled European works to travel across borders to balance the heavy influx of US television shows (Broughton Micova, 2023, p. 19). The latest Television without Frontiers Directive’s 30% content quota for VoDs is based on the Television without Frontiers Directive’s requirement for linear broadcasters to offer European works 50% of their transmission time, including 10% independent production (Broughton Micova, 2023, p. 20). The percentage of independent works is now often secured by investment obligations, which provide financial support either in the form of an indirect levy paid to national film institutions, a direct investment with respective cultural requirements, or a mix of both (Kostovska et al., 2023, p. 161). Like the content quota, the investment obligation is based on “different forms” of investment obligations that “broadcasters, distributors, theatres, and video industries were subject[ed] to” before (Kostovska et al., 2023, p. 161).

The necessity of the financial support stems from the intensified request for high-budget drama production caused by the market dominance of international SVoDs and the decreasing investment of broadcasters, which long served as a “key financing source of European audiovisual content” (Kostovska et al., 2023, p. 157). While differing in market size and international reach, as Ivana Kostovska et al. (2023, p. 158) underline, most national markets in the EU consist of “small audiences, limited budgets, and dependence on public funding.” All of these characteristics apply to the Netherlands, which not only qualifies as a “small market” country (Raats & Jensen, 2021, p. 836) with a limited domestic audience, number of investors, and funding bodies but is also characterised by “below average public funding” for public service media (PSM; Bengesser, 2024, p. 207), which in return is needed to sustain high-end drama production. It is, therefore, surprising that the Dutch government adopted the 30% content quota into its Media Act (in Dutch: *Mediawet*) from 2008, only in the year 2020 (Idiz et al., 2021, p. 430; lordache et al., 2023, p. 189). Since Amsterdam became the home of Netflix’s first European headquarters in 2015, the Dutch government has long refrained from imposing an investment quota (Idiz et al., 2021, p. 248). According to Idiz et al. (2021, p. 430), Dutch decision-makers were concerned about the bureaucratic burden on both global SVoDs and the Dutch Media Authority (*Commissariaat voor de Media*), as well as limiting the innovative potential of streaming services in a rapidly changing market. More recent developments of international SVoDs retracting investments in European local drama productions (Koljonen, 2023; Krauss, 2023; Mikos, 2024) seem to have informed the Dutch government’s decision to introduce the investment obligation. The required 5% investment by commercial SVoD services is intended to be directly invested in “Dutch cultural audiovisual products” as outlined in the Law *Invoeren investeringsverplichting ten behoeve van Nederlands cultureel audiovisueel product* (introducing an investment obligation for a Dutch cultural audiovisual product; Eerste Kamer der Staten-Generaal, 2023).

2.2. Cultural Diversity in Perspective: The Dutch Streaming Market and PSM

Diversity has become a buzzword in governmental and media industry discourses since the 2010s (Bengesser & Sørensen, 2024, p. 1367). However, the term can have many different meanings in the context of VoD platforms, their content offers, and PSM. As Bengesser and Sørensen (2024, p. 1368) highlight in their contribution to the special issue of *Convergence* on “Streaming Diversity,” the term is often understood synonymously with the “US-American inflexion of identity-based promotional diversity discourses,” which cannot directly be transferred to the European context and its VoD markets. Particularly in the context of globally acting streaming giant Netflix, diversity on and off the screen must be understood as a central element of the company’s “branding strategy” and vehicle for its transnational expansion (Asmar et al., 2022, p. 25; Jenner, 2024, p. 1474). By promoting diverse content regarding race, ethnicity, sexuality, age, and language, Netflix simultaneously generates content with a “grammar of transnationalism” (Jenner, 2024) that speaks to a broad heterogeneous audience and stages itself as a “global curator of progressive and culturally diverse content” (Asmar et al., 2022, pp. 26, 29–30).

International SVoDs have increasingly expanded into European markets, contributing significantly to local content production, including genres like historical drama or science fiction that often require high costs for elements such as special effects and intricate production designs (Afilipoaie et al., 2021; Szostak, 2023). This reflects a strategic localisation approach characterised by a “grammar of transnationalism” aimed at balancing global-local appeal (Jenner, 2018, p. 225; see also Idiz et al., 2024). Netflix, for instance, has emphasised thematic and genre diversity while addressing environmental issues, climate change, and “artistic diversity” by facilitating expanded distribution channels and production resources for European local fiction production (Meir, 2024, p. 108; Szostak, 2023). These efforts are particularly significant in smaller European markets, where local productions have historically faced financial constraints.

Diversity can also be understood in terms of the range of content accessible to audiences, which is shaped by the level of VoD service availability. This reflects what Napoli (1999) describes as “source diversity.” The variety of national and international (S)VoD services listed in Table 1 shows that the Netherlands has (a) a large variety of streaming services available and (b) subscription numbers approach or surpass the number of households, indicating a tendency towards multiple subscriptions’ (Bengesser, 2024, p. 203).

According to subscription numbers for Q4 2022 listed by Esser et al. (2024), Netflix is the largest SVoD service in the Netherlands with 3.2 million subscribers, followed by the two Dutch PSB SVoD services NPO Start/Plus with 1.8 million and the commercial Videoland with 1.3 million subscribers. The Dutch PSB streaming offer comprises a FVoD service (NPO Start) and a subscription-based version NPO Plus, which offers early access to new content for a subscription rate of 2,95€ per month. The last four services listed individually by Esser et al. (2024) are Disney+ (1.1 million subscribers), Amazon Prime (1 million subscribers), HBO Max (0.9 million subscribers), and Viaplay (0.6 million subscribers). With subscription costs for international streaming services ranging between 4,99€ and 17,99€ (as of Q3 2024), all listed international SVoD services (excluding Sky Showtime and Canal+ due to lack of information on subscription numbers) would fall under the new investment obligation since they make more than 10 million euros based on subscription fees. Considering this latter diversity of SVoD offers and high subscription numbers per household in the Netherlands is important when discussing the potential investment obligations for more diverse Dutch cultural fiction productions.

Table 1. Overview of (S)VoD streaming services available in the Netherlands.

Year	DVD Service	Country	Price
2003	NPO Start (since 2017, before “Uitzending Gemist”; free video on demand)	NL	Free
2013	Netflix	US	8,99€
2014	NPO Plus (SVoD)	NL	2,95€
2015	Videoland	NL	10,99€
2016	Amazon Prime	US	4,99€
2019	Disney+	US	10,99€
2019	Apple TV+	US	9,99€
2022	Viaplay	SE	17,99€
2022	HBO Max	US	4,99€
2023	SkyShowtime	US	5,99€
2023	Canal+	F	14,95€

Notes: Data include the year of entry into the market, country of origin of the service, and subscription prices for basic packages (without advertisement) based on data on respective streaming websites for Q3 2024; the bundled streaming service of Dutch public service broadcaster (PSB) NPO is listed twice since it is both available as an SVoD (NPO Plus) and as a free video on demand (FVoD; NPO Start).

Table 1 only lists Dutch (S)VoD services with a higher number of subscriptions and services that produce their content and thus highlights once more the small size of the Dutch content-producing streaming market. The list of named services by Idiz et al. (2021, p. 428), for example, also includes Pathé Thuis, NLZiet, and Ziggo Go, services that fall into the category “other” in the study by Esser et al. (2024, p. 10). Pathé Thuis is a streaming service by the cinema chain Pathé, which operates, among others, in France, Belgium, and The Netherlands. They offer mainly blockbuster movies for home entertainment. Ziggo Go is the streaming service based on the Dutch cable operator Ziggo; its rival company KPN (Royal KPN N.V.), which developed out of the governmental postal and telecommunication service, produced content for its digital TV channel KPN Presenteert between 2015 and 2018. The paid subscription service NLZiet is a bundled streaming offer of NPO Plus, RTL XL, and Kijk (NPO 2013) and includes BBC First since September 2024 (Kriek, 2024). Due to these channels not being relevant in the context of the investment obligation or content production, they will not be further considered. Nevertheless, their existence shows the diversity of the Dutch streaming market. In contrast, their lack of production shows the reliance on Dutch VoD fiction content on the commercial platform Videoland and the Dutch PSB NPO. At the same time, NPO receives significantly less funding than other European small-market PSBs (Bengesser, 2024, p. 208) and face new cuts of more than 150 euros in the coming years (Beukers, 2024).

Whereas diversity is a branding strategy for internationally acting SVoD services like Netflix, diversity has traditionally been a “key issue” for European public service broadcasting, with its double focus on the universality of reaching a broad audience and representing pluralism of voices and opinions on topics (Bengesser & Sørensen, 2024, p. 1366). This is also the case for the Dutch PSB (or PSM), which since the early 2000s has been summarised and centrally administered by the Dutch Foundation for Broadcasting NPO (*Nederlandse Publieke Omroep*). Before this restructuring of the Dutch PSB sector, the pluralism of the Dutch society was addressed in a unique Dutch pillarisation system with different PSBs serving religious (catholic/protestant), political (liberal/conservative), and ethnically diverse immigration audience groups (Veerbeek et al., 2022, pp. 422–423). In their analysis of PSBs DR (DK), ARD (GER), and BBC (UK), Bengesser

and Sørensen (2024, 1369–1370) found that the difference in the approach to diversity was their definition of “public value” in their mission statement and yearly reports. Since this article includes NPO Start/Plus and content produced for these PSB streaming platforms and diverse representation in productions on- and off-screen representation, it is important to take a closer look at NPO’s specific approach to diversity.

Next to “universality” (*verbreding bereik*) and “pluralism” (*pluriformiteit*), NPO has been addressing “diversity” regularly in all their yearly reports since 2006. One would assume that the centralisation of all small PSBs from the pillar system under NPO and the subsequent merging of PSB channels after the Media Law in 2016 from 21 to eight (Veerbeek et al., 2022, p. 423) would lead to a heightened need to address diversity within and beyond NPO’s claims about universality and pluralism. In the annual report of 2006, the term appears both in synonymous use with the first two notions but is also mentioned as having a singular aim to “be a reflection of society both in programming and in the workforce” (NPO Jaarverslag, 2006, p. 10). They, therefore, set the goal to have a “diverse workforce (on and off screen) by age, gender, and ethnicity,” which reflects the “multicultural society in the Netherlands’ and features a balanced distribution of male/female ratio” across different positions and job levels (NPO Jaarverslag, 2006, p. 48). The diversity of NPO employees—particularly off the screen—remains a recurring point on their yearly agenda over the next 17 years. This ambition clearly contrasts the critical findings of the non-profit organisations Kleur and Vrouwen in Beeld, who both confirm a persisting lack of diversity in the Dutch audiovisual sector (Crone et al., 2023; Sanders, 2022). Genre diversity, in contrast to other small market PSM (Bengesser & Sørensen, 2024, p. 1370), is not considered by NPO: In order to reach a large audience also via its streaming service, NPO sporadically highlights in their yearly reports “strengthening on-demand offerings” via “extra [investment] in drama, a genre that lends itself well to this type of viewing” (NPO Jaarverslag, 2016, p. 27), but there is no genre strategy recognisable.

Public value, which first appears in NPO’s year report of 2006, has been transferred into a tool for measuring whether NPO fulfils its service to the public in delivering diverse content. The respective tool is called Public Value Monitor Television (in Dutch: Publieke Waarde Monitor Televisie) and was introduced after the merging and restructuring of the Dutch PSB landscape in 2016. Its eight categories (reliability, diversity, variety, political and commercial independence, pluralism, personal relevance to the audience, and social relevance) are thereby transferred into numerical data based on the evaluation of a representative panel of 9,000 people (13 years and older) and an audience panel-based ranking of productions that takes place twice per year (NPO, 2022). This public value is more closely linked to justifying the NPO’s existence and state financing and public opinion rather than helping to monitor and address genre and on-screen diversity. Given that the investment obligation features clear definitions of aspects that need to be fulfilled in order for an international SVoD production to be considered culturally representative and relevant, it would be good if the lack of diversity considerations within Dutch local audiovisual production were counterbalanced and categories like genre and diverse on-screen representation taken into account in the phrasing of the Dutch investment obligation.

3. Method and Data Collection

First, for our critical analysis of policy and regulation, which focuses on the Dutch investment obligation and its regulations regarding the definition of a “Dutch cultural audiovisual product,” we collected the 58 Dutch senate documents related to the Law *Invoeren investeringsverplichting ten behoeve van Nederlands cultureel audiovisueel product* (introducing an investment obligation for a Dutch cultural audiovisual product; Eerste Kamer der Staten-Generaal, 2022) and we contextualise the Dutch investment obligation through studies

on media regulation, cultural policy, and VoD investment, comparing it within European regulatory trends. We refer readers to the Supplementary Material file in our article for the additional reference materials we explored during our research process.

Second, in our production data analysis, we concentrated on production numbers of television fiction genres, including series, web series, and telefilms (or “single plays”), and subsequently compiled a dataset encompassing 372 Dutch fiction series and telefilms released from January 2013 to December 2023 for (S)VoD platforms. This dataset includes production numbers from international streamers (Netflix, Amazon Prime, Disney+, HBO Max, Viaplay), national PSBs (NPO Start/NPO Plus), and RTL Netherlands’ commercial streaming service, Videoland. Most production data was provided by the Dutch foundation Vrouwen in Beeld. For the report *Beter is Nog Niet Goed* (Sanders, 2022), detailed production data for 2,469 Dutch films for theatrical release and television productions from 2011 to 2020 had been collected. This data had been sourced from the selected production lists of the Netherlands Film Festival and International Documentary Film Festival Amsterdam and overviews of titles by the Dutch PSB NPO for the period 2010–2020. IMDb, producer websites, Wikipedia, the NPO Fund, the Cobo Fund, filmvandaag.nl, tvserieskijken.nl, RTL, Videoland, SBS, Talpa, and Netherlands Film Fund budget data had also been consulted (Sanders, 2022, p. 52). We concentrated on television fiction series (including web series) and telefilms during the data selection process, and we excluded films that were initially released theatrically from our analysis. Like lordache et al. (2023), we furthermore excluded documentaries, animation, or reality content.

As Sanders observes, much production data concerning length, budget, involved broadcasters, distributors, and genre is not publicly accessible in the Netherlands (Sanders, 2022, p. 52). With Vrouwen in Beeld’s help, we were able to obtain data from the Netwerk Scenarioschrijvers (Network Screenwriters) and their *Zilveren Krulstraat* (screenwriting award) production titles for the missing years: 2021–2023. One challenge in compiling the complete dataset for the 10 years from 2013 to 2023 was that the titles in the latter-obtained productions are listed per production year. In contrast, the Vrouwen in Beeld dataset is entirely based on the year each title was released. Another significant limitation to note is the inconsistency in information on “broadcasters and distributors involved and about the genre,” which, as Sanders (2022, p. 6) notes, “was unfeasible for th[eir] report to clean up...and include in the analyses.” We also collected production data from NPO for telefilms, television series, and web series for the period 2021–2023 to ensure that no PSB productions were overlooked. This further complicates the distinction between program types set out in the original dataset by Vrouwen in Beeld, which only distinguished between single play (telefilm) and series and does not mention web series.

Genre categories, therefore, required recoding, which was based on information from the respective producing channels/VoDs and IMDb. Despite debates on the relevance of genre categories in times of algorithmic recommendation systems, both industry and researchers—particularly in the context of the adaptation of the AVMSD’s 30% quota for European content—have turned to it to structure and categorise the vast amount of content available on VoD platforms (Bengesser & Sørensen, 2024; Berliner & Cohn, 2023, p. 479; lordache et al., 2023). Although genre classifications based on principles of similarity and difference (topic/theme, characters, setting, narrative form, etc.) and their cultural function (see Feuer, 1992) can be understood across cultural contexts, there are cultural and industry-specific variations. In the Dutch television context, this is especially the case with the genre “drama,” which a variety of formats can be categorised under, including telefilms or “single plays” of less than 120 min., several-part telefilms or “single

plays” released as part of a more extensive, recurring thematic series, as well as miniseries with one season with a maximum of six episodes, and series with at least six episodes per season. This differentiation of formats within the genre bares similarities to the German format variety in the genre (see Becker & Hagedoorn, 2022, p. 113–114), but also features unique cases such as the yearly released NPO telefilm series *One Night Stand* (2006–2018), consisting of up to eight “single plays” by upcoming directors and screenwriters. In order to give an indication of the diversity of formats and the hours of content in the genre “drama” and its sub-genres, we use the categories “single play” (originating from the dataset by Vrouwen in Beeld) as well as miniseries and series alongside the genre in our analysis of local Dutch fiction production from 2013 to 2023.

4. Policy Analysis: The Dutch Investment Obligation for Audiovisual Cultural Productions

As laid out in Sections 1 and 2, the Dutch investment obligation introduced on 1 January 2024, is a policy designed to add funding to local screen productions by requiring VoD platforms that generate over 10€ million annually in the Dutch market to reinvest 5% of their revenue (Eerste Kamer der Staten-Generaal, 2022). This amendment to the 2008 Media Law applies to all the major international streaming services like Netflix, Disney+, Amazon Prime, and HBO Max. Crucially, 60% of these investments must go towards independent productions, while the remaining 40% can be used for in-house projects, allowing platforms some flexibility. The investment obligation originated from the 2018 recommendations of the Council for Culture (in Dutch: Raad van Cultuur) to address concerns in the media landscape, particularly the dominance of international platforms and the lack of investment in local productions. The Dutch Senate (in Dutch: Eerste Kamer der Staten-Generaal) views this measure as a necessary response to the changing media landscape and the increasing influence of international streaming services. Research on small markets and their strategies for engaging with SVoD services further highlights the need for this policy intervention (Domazetovikj et al., 2024).

Between 2021 and mid-2023, Dutch policymakers discussed the introduction of an investment obligation for VoD providers to strengthen the domestic audiovisual industry. These discussions were driven by concerns over the dominance of international streaming platforms and the insufficient investment in Dutch cultural content (Idiz et al., 2021). While adapting the AVMSD, policymakers debated how effective such an obligation would be. The Dutch Ministry of Education, Culture, and Science initially advocated for less prescriptive regulations to prevent excessive administrative burdens before the AVMSD’s 30% content quota for European works was implemented in September 2021 (Idiz et al., 2021, p. 430). Despite commissioning research from the Council for Culture (Raad voor Cultuur, 2018) and Dialogic (Maltha et al., 2019), the Dutch Ministry did not use production data to assess ways of increasing investment in Dutch cultural content. Dialogic’s study raised concerns over the lack of empirical data and the difficulty obtaining information from industry stakeholders due to privacy, competition, and the high workload involved. Their research in the end solely included desk studies, interviews, literature reviews, and economic-theoretical analysis and no actual numbers on productions and related costs (Maltha et al., 2019, p. 13).

A key part of the investment obligation is how it defines a “Dutch cultural audiovisual product.” The regulation aligns with the Netherlands’ broader cultural policy objectives, as seen in PSB requirements to offer diverse perspectives on societal issues (Veerbeek et al., 2022, p. 423). According to Lordache et al. (2023), the Netherlands also imposes a 50% investment obligation on linear television, with a separate

production quota in Dutch and Frisian. The newly introduced VoD obligation extends this regulatory framework to streaming platforms, reinforcing measures to support cultural production. A Dutch cultural audiovisual product is defined in the 2024 investment obligation as a European production that meets at least one of the following criteria (Eerste Kamer der Staten-Generaal, 2023, pp. 2-3):

1. The original screenplay is mainly (at least 75%) in Dutch or Frisian.
2. The main characters primarily speak Dutch or Frisian.
3. The script is based on a Dutch or Frisian literary work.
4. The central theme relates to Dutch culture, history, society, or politics.

By applying these criteria, the policy ensures that audiovisual productions reflect and contribute to Dutch cultural heritage. It also specifies key content categories, including documentary films, drama series, and feature films. A drama series, for instance, must be a fiction-based audiovisual production with a continuous storyline and a total running time of no less than 120 minutes, divided into episodes of at least 20 minutes each (Eerste Kamer der Staten-Generaal, 2023, p. 2). However, changes to the legislation with its acceptance in June 2023, introduced that for “half of the investment obligation, the aforementioned genres should be deleted and all genres with the exception of sports, be covered by this law.” This amendment was justified in the name of allowing for responses “to innovations” (Inhoudelijke Ondersteuning, 2023, p. 2)

The new law that requests international VoDs to invest 5% of their annual turnover in local Dutch content production, is overall promising but does not come without potential flaws. The revenue from commercial on-demand media services is not limited to subscription, but likewise includes revenue generated through advertising, user in-app transactions, sponsorships, and product placement (Eerste Kamer der Staten-Generaal, 2023). According to Telecompaper, streaming services made 1,2 billion Euros in revenues in 2024, 5% of this total amount would lead to about 60 million reinvestment into the Dutch screen industry (“Streamingdiensten passeren grens,” 2025). Dutch screen industry representatives like Doreen Boonekamp, former CEO of the Netherlands Film Fund, therefore also showed themselves content with the Dutch measures as a “first step to boost local production” and create a circular ecosystem where those at the end of the value chain reinvest in its beginning (Dams, 2023). She, however, wishes to see an expansion of the financial obligations on streamers in the form of a mix of a levy and direct investment to ensure the “levelling [of] the playing field with the countries surrounding us, especially for independent film production” (Dams, 2023). The 2024 version of the Dutch investment obligation thus far solely includes direct investments and leaves a lot of room to streamers to decide on the type of production they want to invest in since all programming except for sports could count as “Dutch cultural audiovisual product” (if the above listed requirements are fulfilled) with only half of the investment being required to go to key content categories like documentary films, drama series, and feature films. Furthermore, 40% of the investments are allowed to be used for in-house productions, which in case of the leading SVoD service Netflix could also mean a production in its European production hub in Spain or completely outside of Europe as long as the spoken language is Dutch or Frisian or the production is based on a Dutch or Frisian literary work.

While the Dutch investment obligation aligns with similar regulations in larger European markets, the Netherlands have taken a more flexible approach, allowing VoD providers to decide how they invest within the boundaries set by the law. Equivalent investment obligation laws in Spain and France, in contrast, impose stricter direct investment requirements (Hinke, 2023a, 2023b). The height of the required reinvestment in

local productions similarly differs: France requires an investment obligation of between 5.15% and 15% of annual turnover, while Italy has a similar scheme focused on domestic content (Bengesser, 2024). The Dutch approach is also less rigid than policies in Belgium, where investment obligations are more narrowly defined and closely monitored (Kostovska et al., 2023). The Dutch Media Authority (*Commissariaat van de Media*) will oversee compliance and evaluate the regulation's impact on production diversity, industry stability, and cultural representation, but their assessment takes place retrospectively based on production numbers that commercial VoD services are asked to hand in for the first time in 2027.

The Dutch investment obligation is a meaningful measure to protect and promote Dutch audiovisual cultural productions in an increasingly globalised media environment (Dams, 2023). By requiring domestic and international VoD providers to contribute financially, the law seeks to build a sustainable and diverse media sector. While challenges persist—particularly in compliance, enforcement, and the evolving streaming landscape—the policy marks an important first step in balancing national cultural interests with international market forces. Future assessments will reveal its effectiveness in meeting cultural and economic objectives. To better facilitate this assessment, we will in the following present the outcome of our analysis of production data for Dutch fiction productions from the 10 years leading up to the introduction of the investment obligation in the Netherlands.

5. Production Data Analysis: Trends in Production Numbers, Genres, and Diversity in Dutch VoD Fiction (2013–2023)

In the context of the Dutch market, we examine the interplay between diversity and the Dutch investment obligation by analysing trends in SVoD productions from 2013 to 2023, focusing on how these trends highlight gaps in cultural diversity and genre representation before implementing the investment obligation. By contextualising these trends alongside newly established Dutch initiatives such as *Vrouwen in Beeld* and *Kleur*, as well as research funded by the Dutch Ministry of Education, Culture, and Science regarding diversity both on and off the screen in the Netherlands (Crone et al., 2023; Sanders, 2022), we demonstrate how the observed underrepresentation of diverse narratives and high-cost genres informed the development of the investment obligation. This discussion explicitly frames the analysed titles as trends that predate the introduction of the investment obligations to provide a more apparent baseline for understanding and reflecting on the regulation's objectives. In the following, we present the trends we found in fiction series (including web series) and telefilms (or “single plays”) from the local public broadcaster (NPO), the local commercial broadcaster (RTL/Videoland), and international streaming services (Netflix, Disney+, Amazon Prime, HBO Max, Viaplay) from Netflix's Dutch market entry 2013 to 2023: Figure 1 depicts the production numbers of local Dutch SVoD fiction content (2013–2023); Figure 2 shows the genre diversity of local Dutch SVoD fiction content (2013–2023); Figure 3 shows the genre diversity of 259 local Dutch VoD fiction series excluding single play and web series; and Figure 4, illustrates the genre diversity in Dutch local language content exclusively produced by national and international commercial VoDs.

Our empirical production data analysis focuses on two key aspects of diversity: genre diversity and on-screen representation of diversity in Dutch VoD fiction productions from 2013 to 2023. Genre diversity examines the variety of production types, particularly underrepresented high-cost genres such as historical drama and science fiction. On-screen representation of diversity addresses the diversity of characters regarding gender, cultural, and ethnic background in Dutch-language fiction content (see Crone et al., 2023).

The review of production data helps to give an overview of Dutch fiction productions in the age of streaming, but has limitations: First, given that production data is already not publicly accessible in the Netherlands (Sanders, 2022, p. 52), the analysis does not cover economic information on diversity in production budgets which companies have been reluctant to share in the past with researchers (Maltha et al., 2019). Second, while we highlight some regional and linguistic aspects, we do not provide a comprehensive analysis of diversity across all demographic categories, as this falls beyond the scope of our dataset. On-screen diversity will hence only be addressed when discussing exemplary production titles. Third, audience reception—and discoverability—important dimensions when considering content diversity in the age of streaming—are not included, as they require separate methodological approaches. These omissions are necessary to focus our analysis on trends in production diversity (genre and on-screen) relevant to contextualise and critically evaluate the investment obligation's proclaimed goal to produce Dutch cultural content for a broad Dutch audience.

Whereas the dip in production in 2020 due to the Covid-19 pandemic is the most striking at first glance, Figure 1's overview of 10 years of Dutch fiction production for VoD services shows a slight increase in Dutch local language original productions by international SVoDs after 2018. Fall 2018 marks the revision of the AVMSD and the introduction of the 30% content quota for European works as well as the end of the fifth year of Netflix operating in the Netherlands. The increase becomes particularly visible in 2021 and 2022, with both years featuring two Netflix productions and one Amazon Prime production. As Idiz et al. (2021, p. 431) mention in the context of the 30% quota for European works, "first reporting for 2021/2022 [was only] due in 2023." This trend could hence be read as aligning with research indicating that platforms increasingly shift to original productions to comply with quotas and enhance market presence (Kostovska et al., 2023). It likewise indicates the little effort invested in local language original content production in a small market like the Dutch. While this reading of the increase of Netflix's investment in Dutch local language original production might have been motivated by the AVMSD, this is more questionable in the case of Amazon Prime since the productions in 2021 and 2022 directly followed its Dutch market rollout in 2020. It is therefore also possible that both Netflix and Amazon Prime solely invested in local content to broaden their streaming libraries and attract new subscribers.

Before 2018, Figure 1 only featured one drama miniseries, namely the four-part *Tokyo Trial* (2016), which was counted as a Dutch production. It is important to underline, however, that this is a co-production by the Japanese PSB NHK, the Amsterdam-based production company FAAT Productions, and Netflix. *Tokyo Trial*, in many regards, stands out from other local Dutch original content by international SVoDs: It is not a Dutch local language original production shot in Dutch, but in English. It is a co-production directed by an American-Dutch director duo: Rob W. King and Pieter Verhoeff. It is a four-part miniseries that centres its storyline around the Dutch judge Bert Röling (played by Dutch actor Marcel Hensema). The miniseries premiered at the 37th edition of the Dutch Film Festival in 2017 and is referred to by the Dutch press as Verhoeff's "film" (van der Laan, 2017), a testament to the Dutch understanding of formats including several parts comprising telefilms (or "single plays"). Based on how Verhoeff frames the production in an interview with the Dutch film magazine *Filmkrant*, the miniseries was, moreover, in its first instance, a production promoted by the Japanese PSB NHK: "I was asked by producer Hans de Weers, who in turn was approached by Japanese public broadcaster NHK to co-produce *Tokyo Trial*" (Graveland, 2017). Nevertheless, given that the miniseries touches on real-life Dutch historic characters, an argument could be made that *Tokyo Trial* is a "Dutch cultural audiovisual product," since it fulfils requirement four in that "the central theme relates to Dutch culture, history, society, or politics" (Eerste

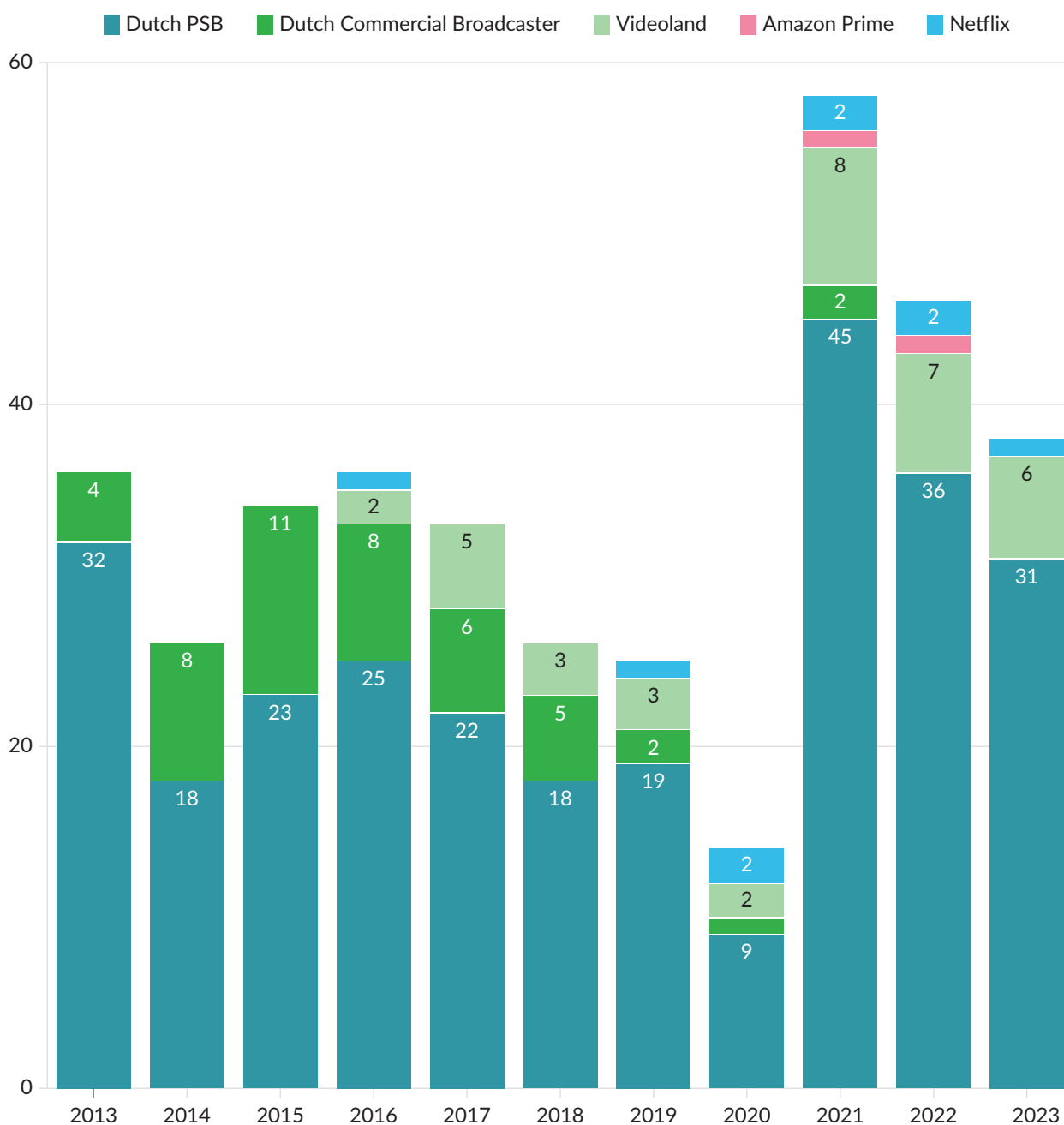


Figure 1. Production numbers of local Dutch SVoD fiction content (2013–2023). Note: If no number is mentioned in the figure, then there was only one production (see Amazon Prime in 2021 and 2022 and Netflix in 2016, 2019, and 2023).

Kamer der Staten-Generaal, 2023, p. 3; see Section 3.29f). Being an odd one out in the trends for local SVoD content production by international streamers up to the introduction of the Dutch investment obligation in 2024, it showcases how much room the requirements would leave for global streamers to showcase their compliance with the new law.

Between 2018 and 2023, Netflix produced between one and two Dutch local language originals. However, most of these Netflix productions are related to the crime series *Undercover* and its various seasons and

spin-off series, which are likewise co-productions by Netflix, the Flemish PSB streaming service VRT Max, and the Dutch commercial broadcaster SBS6. What needs to be clarified in the context of both of these co-productions is that titles like *Tokyo Trial* and *Undercover*, as well as its spin-off series *Ferry*, are counted as Dutch productions despite having been co-produced and, in the latter case, are also originally filmed in Dutch. The Dutch-Flemish crime drama franchise *Undercover* would also fulfil the requirements of the Dutch investment obligation since it is not just 75% but entirely in Dutch (see Section 4). As Eduard Cuelenaere and Alexander De Man (2025) show, there is a history of Flemish-Dutch co-productions long before streaming, mainly motivated by ideological reasons (e.g., the strengthening of Flemish culture in Dutch in Belgium) or for commercial reasons, such as higher production budgets and speaking to a larger audience. A combined commercial and policy reason could also motivate international VoDs to invest in Flemish-Dutch coproductions to fulfil direct investment obligations in Flanders (Belgium) and the Netherlands. If these co-productions were not counted as Dutch productions, Netflix's number of Dutch productions since the streamer's rollout in the Dutch market in the fall of 2013 would be down to solely three series: *Ares* (2020), *Misfit: De Serie* (2021), and *Dirty Lines* (2022).

Next to Netflix, our dataset only featured two fiction productions by Amazon Prime (see 2021 and 2022). Whereas NPO and the Dutch commercial SVoD platform Videoland doubled or tripled their production numbers following the Covid-19 pandemic in 2020, which saw a worldwide, dramatic increase in VoD consumption (Johnson & Dempsey, 2024), international streamers' investments in Dutch cultural audiovisual fiction content remained limited. What becomes apparent in the overview of empirical production data for the Dutch VoD market in Figure 1 in comparison to subscriber numbers to international services in Table 1 (Section 2.2) is that an additional regulation, such as the new Dutch investment obligation, is relevant to channel revenues from international SVoDs into the local screen industries to secure local fiction production long term.

As Figure 2 shows, the three most popular genres in the full dataset of local SVoD content (2013–2023) are drama (133 productions), crime (67 productions), and comedy (54 productions), with fewer productions in more expensive genres like fantasy/horror/sci-fi, thriller, and historical drama. Due to the high production costs of genres such as historical dramas and fantasy/horror/sci-fi, which frequently explore diverse narratives, Dutch SVoD primarily consists of affordable genres such as drama, crime, and comedy (including telefilms (or “single plays”) and web series), which typically cater to a broad audience by featuring universal themes and narratives that appeal to a mainstream audience and frequently feature a predominantly white cast (Afilipoaie et al., 2021; Crone et al., 2023). Drama can hence also feature highly among NPO productions in the dataset, but it is limited to family-oriented (inter-)generational narratives with a mainly white cast (see Crone et al., 2023, who likewise worked with the dataset by *Vrouwen in Beeld*). Recent NPO drama series that were able to attract a large audience according to report viewer numbers in the Dutch press, like *Oogappels* (BNNVARA, 2019–2024) and *Dertigers* (BNNVARA, 2020–present), have though also started to incorporate a more diverse Dutch cast with family roots in Suriname, Morocco, and the Dutch Antilles, featuring actors and actresses Mike Lianon, Ciraj Amalal (both in *Oogappels*), Joy Wielkins and Sabri Saddik (both in *Dertigers*; “Dertigers keert in 2025,” 2024; “Oogappels is online knaller,” 2024).

Whereas Figure 2 features an overview of genre diversity across 372 productions over the 10 years after Netflix entered the Dutch market, Figure 3 only shows genre diversity across full-length series. Excluding shorter fiction productions categorised as single plays (telefilm), miniseries, or (web)series, the number of

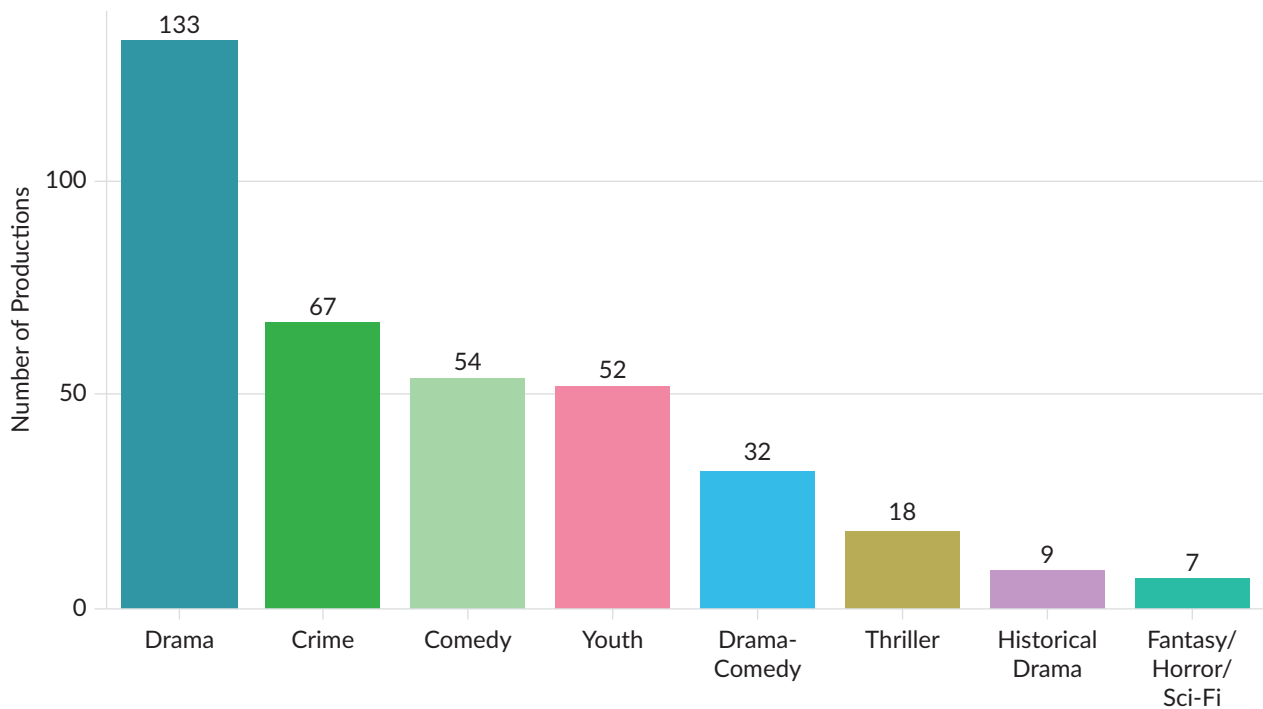


Figure 2. Genre diversity of local Dutch VoD fiction content (2013–2023), including all productions (series, web series, miniseries, and single plays).

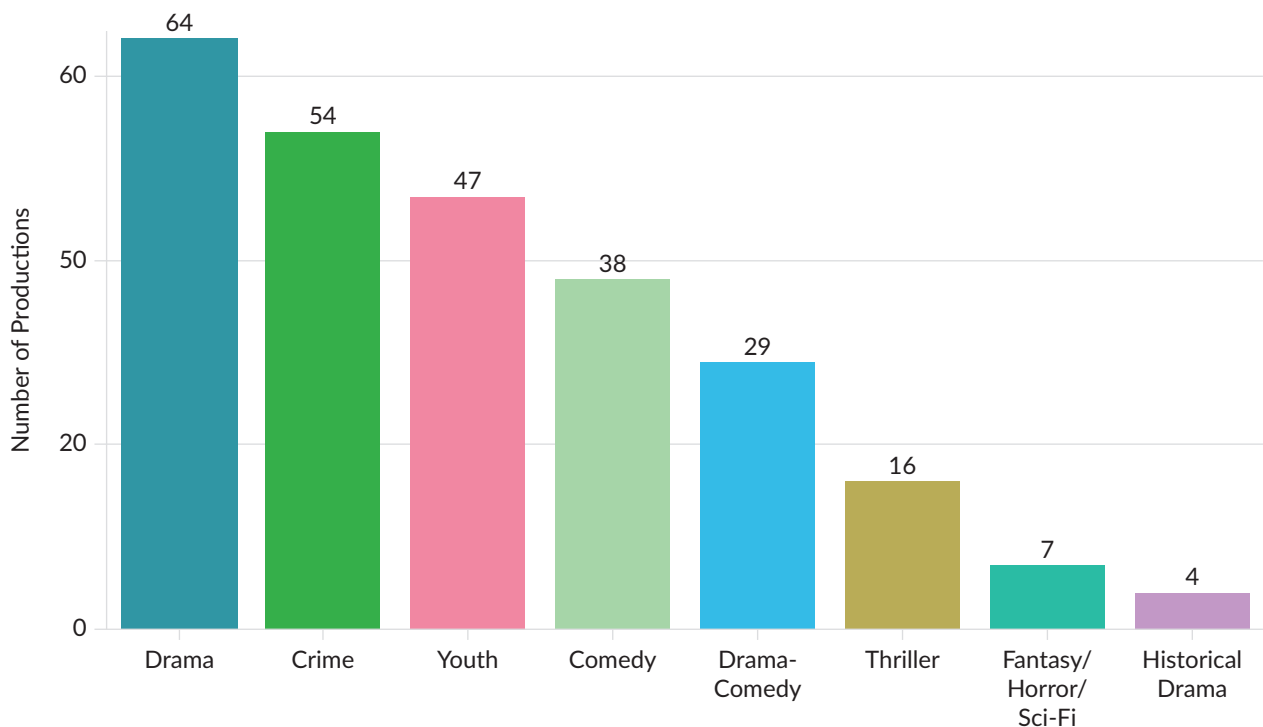


Figure 3. Genre diversity of 259 local Dutch VoD fiction series (excluding single play and web series, 2013–2023).

fiction productions over the analysed ten-year period drops from 372 to 259 productions. The genre distribution is particularly affected in the case of historical drama series, which now come in last place with four titles only behind the genre fantasy/horror/sci-fi.

Figure 4 shows a close-up of the genre diversity across fictional Dutch local language original series produced by commercial SVoDs. The added genre diversity argued for in previous studies on other European screen media markets and local language original production (Meir, 2024, p. 108; Szostak, 2023) cannot be found in production data from national and international commercial SVoDs in the Netherlands. The Dutch PSB NPO infrequently addresses costly genres such as fantasy/horror/sci-fi, thriller, and historical drama. As illustrated in Figure 4, these genres are similarly scarce in Dutch local language productions by national commercial entities and international SVoD platforms. The least number of productions and genre diversity can be found in the productions by Amazon Prime, limited to two productions only: the drama series *Modern Love* (2021) and the (satire) comedy series *TRECX* (2022). Although Netflix's local Dutch language originals include more productions and exhibit increased genre diversity, crime remains the predominant genre. This circumstance is related to the popular first Dutch-language original series *Undercover*, which has three seasons and four productions in this genre (episodes 7 and 8 of season 3 have been listed as separate productions in the dataset based on them being released separately in consecutive years). As discussed earlier, although a Dutch local language production, *Undercover* is a Flemish-Dutch Netflix local language original co-production. The spin-off *Ferry: The Series* (2023–present) accounts for the sixth Netflix production in this genre.

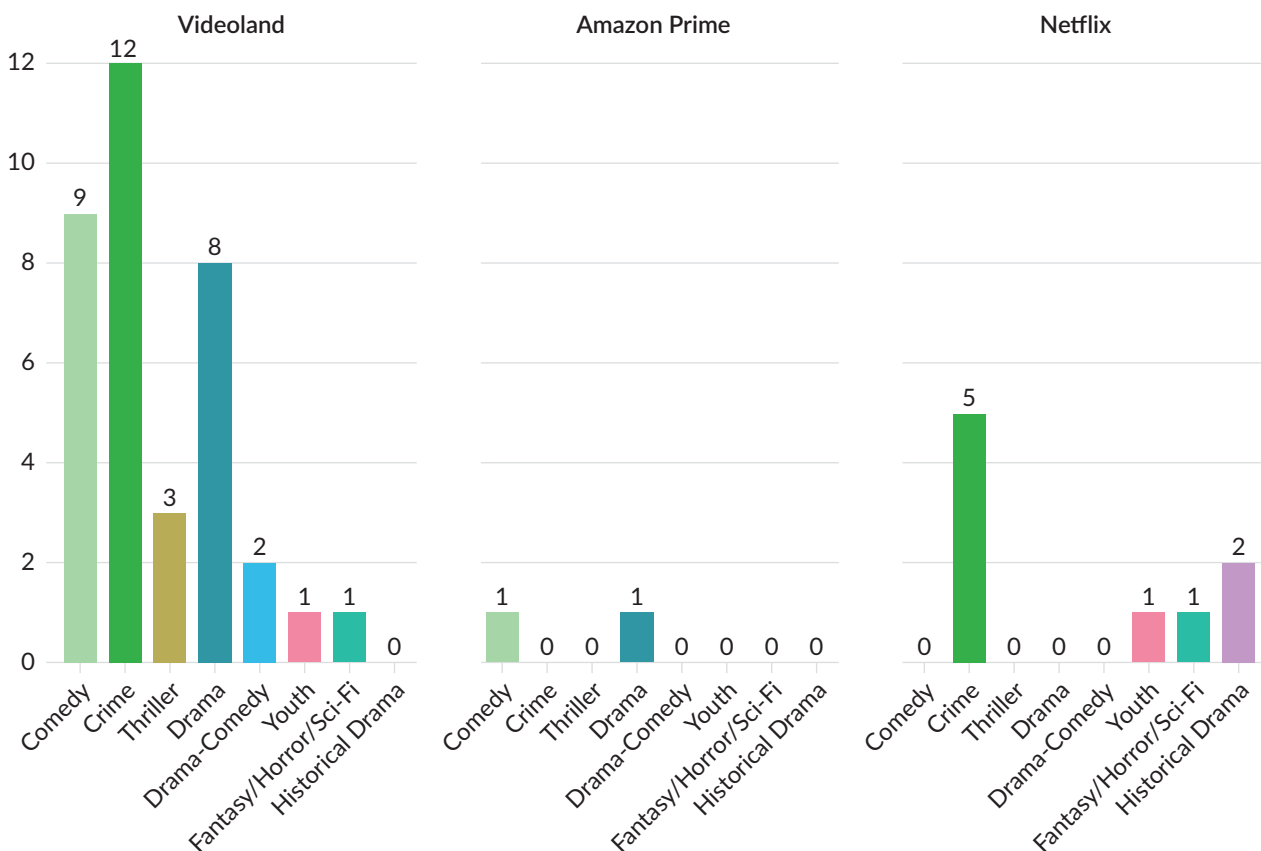


Figure 4. Genre diversity in Dutch local language content produced by commercial SVoDs (2013–2023).

Rather than enhancing genre diversity among Dutch VoD productions, Netflix contributes to cast and on-screen diversity through a limited number of productions in genres other than crime. This circumstance correlates with the streamer's visible diversity branding strategy (Asmar et al., 2022; Jenner, 2024): The historical drama *Dirty Lines* (2022), for example, features the Dutch actress Joy Delima as its leading female protagonist, who has Curaçaoan/Surinamese roots. Similarly, the Dutch fantasy/horror/sci-fi series *Ares* (2020) on Netflix features the Dutch actress Jade Olieberg among its main cast, whose family has roots in Suriname, Trinidad, and China (Wiegman, 2022).

In contrast to this highlighting of the diverse cultural influences in Dutch society and the country's colonial past, the setting of both of these Netflix Dutch local language productions, as well as Amazon Prime's *Modern Love*, is Amsterdam, which is easily recognisable to a global, non-Dutch audience. The geographic localisation strategies in these Dutch local language originals support Idiz et al.'s (2024) argument about localisation mainly functioning as "window dressing" that pays little attention to the larger Kingdom of the Netherlands. It is striking that Dutch-language content that does address the Netherlands' colonial past in Indonesia, such as the (initially theatrically released) film *De Oost* (in English: *The East*, 2020), are more often Dutch productions that Netflix bought for its catalogue.

Suppose the investment obligation introduced in 2024 aims to do more than facilitate local content to preserve the Dutch screen industry, it is necessary to consider in how far Dutch national language, culture, and society in all its diversity is promoted in local content production by international VoDs. The discussed examples of earlier Dutch local language productions by international VoD platforms show that "Dutch cultural audiovisual products," even when they feature main characters who speak Dutch or Frisian and are set in the Netherlands, can be limited in their promotion of Dutch cultural diversity and identities beyond Amsterdam. In short, because (a) the law is broadly phrased to afford streamers flexibility in their production, and (b) the specific Dutch cultural elements are not checked before productions are issued but rely on retrospectively self-reported data by the respective international VoDs, the use of strategies like "window dressing" can easily be overlooked.

Even though the first round of self-reporting by international VoDs on their compliance with the 5% investment quota in Dutch productions is only due in 2027, a look at empirical production data from the 10 years leading up to the introduction of this new AVMSD-based law highlights that a revision of the phrasing of the law would be preferable to direct foreign VoDs' investments more precisely towards fictional productions of rare, costly genres and productions who pay attention to more varied representation of the Kingdom of the Netherlands' diverse society, history, and geography beyond Amsterdam.

6. Conclusion

Due to the limited regulatory pressure to support diverse, local productions, Dutch SVoD content before 2024 tends to reflect traditional genres. It has limited diversity regarding on-screen representation (see also Crone et al., 2023). An important change that could increase diversity in Dutch fiction is the new investment obligation, which mandates a 5% turnover investment from commercial and foreign platforms into Dutch content. Future research should examine the regulation's numerical impact on Dutch fiction production across genres as well as the diversity in its representation of Dutch culture and society. This is particularly uncertain because the 2024 investment obligation is neither prescriptive nor precisely defined. According to

the law, a “Dutch cultural audiovisual product” is a production with Dutch or Frisian main characters, that is based on a Dutch or Frisian language script or novel, and/or based on a Dutch culturally, historically, or politically related theme. The law allows streamers to produce freely and is checked afterwards based on self-reporting. Given the earlier observed trends in local productions by international streamers in the Netherlands since 2013, it is likely that these commercial VoD services opt for shorter miniseries or telefilms over full-length series, Flemish-Dutch co-productions, cheaper non-fiction content like reality TV programming around Dutch celebrities, and a simple “window dressing” strategy (Idiz et al., 2024) in local fiction productions regarding location, character, and language that are easily recognizable to a wider European and/or global audience. Netflix’s announcement of its new Dutch local production slate including the reality show about the Spanish-Dutch actress Yolenthe Cabau and her new life in Los Angeles, or the film *iHostage*, based on the hostage-taking at the Apple store in Amsterdam in 2022, seem to indicate this tendency (“Netflix komt met realityprogramma,” 2024). Our article hence aims to offer a background against which to reassess the Dutch investment obligation and to examine developments in the VoD market following its implementation in January 2024.

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Supplementary Material

Supplementary material for this article is available online in the format provided by the author (unedited).

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