

Stichting 75inQ
Den Haag, The Netherlands
KVK 81883722
BTW NL862257025B01
info@75inQ.com
www.75inQ.com

THE CASE FOR A DUTCH ENERGY OMBUDSMAN

ACCES TO JUSTICE IN THE NETHERLANDS

REPORT

CARLOS VILLASENOR

JUNE 2025



Introduction

In a particularly volatile and uncertain moment for the energy markets in the European continent the Netherlands stands out as a country that has managed to weather the storm with remarkable stability (TNO and CBS, 2024). This isn't by happenstance given that recent research shows that "without support measures, approximately 200,000 households were vulnerable to energy-price fluctuations in 2020. With 2022 prices, this group increased to almost one million households, and this is not just households with poorly insulated homes" (ACM, 2024, p. 4). Several actions from lowering taxes, increasing rebates, expanding welfare programs, etc. had to be put in place at the national and local levels to prevent that from happening (TNO and CBS, 2024; ENPOR, 2020).

On the other hand, these efforts exist in juxtaposition with significant shortcomings in the country regarding the recognition, definition and addressing of energy poverty and vulnerability. Chief among them the lack of a national framework on the matter (Feenstra et al., 2021). This absence, however, presents an opportunity to learn from existing debates that seldom make it to the mainstream when it comes to discussing this particular form of poverty but can offer significant insights in the creation of solutions for the Netherlands. In particular, the topics of access to justice, the increasing prevalence of alternative dispute resolution (ADR) mechanisms in Europe, and the need to go beyond merely procedural justice are increasingly being contextualized for the specific barriers faced by energy poor or vulnerable consumers (Creutzfeldt et al. 2021).

The present work will focus on a figure that is prominently featured in these discussions at the intersection of access to justice and energy poverty and vulnerability, the ombudsperson. A case will be put forward for a public energy ombudsperson that integrates a right to energy into its mandate as a component in the creation of a national framework to address energy poverty and vulnerability.

In order to do so it will **first** present a **brief overview of the evolution of the understanding on energy poverty at the regional level within the European Union**, how it has come to be prominently integrated into the regulation of the sector and some areas that remain relatively unexplored such as issues related to gender. This larger context will then be **compared to the specific state of affairs in the Netherlands** both regarding policy and legislation as well as to how energy poverty looks like and who experiences it. Once a general picture of energy poverty and vulnerability is painted at the regional and national levels the report will delve into the details of the **framework for consumer protection in the Netherlands** with particular emphasis on the pathways available for people to present their grievances and obtain redress. **Finally**, the role of the ombudsperson is explored to highlight the **limitations** that exist in the present framework of consumer dispute resolution. More specifically, the current mechanisms are designed to satisfy a narrow approach to access to justice. A more substantive approach is presented based on guaranteeing the right to energy for all.

1. Defining and addressing energy poverty. An increasingly urgent concern.

1.1 Discussing energy poverty and gender in the European Union

In its basic expression, the word poverty references a lack or deprivation of something. However, as we flesh out the concept there is a need to answer questions such as: What does it mean to have less, more or just enough of something?; Should every lack or deprivation count as poverty?; If not, what is the criteria to make the distinction?; How do we explain the existence of poverty?; What does our understanding of poverty mean regarding the responsibility of society at large to address it? The answer to these questions is heavily dependent on specific social, political, economic and cultural realities that are in constant flux. As a result, there is a need for our understanding of poverty to be constantly revisited, updated and discussed in the objective of it having a value as a tool for analysis and decision making (Manzano, 2022; Bucelli, 2019; Atkinson, 2018). Within the European Union (henceforth EU), the inclusion of energy into our notion of poverty represents one of the rare examples of such developments.

In the 1970s, the United Kingdom faced a sharp increase in energy prices due to prolonged strikes by mining workers as well as the two oil price crises of that decade. This led to a new term appearing in the social imaginary of this country: **fuel poverty**. This constituted an acknowledgement of the growing role energy played in satisfying human needs and guaranteeing our wellbeing. Within the British context this was mainly related to the ability of people to properly heat their homes (Salm, 2024). As a result, the first attempts to operationalize the term into an energy poverty indicator focused on the share of household income spent on heating (García Ochoa, 2022). This initial context echoes in today's debates around the topic and in the context of the COVID-19 pandemic and of the war in Ukraine, which have placed the issue as an urgent concern. Commonly cited statistics like the fact that over 40 million people in the EU were unable to keep their homes adequately warm in 2022, are a good example of the rhyming of history. However, several lessons have been learned since the 1970s.

The causes of energy poverty have been explored far beyond income such as with energy prices and efficiency. More comprehensive approaches also now frame the issue as systemic and encompass wide ranges of geographic, socio-demographic, socio-technical and governance indicators. The energy services considered to assess energy poverty have also grown to include other measures of domestic comfort such as general temperature regulation, lighting, nutrition, communication or even leisure. The

impact of energy poverty in topics like health or education outcomes have now also been heavily studied.

Furthermore, a governance structure has also been designed to integrate energy poverty in decision making at the regional level. First appearing sparsely in regulation like the Electricity and Gas Directives of 2009, acknowledging its importance and establishing the responsibility of Member States to address it, energy poverty is now firmly rooted in decision making in the EU. This is reflected in the creation of specialized institutions like the Energy Poverty Observatory (EPOV) in 2016 and the Energy Poverty Advisory Hub (EPAH) in 2021. Additionally, the concept and its application has been fleshed out in new directives like the 2018 Energy Efficiency Directive, its updated version in 2023 or the Electricity Market Design reform of 2024. Energy Poverty has also been prominently featured in significant changes to the policy framework of the EU like the Clean energy for all Europeans package, the European Green Deal, or the EU Social Climate Fund to mention a few (Campagna et al., 2024; European Commission, 2024; Maier and Dreoni, 2024; Widuto, 2023; Bouzarovski et al., 2021; Hesselman et al., 2021; Bouzarovski et al., 2020).

Despite all the aforementioned progress it is important to note that within EU policy and legislation related to energy poverty there is little in the way of gender mainstreaming regarding this issue. Very often women are lumped into the vulnerable category without accounting for the complexities of the interplay between gender and energy.

Nonetheless, there are some recent efforts one might be able to point to like the Empowering Women to Take Action against Energy Poverty (EmpowerMed) program focusing on Mediterranean coastal areas. Within the European Parliament a 2022 resolution on women's poverty highlighted how the latter increased the risk of falling into energy poverty. That same year the European Committee of the Regions issued an opinion on gender and climate change that went beyond recognition urging all EU energy policies and programs as well as the creation of indicators and data collecting to account for a gender dimension (Zamfir, 2023; European Committee of the Regions, 2022, European Parliament, 2022). Finally, the recommendation of the European Commission on energy poverty of 2023 does include gender when analysing household, income and local characteristics of energy poverty and its solutions. Any mention of words like gender or women had been completely absent in the preceding opinion on energy poverty of 2020 (European Commission, 2023; 2020).

Research on the gendered aspects of energy poverty offers some direction on where to expand the previously described efforts regarding policy and regulation. The dimensions across which the literature has found a differentiated susceptibility to causes and effects of energy poverty on women and men is vast. Some commonly cited are the physiological, emotional, health, economic and socio-cultural dimensions.

In regards to physiology, women's bodies respond to temperature shifts in a way that makes them more prone to discomfort or illness due to extreme heat or cold. These risks are exacerbated by factors like age. Other health related outcomes of energy poverty have also frequently manifested along gendered lines such as the effects of household air pollution and respiratory diseases product of the use of

firewood in poor households. As long as women continue to be disproportionately present in the household they are also more prone to experience these adverse effects.

There is also a mental health component to energy poverty in which the constant inability to provide for the energy needs of the household leads to feelings of fear, stress, anxiety, shame and guilt. It is the people that spend more time in the house and are confronted with this reality more often that tend to experience these adverse effects. Once again as women tend to spend more time at home, particularly if there are children involved, they are likely to be the ones to be more significantly impacted.

Economically, the gender pay and pension gap also increases the probability of women facing energy poverty making them more susceptible to shifts in prices and limits access to energy efficient dwellings. This is compounded by macroeconomic factors like the liberalization of energy and housing markets as well as socio-economic conditions like being a single parent or facing an unequal distribution of unpaid care work.

As mentioned before when speaking about poverty more broadly, whether or not the gendered relation with energy poverty manifests in the ways we have described above is somewhat contingent to the socio-cultural context that defines the relationship of women with employment, marriage, and identity background. Not only that but also the way they interact with energy itself, how much they consume, in what and for what reasons (Feenstra, 2025; Pradhan Shrestha et al., 2025; Zamfir, 2023; Feenstra and Clancy, 2020; Petrova and Simcock, 2019). Therefore, the discussion around energy poverty at the European level not only presents increasing obligations for the Member States to recognize, define and address the issue but shows that beyond the decision making arenas there is still potential insights to be considered. Academic and civil society contributions on the topic have not been fully explored as seen on the topic of the gendered dimension of energy poverty. Furthermore, as it has been established since the beginning of this section there is a contextualization of this kind of poverty that limits the generalizations that can be made at the regional level. For that reason the specific conditions of the Netherlands will be explored in order to be able to better put forward policy recommendations for the country beyond merely complying with its obligations as part of the EU.

1.2 Taking stock at the national level. Energy poverty in the Netherlands

One word to describe the **Dutch response** to the EU-level conversation on energy poverty would be **disjointed**. This is mainly reflected through the prominence of the issue at the national and local governance levels. The latter is where the bulk of the action has been taking place. For example, the **provincial governments** of Utrecht, Zuid-Holland and the three Northern provinces Groningen, Friesland and Drenthe have all adopted their own energy poverty agenda. At the **municipal level**, their leading role is also frequently noted. Their ample attributions of energy transition, social welfare and poverty alleviation within the governance structure of the country have helped attune them to the realities of

their vulnerable populations. This has translated into **specific budget allocations and subsidies** particularly for energy efficiency and lowering energy consumption.

At the **national level**, however, there is a persistent lack of a framework on energy poverty that restricts efforts at the local level through a **lack of an appropriate mandate or funds**. In a similar vein there has also been some reluctance in recognizing the particularities of energy poverty presenting it instead as a problem that can be solved by addressing poverty in a general sense. This has already placed the Netherlands **at odds with its obligations as a Member State** of the EU. The creation of its National Climate and Energy Plan is but one example of this with the European Commission finding that the country failed to address its legal obligations regarding the definition, measurement and mitigating of energy poverty.

Progress like the creation of an Energy Poverty Monitor in 2022 has not really translated to the expansion of the way the concept is integrated in policy and legislation. The Energy Act of 2023 is the latest example in which the definition of vulnerable consumer and the implementation of any specific protections are completely absent. An additional Explanatory Memorandum clarifies the compromise to take into account vulnerable consumers. Nonetheless, this is understood in the very narrow sense defined in the Regulation on Disconnection Policy for Small Consumers of Electricity and Gas that only considers serious health risks from disconnections.

On the other hand, since 2021 several measures have been taken to address rising energy prices like awarding €300 million for municipalities to support energy poor households, lowering the energy tax on electricity, increasing energy tax refund from €560 to €785, reducing the energy VAT from 21% to 9%, etc. Still, this doesn't constitute a cohesive agenda regarding energy poverty at the national level and positions the Netherlands in a reactive position, putting out fires instead of fixing the gas leak. This is evidenced by the fact that the aforementioned measures are designed to be temporary even if most have been renewed and expanded (ACM, 2024; Hrynkiv and Lavrijssen, 2024; Feenstra et al., 2021; ENPOR, 2020).

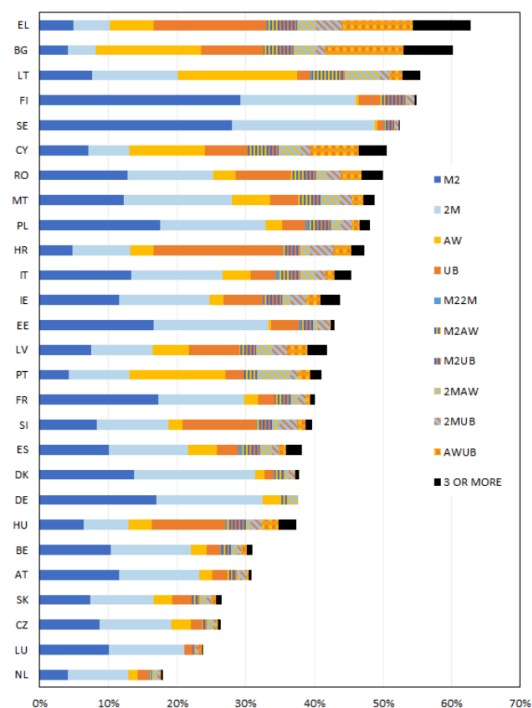
The seeming **lack of urgency** to address this particular issue in the Netherlands might be influenced by the **low levels of energy poverty reported in the country** when compared to the rest of Europe. Comparisons between EU member states regarding energy poverty are anything but a simple affair. Differences in data and methodologies make one to one comparisons near impossible. Regardless, recent research considering a vast array of measures of energy poverty from aggregate (e.g. EPOV rate) or indexed measures (e.g. CEPI) to those that focus on specific income (e.g. 2M), expenditure (e.g. M/2) and subjective indicators (e.g. AW and UB) show the Netherlands consistently in the lower end of the spectrum (Campagna et al, 2024; Maier and Dreoni, 2024). This can be appreciated in more detail in the Graph 1 and Table 1 presented below.

A report published in 2024 by the Netherlands Organisation for Applied Scientific Research (TNO) and Statistics Netherlands (CBS) seems to further confirm low levels of energy poverty in the country and

their steady decrease. In order to measure energy poverty they considered the affordability of energy, the energetic quality of the house, and the possibility of investing in the energetic quality of the house. The results revealed that from 2019 to 2023 this particular type of poverty seems to have dropped from 8.6% to 4.8% of households. The measures taken by the government to mitigate the effects of rising energy prices are credited as having played a key role in this continuous reduction.

However, it is important to note that both institutions recognized that **“hidden” energy poverty**, meaning those households that keep their bills low through underconsumption, has experienced a **steep rise** between 2021 and 2022. More specifically, from the 116 000 homes in this kind of energy poverty in 2022 low-income households living in homes with low energy efficiency make up 39% of the total. The previous year the proportion occupied by these households was 24% (TNO and CBS, 2024).

Graph 1. EPOV rates and interactions across indicators by EU countries



Source: Maier and Dreoni, 2024

Table 1. Energy poverty indices among EU countries

	LIHC Italian NECP version (2010) [35]			2M (2015) [34]		M/2 (2015) [34]		LIHC (2015) [25]		Arrears on utility bills (2018) [34]		Unable to keep home warm (2018) [34]		CEPI (2020) [31]	
COUNTRY	Abs value	#	% pop	#	% pop	#	% pop	#	% pop	Rank	% pop	#	Abs value	#	
Austria	-	-	16.0	11	15.0	8	3.0	15	2.4	25	1.6	28	0.238	23	
Belgium	0.075	11	13.0	17	9.8	16	3.5	11	4.5	22	5.2	14	0.362	15	
Bulgaria	0.157	25	11.5	20	9.4	17	5.8	5	30.1	2	33.7	1	0.642	2	
Croatia	0.066	6	12.0	19	7.5	24	4.5	8	17.5	3	7.7	9	0.492	9	
Cyprus	0.061	3	12.0	19	13.2	12	2.2	23	12.2	6	21.9	4	0.629	3	
Czech Republic	0.064	4	10.8	22	9.2	20	-	-	2.1	27	2.7	22	0.383	14	
Denmark	0.065	5	-	-	-	3.2	13	5.1	19	3.0	20	0.307	19		
Estonia	0.145	23	18.7	5	18.9	5	2.9	17	6.5	15	2.3	24	0.356	16	
Finland	0.111	17	22.3	2	29.9	1	2.4	18	7.7	12	1.7	27	0.141	27	
France	0.117	18	15.0	13	19.5	4	2.3	20	6.4	16	5.0	16	0.273	22	
Germany	0.087	13	17.4	7	17.4	6	3.5	9	3.0	24	2.7	22	0.329	18	
Greece	0.094	15	16.3	10	12.8	14	3.8	8	35.6	1	22.7	3	0.655	1	
Hungary	0.030	1	9.0	25	9.3	18	7.0	2	11.1	8	6.1	12	0.512	6	
Ireland	0.110	16	17.6	6	14.8	9	2.2	21	8.6	10	4.4	18	0.278	21	
Italy	0.079	12	-	-	13.6	11	-	-	4.5	22	14.1	6	0.484	10	
Latvia	0.075	11	1.7	26	10.7	15	5.8	4	11.6	7	7.5	11	0.409	12	
Lithuania	0.155	24	13.9	16	14.4	10	6.4	3	9.2	9	27.9	2	0.502	7	
Luxembourg	0.070	8	11.3	21	8.9	22	1.5	21	3.6	23	2.1	26	0.210	25	
Malta	0.179	26	20.1	3	16.7	7	-	-	6.9	14	7.6	10	0.297	20	
Netherlands	-	-	10.7	23	4.4	26	2.5	15	1.5	28	2.2	25	0.142	26	
Poland	0.090	13	16.3	10	19.5	4	6.2	4	6.3	17	5.1	15	0.440	11	
Portugal	0.125	6	15.1	12	6.8	25	3.1	12	4.5	22	19.4	5	0.572	4	
Romania	0.122	7	16.9	8	1.8	27	6.4	3	14.4	4	9.6	7	0.549	5	
Slovakia	0.059	25	9.3	24	7.9	23	7.3	1	7.9	11	4.8	17	0.355	17	
Slovenia	0.069	20	13.9	16	8.9	22	4.7	6	12.5	5	3.3	19	0.385	13	
Spain	0.119	8	14.2	14	13.0	13	2.3	19	7.2	13	9.1	8	0.493	8	
Sweden	0.074	18	28.7	1	24.3	2	2.3	17	2.2	26	2.3	24	0.225	24	
UK	0.139	5	18.8	4	9.2	20	-	-	5.4	18	5.4	13	-	-	

Source: Campagna et al., 2024

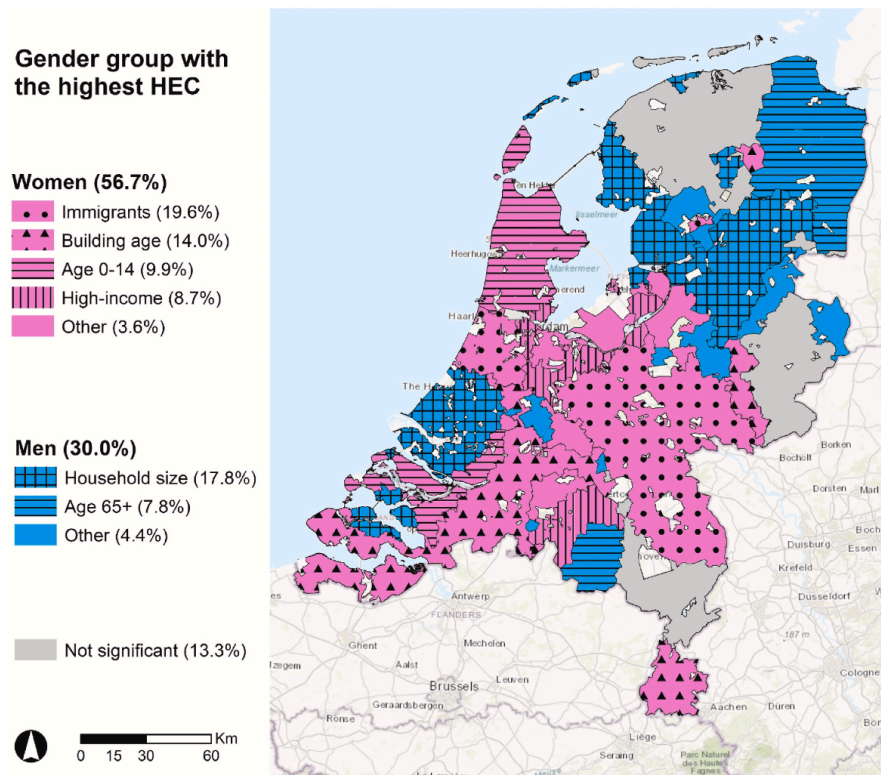
Contemporary research to the TNO and CBS report, like that carried by Mulder et al. (2023), have highlighted additional reasons for concern despite overall low levels of energy poverty. Particularly it finds that 48% of households in the Netherlands are of relatively low energy quality and can't immediately and independently invest in sustainable renovation. In the case of tenants this is due to a lack of agency in implementing changes to their dwelling. For homeowners, the reason seems to be a lack of capital. It is acknowledged that most of these households don't currently present affordability problems but the current state of affairs presents a risk particularly if prices continue to rise.

Therefore in the Dutch case and for establishing a national energy poverty agenda, the devil is in the details. It is largely about **making relevant what is unseen and what hasn't happened yet**. Mapping the current socio-demographic profile of those currently experiencing energy poverty can be helpful on both fronts. At present the data seems to point at people living in dwellings belonging to the social housing sector, especially if they are renters, single-person and single-parent households and people that receive their income from social assistance or a pension are overrepresented in energy poverty statistics. Regarding its spatial distribution, energy poverty is a highly concentrated issue, more so than income poverty, and is present mainly in underprivileged and non-urban areas. Northeast Groningen, the Amsterdam region, The Hague, Rotterdam, Almelo, Hengelo, Nijmegen, Arnhem and South Limburg presenting the highest concentration of energy poor households (TNO and CBS, 2024; Mulder et al. 2023).

Some of the salient characteristics of energy poor households that have just been outlined, particularly as it relates to the increased risk for single-parent households, point to a gendered dimension that is also important to flesh out. This has been less explored in research but recent work seems to indicate

that in the Netherlands women tend to be the more gender intensive group compared to men as shown in Map 1. This ties to the broader findings on energy poverty research in the country when we consider how the intersection between gender and other identity characteristics explain these results. Women with kids under 14 years for example appear as one of the more common energy consuming cohorts among women with the authors arguing that this is mainly due to single-mother households (Mashhoodi and Bouman, 2023).

Map1. Gender group with the highest household energy consumption



Source: Mashhoodi and Bouman, 2023

To summarize at the policy and legislation level the main point of contention is the growing pressure from the bottom, through local governments, and from the top, through international and regional obligations, to develop a national framework for the identification and addressing of energy poverty. Currently, energy poverty seems to not be a pressing concern given the low rates that exist in the country but a more granular look shows that there is a potential for the problem to escalate overtime. Even though reactive, temporary and sporadic policy responses seem to have been enough so far a more coordinated, intentional and proactive approach may be needed soon. The rest of this report will consider the possibility for the creation of an energy ombudsperson as a potential component in these future efforts.

2. The right to energy and the ombudsperson as part of a national framework against energy poverty in the Netherlands

2.1 Mapping the existing energy consumer protection framework

Since 2004 the energy retail market in the Netherlands has undergone a process of liberalization. In simple terms this means that now every single energy consumer in the country is capable of choosing its supplier. Suppliers in turn must compete for consumers. The common arguments in favor of this sort of reform is the expansion of choice for the consumer and the lowering of prices through market competition. Not so long ago this seemed to be the case with retail prices having declined over the years while the annual rate of consumers switching suppliers has consistently increased. Therefore, despite some shortcomings such as the high market concentration that still remains in the electricity supply, the reform seems to have achieved its intended aim (Mulder and Willems, 2019).

However, as it has been established throughout the previous section the energy markets in Europe have operated under unprecedented conditions over the last few years. Not only that but within the specific context of the Netherlands developments like the **filing for bankruptcy of six energy suppliers** in 2021 have carried **severe negative consequences for consumers**. As a result, it has become ever more clear that people are much more exposed to shifts in the market than previously thought and that existing protections remain insufficient especially when it comes to guaranteeing the ability to access and use energy of vulnerable consumers (ACM, 2024; Hryniv and Lavrijssen, 2024). It is then imperative that we understand the current state of the consumer protection framework in the Netherlands in order to identify what is missing and propose effective solutions.

In guidelines published by the Authority for Consumers and Markets (ACM) in 2016 for the electricity and gas sector the **essential information that needed to be provided to the consumer** was outlined. This was determined as the minimum necessary for the supplier to be in compliance with the existing regulation on unfair commercial practices particularly as it relates to misleading information and omissions. The list is as follows:

- The identity of the provider, its trade name and geographical address;
- If the provider is not also the supplier, the provider is required to state the identity and geographical address of the supplier taking responsibility for the supply as well;

- The name of the license holder, if this is different from the trade name;
- The duration of the contract;
- A description of what will be supplied (natural gas and/or electricity);
- Information about the type of gas and/or electricity (e.g. "green" or "brown") and the generation source of the energy that will be supplied, if such is relevant to the recommendation and the choice the consumer would make;
- Terms and conditions applicable to the special offer concerned or special conditions that significantly sets the offered contract apart;
- Information about pricing: whether there is a fixed or a variable price; for how long the price is fixed or what the options for the supplier are to adjust the prices and conditions during the contract period;
- Information about the tariff levels;
- The payment options (at least two) that consumers have, including any costs that may be associated;
- Customer service and complaint-handling, and whom consumers may contact with questions;
- The conditions under which the contract may be terminated by the consumer or the supplier, including the notice that, in the event of a premature termination, if the supplier charges a termination fee, the consumer has to pay a termination fee, as well as an overview of the required termination fee or fees;
- If general terms and conditions apply to the contract, a notice that such is the case, and where consumers may find them (ACM, 2016).

Additionally, all retailers have, by law, the **obligation** to offer among its products one that is standardized across retailers in everything but the price at which it is offered. This translates into the existence of **a model contract** created by industry and consumer organizations **that acts as a baseline for consumer comparison**. In the same vein of providing transparent and quality information to consumers in order to make educated comparisons between energy products this extends to comparison websites which have become a key tool for consumers in the country. In the early stages of liberalization the ACM would regularly monitor all these websites in order to guarantee that no preferential treatment was given to a specific retailer and their products. Nowadays, these relations are only sporadically audited.

Beyond the information on the characteristics of the product or service the existing legislation on consumer law outlines different criteria that needs to be followed in order to make a contract valid depending on whether it is provided on or off the premises and at a distance, whether online and through telemarketing. In the case of distance and off-premises contracts it is also important to highlight that the **consumer has a right to withdrawal**, also known as the cooling off period, in which they can cancel the contract without giving any reason for a period of 14 days.

When it comes to offers and prices on electricity and gas the most prominent protection mechanism is the safety net regulation that establishes that four weeks before offering a new contract or price change the contract must be submitted to the regulator, meaning the ACM, to determine whether the conditions

that are laid out are unreasonable. **Price changes** even if deemed reasonable by the regulator need to be **notified in advance** to consumers, the rights of the consumer in the event of a price change and there must be the possibility to terminate the contract in the case it is permanent (Mulder and Willems, 2019; ACM, 2016).

Everything that has been described regarding the existing legislation regarding consumer rights needs to be understood in the context of the legal tradition in the Netherlands which relies heavily on self-regulation by the private sector (ACM, 2016, Verhage, 2016). This translates into voluntary codes of conduct which in the case of the energy sector corresponds to the Consumer and Energy Supplier Code of Conduct whose third and latest edition was published in 2020 by the Energie-Nederland trade association. Among the recent changes there is one of particular interest for consumers which is the detailing of a general process for the handling of complaints by suppliers (Energie Nederland, 2020).

The **handling of complaints** is a central issue in any discussion regarding consumer protections but it is particularly relevant to understand the aforementioned tradition of self-regulation that exists in the Netherlands. Within the legal framework at the national level the Authority for Consumers and Markets (ACM) has been one of the central figures for the enforcement of the Dutch consumer protections in the energy sector outlined above since its creation in 2013. It constitutes a more centralized and powerful institution than the three previously existing bodies that merged for its creation. Namely, the Netherlands Competition Authority (NMa), the Independent Post and Telecommunications Authority (OPTA), and the Netherlands Consumer Authority (CA) (ACM, 2013a; Schäfers and Houdjik, 2012). As part of its attributions the ACM is able to receive and resolve complaints mainly through informal settlement using consultation, mediation and other alternative dispute resolution mechanisms (ACM, 2013b).

Nonetheless, in reality both the ACM and the courts only play a marginal role in the handling of complaints both in the energy sector specifically and in general. The three main bodies that deal with Consumer Dispute Resolution (CDR) are **the Disputes Committee** (SGC), the Foundation of Health Insurance Complaints (SKGZ) and the the Financial Services Complaints Institute Foundation (Kifid).

The SGC is an umbrella organization under which exists multiple consumer complaint commissions which have continued to expand overtime with 54 commissions in operation by 2016 rising to 85 by 2025. **The electricity and gas sectors are obliged by law to enter into a CDR scheme and have actually established three bodies within the SGC**, the Energy Disputes Committee that handles complaints from private customers, the Business Energy Disputes Committee and the Energy Price Ceiling Disputes Committee. These committees are funded by the market but SGC itself, which acts as an oversight body to guarantee that standards are met, is funded by the government.

In order for a consumer to file a complaint with the corresponding committee they must first have carried out a complaint process through the internal channels established by the supplier. According to the current code of conduct there isn't a standardized time for the supplier to resolve the complaint but they must have a formal process and timeline already in place that they will abide by. Failing to resolve

the complaint through an internal process then the matter can be escalated to a dispute committee, usually the Energy Disputes Committee.

In those instances there is only one available mechanism to resolve the dispute which is the use of binding advice. This consists in an **independent third party giving a binding decision that resolves the dispute between the parties**. Binding advice resembles arbitration but an important difference is that the decision taken under the former **cannot acquire the force of res judicata** and a grant of execution cannot be obtained. The rules that govern the binding advice procedure aren't defined in legislation but are agreed between the trade associations and consumer associations.

In the case of health insurance and financial services complaints through SKGZ and Kifid an additional mechanism is considered, mediation through the Ombudsman scheme that exists in both of these bodies but is absent in all the 85 committees of the SGC (De Geschillencommissies, 2025; Energie Nederland, 2020; Verhage, 2016).

In practice, independently of the economic sector there tends to be a low volume of cases that need to be taken care of by these different CDR bodies. The Energy Disputes Committee handled **1355 cases** in 2024. That very same year 215 cases were terminated prematurely with one of the main reasons being that the parties found a solution among themselves. In other 416 cases the procedure wasn't terminated early but the parties still reached a solution among themselves and in **only 435 cases**, the **commission made a final decision** or an expert drew up a settlement (De Geschillencommissies, 2025).

At first glance, what can be gauged from the current liberalized market and consumer protection framework that exists in the Netherlands is that it seems to be working. Nonetheless, the next last section of these report will show how discussing the possibility of a Dutch energy ombudsperson brings to light shortcomings in the CDR process. These shortcomings are not only linked to the way energy poverty and vulnerability takes place in the country but also manifests in a similar way, meaning currently as carrying low impact in the total of the population but with a worrying potential to grow in significance if unaddressed.

2.2 The potential for reform. From consumer protections to the right to energy

As we have highlighted, low levels of energy poverty are recorded in the Netherlands. Therefore, and given the many existing measures to ensure consumer protection, considering the possibility of an energy ombudsperson might seem an effort to fix what isn't broken. It is therefore important to reiterate once again the argument that is put forward throughout this report: the Dutch issues with **energy poverty and vulnerability are both discrete and on the rise**. The reactive approach that the government

has taken to these problems **fails to address the root causes**. The ombudsperson is an institution created precisely as a response to these kinds of challenges and therefore it is worth it to get better acquainted with them and to how one might potentially look in the Dutch context.

Ombudsperson schemes are born as part of the broader field of Alternative Dispute Resolution (ADR) which in turn is inserted in a **push for informal channels of access to justice**. The drive behind them being to fill a gap regarding access to justice for vast swaths of the population initially as it relates to public institutions and later on to markets once efforts for fairness and competitiveness expanded from the supply to the demand side. From that moment on ombudspersons have continued to expand to hybrid public and private spaces like universities and housing associations or the creation of one-stop-shop bodies.

Whether public or private the core mission of the ombudsperson tends to be defined as addressing complaints and offering redress. Mediation tends to be the mechanism more typically associated with this particular ADR body but in practice the process usually involves steps very similar to what already takes place in the Netherlands. More specifically, there is a sort of escalation that goes from initially attempting to resolve the complaint through the internal process of the business to referring the process to a third party (the ombudsperson) if the internal process proves to be inadequate or insufficient. The ombudsperson will then carry out mediation efforts between the parties and emit a decision that can be legally binding depending on the attributions of the scheme (Creutzfeldt, 2018; Hodges, 2018; Gill and Hirst, 2016).

Hence, one immediate way in which an ombudsperson scheme could be created for the energy sector would be to simply **take what already exists in SKGZ and Kifid and add mediation to the repertoire** available to resolve consumer complaints in the sector (Verhage, 2016). As it has been mentioned in the previous section many of the disputes brought over to the Energy Dispute Committee are able to find a negotiated solution between the parties without the committee having to be the one to express the final decision (De Geschillencommissies, 2025). Adding an intermediate step instead of immediately defaulting to binding advice might help formalize the practice several consumers and suppliers already engage in and as a result guarantee transparency and fairness in the process. It would also have the potential to use resources more efficiently if the parties can have access to more tailored approaches to the specific conditions of their dispute.

Nonetheless, this is still a very limiting view of what an ombudsperson can accomplish particularly since the goal of putting forward the possibility of such an institution in the Netherlands is to address energy poverty and vulnerability. There is limited empirical information regarding how effective ADR mechanisms in general and ombudspersons specifically are in expanding access to justice. Whatever little has been found tends to show a limited reach with most of the population unaware of their existence and those that most frequently access them being male, white and middle-class (Creutzfeldt et al. 2021; Creutzfeldt, 2016; Gill et al., 2013). In the case of the Netherlands the current absence of any sort of socio-demographic indicator regarding who accesses internal complaint procedures or the services

of the Energy Dispute Committee doesn't allow comparisons with the profiles of energy poverty in the country. Meaning we don't know if those in social housing, single-parent households, etc. that experience energy poverty (TNO and CBS, 2024; Mulder et al. 2023) are able to access the available CDR mechanisms.

This casts doubts regarding whether the low volume of complaints is due to a well functioning energy system or to invisible barriers to access justice in the sector. Closing this gap is then a relatively simple but highly impactful measure that needs to be undertaken regardless if the country decides to integrate an energy ombudsman scheme into their CDR framework. This can be integrated into a new dimension of indicators to the Energy Poverty Monitor beyond affordability of energy, the energetic quality of the house, and the possibility of investing in the energetic quality of the house that include a systemic dimension to energy poverty particularly as it relates to governance.

Furthermore, **energy poor** and vulnerable consumers face a multitude of **challenges regarding access to justice** that both expand and predate being unable to find a forum in which to express and resolve their grievances within the justice system. For starters consumers might be unaware of what their rights are, they are unable to recognize when a violation of them has taken place. Even if a problem can be identified people might struggle to identify who is to blame and decide to hold them accountable. Individuals might perceive the problem rather fatalistically, seeing it as inevitable, be conflict adverse or mistrust professional and outside sources of advice. This is **heavily dependent on the individual's social relations as well as their relationship with the law and their understanding of justice**.

There are additional obstacles that are specific to the energy sector such as the fact that rational benefit maximizing behavior is assumed in liberalized markets which requires high degree participation from consumers and punishes those that can't or won't engage with the sector. At the same time most energy consumers only engage passively with energy given that the costs of participation are high in relation to the perceived benefits or are disengaged through marginalization from the energy systems (Creutzfeldt et al., 2021).

Under this broader context it is recognized that the **ombudsperson can have a larger role in addressing these barriers** through principles like those outlined in the four pillars of consumer protection, advocacy, advice, information and education and enforcement and redress. Consequently, we move away from the Reactive Ombudsperson Model (ROM) concerned only in responding to individual grievances. Alternative models like the **Variegated Ombudsperson Model (VOM)** expand the scope incorporating processes of audit and inspection. Finally, the Proactive Ombudsperson Model not only addresses **individual grievances** but employs them **as a means to pursue systemic change** (POM) (Creutzfeldt, 2016; Gill and Hirst, 2016).

Table 2. The four pillars of consumer protection

Advocacy	Advice	Info and education	Enforcement and redress
• rights of consumers can be represented to Parliament or regulators, so that new policies can be pursued or refined • collected data can be used to highlight systemic issues	• individual consumers can be made aware of their rights and become more empowered, making it easier to avoid unscrupulous businesses, or to take action when they suffer harm	• empower consumers, making it easier for them to avoid harm in the future • signpost consumers to other avenues of help • make consumers aware of their rights	• traders who flout consumer protection or competition laws can be held accountable • consumer detriment can be remedied and consumers gain access to justice

Source: Creutzfeldt, 2016

As it currently stands most of the actions carried out by the Energy Disputes Committee strongly focus on enforcement and redress and seems far removed from a systemic change approach that could prevent or mitigate the root causes of energy poverty and vulnerability. This is particularly concerning given that as we have established across the report the major risks that the Netherlands faces as it relates to energy poverty and vulnerability don't really seem to be tied to overt and flagrant violations to consumer rights. Instead, research points to underlying flaws and shortcomings in the market and governance systems that influence consumer choices such as underconsumption and result in them falling into energy poverty.

One could argue that to some extent these tasks of advocacy, advice and education are fulfilled through the work of regulatory bodies like the ACM. For example, the ACM provides a consumer specific platform to provide information regarding their rights and there is an energy specific section. Additionally, in 2024 the ACM called for the government of the Netherlands to lean on the obligations outlined in the EU Electricity and Gas Directives in order to respond to market shortcomings that could lead to an increase in energy poverty and vulnerability (ACM, 2024). Still, a case can be made for the ombudsperson to act as providing additional checks and balances that can point out regulatory failures and inaction (Creutzfeldt, 2021).

So far the potential for an energy ombudsperson in the Netherlands has been framed around the discussion on access to justice for energy poor and vulnerable consumers. It is natural then that any

mention of rights is done in the context of consumer rights. However, as energy is increasingly acknowledged as essential for the satisfaction of fundamental needs people are entitled to see satisfied there is a push to define it as a right rather than a commodity. In practice this should make the concept of consumer obsolete when referring to the access and use of energy with energy citizens taking its place. Using the word citizen isn't merely a semantic shift but a representation of individuals as having a stake in the adequate provision of public services. (Jiglaui et al. 2023; Hesselman et al., 2021).

Table 3. Characteristics of a right to energy for the EU

Access to	Affordability	Energy Democracy
• Energy–access to specific resources or supplies. • Energy services – to meet daily needs for health, well-being, safety and participation in society. • Guaranteed minimum levels of services and supplies. • Guaranteed reliable supply, meaning zero risk of disconnection: disconnecting for inability to pay is a violation of rights.	• Relative to people’s income and their actual needs. • Energy efficient dwellings, equipment and appliances. • Free of discriminatory billing practices.	• Right to participate in decision making about energy and energy policy. • Right to participate in energy communities. • Right to information about energy and energy rights. • Access to justice.

Source: Hesselman, 2021

Under this new approach from consumer rights to the right to energy the market led and consumer centered ADR system in the Netherlands seems ill equipped to act as a grantor of rights in the energy sector regardless of if we are talking of the ACM or the Energy Disputes Committee. Can the ombudsperson fare any better?

There is already a strong argument put forward in the existing literature on putting forward the defense of human rights and fundamental freedoms as part of the work that the ombudsperson needs to carry out (Teuwens, 2024; Council of Europe, 2019; Gill and Hirst, 2016). Not only that but there have been critics of the “consumerist” approach arguing that it reduces the role of the ombudsperson from incentivizing democratic accountability and addressing systemic power imbalances for the defense of human rights

to simply monitoring service quality (O'Brien, 2015). This comes with a caveat, however, given that this tends to be said regarding public not private ombudspersons. Considering a public independent energy ombudsperson with a strong government mandate for the Netherlands might be, then the way to go if we wish to shift the country's approach to the access and use of energy towards a human rights based approach. Not only that but might provide additional leverage to address the persistent absence of a national framework to recognize, define and address energy poverty and vulnerability.

When considering this possibility it is enlightening to consider the broader picture of energy ombudspersons in Europe and how they conceptualize both energy and their users. Recent research shows that these go from consumer rights, a social vulnerability or energy being a right in and of itself. Which definition is adopted seems to be highly influenced by the levels of general poverty, energy poverty, housing deprivation, etc. More specifically, the countries that experience low levels of these indicators seem to adopt the narrower conception of energy as a consumer right while those at the other end of the spectrum the more substantive view of the right to energy is applied (Stojislovka, 2021; 2024). This seems to confirm what has already been said in the preceding chapter regarding the Netherlands lack of urgency in addressing energy poverty at the national level being driven at least in part by an absence of pressure by their material reality. A possible way to overcome this is that if a public energy ombudsperson is created a right to energy approach needs to be incorporated from the beginning into its mandate. This would revert the roles of the ombudsperson responding to the pressures of reality and instead being the ombudsperson pressuring the market reality of the Netherlands to change.

Regarding the specific context of the Netherlands, it is also worthy to remember the aforementioned legal tradition existing in the Netherlands regarding a strong tendency to avoid overregulation (Verhage, 2016). This is important because *"ombuds[persons] need to be understood not only in the context of the overall purpose they serve but also where they are situated within their national context"* (Creutzfeldt, 2018, p.34). Going against the grain of the existing CDR system for a problem that isn't immediately apparent or is defined as a potential future risk might produce backlash, particularly from market actors that might perceive the creation of such an ombudsperson as unnecessarily antagonistic.

In conclusion, while existing ADR Dutch mechanisms available for the energy sector like the Energy Disputes Committee focus on managing complaints and redress, they lack broader advocacy, education, and systemic reform capabilities, particularly for marginalized groups who may face invisible barriers to justice. **A public ombudsperson with a strong mandate based on guaranteeing the right to energy could expand access to justice beyond solving individual claims to adopt proactive models that address root causes of energy poverty, align with human rights frameworks, and ensure equitable energy access and use.** However, implementing such an institution in the Netherlands' market-driven context would require balancing regulatory restraint with the capabilities necessary for the effective protection of citizens' access and use of energy as a right.

Conclusion

The Netherlands finds itself at a pivotal moment in its approach to energy poverty. While the country has demonstrated resilience in navigating recent energy market volatility through temporary measures and localized initiatives, the absence of a cohesive national framework leaves it vulnerable to future crises. Current policies, though effective in mitigating immediate challenges, remain reactive and fragmented, failing to address the systemic roots of energy poverty or the growing phenomenon of "hidden" vulnerabilities—such as households forced to under consume energy to manage costs. As energy markets continue to evolve under pressures from climate change, geopolitical instability, and technological shifts, the Netherlands must transition from short-term fixes to a proactive, rights-based strategy that ensures equitable access to energy for all citizens.

The larger conversation around energy poverty taking place at the EU level as well as the growing obligations for Member States to recognize, define and address the problem within their own national context has been highlighted as useful as both a guide and a leverage to breach the existing gaps in the Dutch context. Less often referenced in the context of presenting a comprehensive response to energy poverty and vulnerability in the Netherlands is the access to justice debate that has brought increased attention to the role of informal mechanisms of justice beyond the court system such as ADR approaches. This report focused particularly on the figure of the ombudsperson as a potential component of a national framework for energy poverty in the country.

The establishment of a public energy ombudsperson presents a transformative opportunity to bridge the existing gaps. Unlike existing the consumer dispute resolution framework, which focuses narrowly on individual complaints and redress, an ombudsperson could adopt a multifaceted role grounded in the principles of advocacy, education, and systemic reform. Furthermore, by integrating the guarantee of a right to energy into its mandate instead of the defense of the rights of energy consumers, such an institution would not only resolve grievances but also empower vulnerable groups by pushing for the democratization of the sector that is necessary for an effective and full use of such a right.

References

ACM (2013a) *Establishment Act of the Netherlands Authority for Consumers and Markets* – Netherlands: ACM [Online]. Available at: <https://www.acm.nl/en/publications/publication/15445/Establishment-Act-of-the-Netherlands-Authority-for-Consumers-and-Markets> (Accessed: 14th June 2025).

ACM (2013b) *ACM complaints procedure* – Netherlands: ACM [Online]. Available at: <https://www.acm.nl/en/publications/publication/13463/ACM-complaints-procedure> (Accessed: 14th June 2025).

ACM (2016) *Provision of information in the consumer energy market* – Netherlands: ACM [Online]. Available at: <https://www.acm.nl/en/publications/publication/15991/Provision-of-information-in-the-consumer-energy-market> (Accessed: 14th June 2025).

ACM (2024) *Policy options for tackling energy poverty in vulnerable households*– Netherlands: ACM [Online]. Available at: <https://www.acm.nl/system/files/documents/Policy%20options%20for%20tackling%20energy%20poverty%20in%20vulnerable%20households.pdf>

Atkinson, A.B. (2018) 'Poverty', in Vernengo, M., Perez Caldentey, E., Ghosh, J. (ed.) *The New Palgrave Dictionary of Economics*. Switzerland: Springer, pp. 10,541–10,548.

Bouzarovski, S., Thomson, H., Cornelis, M., Varo, A., Guyet, R. (2020) *Towards an inclusive energy transition in the European Union. Confronting energy poverty amidst a global crisis* – Publications Office of the European Union [Online]. Available at: <https://op.europa.eu/en/publication-detail/-/publication/4a440cf0-b5f5-11ea-bb7a-01aa75ed71a1/language-en> (Accessed: 14th June 2025)

Bouzarovski, S., Thomson, H., Cornelis, M. (2021) 'Confronting Energy Poverty in Europe: A Research and Policy Agenda', *Energies*, 14(4), pp. 1–19. <https://doi.org/10.3390/en14040858>

Bucelli, I. (2019) 'Why we should care about poverty and inequality: exploring the grounds for a pluralist approach', *Critical Review of International Social and Political Philosophy*, 25(2), pp. 165–186. <https://doi.org/10.1080/13698230.2019.1581491>.

Campagna, L., Radaelli, L., Ricci, M., and Rancilio, G. (2024) 'Exploring the Complexity of Energy Poverty in the EU: Measure it, Map it, Take Actions'. *Current Sustainable Renewable Energy Reports*, 11, pp. 116–126. <https://doi.org/10.1007/s40518-024-00240-x>

CBS and TNO (2024) Energiearmoede in Nederland 2019–2023. Een overzicht van 2019 tot en met 2023 en een verdieping op onderconsumptie –Netherlands:TNO [Online]. Available at: <https://www.tno.nl/nl/newsroom/2024/07/compensatie-energiebesparing/> (Accessed: 14th June 2025).

Council of Europe (2019) Principles on the Protection and Promotion of the Ombudsman Institution ("The Venice Principles") – European Commission for Democracy through Law [Online]. Available at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2019\)005-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2019)005-e). (Accessed: 14th June 2025).

Creutzfeldt, N. (2016) 'Ombudsman Schemes—Energy Sector in Germany, France, and the UK' in Cortés, P. (ed.) *The New Regulatory Framework for Consumer Dispute Resolution*, Oxford: Oxford University Press, pp. 101–124.

Creutzfeldt, N. (2016) Trusting the middle-man: Impact and legitimacy of ombudsmen in Europe – UK: Westminster Law School [Online]. Available at: https://www.law.ox.ac.uk/sites/default/files/migrated/ombuds_project_report_nc_2.pdf (Accessed: 14th June 2025).

Creutzfeldt, N. (2018) *Ombudsmen and ADR A Comparative Study of Informal Justice in Europe*, 1st edn., Switzerland: Palgrave Macmillan.

Creutzfeldt, N., Gill, C., Cornelis, M., and McPherson, R. (2021) *Access to Justice for Vulnerable and Energy-Poor Consumers Just Energy?*, 1st edn., Oxford: Hart.

De Geschillencommissies (2025) Commissie Energie. Het aantal klachten is weer toegenomen, Available at: <https://www.samenwerkenaankwaliteit.nl/jaarverslag-2024/inhoud/jaarverslag-consumenten/energie>. (Accessed: 14 June 2025).

De Geschillencommissies (2025) *Een klacht voor de Geschillencommissie Energie*, Available at: <https://www.degeschillencommissie.nl/klacht-indienen/voorsorteren-op-energie/>. (Accessed: 14th June 2025).

De Geschillencommissies (2025) *Energie*, Available at: <https://www.degeschillencommissie.nl/over-ons/commissies/energie/>. (Accessed: 14th June 2025).

Energie Nederland (2020) *Consumer and Energy Supplier Code of Conduct 2020* – Netherlands: Energie Nederland. Available at: <https://www.energie-nederland.nl/wp-content/uploads/2023/07/Consumer-and-Energy-Supplier-Code-of-Conduct-2020.pdf> (Accessed: 14th June 2025).

ENPOR (2024) Policy Fiche for Alleviating Energy Poverty in the Private Rented Sector – ENPOR [Online]. Available at: https://www.alianzadelclima.org/fileadmin/Inhalte/4_Activities/Projects/ENPOR/Enpor_PolicyFiche_Croatia_03.pdf (Accessed: 14th June 2025).

European Commission (2024) *Energy Poverty*, Available at: https://wayback.archive-it.org/12090/20241218132649/https://energy.ec.europa.eu/topics/markets-and-consumers/energy-consumers-and-prosumers/energy-poverty_en (Accessed: 14th June 2025).

European Commission (2023) *Commission Recommendation (EU) 2023/2407 of 20 October 2023 on energy poverty* – European Commission [Online]. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202302407 (Accessed: 14 June 2025)

European Commission (2020) *Commission Recommendation (EU) 2020/1563 of 14 October 2020 on energy poverty* – European Commission [Online]. Available at: <https://eur-lex.europa.eu/eli/reco/2020/1563/oj/eng> (Accessed: 14 June 2025)

European Committee of the Regions (2022) *Opinion of the European Committee of the Regions – Gender equality and climate change: towards mainstreaming the gender perspective in the European Green Deal* – Official Journal of the European Union [Online] Available at: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021IR2509#:~:text=welcomes%20the%20preamble%20of%20the,Article%207.5\)%%20and%20capacity%2Dbuilding](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021IR2509#:~:text=welcomes%20the%20preamble%20of%20the,Article%207.5)%%20and%20capacity%2Dbuilding) (Accessed: 14th June 2025)

European Parliament (2022) *European Parliament resolution of 5 July 2022 on women's poverty in Europe (2021/2170(INI))* – European Parliament [Online] Available at: https://www.europarl.europa.eu/doceo/document/TA-9-2022-0274_EN.html (Accessed: 14th June 2025)

Feenstra, M. and Clancy, J. (2020) 'A View from the North: Gender and Energy Poverty in the European Union', in Clancy, J., Özerol, G., Mohlakoana, N., Feenstra, M., Sol Cueva, L. (ed.) *Engendering the Energy Transition*. Switzerland: Palgrave Macmillan. pp. 163–187.

Feenstra, M., Middlemiss, L., Hesselman, M., Straver, K., Herrero, T. (2021) 'Humanising the Energy Transition: Towards a National Policy on Energy Poverty in the Netherlands'. *Frontiers in Sustainable Cities*, 3, pp. 1–11. <https://doi.org/10.3389/frsc.2021.645624>.

Feenstra, M. (2025) *Reframing Energy Poverty through a Gender Lens: A Call for Inclusive Policy Solutions*, Available at: <https://fsr.eui.eu/reframing-energy-poverty-through-a-gender-lens-a-call-for-inclusive-policy-solutions/#:~:text=Women%20are%20at%20higher%20risk,to%20pay%20their%20energy%20bills>

García Ochoa, R. (2022) '¿Qué es ser pobre en energía?' in García Ochoa, R. (ed.) *Pobreza energética. Visiones de América Latina*. México: Colegio de la Frontera Norte, pp. 25-60.

Gill, C., Jane, W., Brennan, C., and O'Brien, N. (2013) *The future of ombudsman schemes: drivers for change and strategic responses* - UK: Queen Margaret University [Online]. Available at: https://eresearch.qmu.ac.uk/bitstream/handle/20.500.12289/3251/eResearch_3251.pdf?sequence=1&isAllowed=y#:~:text=drivers%20for%20change%20in%20ombudsman,and%20in%20the%20policy%20environment. (Accessed: 14th June 2025).

Gill, C. and Hirst, C. (2016) *Defining Consumer Ombudsmen: A Report for Ombudsman Services* - UK: Queen Margaret University [Online]. Available at: <https://escrjustenergy.wordpress.com/wp-content/uploads/2017/05/defining-consumer-ombudsman-schemes.pdf> (Accessed: 14th June 2025).

Hesselman, M., Tirado-Herrero, S., Smith, Marilyn, and Cornelis, M. (2021) *Moving forward on the right to energy in the EU. Engagement Toolkit* - ENGAGER [Online]. Available at: https://www.engager-energy.net/wp-content/uploads/2022/02/ENGAGER_Right-to-Energy-Toolkit_FIN_AL.pdf (Accessed: 14th June 2025).

Hodges, C. (2018) 'The private sector ombudsman', in Hertogh, M. and Kirkham, R. (ed.) *Research Handbook on the Ombudsman*, Cheltenham: Edward Elgar Publishers, pp. 53-72.

Houdjik, J., Tobias, S. (2012) 'The Netherlands' New Authority for Consumers and Markets: Towards a Problem-Based Approach'. *World Competition. Law and Economics Review*, 35(4), pp. 659-670. <https://doi.org/10.54648/woco2012049>.

Hryniv, O & Lavrijssen, S 2024, 'Energy divide: Addressing the vulnerability of energy consumers in the Netherlands', *European Energy and Environmental Law Review*, 33 (1), pp. 16-27. <https://doi.org/10.54648/eelr2023020>.

Jiglau, G., Hesselmen, M., Dobbins, A., Grossman, K., Guyet, R., Tirado Herrero, S., and Varo, A. (2023) 'Energy and the social contract: From "energy consumers" to "people with a right to energy"'. *Sustainable Development*, 32(1), pp. 1321-1336. <https://doi.org/10.1002/sd.2727>.

Maier S., Dreoni I. (2024) *Who is "energy poor" in the EU?*– European Commission [Online]. Available at: <https://publications.jrc.ec.europa.eu/repository/handle/JRC138418> (Accessed: 14th June 2025)

Manzano, F.A. (2022) 'Traditions and Plurality of Definitions in Thinking About Poverty', in Celemin, J.P. and Velázquez, G. (ed.) *Inequities and Quality of Life in Argentina. Geography and Quality of Life in Argentina*. Switzerland: Springer, pp. 1–20.

Mashhoodi, B. and Bouman, T. (2023) 'Gendered geography of energy consumption in the Netherlands'. *Applied Geography*, 154, pp. 1–12. <https://doi.org/10.1016/j.apgeog.2023.102936>.

Mulder, M. and Willems, B. (2019) 'The Dutch retail electricity market'. *Energy Policy*, 127, pp. 228–239. <https://doi.org/10.1016/j.enpol.2018.12.010>

Mulder, P., Dalla Longa, F., Straver, K. (2023) 'Energy poverty in the Netherlands at the national and local level: A multi-dimensional spatial analysis'. *Energy Research & Social Science*, 96, pp. 1–16. <https://doi.org/10.1016/j.erss.2022.102892>.

O'Brien, N.(2015) 'What Future for the Ombudsman'. *The Political Quarterly*, 86(1), pp. 72–80. <https://doi.org/10.1111/1467-923X.12138>.

Petrova, S. and Simcock, N. (2019) 'Gender and energy: domestic inequities reconsidered', *Social & Cultural Geography*, 22(6), pp. 849–867. <https://doi.org/10.1080/14649365.2019.1645200>.

Salm, D. (2024) 'Fuel Poverty' and the Crisis of Welfare in Britain, 1970s–1980s, Available at: <https://ghil.hypotheses.org/2861#:~:text=The%20Rise%20of%20Fuel%20Poverty%20and%201979t%20emerged%20in,of%201973%E2%80%9380%934%20and%201979> (Accessed: 14th June 2025).

Shrestha, R.P., Mainali, B., Mokhtara, C. (2025) 'Bearing the Burden: Understanding the Multifaceted Impact of Energy Poverty on Women'. *Sustainability*, 17(5), pp. 1–27. <https://doi.org/10.3390/su17052143>

Stojilovska, A. (2021) 'Energy poverty and the role of institutions: exploring procedural energy justice – Ombudsman in focus', *Journal of Environmental Policy & Planning*, 25(2), pp. 169–181. <https://doi.org/10.1080/1523908X.2021.1940895>.

Stojilovska, A. (2024) 'Fostering a democratic and socially just energy transition: How do Ombudspersons in Europe frame energy poverty?'. *Energy Research & Social Science*, 107, pp. 1–12. <https://doi.org/10.1016/j.erss.2023.103363>.

Teuwens, C.(2024) Effective, quick, and free access to justice: a faithful image of the Ombudsman? Belgium–Ku Leuven [Online]. Available at: <https://www.law.kuleuven.be/pub/en/staff/00173033> (Accessed: 14th June 2025).

Verhage, E.(2016) 'The Implementation of the Consumer ADR Directive in the Netherlands', in Cortés, P. (ed.) *The New Regulatory Framework for Consumer Dispute Resolution*. Oxford: Oxford University Press, pp. 229-250.

Widuto, A. (2023) *Energy Poverty in the EU* - European Parliament [Online]. Available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733583/EPRS_BRI\(2022\)733583_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733583/EPRS_BRI(2022)733583_EN.pdf) (Accessed: 14th June 2025)

Zamfir, I. (2023) *Gender aspects of energy poverty* - European Parliament [Online]. Available at: [https://www.europarl.europa.eu/cmsdata/266210/EPRS_ATA\(2023\)739349_EN.pdf](https://www.europarl.europa.eu/cmsdata/266210/EPRS_ATA(2023)739349_EN.pdf) (Accessed: 14th June 2025)