The Kingdom of The Netherlands

The 2011 CCW Compliance Report of The Netherlands is the first such report submitted by The Netherlands and the information contained in forms A, B, C and E of the report reflects the current state of affairs.

However, had The Netherlands reported in 2007, 2008, 2009, and 2010 the information contained therein would have been the same as that contained in the present report. The Netherlands therefore does not intend to submit reports for the years 2007, 2008, 2009 and 2010 retroactively, but its 2011 report is to be considered as covering those years as well. Therefore, The Netherlands has complied with all its obligations in this respect.

The information in Form D (Technical Cooperation and Assistance) covers the period 1 January - 31 December 2010. The relevant information for previous years has been included in the annual reports of The Netherlands under Protocol V. Therefore there is no information gap of any kind.

The Hague, 29 September 2011
REPORTING FORMS

pursuant to the Decision of the Third CCW Review Conference on the establishment of a Compliance mechanism applicable to the Convention, as contained in its Final Declaration, Annex II, Paragraph 5 (CCW/CONF.III/11, Part II)

NAME OF THE HIGH CONTRACTING PARTY: THE NETHERLANDS

PARTY TO:

x □ Protocol I (Protocol on Non-Detectable Fragments)

x □ Protocol II (Protocol on Mines Booby-Traps and Other Devices)

x □ Amended Protocol II (amended Protocol on Mines Booby-Traps and Other Devices)

x □ Protocol III (Protocol on Incendiary Weapons)

x □ Protocol IV (Protocol on Blinding Laser Weapons)

x □ Protocol V (Protocol on Explosive Remnants of War)

ACCEDED TO:

x □ the amendment to Article 1 of the Convention

DATE OF SUBMISSION: 29/09/2011

(NOTE: the recommended deadline for submission of the national reports was fixed by the 2007 Meeting of the High Contracting Parties at 1 October of each calendar year)

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¹ Please indicate individually for the CCW and each Protocol (if different).
This information can be available to other interested parties and relevant organizations

☐ NO

☐ Partially, only the following forms: A ☐ B ☐ C ☐ D ☐ E ☐

NOTE: unless otherwise indicated all reports will be made public.

Note: Pursuant to paragraph 5 of the above Decision the High Contracting Parties have agreed “to provide information to the Secretary-General in advance of the Meeting, which will be circulated by the Secretary-General to all the High Contracting Parties, on any of the following matters:

(a) Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population;

(b) Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto;

(c) Legislation related to the Convention and its annexed Protocols;

(d) Measures taken on technical co-operation and assistance; and

(e) Other relevant matters.”

Each of the items listed above are provided as separate individual forms to be filled out by each High Contracting Party accordingly.
SUMMARY SHEET

REPORTING PERIOD: dd/mm/yyyy to dd/mm/yyyy

Form A: Dissemination of information: □ changed
□ unchanged (last reporting: [year])

Form B: Technical requirements and relevant information: □ changed
□ unchanged (last reporting: [year])

Form C: Legislation:
□ changed
□ unchanged (last reporting: [year])

Form D: Technical cooperation and assistance:
□ changed
□ unchanged (last reporting: [year])

Form E: Other relevant matters:
□ changed
□ unchanged (last reporting: [year])

NOTE: This Summary Sheet may be used only after the High Contracting Party has submitted its first national report pursuant to the Decision of the Third CCW Review Conference. Only the reporting forms which are indicated as „changed“ have to be submitted thereafter together with the Cover page and the Summary Sheet.
Form A  Dissemination of information
Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information […] on:

(a) Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population;”

High Contracting Party: The Netherlands

[Reporting for time period from ……………….. to ………………………]

□ additional information of dissemination of information on CCW Amended Protocol II to armed forces and civilian population is contained in the National Annual Report for [year], provided in accordance with paragraph 4(a) of Article 13 of Amended Protocol II.

□ additional information on dissemination of information on CCW Protocol V is contained in the National Report for [year], provided pursuant to paragraph 2 (b) of Article 10 of Protocol V.

Information to the armed forces, including the extent to which the CCW and its Protocols are part of military manuals and the training curriculum of its armed forces:

The provisions of the CCW and its Protocols, like all treaties on the Law of Armed Conflict (LOAC), are included in the training curriculum for the armed forces, and are inter alia expressly mentioned in the Royal Netherlands Army’s Handbook on the LOAC.

Information to the civilian population, including information on any programs, courses or documentation to disseminate the CCW to non-military audiences

The CCW is available to all citizens via the official website of the Netherlands government; it also features in a number of LOAC courses taught at different universities and other educational facilities.

Any other relevant information:
Form B  Technical requirements and relevant information

Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information […] on:

(b) Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto;”

High Contracting Party: The Netherlands

[Reporting for time period from ……………….. to ………………………]

☐ additional information on steps taken to meet technical requirements of Amended Protocol II and other relevant information pertaining thereto is contained in the National Annual Report for [year], provided pursuant to paragraph 4(c) of Article 13 of Amended Protocol II.

☐ additional information on steps taken to meet technical requirements of Protocol V and other relevant information pertaining thereto is contained in the National Report for [year], provided pursuant to paragraph 2 (b) of Article 10 of Protocol V.

Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols

The Netherlands is a party to the Ottawa Convention and does not use antipersonnel mines. A limited amount of anti-vehicle mines remain a part of the arsenal; both their technical specifications and the procedures for their use fully comply with the technical requirements of protocol II.

For the technical requirements of protocol V, the Netherlands refers to the annual report on Protocol V already submitted.

Any other relevant information
Form C  Legislation
Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information […] on:

(c) Legislation related to the Convention and its annexed Protocols;”

High Contracting Party: The Netherlands

[Reporting for time period from ……………….. to ………………………]

☐ additional information of legislation related to Amended Protocol II is contained in the National Annual Report for [year], provided pursuant to paragraph 4(d) of Article 13 of Amended Protocol II.

☐ additional information on legislation related to Protocol V is contained in the National Report for [year], provided pursuant to paragraph 2 (b) of Article 10 of Protocol V.

Legislation, including the status and content of national legislation to prevent and suppress violations of amended Protocol II:

The Convention and its annexed Protocols are concluded for the Kingdom of the Netherlands, but only ratified for the European part of the Kingdom so far. The Convention and its annexed protocols do not need any further implementation in Dutch law. Violation of the prohibitions of the protocols constitutes an infringement of the laws of war, for which the sentence is reflected in Article 8 of the Dutch War Crime Act (de Wet Oorlogsstrafrecht ; Staatsblad 1952, 408); which afterwards have been transferred to Article 7 of the Dutch International Crimes Act (Wet internationale misdrijven; Staatsblad 2003, 270). This Article criminalizes everyone who is guilty of violation of the laws and customs of war.

The Dutch International Crimes Act only applies to the European part of the Kingdom of the Netherlands. Aruba, Curacao, St. Maarten and the Caribbean part of the Kingdom of the Netherlands (Bonaire, Sint Eustatius and Saba) do not have an equivalent of this Act yet. Therefore, ratification of the Treaty and its annexed Protocols for these parts of the Kingdom will have to wait.

Any other relevant information, including the regulations and policies (other than national legislation) adopted to implement the CCW's obligations and ensure compliance with its Protocols:
Form D  Technical cooperation and assistance
Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information […] on:

(d) Measures taken on technical co-operation and assistance;”

High Contracting Party: The Netherlands

[Reporting for time period from 1-1-2010 to 31-12-2010]

☐ additional information of measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance is contained in the National Annual Report for [year], provided in accordance with paragraph 4(e) of Article 13 of Amended Protocol II.

☐ additional information on measures taken on international technical cooperation and assistance is contained in the National Report for [year], provided pursuant to paragraph 2 (b) of Article 10 of Protocol V.

International technical co-operation, including relevant experiences in seeking or providing technical assistance and cooperation:

The Netherlands is an important donor in the field of mine action. In the year 2010 the Netherlands spent an amount of 9.65 million Euros to NGO’s DDG, HALO, HIB, MAG and NPA. Through UNMAS the Dutch contribution in 2010 totalled 10 million USD. An indicative overview of the Netherlands contributions to mine action in the year 2010 is stated below. Most of these funds are intended for mine clearing operations; a smaller part is devoted to victim assistance and mine education.

2010 contributions to NGOs for priority areas, in EUR

<table>
<thead>
<tr>
<th>NGO</th>
<th>Country</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>DDG</td>
<td>Afghanistan</td>
<td>300.000</td>
</tr>
<tr>
<td>DDG</td>
<td>Somaliland</td>
<td>300.000</td>
</tr>
<tr>
<td>DDG</td>
<td>Sudan</td>
<td>200.000</td>
</tr>
<tr>
<td>HALO</td>
<td>Afghanistan</td>
<td>1,950.000</td>
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<tr>
<td>HALO</td>
<td>Somaliland</td>
<td>500.000</td>
</tr>
<tr>
<td>HIB</td>
<td>Iraq</td>
<td>90.000</td>
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<td>HIB</td>
<td>Angola</td>
<td>129.000</td>
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<tr>
<td>HIB</td>
<td>DRC</td>
<td>281.000</td>
</tr>
<tr>
<td>MAG</td>
<td>DRC</td>
<td>1,400.000</td>
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</tbody>
</table>
1.000.000
MAG Angola  900.000
MAG Iraq  1.200.000
NPA Sudan  600.000
NPA Ethiopia  300.000
NPA MDD/MO  150.000
NPA Angola  350.000

9.650.000 TOTAL EUR

2010 contributions to UNMAS, in USD
UNMAS Unearmarked  10.000.000 TOTAL USD

International technical assistance:
Not applicable

Any other relevant information:
Not applicable
Form E Other relevant matters

Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information […] on:

(e) Other relevant matters.”

High Contracting Party: The Netherlands

[Reporting for time period from ………………… to ………………………]

☐ additional relevant information is contained in the National Annual Report for [year], provided pursuant to paragraph 4(f) of Article 13 of Amended Protocol II.

☐ additional relevant information is contained in the National Report for [year], provided pursuant to paragraph 2 (b) of Article 10 of Protocol V.

Other relevant matters

Not applicable.