

**- PROTOCOL V -**

**SUMMARY COVER PAGE**

**OF THE ANNUAL REPORT OF CCW PROTOCOL V <sup>1</sup>**

**NAME OF STATE [PARTY]:** THE NETHERLANDS

**REPORTING PERIOD:** 01/01/2009 **to** 01/01/2010  
 (dd/mm/yyyy) (dd/mm/yyyy)

<b>Form A:</b> Steps taken to implement Article 3 of the Protocol: Clearance, removal or destruction of ERW	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged [last reporting year: (2008)] <input type="checkbox"/> non applicable
<b>Form B:</b> Steps taken to implement Article 4 of the Protocol: Recording, retaining and transmission of information	<input checked="" type="checkbox"/> changed <input type="checkbox"/> unchanged [last reporting year: (yyyy)] <input type="checkbox"/> non applicable
<b>Form C:</b> Steps taken to implement Article 5 of the Protocol: Other precautions for the protection of the civilian population, individual civilians and civilian objects from the risks and effects of ERW	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged [last reporting year: (2008)] <input type="checkbox"/> non applicable
<b>Form D:</b> Steps taken to implement Article 6 of the Protocol: Provisions for the protection of humanitarian missions and organizations from the effects of explosive remnants of war	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged [last reporting year: (2008)] <input type="checkbox"/> non applicable
<b>Form E:</b> Steps taken to implement Article 7 of the Protocol: Assistance with respect to existing explosive remnants of war	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged [last reporting year: (2008)] <input type="checkbox"/> non applicable
<b>Form F:</b> Steps taken to implement Article 8 of the Protocol: Co-operation and assistance	<input checked="" type="checkbox"/> changed <input type="checkbox"/> unchanged [last reporting year: (yyyy)] <input type="checkbox"/> non applicable
<b>Form G:</b> Steps taken to implement Article 9 of the Protocol: Generic preventive measures	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged [last reporting year: (2009)] <input type="checkbox"/> non applicable
<b>Form H:</b> Steps taken to implement Article 11 of the Protocol: Compliance	<input checked="" type="checkbox"/> changed <input type="checkbox"/> unchanged [last reporting year: (yyyy)] <input type="checkbox"/> non applicable
<b>Form I:</b> Other Relevant Matters	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged [last reporting year: (2008)] <input type="checkbox"/> non applicable

<sup>1</sup> Pursuant to the relevant decision of the First Conference of the High Contracting Parties to CCW Protocol V, this cover page could be used as a **complement** to submitting the detailed reporting forms adopted at the First Conference of the High Contracting Parties to CCW Protocol V in case there is no substantial change in the ERW situation, as a result of a conflict or of the measures undertaken in compliance with the provisions of Protocol V, and when the information to be provided in some of the forms in an annual report is the same as it would be in past reports.

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**REPORTING FORMS  
PURSUANT TO ARTICLE 10, PARAGRAPH 2 (b) OF THE PROTOCOL AND THE  
DECISION OF THE FIRST CONFERENCE OF THE HIGH CONTRACTING  
PARTIES TO PROTOCOL V**

(As adopted by the First Conference at its second plenary meeting on 5 November 2007)

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HIGH CONTRACTING PARTY: THE NETHERLANDS  
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NATIONAL POINT(S) OF CONTACT (Organization, telephones, fax, e-mail):

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DATE OF SUBMISSION: 29/03/2010  
.....  
(dd/mm/yyyy)

This information can be available to other interested parties and relevant organizations

YES

NO

Partially, only the following forms:

A  B  C  D  E  F  G  H  I

**- PROTOCOL V -**

**FORM A:** Steps taken to implement Article 3 of the Protocol: Clearance, removal or destruction of explosive remnants of war

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High Contracting Party: The Netherlands

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Reporting for time period from: 01/01/2009 to 01/01/2010  
[dd/mm/yyyy] [dd/mm/yyyy]

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**Steps taken to implement the provisions of Article 3:**

In the reporting period a substantial part of the Netherlands armed forces was part of the International Security and Assistance Force (ISAF) mission in Afghanistan. The Netherlands armed forces on mission do not exercise control of the territory. During the reporting period there was no cessation of hostilities. Therefore it was not feasible to provide the assistance as foreseen under the provisions of this Article. However, where possible and as far as practical the Netherlands armed forces have cleared, removed or destroyed Explosive Remnants of War.

The clearance, removal and destruction of ERW are reflected in Standard Operating Procedures and other internal directives of the Netherlands armed forces. The Netherlands incorporates Explosives Ordnance Disposal personnel in their expeditionary units/task forces. The EOD personnel will clear, remove and/or destroy conventional explosives and improvised explosives devices. Additionally they will dispose of enemy stocks of ammunition to prevent it from being used against NL/coalition forces. Moreover, this personnel as a matter of policy fulfils mentioned tasks in order to minimize the risks for the civilian population.

**Any other relevant information:**

None

**- PROTOCOL V -**

**FORM B:** Steps taken to implement Article 4 of the Protocol: Recording, retaining and transmission of information

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High Contracting Party: The Netherlands

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Reporting for time period from: 01/01/2009 to 01/01/2010  
[dd/mm/yyyy] [dd/mm/yyyy]

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**Steps taken to implement the provisions of Article 4 and the Technical Annex:**

The information on the use of explosive ordnance or abandonment of explosive ordnance must be preserved according to national law (Archiefwet). Within the Ministry of Defence several instructions are in force on recording and retaining of information on the use of explosive ordnance: the reports Troops in Contact (TIC), mission reports, After Action Reports (AAR) and logbooks. These instructions apply to all missions performed by the Netherlands armed forces.

Procedures for ensuring the release and transmission of information in accordance with this article are in place. A central database has been set up to store all the recorded information on the use of explosive ordnance. The information is recorded in the 'Article 4 generic electronic template'. This will make it easier to retrieve and, at the appropriate time, transmit the information on ERW.

Every commanding officer of a mission receives (if applicable) an instruction on Protocol V (including Article 4 and on how to use the generic electronic template) and will bear the responsibility for recording the information. The Defence Staff of the Netherlands Ministry of Defence is responsible for compiling the recorded information, the Ministry of Foreign Affairs for its international transmission.

In the reporting period a substantial part of the Netherlands armed forces was part of the International Security and Assistance Force (ISAF) mission in Afghanistan. In this period the Netherlands armed forces have recorded and retained information on the use of explosive ordnance in all areas of operation. As far as practicable, after the cessation of hostilities this information will be made available for international transmission in accordance with this Article.

**Any other relevant information:**

None

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**FORM C:** Steps taken to implement Article 5 of the Protocol: Other precautions for the protection of the civilian population, individual civilians and civilian objects from the risks and effects of explosive remnants of war

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High Contracting Party:           The Netherlands          

Reporting for time period from:           01/01/2009           **to**           01/01/2010            
          [dd/mm/yyyy]           **to**           [dd/mm/yyyy]          

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**Steps taken to implement the provisions of Article 5 and the Technical Annex:**

All military personnel is trained and obliged to take feasible precautions in the territory of their operation. Standing Operating Procedures cover the detection, marking, fencing, monitoring and active dissemination of information on any ERW. Ignoring these SOPs can result in criminal prosecution. These precautions have been taken in practice by the Netherlands armed forces in areas of operations, including Afghanistan.

When actually clearing, removing or destroying ERW, EOD specialists of the Netherlands armed forces provide protection for the civilian population by means of protective constructions, by applying smart explosive techniques and ordering diversions or evacuations.

**Any other relevant information:**

None

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**FORM D:** Steps taken to implement Article 6 of the Protocol: Provisions for the protection of humanitarian missions and organizations from the effects of explosive remnants of war

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High Contracting Party: The Netherlands

Reporting for time period from: 01/01/2009 **to** 01/01/2010  
**[dd/mm/yyyy]** **[dd/mm/yyyy]**

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Steps taken to implement the provisions of Article 6:

Mutatis mutandis in accordance with the information provided in Form C.

Any other relevant information:

None

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**FORM E:** Steps taken to implement Article 7 of the Protocol: Assistance with respect to existing explosive remnants of war

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High Contracting Party: The Netherlands

Reporting for time period from: 01/01/2009 to 01/01/2010  
[dd/mm/yyyy] [dd/mm/yyyy]

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Steps taken to implement the provisions of Article 7:

Nothing to report.

Any other relevant information:

None

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**FORM F:** Steps taken to implement Article 8 of the Protocol: Co-operation and assistance

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High Contracting Party: The Netherlands

Reporting for time period from: 01/01/2009 to 01/01/2010  
[dd/mm/yyyy] [dd/mm/yyyy]

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**Steps taken to implement the provisions of Article 8:**

In order to reduce the yearly number of victims of mines and ERW, and to promote the socio-economic development in post-conflict areas, the Netherlands has included Mine Action in its integrated post-conflict reconstruction policy. Victim assistance (including medical care, rehabilitation and reintegration of victims of mines and ERW) is part of the Mine Action policy.

Under the Convention on Anti-Personnel Mines the Netherlands has committed itself to provide assistance in mine-affected areas of other State Parties. This includes victim assistance, mine clearance as well as destruction of storage facilities. The Netherlands yearly contributes a minimum of 13,6 million Euro to mine action activities, through UNMAS and non-governmental organizations.

For the period 2008-2011, Handicap International Belgium receives a 1,9 million Euro contribution for activities for victims of mines and ERW in Iraq, Angola and Democratic Republic of Congo. Activities include mine risk education, rehabilitation of victims, socio-economic reintegration and mine clearance. In 2009 the Netherlands contributed 25 million Euro unarmarked to the International Committee of the Red Cross (ICRC). The ICRC includes the risks and effects of mines, cluster munitions and ERW in all its programmes. ICRC provides medical care to victims and works on reintegration, clearance and awareness-raising.

**Any other relevant information:**

N/A



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**FORM G:** Steps taken to implement Article 9 of the Protocol: Generic preventive measures

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High Contracting Party: The Netherlands

Reporting for time period from: 01/01/2009 to 01/01/2010  
[dd/mm/yyyy] [dd/mm/yyyy]

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**Steps taken to implement the provisions of Article 9 and the Technical Annex:**

Amongst others, prevention of the occurrence of explosive remnants of war starts with preventive measures taken under normal, that is, peacetime circumstances. The paragraphs below describe in general wording the steps taken by the Netherlands (NLD) emphasizing prevention of explosive remnants of war. Generally speaking, NATO or STANAG rules do apply.

**A. Munitions manufacturing/procurement management**

- (1) NLD has virtually no ammunition production capability. Therefore, during procurement, all necessary steps are taken so as to guarantee the highest possible reliability of munitions. This is achieved by the incorporation of specific requirements of generally adopted standards and norms in this so-called Programme of Requirements (POR, NLD-MOD/DMO).
- (2) In the POR, requirements are incorporated to guarantee that production processes are subject to certified quality control measures like AQAP and/or ISO 9000.
- (3) The same POR also requires the supplier to prove his AQAP (Allied Quality Assurance Publication) and/or ISO 9000 certification.
- (4) Explosive ordnance is only introduced in the armed forces after successful completion of a series of acceptance tests, including live-firings according to a prescribed standard and the programme agreed upon with the manufacturer (included in the POR, varies with type of ammunition).
- (5) For explosive ordnance transactions and transfers, sound protocols exist for classification, CA (Competent Authority) certification and Qualification of Explosives used in a certain store. The permission to fire a specific munition with a specific weapon is regulated by NLD national regulations.

**B. Munitions management**

- (1) The storage of explosive ordnance is regulated in a national obligatory document.
- (2) Transportation of ammunition is regulated in a National document so as to guarantee minimal damage to the explosive ordnance and minimal impact on the surroundings in case of a mishap. The containers / buildings for the storage of ammunition have to fulfil certain requirements. For the transportation of explosive ordnance, only qualified vehicles may be used.
- (4) The risk of explosions in stockpiles is regulated in quantity-distance requirements for stockpile arrangements.
- (5) All ammunition is characterized by a number of data, visible on the (packaging of the) explosive ordnance (barcode). In some cases data logging is used to show the exact history (storage conditions, locations where the munition has been and environmental factors it has been exposed to) of the ammunition.
- (6) Surveillance testing is carried out at regular intervals (depending on the type of ammunition) according to the Programme for Periodic Inspection.
- (7) Sub-assemblies, in particular (rocket-)propellants are under constant laboratory coverage.
- (8) In the Programme for Periodic Inspection, mandatory indications are given for (extension of) the expected shelf-life and actions to be taken to maintain the reliability of the product(s).

**C. Training**

Each (type of) ammunition may only be used after an intensive training. For that purpose special training aids and practice ordnance is procured.

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**D. Transfer**

Both national and international transfer of ammunition is subjected to strict rules.

**E. Future Production/Procurement**

Future procurement will generally follow the same lines as stated above, where measures are taken to guarantee the highest possible reliability for functioning and safety. Included are 'lessons learned' from mandatory reports after unwanted situations with ammunition.

**Any other relevant information:**

Every step in the procurement process is carefully registered, controlled and documented in a series of (national) obligatory documents. Each (type of) explosive ordnance must be type-qualified before use.

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**FORM H:** Steps taken to implement Article 11 of the Protocol: Compliance

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High Contracting Party: The Netherlands

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Reporting for time period from: 01/01/2009 **to** 01/01/2010  
[dd/mm/yyyy] [dd/mm/yyyy]

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**Steps taken to implement the provisions of Article 11:**

Every commanding officer of a mission receives (if applicable) an instruction on Protocol V (including Article 4 and on how to use the generic electronic template) and will bear the responsibility for recording the information. The Defence Staff of the Netherlands Ministry of Defence is responsible for compiling the recorded information, the Ministry of Foreign Affairs for its international transmission.

Military personnel receives a training on the provisions of Protocol V of the CCW on Explosive Remnants of War.

In 2009-2010 a full revision takes place of the way in which the education of (military) Law, including International Humanitarian Law, is being executed within the armed forces of the Netherlands. This is being done by the development of a catalogue of all themes that should be covered, including Protocol V on ERW. This catalogue specifies to what level of detail various groups such as officers, NCOs and soldiers should be instructed and how much time is needed to achieve the educational objectives. The Directorate of Legal Affairs is responsible for the execution of the revision. The aim is an armed forces -wide standardisation of the education of (military) Law, IHL and relevant protocols. The implementation of the standardisation is foreseen in 2010.

**Any other relevant information:**

None

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**FORM I:** Other relevant matters

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High Contracting Party: The Netherlands

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Reporting for time period from: 01/01/2009 to 01/01/2010  
[dd/mm/yyyy] [dd/mm/yyyy]

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Any other relevant information:

None